



# City of Columbia, Missouri

## Meeting Minutes

### City Council

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Monday, May 21, 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 Monday, May 21, 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 TRAPP, SKALA, THOMAS, PITZER, PETERS, and TREECE were present and Council Member RUFFIN was absent. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of May 7, 2018 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Pitzer.

Mr. Trapp stated he planned to ask for B100-18, B101-18, B102-18, and B103-18 to be tabled until they had a full complement of Council. Mayor Treece noted he was inclined to entertain that when they got to it. Mr. Trapp explained he wanted to give those that might have come for that item that notification.

Upon her request, Mayor Treece made a motion to allow Ms. Peters to abstain from voting on R78-18. Ms. Peters noted on the Disclosure of Interest form that she owned property in the subject area. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

Mr. Pitzer asked that R77-18 be moved to old business so it could be discussed immediately after B94-18 and B95-18 since they were related subjects. Mayor Treece asked if there was any objection to that change, and no one objected.

The agenda, including the consent agenda and R77-18 being moved from new business to old business, was approved unanimously by voice vote on a motion by Mayor Treece and a second by Mr. Skala.

#### II. SPECIAL ITEMS

SI7-18

Columbia Youth Basketball Association Special Presentation for the Sports Fieldhouse.

Allen Jennings, 3809 Ashford Court, explained he was the Volunteer President of the Columbia Youth Basketball Association (CYBA).

Dean Barry, 2204 Sunflower Street, stated he was the founder of CYBA.

Mr. Jennings commented that the CYBA had recently celebrated its 25th anniversary in partnership with the City of Columbia and the Columbia Public Schools. He noted the program had started with kids at West Boulevard Elementary and had blossomed into 1,000 kids from the first through twelfth grade. It had morphed into a really important part of the City of Columbia's recreational sports. He emphasized the recreational aspect as he believed it was good for kids of all skill levels to be able to play. He explained they had tried to raise money over the years to construct a building, but had not been successful, and tonight they wanted to give the City the funds they had accumulated in that effort. He presented the City with a check for \$100,000.

Mayor Treece noted the City appreciated the commitment of CYBA to the kids of Columbia and to this project, and thanked them for the donation.

Mr. Barry stated they believed this would be a tremendous asset for the City and challenged businesses, organizations, and individuals to donate to make this a better facility.

Mayor Treece thanked them again for the generations of kids that had benefited from the CYBA.

### III. APPOINTMENTS TO BOARDS AND COMMISSIONS

#### BC5-18 Board and Commission Applicants.

Upon receiving the majority vote of the Council, the following individuals were appointed to the following Boards and Commissions.

#### BUILDING CONSTRUCTION CODES COMMISSION

Grove, Tony, 2709 Surfside Court, Ward 4, Term to expire August 1, 2019

Mayor Treece commented that after 28 years Genie Rogers had decided not to seek another term on the Columbia Housing Authority Board, and noted it would be hard to replace her expertise in housing projects. He explained he wanted to take his time to determine how to best replace some of that expertise she had developed. He stated he would like to readvertise the vacancy unless there was an objection, and no one objected.

#### DISABILITIES COMMISSION

Gortmaker, Ann Marie, 1714 McAlester Street, Ward 3, Term to expire June 15, 2021

Luebbert, Marcie, 1515 E. Walnut Street, Apt. 103, Ward 3, Term to expire June 15, 2021

Maune, Gretchen, 1006 Otto Court, Apt. B, Ward 1, Term to expire June 15, 2021

Walden, Julie, 2707 Parker Street, Ward 2, Term to expire June 15, 2021

#### ENVIRONMENT AND ENERGY COMMISSION

Hassani, Rachel, 5004 Kristos Court, Ward 3, Term to expire June 1, 2021

Turner, Alyce, 1204 Fieldcrest, Ward 4, Term to expire June 1, 2021

#### FAIR HOUSING TASK FORCE

Banks, Barbie, 215 W. Ash Street, Ward 1

Bryan, Brad, 26 E. Thurman Street, Ward 2

Foster, Nick, 117 Park Hill Avenue, Ward 4

Law, Virginia, 2500 Spruce Drive, Ward 3

Neuner, Shawna, 3709 Citation Drive, Ward 2

Steinhaus, Phil, 201 Switzler Street (Business Address), Ward 5

White, Bryon, 5503 Sedgewick Drive, Ward 5

Young, Brad, 3204 Wooddale Lane, Ward 5

Mr. Thomas stated he imagined the public would be invited to these Fair Housing Task Force meetings and be provided an opportunity to comment at every meeting. Mayor Treece agreed.

Mayor Treece noted they had to appoint two non-voting council members and believed Ms. Peters and Mr. Trapp had expressed interest in it, and asked if that was correct. Both agreed.

Mayor Treece made a motion to appoint Ms. Peters and Mr. Trapp as the two non-voting council members to the Fair Housing Task Force. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

INTEGRATED ELECTRIC RESOURCE AND MASTER PLAN TASK FORCE

Bell, Scott, 5306 Silver Mill Drive, Ward 2  
Fracica, Philip, 4700 Clark Lane, Apt. 102, Ward 3  
Hassani, Rachel, 5004 Kristos Court, Ward 3  
Hurley, Thomas, 907 W. Ash Street, Ward 1  
Jensen, Thomas, 2416 Wild Oak Court, Ward 6  
Marinova, Detelina, 4107 Nashua Court, Ward 5

MAYOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH

Schlemeier, Sarah, 3704 Iguana Drive, Ward 2, Term to expire November 30, 2018

PARKS AND RECREATION COMMISSION

Devine, Daniel, 710 Ridgeway Avenue, Ward 1, Term to expire May 31, 2021  
Farnen, Ted, 5100 Blue Spruce Court, Ward 5, Term to expire May 31, 2021  
Donaldson, Meredith, 1001 Pheasant Run Drive, Ward 6, Term to expire May 31, 2021

Mayor Treece commented that all of the Youth Advisory Council (YAC) applicants were from Rock Bridge High School and Hickman High School, and recommended Battle High School, Douglass High School, Tolton High School, and Columbia Independent School encourage their students to apply in the future as he believed it was a great leadership opportunity.

YOUTH ADVISORY COUNCIL

Erickson, Rachael, Ward 5, Term to expire June 1, 2021  
Glaser, James, Ward 5, Term to expire June 1, 2021  
Harline, Genevieve, Ward 5, Term to expire June 1, 2019  
Keithahn, Hope, Boone County, Term to expire June 1, 2019  
Koenig, Henry, Ward 5, Term to expire June 1, 2020  
Koldobskiy, Julia, Ward 5, Term to expire June 1, 2019  
Kraus, Marissa, Ward 4, Term to expire June 1, 2021  
Kurukulasuriya, Amanda, Ward 5, Term to expire June 1, 2021  
Mahto, Sarvika, Ward 5, Term to expire June 1, 2021  
McKee, Amira, Ward 6, Term to expire June 1, 2019  
Morris, Drew, Ward 5, Term to expire June 1, 2019  
Olmstead, Lydia, Ward 5, Term to expire June 1, 2021  
Rashid, Ismael, Ward 5, Term to expire June 1, 2021

Mayor Treece noted Ms. Peters was the Council liaison to the YAC last year and asked if she wanted to continue in that role. Ms. Peters replied yes. Mayor Treece stated Ms. Peters would remain in that role unless there was an objection, and no one objected.

Mayor Treece explained he would appoint Steve Barton with Dana Corporation to the Mayor's Task Force on Climate Action and Adaptation Planning to replace Dale Tidemann, who had been with 3M in Columbia and had taken another position. He pointed out Dana Corporation had been a recipient of the Mayor's Climate Action Award last year.

**IV. SCHEDULED PUBLIC COMMENT**

SPC19-18 Kristine Cho (Chair) and Kieran Malloy (Vice-Chair) - Youth Advisory Council Report to City Council.

Ms. Cho stated she was the current Chair of the Youth Advisory Council (YAC) and had introduced Kieran Malloy, the Vice Chair of the YAC. She commented that after much discussion and debate during their first meetings, the YAC had decided to partner with the Parks and Recreation Department and focus on social justice for the year as it would

provide for more activities, build community, and provide opportunities for more safe places. She explained most of the social justice discussion had stemmed from a campaign that had originated at Battle High School called *The Wake Up* campaign. The campaign focused on fostering discussion, good discourse, and talking about ways to be aware of different power structures without those discussions escalating into a fight or something that was not productive. She understood Battle High School was going through the process of implementing social justice through the human rights curriculum to foster discussions around social justice. She commented that Hickman High School had hosted a dialogue training event, and had planned to host a forum about politics and the current climate. While the Rock Bridge High School Administration was more averse to any changes to curriculum, a survey had been conducted, which had determined the ground was ripe for student driven topics, such as this. She pointed out the YAC had also played a part in Vision Zero, and asked Mr. Malloy to speak on that subject.

Mr. Malloy explained the YAC had been contacted by the Parks and Recreation Department to try to determine why the youth were not participating in activities they had provided. As a result, the YAC had developed and conducted surveys at the four public high schools, and the main barrier appeared to be knowledge of the events. The Youth Community Coalition was now assisting in the development a Leisure Times of sorts that would be created by students for distribution in the schools, similar to a school newspaper. He pointed out the main priority of Vision Zero was to eliminate all traffic related deaths and major injuries, and the YAC had held events at Battle High School, Rock Bridge High School, and Hickman High School for students to pledge they would not be distracted drivers. He noted they had received almost 170 pledges.

Mayor Treece commented that he had enjoyed watching the advocacy of Ms. Cho in the community as he had seen her speak at the Students Demand Action rally. He also understood she was continuing her education at Brown University, and stated he could not wait to see what challenges in the world she would solve. He pointed out he had known Mr. Malloy since Mr. Malloy had attended Grant Elementary, and understood he would be attending the University of Missouri to study strategic communications and political science. He commented that he was proud of both of them, and noted the Council also extended appreciation to them both for their participation on YAC.

SPC20-18

Ginger Owen - Vanishing Wilderness.

Ms. Owen, 5775 E. Heller Road, provided a handout sharing Michael Soule's message from the April issue of Sun Magazine about wilderness and wildlife being destroyed by human activity. She explained he had seen a turtle with its shell cracked and guts hanging out in the middle of the road when biking, and had stopped to pick it up and carefully set it in the grass. While doing this, he had heard laughter from people nearby as they felt he was wasting his time on a soon to be dead turtle, which made him fight back tears. She commented that this was how she felt about what was happening to the remaining wilderness spaces in the community as they were rapidly succumbing to the invasion of concrete paths known as nature trails. She noted that Mr. Soule had gone on to describe how politicians did not give a damn about the damage to nature as they only cared about what happened on their watch, and they did not change their behavior to avoid future disasters. She stated it would be too late for a lot of species, a lot of places, and a lot of human communities as the day of reckoning approached. She commented that Mr. Soule felt if they wanted to make changes to the way society operated, it needed to be political. She noted he had also indicated all of his mystical experiences had occurred in nature, and this was something with which she could relate. She explained Mr. Soule had indicated there was a unique grief that resulted in the loss of natural areas. She believed she could make a difference, but felt the City Council had a bigger voice than her. She reiterated the wildness of nature was miraculous and hoped the article by Mr. Soule would move the hearts of the Council as it had moved hers to the need to keep the wilderness of the nature areas mystical and miraculous future generations. She noted the name of the article by Mr. Soule was *We Only Protect What We Love*, and

asked the Council to let her show them how to love the Altis property. She commented that included with the article was the cover of a book she felt was necessary for City personnel to read called *A Pattern of Love - Towns, Buildings and Construction*, and read a poem by William Blake entitled *The Sick Rose* in closing.

SPC21-18

Virginia Muller - Doing successful organizational change.

Ms. Muller, 101 Edgewood Avenue, stated she was with Race Matters, Friends, and explained she would read some notes from Tara Warne-Griggs, who could not attend tonight. There had been a lot of talk this week about how amazing it was that the City Manager and Police Chief had held the line on the Rob Sanders firing despite the resistance of the Columbia Police Officers Association (CPOA) and many rank and file within the Columbia Police Department (CPD). She commented that they agreed the City Manager and Police Chief had taken appropriate action in this case, but did not feel their actions were amazing or heroic. Ridding the ranks of abusive officers was the bare minimum the public should expect from its leaders. This case and the education training officer's response to the request of the Citizens Police Review Board (CPRB) for additional training with regard to dealing with youth illustrated the depth of the cultural change needed in the CPD. She understood change was hard and complex, and employees tended to report they resisted change because they did not understand the change they were being asked to implement or disagreed with the change itself. She noted this was why Race Matters, Friends was so insistent on the importance of the philosophy underpinning any model of community policing that might be adopted in Columbia. Research on successful organizational change in the corporate sector and among policing organizations showed it followed a similar set of steps beginning with the articulation of a vision, set of values, or philosophy. In addition, there needed to be leadership that lived those values, and that leadership needed to develop the capacity and motivation in their employees to enable that change. She stated Race Matter, Friends supported a model of community policing that was transformational rather than a mere modification of existing policies. She reiterated this started with a vision of the values embodied in a department-wide community policing model. A clear statement about what community policing was and what it meant in Columbia was foundational, and without it, the rest would collapse. The second step was to determine the must haves for a robust department-wide implementation of community policing. For Race Matters, Friends, this would include the insistence of a guardian mindset with the intended adoption of professional development training, policies and procedures, policing strategies, and departmental cultural norms accompanying a guardian mindset. She suggested they then discuss what would be nice to have, such as the kind of business intelligence approach and tools that would be used and how the department would fit within a larger matrix of public safety and social well-being agencies. She wondered what CPD officers were doing that should maybe be done by other agencies. The third step involved determining the organizational structure that would help them best achieve the must haves, and the fourth step involved deciding the strategies that would work best in implementing the model outlined in step three and identifying what other departments had done to be successful. The fifth step involved the resources that would be needed to bring the model decided upon to life. She stated insisting on determining resource requirements after they had decided on a model was not the same thing as saying community policing was not resource intensive. It was an insistence of public accountability. She commented that they needed to develop a plan, and to then determine how much it would cost, and believed it would be better to develop several plans with different levels of resource requirements to present as alternatives to the public, department, and City to consider. She noted the simple ratio of "x" officers to 1,000 people was not the metric to use as there were far more robust resource models. She pointed out transformational efforts were far more difficult to accomplish than pilot programs and successful departmental transformation would require a strong guiding coalition to build consensus around the vision. She felt the City and police leadership

had done little to build support for change within the department, and stated successful change required the belief on the part of the rank and file that change was possible and who they were aligned with that change. She noted CPD officers had told Race Matters, Friends that they had gone into policing to help people, and they needed to believe that adopting community policing would help them do that better than the current model. She felt they had seen a lot more deflection and resistance than coalition building from the leaders thus far.

## V. PUBLIC HEARINGS

PH14-18 Proposed construction of a replacement Central Missouri Aviation (CMA) Hangar 350 structure to be located directly south of Taxiway C and west of Hangar 40 and construction of a connecting apron and taxiway at the Columbia Regional Airport.

PH14-18 was read by the Clerk.

Ms. Button provided a staff report.

Mayor Treece asked if it would save the City money with regard to the apron expansion if CMA proceeded with the south option. Ms. Button replied a portion of the apron would still need to be expanded. Mayor Treece understood it would be smaller. Ms. Button agreed. Mayor Treece understood they wanted to continue to keep the apron linear in case other properties were placed there. Ms. Button stated she could not speak for FAA, but it would stay consistent with the current layout.

Mayor Treece understood that under either scenario, they could lease or sell the existing terminal to the fixed base operator or use it for general aviation, and that both of the hangers would accommodate private aircraft use. Ms. Button stated the hanger being discussed would be for CMA and their clients. They had not determined the direction they would go with regard to the existing terminal.

Mr. Skala understood one building would be razed when the new one was built, and regardless of the site chosen, the terminal would revert back to the City to determine its future use. Ms. Button stated that was correct.

Mr. Pitzer asked if the City owned the hanger and leased it to CMA. Ms. Button replied the existing Hanger 350 was owned by CMA. The other hangers located along the right hand side of the screen were leased by CMA from the City. Mr. Pitzer asked if the City would own the hanger they would build and lease it to CMA. Ms. Button replied they would have to negotiate with CMA as to the disposition of lease and ownership. Mr. Parks noted Building 200 was owned by the City and leased to CMA.

Mr. Pitzer asked if this was necessary to get approval for the new terminal site and if they would wait for approval prior to razing the hanger. Ms. Button replied Hanger 350 could not be demolished until they had gotten through the supplemental plan and the categorical exclusion with FAA. In order to locate the terminal in this location that hanger would have to be demolished.

Mr. Thomas understood the reason for this was due to having a new plan for the new terminal, which was different than the option presented by Parsons Brinkerhoff, and asked why the plan had changed from the Parsons Brinkerhoff recommendation to the current one, which he thought was to build the new terminal just south of the current terminal. Ms. Button explained the City had received conditional approval in late November from the FAA for the northern location, which had been known as Preferred Site No. 2. Mr. Thomas understood that was one of the ones Parsons Brinkerhoff had recommended. Ms. Button stated that was correct. She noted the letter received from FAA had indicated the optimal location for a terminal would be at midpoint to the primary runway. As a result, they evaluated that as a location and had recognized it was expected to cost less and take less time. She explained they would be required to

undergo a full environmental review on the northern location, which could take anywhere from 12-18 months. The proposed site, which was coined 1X and was south and west of the existing terminal, only required a categorical exclusion, which was a greatly expedited review process allowing them to get to the design much sooner. Mr. Thomas understood this option had not been presented by Parsons Brinkerhoff because they had essentially taken it off of the table in terms of the scope of work. He thought there was a reason they believed they could not put a new terminal at this location at the time Parsons Brinkerhoff did their study. Ms. Button stated Parsons Brinkerhoff had presented six locations, three of which were removed from discussion fairly quickly due to their locations. The remaining three included the northern location, a southern location at the end of the primary runway, and the existing terminal. The existing terminal site had been evaluated, and ultimately they looked just south and west of the existing terminal, which was slightly different than what Parsons Brinkerhoff had evaluated. Mr. Thomas understood this new location would save them a considerable amount of money and the process would be faster. Ms. Button stated that was correct, and noted they were estimating a savings of about \$8-\$10 million due to the existing infrastructure.

Ms. Peters recalled a concern involving general aviation being separate from commercial aviation, and that being a reason to locate the terminal away from the existing Hanger 350. She asked if the FAA had now changed their mind. Ms. Button replied the northern location would separate the general aviation from commercial based upon the new terminal location. She displayed a diagram and pointed out the existing terminal, the proposed new terminal location, and the hangars, and stated she believed all of those things would be considered as the FAA evaluated the site.

Ms. Peters thought the FAA felt this was more appropriate because it would cost less, and asked for clarification as to whether they had approved the new terminal site yet. Ms. Button replied the approval process was at the Supplemental Terminal Area Master Plan step now.

Mayor Treece opened the public hearing.

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

**Mayor Treece made a motion directing staff to select a design-build contractor for construction of a replacement Central Missouri Aviation (CMA) Hangar 350 structure and to move forward with final plans and specifications for the construction of the connecting apron and taxiway reconstruction project. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.**

PH15-18 Consider the Water and Light 2018 Renewable Energy Plan and Report.

PH15-18 was read by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Skala asked if the Truman Solar facility was the one on the south side of I-70 on the east side of town. Mr. Johnsen replied yes.

Mr. Skala noted Mr. Johnsen had alluded to the challenge of dealing with distributed energy in terms of a cost-benefit analysis and asked if it might be useful to contract that out. Mr. Johnsen replied staff was not opposed to that option, and pointed out they had hired a financial consultant to look the methodology about 2-3 years ago, which had resulted in some recommendations that they had incorporated. Since 2010, they had made a lot of changes, and almost every year, they reviewed whether they were doing the right thing in terms of the distributed energy resources. He noted they were still willing to work with the Water and Light Advisory Board (WLAB) in reviewing it.

Mr. Thomas asked if other cities had similar ordinances for goals for renewable energy in terms of proportion and rate increase impact caps, and if those methodologies had been reviewed. Mr. Johnsen replied he had not seen any community that was quite like Columbia. The ordinance Columbia had was geared around the generation of or the

purchasing of energy and involved the percentage of retail sales with a rate cap. It left a lot of room with regard to the methodology. He stated he had not been able to find a perfect fit, and had utilized pieces that seemed to make sense.

Mr. Thomas asked what it would take to remove the rate cap since it had been a part of a ballot issue that had been voted on by the citizens. He wondered if the change could be done by ordinance. Ms. Thompson replied yes. She explained since the times and requirements tended to change, it could be changed as long as they were paying some attention to what the will of the voters had been. Mr. Thomas pointed out he was not suggesting that at this time.

Mr. Johnsen commented that he did not feel those that had developed the ordinance language had foreseen the development of net metering and distributed solar on the system.

Mr. Pitzer understood the rate impact study included in the report from January of 2015 had recommended studying the rate impact every three years, and that staff did not have any plans to do a similar study. Mr. Johnsen stated they had not entered into a contract, but planned to work with the WLAB to review it, and noted they would be willing to work with a consultant if that was the suggestion.

Mayor Treece opened the public hearing.

Eugene Elkin, 3406 Range Line Street, commented that a solar home had been constructed a few years ago, and thanked the City. He suggested the energy generation of turbines on the Missouri River next to the bottoms to determine its effectiveness.

Jay Hasheider, 1812 Cliff Drive, referred to Page 5, Section v of the report and noted it listed 732 megawatt hours. He explained those megawatt hours had been listed, but had not actually had any use in the report. He stated he objected to this because staff had made the change without any endorsement from the WLAB, and the WLAB had expressed some severe reservations in that regard. In his view, staff should obtain approval when changing the methodology. He noted the WLAB had been told this was an improvement to way it had been done. He reiterated staff had made the decision without an endorsement from the Council or the WLAB to quit accounting for those megawatt hours, which were essentially the megawatt hours that went into the homes of customers. He believed staff should be required to obtain approval for any change. He understood Mr. Thomas asked if other utilities were doing this, and pointed out he believed many utilities were doing the same kind of accounting. He explained he had checked with Ameren, and they would have included those 732 megawatt hours in their accounting system. He urged the Council to require staff to continue with the same process until the issue was resolved and to not allow what staff had unilaterally changed. He reiterated he believed the 732 megawatt hours should be included at this time, and the issue could be addressed next year.

Mayor Treece asked if this was an issue every year. Mr. Hasheider replied that last year the objection involved staff indicating there was a cost. Mayor Treece understood staff was undervaluing renewable energy and overestimating its cost. Mr. Hasheider explained they had been saying those megawatt hours were costing the utility almost \$90 per megawatt hour. Now, they no longer associated a cost to it, but had also thrown out the energy as well, and no one had objected to the use of that energy. As a solar generator, he was quite proud to be contributing to renewable compliance and found it objectionable that although the utility had a contract with him indicating they owned it, they did not use it.

Mayor Treece asked why they would not want to use that energy toward the renewable energy mandate. Mr. Johnsen replied the energy Mr. Hasheider had referred to was the energy that was produced behind the meter. It was reflected in the fact it was a demand reduction on the system. When looking at the ratio of the percentage, it was accounted for in that there was a reduced demand. He pointed out the ordinance language indicated the City shall generate or purchase electricity generated from renewable sources as a percentage of electric retail sales. He explained they did not have a way to count the



energy behind the meter as energy used to fund retail sales. They were trying to be accurate in representing how much of the energy purchased from them was renewable energy, and had trouble with how they would rationalize telling customers it was part of the energy used that was purchased since it essentially only reduced the load on the system. He stated it had been counted in the fact it was a load reduction, but it was not used for retail sales.

Mr. Hasheider commented that it had been pointed out to the WLAB that the staff objection to the calculation of percentages could easily be accounted for mathematically by bringing the 732 megawatt hours into the denominator part of the equation. He felt the objection was based on something other than factuality, such as an agenda for not wanting to see net metered solar in Columbia. He stated a number of arguments had been encountered along this route, and although the arguments had changed, the intent seemed to remain. It appeared staff wanted net metered solar to be the highest priced energy of all of the renewable energies.

Mayor Treece understood the avoided cost of renewable energy was less than what it would for the City to produce its own energy, and referred to the wind contracts. Mr. Hasheider agreed, but commented that solar was a distributed generation that was not understood by utilities. If the power was generated in a certain part of town, it would affect the load and provide for some alleviation of the power used. He hoped the IRP would look at this and assess the distributed generation capabilities. Until they got to that resolution, his request was for Council to ask staff to continue with the same energy accounting they had done before.

Mr. Thomas understood Mr. Hasheider wanted to go back to what they were doing in terms of the methodology for calculating the megawatt hour, which they had objected to previously. Mr. Hasheider replied no, and explained he wanted to go back to how they had accounted for the energy. Mr. Thomas understood Mr. Hasheider wanted to account for the net metered solar as free energy. Mr. Hasheider stated that was correct. He noted that energy did not touch the system so there was not any cost to the ratepayers, but it was generated in Columbia, and the utility had a contract with the net metered customer which actually provided them the right to use it. He pointed out other utilities, such as Ameren accounted for it in that way. Mr. Thomas understood Ameren included the actual or estimated amount of generated energy from net metered solar on the energy side and zero on the cost side as part of the calculation. Mr. Hasheider stated he could only say that was true for the energy calculations.

Mr. Thomas asked for the objection to that since all of the infrastructure for gathering net metered solar was paid for by the private homeowner, and the utility had not put any money toward it. Mr. Johnsen replied staff agreed there was room for improvement. This had been a long and complicated discussion. He stated they felt they were more accurate this year than last year in terms of the ordinance. He explained the energy behind the meter was not used for retail sales. They had to represent to the customer how much was renewable energy when purchasing a kilowatt hour. The energy behind the meter did not actually go to other customer meters. Mr. Hasheider felt that could be taken care of mathematically.

Mr. Skala understood Mr. Hasheider felt the load reduction strategy was inadequate until they got to the point there was a cost-benefit analysis whereby this issue could be addressed. Mr. Hasheider stated that was correct, and explained his objection was that staff had unilaterally decided this was the best approach. He believed they should have maintained the same approach until they had the opportunity to review it further. He noted he was happy to hear staff was willing to work to get this done in the future.

Mr. Hasheider pointed out his issue was that the utility would now have to purchase those 732 megawatt hours when it was generated in Columbia and free. Mr. Thomas felt they were being used. They were just not being included in the calculation.

Mr. Pitzer asked for thoughts on an amendment to the ordinance to say electric retail usage instead of electric retail sales. Mr. Hasheider replied he would have to study it.

Mr. Pitzer understood they were trying to measure the electricity used. Mr. Johnsen stated that suggestion could affect the calculations. With the language of electric retail sales, they were considering if they were actually selling the customer energy. Mr. Pitzer suggested that change be considered and to determine if there were other impacts of that change.

Tom O'Connor, 806 Leawood Terrace, stated he was a professional engineer and master electrician, and had been a previous member of the WLAB. He commented that Mr. Pitzer might have solved the problem with his suggestion of electricity usage within the City. He noted the value of a solar study had been mentioned for a cost-benefit analysis, and pointed out dozens of those studies had been done by private and investor-owned utilities. He believed they could benefit from the solar studies that had already been completed. The Integrated Resource Plan completed by Burns & McDonnell years ago had a small component related to this whereby they had calculated the net present value of solar at \$1,000 per kilowatt. Since the rebate was \$500 per kilowatt, they had determined every kilowatt hour would make the utility \$500. He understood that was fairly consistent with other value of solar studies completed. He commented that the reason they were having issues with this was because it was fairly new and different, and people with political agendas could work it certain ways. He appreciated the difficulty of it and the comment of Mr. Johnsen in that it was a process. He understood staff was working on it, and did not feel they were being obstructionist. The reason they had a renewable energy report was because the Council had decided years ago that renewable energy was important and that staff needed to take concrete steps to include it in the portfolio. He noted renewable energy was necessary, but it was not sufficient for a sustainable community. He hoped they could become a sustainable community, and when or if Council decided to move in that direction, he suggested they direct staff to expand into more sustainability reports. He felt this could be done across all departments as he thought they eventually wanted sustainable city services across the board. He commented that net metered solar was not a cost to the utility. It was a benefit. He suggested they move from renewable energy to sustainability. He believed the City could also improve its solar net metering permitting process as it was complicated. He stated he appreciated how tough it was with all of the stakeholders with different wishes and desires, and asked the Council to protect the innocent as there were a lot of people that were just struggling to pay their utility bills and have basic city services. Those people tended to get caught up in the massive things they built today to accommodate massive needs. He was not sure that would likely stop politically, but thought they could work on the rate structure in a way that would carve out and protect the core of the basic services as it would be valuable.

Mayor Treece pointed out the Mayor's Task Force on Climate Action and Adaptation Planning would hold a town hall meeting tomorrow at 5:30 p.m. at the ARC, and expected some of those sustainability guidelines, baselines, and metrics to be discussed and recommended by that group. He hoped they would discuss the rates as well so they were not penalizing single-family residential homeowners paying a disproportionate share of the rate structure.

Mayor Treece asked Mr. O'Connor if he felt this report should be approved. Mr. O'Connor replied he did not want to comment on that as he did not know enough about the politics of approving or denying report. He pointed out he had problem with saying the net metered energy cost them as a utility 9.3 cents per kilowatt hour because he felt something was inherently incorrect about that.

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

Mr. Trapp stated he thought they should accept the report, and noted he liked the caveat of Mr. Pitzer. He agreed staff was struggling to fit the ordinance, and a slight change to it might allow them to calculate it. He pointed out net metering had real value, but understood it did not include a retail transaction.

Mayor Treece commented that the ordinance also indicated the report should be reviewed

by the WLAB and the EEC, and felt that review needed to be more inclusive. He preferred a draft be presented to them and to include their input instead of having them develop a minority report or adding a footnote to the actual report.

Mr. Skala explained they were struggling to provide credit where credit was due in terms of distributed energy. He thought they could address it with a cost-benefit analysis. He noted changes were happening so quickly causing errors in the report, but felt it was likely appropriate to accept the report.

**Mr. Skala made a motion to accept the Water and Light 2018 Renewable Energy Plan and Report. The motion was seconded by Mr. Pitzer and approved unanimously by voice vote.**

## VI. OLD BUSINESS

B72-18

Authorizing a contract for sale of real estate with the Hallie Holland Living Trust for the acquisition of property located at 912 East Walnut Street to be used by the Solid Waste Division for a collection site for refuse, cardboard and container recycling in the Downtown CID; appropriating funds.

The bill was given third reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece commented that it appeared a lot of the public testimony at the April 16, 2018 Council Meeting had been about the abuse of the existing dumpster and the mess it was creating. He asked if anyone had explored whether there were existing enforcement options for the grease and food products being placed in the dumpsters. Mr. Johnsen replied they had made efforts to reach out to Downtown CID customers, but it would take a coordinated effort involving different departments to develop a plan and process that was sufficiently vetted. He stated they were working on it, but it would take a while to bring something to Council.

Mr. Skala asked if the City could dictate the location of the grease bins. He understood most of the grease was being generated by the restaurants and the grease bins were being located behind other businesses that were not generating grease. He asked if there was a mechanism to decide where those bins were located. Mr. Johnsen replied there were a lot of different approaches in terms of how the various businesses addressed the issue. Mr. Hunt stated the grease bins were owned by a private company out of Kansas City, and the company placed the bin where the restaurant requested it be set. It was his understanding those containers did not have any formal approval to be in the right-of-way as there was no right-of-use for their existence in the right-of-way. Ms. Peters understood the bins were being placed on public property for the use of the restaurant without anyone noticing. Mr. Skala pointed out some people had noticed. Mr. Hunt stated this had been going on for several years.

Ms. Thompson explained staff was looking into the issue. She noted Public Works was researching whether or not permits, leases, etc. had been granted, and the Law Department was involved as well. She stated there was a coordinated effort for a response, and noted they recognized it was a problem the individual businesses needed to address. They could not just call the company out of Kansas City telling them to remove the bins without a plan in place on how the issue would be addressed. She pointed out the City had the ability to prosecute and require removal of the bins legally speaking, but they recognized they needed to go through a process.

Mr. Matthes commented that the Downtown CID had a program to incentivize the purchase and installation of indoor grease traps, and pointed to the Broadway Hotel as an example. Mr. Skala understood the issue was being addressed as part of new construction. Mr. Matthes agreed, and noted the Downtown CID would assist anyone that wanted to move to an indoor grease trap. They had not had much interest in the program to date, but they recognized the problem. He pointed out this was a separate issue from this particular item, and reiterated they were committed to working on the

problem and bring forward something in the future.

Mr. Pitzer thanked staff for providing the additional information requested in terms of the parking spaces, tenants, etc. It was also good to hear there was a coordinated effort to address the grease issue. He understood three of the four apartments were leased through September and that the plan was to replat the lot and sell the building, and asked if that was anticipated to be done by September if the Council authorized them to proceed. He wondered if they would look for tenants or leave the building vacant if it could not be done by then. Mr. Sorrell replied the closing would likely occur in 45-60 days, and it would take another three months to go through the platting process. As a result, a decision in terms of extending leases on a month by month basis until the property sold or having them be vacant would need to be made. Mr. Pitzer asked if they had a mechanism to serve as landlords. Ms. Thompson replied they would have to utilize the services of a property manager or someone with the expertise. She thought they would want to ensure the building was safe and address any life safety issues before agreeing to extend leases or keep people in the building.

Mr. Pitzer understood whatever they received from the sale would be netted against the purchase price, and the difference in price would be charged entirely to the collection rates in the Downtown CID. Mr. Johnsen stated that was correct, but pointed out it would be a while before that fee was impacted because they would want to run it through the cost of service study that would be done in a couple of years.

Mr. Pitzer commented that this did not appear to be an ideal plan, but it might be the least bad option.

David Whelan, 5503 Sedgewick Drive, stated he was representing Commerce Bank and noted they were neutral in terms of the purchase of property on Walnut Street. He commented that the grease issue was a big problem for the downtown as it made it unattractive for the citizens, students, and visitors, and believed it would be great for there to be some kind of ordinance for grease collection monitoring or something similar.

Mayor Treece asked if the City already had something of that nature as he understood they had a no discharge ordinance. Mr. Johnsen replied he did not believe there were any ordinances that governed grease collection at this time.

Jeff Barrow, 1007 Coats Street, commented that he worked out of an office at 812 E. Broadway, and traveled the downtown alleys on his bicycle often. He did not have any specific comment on this item, but noted grease and trash were huge problems. He understood there used to be a trash compactor in the alley between Eighth Street and Ninth Street, south of Broadway, which had worked fairly well although it smelled in the summer due to the organics rotting in it, but it had been required to be removed due to logistic issues. He noted he had seen a lot of cardboard in the trash bins due to limited number of recycling bins and people having to walk blocks to recycle. He suggested the City come up with a plan to make it easier for businesses to recycle cardboard, glass, etc. as he believed they would if the bins were closer. He felt most of the items in the bins, which went to the landfill, were items that could and should be recycled. He commented that it was a dramatic difference when walking down Alley A, which was a really nice alley.

Mr. Trapp stated he agreed with Mr. Pitzer in that this was a bad solution, but the status quo was far worse. Sometimes there were not any good solutions requiring them pick the least worst solution and move forward. By not deciding to move forward, they would be deciding to maintain an untenable situation. He noted the cost would ultimately be accounted toward the people who would benefit. He understood the downtown stakeholders were in favor of it, and they would pay for it. He stated he was supportive of moving forward with the purchase now that they had some questions answered.

Mr. Skala stated he agreed, and noted he believed they should move toward bringing an ordinance forward regarding waste and grease, and potentially even recycling. He commented that he was willing to support this option at this time as a reasonable one under the circumstances.

Mayor Treece understood staff would bring forward a replat of the property in the future. Mr. Johnsen stated that was correct.

Mr. Trapp made a motion vote on the bill authorizing the City Manager to execute the contract to purchase 912 E. Walnut Street and for the appropriation of funds. The motion was seconded by Mr. Skala.

**The vote on B72-18 was recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS. VOTING NO: TREECE. ABSENT: RUFFIN. Bill declared enacted, reading as follows:**

B100-18 Authorizing construction of sanitary sewers to serve the Henderson Branch Watershed; calling for bids through the Purchasing Division.

Discussion shown with B103-18.

B101-18 Authorizing the acquisition of easements for construction of sanitary sewers to serve the Henderson Branch Watershed.

Discussion shown with B103-18.

B102-18 Authorizing an annexation agreement with Bechtold Properties LLC for properties located on West Highway 40.

Discussion shown with B103-18.

B103-18 Authorizing an annexation agreement with VH Properties LLC for properties located on Highway UU and West Van Horn Tavern Road.

The bills were given second reading by the Clerk.

Mr. Pitzer suggested delaying this topic out of respect for Mr. Ruffin and the level of interest in it until Mr. Ruffin had the opportunity to weigh in as well as had been mentioned previously by Mr. Trapp.

Mr. Pitzer made a motion to table B100-18, B101-18, B102-18, and B103-18 to the June 4, 2018 Council Meeting. The motion was seconded by Mr. Trapp.

Mr. Pitzer explained he thought it should be tabled based on the level of interest and out of respect for Mr. Ruffin as he should have the opportunity to be heard. He noted he would have wanted that if he had been in Mr. Ruffin's situation.

Mayor Treece understood Mr. Ruffin had not asked for it to be tabled. Mr. Pitzer stated he had not spoken to Mr. Ruffin about it.

Mr. Trapp commented that it involved a jobs issue, and based on previous remarks by Mr. Ruffin, it hinged on the equity component. He believed they would be better served by having Mr. Ruffin weigh in on the issue with the rest of them.

Mr. Skala stated he would likely not vote in favor of tabling this issue, and noted Mr. Ruffin had not mentioned it to him. He thought they had tried to negotiate beyond the \$2 million that had been promised as part of the bond issue, and those negotiations had come up empty. He did not see any reason to change his mind in terms of the project.

Mr. Thomas explained he would have likely supported the motion to table if Mr. Ruffin had asked him specifically to do so. He noted he was opposed to the project and did not plan to support the issue being tabled.

**The motion made by Mr. Pitzer and seconded by Mr. Trapp to table B100-18, B101-18, B102-18, and B103-18 to the June 4, 2018 Council Meeting was defeated by roll call vote with Mr. Trapp, Mr. Pitzer, and Ms. Peters voting yes and Mr. Skala, Mr. Thomas, and Mayor Treece voting no.**

Mr. Johnsen provided a staff report.

Mayor Treece asked if the properties involved in the annexation agreements were contiguous to the city limits at this time. Mr. Sorrell replied they were not contiguous at

this time. Mayor Treece understood there were pre-annexation agreements. Mr. Sorrell stated that was correct. They would agree to annex at the time they became contiguous. Mayor Treece asked if they would collect any of the sales tax or property tax revenues with a pre-annexation agreement. Mr. Sorrell replied they would not collect any tax revenue until the properties were annexed. The only thing that would be collected was the sewer revenue until the properties annexed. Mayor Treece understood that included the connection fee and the monthly rates. Mr. Sorrell noted the connection fee and sewer revenue would be 1.5 times the normal rate since the property was in the County. Mayor Treece asked for the amount. Mr. Sorrell replied the annual revenue would be about \$22,000 for the Bechtold properties. Mayor Treece asked about the other property. Mr. Sorrell replied since they were a Boone County Regional Sewer District (BCRSD) customer, it would be about \$3,700 annually not including the last six percent rate increase.

Mayor Treece understood when this had been discussed previously, they had taken a step to provide staff additional time to have discussions with adjoining property owners to make the properties contiguous, and asked about those negotiations. Mr. Sorrell replied the property owner to the south that he had spoken with about it had indicated he was not interested in annexing his property at this time, but would entertain the idea of possibly annexing a piece of it if it would help the project. Mayor Treece asked if he had agreed to consider annexing a piece or selling the City an easement. Mr. Sorrell replied annexing a piece.

Ms. Peters understood this had been one of the projects on the 2013 sewer bond issue. Mr. Sorrell stated it had been one of the projects that had been proposed with that bond issue. Ms. Peters understood this was something they had represented to the citizens they would do with the bond issue. Mr. Sorrell stated that was correct. Ms. Peters asked if the reason was because the BCRSD had wanted to get rid of the lagoon and tie into the sewer or if it was because they wanted to get sewer to Midway Arms. Mr. Sorrell replied the Henderson Branch extension to Midway had been a part of the Sewer Master Plan for a long time. During the work session discussions related to the bond, a previous Council had told staff to add some sewer extension projects instead of just including system rehabilitation projects. As a result, they had proposed this extension and an extension east, and those had been included in the list of projects.

Ms. Peters asked if the BCRSD would have difficulty dealing with the new State requirements without being able to tie into this proposed sewer. Mr. Sorrell replied the BCRSD currently served Midway Arms, and had a compliance schedule to upgrade that facility in order to meet the new regulatory requirements. They would have to upgrade the facility unless the sewer was to be constructed.

Ms. Peters asked if there were many other developments in the Henderson Branch sewer area. Mr. Sorrell replied the Midway Auto Truck Plaza had a lagoon facility that needed to be removed from service. The BCRSD also had other treatment facilities in the area that could ultimately be tied into this proposed sewer.

Mr. Skala understood the project had been listed as costing about \$2 million in 2013, and it was now estimated to cost about \$4.3 million. Mr. Sorrell stated that was correct. Mr. Skala understood negotiations that had been conducted to try to encourage development beyond the urban service area had not yielded anything.

Mr. Thomas asked how much it would cost to upgrade the onsite treatment plant to be compliant. Mr. Sorrell replied he did not know. Mr. Thomas asked if that was researchable. Mr. Sorrell replied yes.

Ms. Peters understood at this point that was a BCRSD problem or a Midway Arms problem. Mr. Sorrell stated it was a BCRSD issue.

Mr. Pitzer commented that of the \$4.3 million total proposed cost, \$2.6 million would be funded by the sewer bond per the memo. Mr. Sorrell stated the number in the memo should be correct. Mr. Pitzer understood \$628,000 would be contributed from the BCRSD so the difference from the original ballot issue was \$1,071,953. Mr. Sorrell

stated that was correct.

Mayor Treece understood the BCRSD would pay a third of the project cost. Mr. Sorrell stated the agreement indicated they would pay a third up to a maximum of \$628,047. Mayor Treece understood when the cost estimate had increased, the BCRSD cap had not increased. Mr. Sorrell stated that was correct. Mayor Treece asked if staff had discussed the issue with them. Mr. Sorrell replied they had not had much of a discussion with them.

Carol Brown, 903 S. Greenwood Avenue, commented that she was concerned about unchecked expansion and who would benefit from the sewer. She explained she recently had to pick someone up around Jewell Avenue in the First Ward and it had smelled really bad. She noted it had rained really hard the prior few days, and which had resulted in that smell. She believed there were a lot of things on which the City needed to spend money and did not understand why the funding of this sewer extension was a priority. Tax revenue was decreasing and the cost of the project had increased from \$2 million to \$4 million. She felt they had other obligations they needed to address within the City before taking on projects such as this. She also felt people with money tended to be heard over those that lived within the City where the streets smelled really bad.

Jana Stephens stated she lived off of Gillespie Bridge Road, just west of the Perche Creek, and understood this new sewer would spur extensive development west of Perche Creek, which would increase calls to extend Broadway or Smith Drive across the Perche Creek at a cost to taxpayers of at least \$50 million. She also understood the sewer would serve about 800 acres adjacent to the target of Midway, and assuming lots were sized a half-acre per house, it would mean 1,600 houses. She commented that she had reviewed the supplemental council memo that had discussed fire and police protection to the area, and had indicated that over the last three years, there had been an average of 90 incidents for fire service per year and 330 incidents for police service per year. Based on the cost per call, the memo indicated a cost of \$135,000 per year for fire protection and \$192,000 per year for police services. She believed those numbers were low since they were based upon the very low density population the area now had. She did not feel staff had taken into account the increased need for such services once the 800 acres were developed. She commented that there was not any planning nor budget projections for adding any police or fire stations to specifically cover the annexation and wondered if it would leave Columbia residents unprotected. She understood the Community Development Department would conduct a large scale west area planning process and thought they should wait until that was completed prior to rushing to build a sewer that would cost \$4.3 million. She asked the Council to vote against proceeding with this sewer extension.

Matt Williams, 2609 Limerick Lane, asked the Council to authorize construction of sanitary sewers to serve the Henderson Branch watershed. He explained he had chaired the committee that had been responsible for supporting the 2013 sewer bond issue that had passed by almost 80 percent. A number of community leaders had served on that committee, and they had given their word to the voters that the projects outlined in the sewer bond issue would be completed, and the Henderson Branch extension had been one of those projects. He asked the Council to keep their word to the voters of Columbia and complete all of the projects that had been included in the 2013 sewer bond issue and approve the authorization of the construction of sewers to the Henderson Branch watershed. He was concerned about their credibility on future bond issues if they did not keep their word.

Mayor Treece stated he appreciated Mr. Williams' service on that committee, and asked for help in balancing the representations made to voters and what they had voted on with the potential blowback the Council would receive for spending \$4.4 million when the voters had approved \$2.6 million. Mr. Williams understood that was an issue, and felt things had been done to help bridge the gap. He commented that he did not have a concrete answer except to say it had been five years since that bond issue had passed

and costs tended to increase over five years. He believed reasonable voters expected costs to increase over a period of time, and that they would understand. He reiterated his concern for placing items on ballots and then not moving forward with those projects. He realized the difficult position of the Council, but as someone who stood in front of groups asking people to vote for certain things, it made it difficult for him to support other issues.

Mayor Treece commented that the fact the area was not even in the city limits made it harder for the Council because they would not receive the revenues from the area to offset the cost of the investment. Mr. Williams stated he had heard of revenues that would come in as a result of annexing those properties into the City, but noted he was not an expert on that subject. He reiterated his concern involved his credibility.

Mr. Skala asked what specifically had been represented to the public. He thought it had been that they would pay some attention to the Henderson Branch project at an estimated cost of \$2.6 million. The cost had since doubled, which had created sticker shock. Mr. Williams agreed the costs had increased, but pointed out it was now five years later, and the costs of everything tended to go up over time. He thought the voters would recognize that.

Mr. Pitzer asked Mr. Williams if he recalled the total size of that bond issue. Mr. Williams replied it had been around \$34 million. Mr. Pitzer asked Mr. Williams if he recalled how much of that had involved improvements within the city limits. Mr. Williams replied most of it would be used within the city limits. He recalled about \$4 million being allocated for expansion projects. Mr. Pitzer commented that \$12.3 million had been estimated for inflow and infiltration projects, \$3.7 million had been estimated for eliminating private common collector lines, \$3.5 million had been estimated for system improvement projects, and \$4.1 million had been estimated to improve the wastewater treatment plant, and asked if those numbers sounded right. Mr. Williams replied yes.

Peggy Placier, 209 S. Greenwood Avenue, commented that she was not convinced this project was in the public interest as it had been introduced. She felt it was disingenuous to say that 80 percent of the people in an August election had voted for the project when most of the bond issue would benefit those within the boundaries of Columbia. She reiterated she did not believe that project was in the public interest, and that it was in the private interest. She stated she could not justify it in terms of satisfying the voters of Columbia or with regard to social equity.

Nina Hampton, 202 Bay Pointe Lane, commented that she had been so proud to vote for the sewer ballot, but had not known she was voting for the sewer extension to Midway. It had not been listed on the ballot. She noted 80 percent of the people might not have voted for it either had they known. She suggested it be placed on the ballot for the people to vote on knowing it was specifically for the extension to Midway.

Matt McCormick, 300 S. Providence Road, stated he was the President of the Columbia Chamber of Commerce and was speaking in favor of this project. He asked that the project be allowed to move forward. It had been a part of the 2013 bond election, which had been approved by nearly 80 percent of the voters of that election. He agreed it had not been a part of the bond language, but it had been on the list of all of the educational materials that had indicated what would move forward with the bond, and that list of projects had been voted on. He believed the voters had asked by an overwhelming amount for this project to construct a sewer to serve the Henderson Branch watershed. He agreed with Mr. Williams in that if they continued down a path of breaking promises made to citizens, he feared future ballot issues that were needed to serve the community would be in jeopardy. He reiterated his request of the Council to move this project forward.

Mayor Treece asked Mr. McCormick if he would agree pre-annexation agreements would not generate any revenues for the City. Mr. McCormick replied he understood that, but pointed out there was future revenue that could come from it as areas continued to be annexed.

Bill Watkins, 10801 W. Walnut Grove Lane, Rocheport, commented that this project



continued the City's long term history of eliminating sewer lagoons that flowed into the creeks that flowed through the City of Columbia. There had been many projects in partnership with the BCRSD, and this was an extension of that. While he understood the concern of Mayor Treece with regard to the pre-annexation agreements, he believed that by the time the project was ready to go in a couple of years, those properties could be contiguous. He commented that he believed Midway Arms had provided projections to the City in December of just sales tax, and that in just over nine years, the sales tax alone would be over \$5 million. He felt that was a good return on their investment. This did not include the other businesses in the area nor the other tax sources, such as utility taxes. He stated he believed this was environmentally the right thing to do, it was a good financial investment, and it would allow them to continue to do what they had always done in terms of cleaning up the environment.

Mr. Skala commented that he did not believe anyone would argue that cleaning up the environment was not a good idea. The concern was with cost sharing. He agreed they would generate tax revenue through annexation driven from growth due to sewer extensions, but noted they would also generate a tremendous amount of cost. He felt cost sharing was needed, particularly since they had established an urban service area. He asked Mr. Watkins if he would agree that in many cases, except for cases of strictly commercial growth, growth did not pay for itself and was subsidized. Mr. Watkins replied he agreed residential growth did not pay for itself. If one looked at any of the studies, commercial and industrial tax bases were necessary to help pay for that cost. Mr. Skala understood residential growth did not pay for itself, and had to be assisted by robust commercial growth. Mr. Watkins agreed residential growth did not pay for itself, but pointed out a substantial portion that would be served by this project was commercial. They also knew how much would have been paid in sales taxes based on projections over the last few years if the properties would have been within the city limits.

Mr. Skala understood Mr. Watkins had been associated with various entities to include a commercial real estate firm. Mr. Watkins stated he worked with a commercial real estate firm and neither he nor any of the people that would be serviced by the subject line were clients. This was simply a project he had started years ago because he had felt it was the right thing to do, and he simply wanted to see it continue.

Mr. Trapp commented that in the 1970s, the City had chosen a regional sewer approach. They had taken federal money to build two trunk lines and the sewer treatment facility. This allowed them to attain great economies of scale while treating waste at a high level of service. He thought they could be proud of how they handled wastewater. He stated this project had been clearly listed in the 2013 sewer bond as one of the expansion projects. He explained 85 percent of the bond had gone toward rehabilitation and remediation of existing issues, but this had been included for growth and the ongoing commitment to a regional sewer approach. He commented that they had courageously raised sewer connection fees for single-family homes from \$800 to \$2,400, which much more accounted for the cost of that new development so it was not subsidized anywhere near the extent it had been previously. He believed those sewer connection fees would recoup the capital investment of building the sewer extension. He stated they had correspondence from Scott Fritz, the trustee of the Fritz family trust that owned an intervening parcel, indicating he was amenable to annexing a strip of land to bring the commercial properties that would develop a sales tax base into contiguity and actuate the annexation agreements. He was confident this would have a big impact. He noted Midway Arms was a large regional employer. It was a catalog business that had won a Baldrige Award and was an excellent place to work. He understood they paid a good wage for jobs that did not require a college education. This was why he had hoped they could table the issue. Preserving those jobs, allowing for expansion, and increasing the tax revenue for the City spoke to the justice and equity of the project. In addition, the environment would be cleaner if they approved this project because they could remove the lagoon facilities. He commented that he would never forget the episode of *Truck Stop*

USA when someone had to fix the sewer lagoon, which he equated to a 2.5 acre pond of human waste. Other lagoons were scattered across, and when there were big rains, they tended to overflow and would eventually overflow into the Perche Creek, which flowed into the Hinkson Creek and was already an impaired waterway they were responsible for addressing. This project would help address it. He stated there were terrible growth pressures on Midway, which were not created by annexation. In the absence of the sewer, it would not continue to stay the way it was. They could incorporate into a city and build their own sewer treatment facility with a lower quality of treatment service than Columbia could provide. In addition, they would then have another bedroom community or suburb that would use the employment centers, parks, trails, etc. within the city limits, but would not pay into the property tax or be a part of the regulatory regime. He felt it would likely be more like Ashland than Columbia in terms of energy efficiency, building codes, etc., and would not develop in a way that was compatible with Columbia values. He agreed they needed a robust planning process for the west area so the area could be annexed and they could ensure it was developed properly. He stated he was disappointed this had not been tabled, and hoped they could see clear to support the project.

Mr. Thomas commented that he viewed this as a pivotal project that only future history would confirm. He thought there had been a real change in general public thinking about growth and development. He believed there had been a very strong belief that growing larger would always bring good things during the second half of the last century, and economies of scale and the engineering profession had been a big part of it. He noted that had led to some great advances, but in many cases, the math had been wrong. He felt that could be seen clearly when looking at the City's finances. A large part of the struggles they were having were the result of the City subsidizing growth on the promise that the growth would bring more wealth back into the City, which did not stand up to an analysis. When annexing land, the best possible outcome was a wash because they provided public services to that land. The land was the same as other lands whether commercial, residential, or a mixture since the City had to provide police, fire, utilities, roads, parks, etc. As a result, he could not accept an argument that indicated expanding the footprint would be a benefit. He commented that he did not have a problem with growth if it really paid for itself, but it did not. He noted that they did not come close to charging the correct fee for each new house or business building that was constructed to pay for the increase in capacity of all of the public infrastructure systems. He thought they only charged 10-20 percent of what needed to be charged, and it was the reason they were struggling to fund all of the public services now. The only reason the utility accounts were in slightly better shape was because they kept increasing rates, which meant current customers were paying the subsidy. They did not have that ability for the public services paid with taxes, which was why they could not fund fire, police, and roads properly. He understood a west area planning process would take place, and thought if this sewer was a good project, it would emerge from that process. It was an opportunity for landowners, City and County officials, and other stakeholders to engage in a similar process to that of the East Area Plan and the Northeast Area Plan to decide land use, transportation, utilities, and annexation. He believed it would be pre-emptive to spend this money to build the sewer before that process started, especially when the evidence showed it would be very harmful to the City of Columbia's finances, which were already in a shaky state.

Mr. Skala commented that they did not have enough money to take care of all of the sewage lagoons in mid-Missouri. He believes it was a worthy goal, and they were obligated by the 2013 bond issue to dedicate \$2 million toward this westward expansion, but a lot had changed since then. He explained there was a reason they had established an urban service area, which involved cost sharing. Throughout the negotiations, those that would benefit the most from this project were unwilling to share in those costs. He stated he could not lay the burden of the increased costs on the backs of the citizens of

Columbia without some commitment from those that would benefit the most, and noted he would vote accordingly.

Mr. Pitzer stated he believed it was incumbent upon them to do everything they could to address the revenue trends Mr. Thomas had mentioned by finding other sources of revenues. The Council recently argued about the TIF project downtown, and one of the reasons he was glad the project had moved forward was because it created the type of project that was largely shielded by online sales that had negatively affected the City's sales tax. These commercial enterprises that would come into the City as part of an eventual annexation were built to service an online economy and were shielded from online sales. There was a true cost-benefit analysis that could be done from these sales that would generate additional tax revenue for the City that would pay for the sewer. The issue with regard to what was on the ballot seemed to come up quite a bit, but the language of the ballot was clear in that it included constructing, improving, and repairing the existing infrastructure along with expanding and extending the City sewer system. He believed it was dangerous for them to start cherry-picking projects after the fact when they found things they did not like. It opened the door for a lot of disingenuous acts. He pointed out this Council had voted 5-2 about a year ago to move forward with the plans for the sewer extension knowing full well the cost, which had not changed since then, and to look into annexation agreements. He thought they had to think carefully about doing one thing a year ago and another thing now in terms of the type of message that sent the community.

Ms. Peters agreed a west area planning process would be good, but noted she did not see why that should keep them from moving forward with the sewer project. She understood Mr. Skala had stated it was more than twice as expensive, but it had been \$2.6 million initially and was now at \$4.3 million, which she considered a 50 percent increase, and they had determined ways to pay for it through the BCRSD and sewer utility enterprise revenue funds. She noted it had been voted on in 2013. It had been part of the ballot as project they listed would be done. A very small amount of the \$30 million bond would go toward expansion versus inflow and infiltration and other maintenance type projects. She was concerned about not doing what they indicated they would do with the money they had asked the citizens of Columbia to approve.

Mayor Treece stated he was one of the people that had voted in the affirmative a year ago, and as had been indicated in the minutes, they had provided staff the ability to move forward and negotiate with the adjoining property owners. He explained one of his litmus tests was that the area proposed to be annexed had to be contiguous, and pre-annexation agreements did not provide the City any revenues even though the City would be obligated to provide services. He noted the revenues from the areas to be annexed paying for the costs of delivering services was now in doubt, and felt some owner participation was needed in the cost. The \$3,700 per year that would be paid for the benefit of City sewer service in an area not within the city limits was not something he could support. He hoped there was a way to make it contiguous to solve some of the litmus test. He pointed out another option would be to do a jobs retention agreement like they had done with some other employers in exchange for City utility services. He commented that the set of facts on this case had not changed, and as a result, he could not support it.

Mr. Matthes stated the City had not bid the project so they did not have a good idea of the costs, and this was their best guess at an estimate. He thought they could go out for bids to obtain better information, and the Council could direct him to not execute the contract to build the sewer until the annexation was a reality. He pointed out the landowner in the middle did not need to connect to the sewer, but had expressed a willingness to annex the land necessary to connect if it made the project possible. This would allow time for him to try to make that happen. It would still have to come back to the Council since they would have directed him to not sign the agreement, and would provide one last opportunity to make the revenue a reality. He was suggesting this

because it was a commitment made though the estimates had increased.

Mayor Treece commented that he believed this was what had been stated to them a year ago. He recalled Mr. Matthes indicating that if he received an affirmative vote from Council, he could show good faith to negotiate the annexations, but that had not happened. Mr. Matthes stated there had been movement in that they had signed annexation agreements from the two large property owners they had not had previously. The property that had been in the middle had been the property to the north, but they had now switched it to the south for a couple of reasons, and that property owner would not sign a pre-annexation agreement since he did not need the sewer. He believed if that property owner could see that it would be built, he would agree.

Mr. Skala asked how they might move the needle in terms of cost-sharing. He understood there had not been any negotiations or incentives even if they were to move forward incrementally as suggested by Mr. Matthes. Mr. Matthes commented that once the property owners annexed, the tax revenue was permanent depending on the use. In addition, connections to the sewer over the course of decades would pay for the cost of the construction of the sewer. He stated there was adequate funding to pay for it even though it was 50 percent more than the original estimate depending on the price once the project was bid. There was also the tax revenue in the future and the revenue from the connections to the sewer long term.

Mayor Treece asked Ms. Thompson for her sense of Missouri law in terms of the definition of flagpole annexation. Ms. Thompson replied she had not seen the parameters of this particular annexation, but understood it had been done in Columbia in the past. Mr. Matthes stated the conversation was that they would have the width required by law. He noted they would comply with that expectation.

Mr. Pitzer asked if the bill was defeated in the event of a tie vote. Ms. Thompson replied under the Columbia Charter it took four affirmative votes to pass any motion or bill, so it would be defeated if it did not receive four affirmative votes. For reconsideration, there would be a 90-day waiting period.

Mayor Treece understood nothing would prohibit the City Manager from continuing to negotiate for another 90 days. Mr. Matthes stated that was correct, but pointed out the annexation agreements would expire and Midway Arms was under a time crunch to address its sewer issue so they might not be willing to wait 90 days.

Mr. Sorrell commented that another option would be to not act on the ordinance to authorize construction, but to consider the ordinance to acquire the easements. This would allow time to negotiate with the property owners some more with regard to annexation while also discussing the easements. Mayor Treece stated they were not on that topic right now.

**B100-18 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, PITZER, PETERS. VOTING NO: SKALA, THOMAS, TREECE. ABSENT: RUFFIN. Bill declared defeated.**

Mayor Treece understood Mr. Sorrell had a comment about acquiring the easements for construction. Mr. Sorrell stated if the Council authorized this, it would allow staff the opportunity to talk to the property owners about getting the properties contiguous in the process of negotiating easements.

Ms. Peters asked if there was a point to doing that if they had already defeated B100-18, which would authorize the project. Mr. Trapp replied it could be brought back after the 90-day pause. In reading the correspondence, it appeared as though what might be holding up the annexation agreement was the route of the sewer. As a result, the easement acquisition process could allow for more fruitful negotiations.

Mr. Sorrell pointed out the easements had to be in place before they could construct the project.

Mayor Treece asked what they expected would change that had not happened in the last twelve months. Mr. Sorrell replied he did not know anything would change, but it would

allow for more discussion with the property owner to determine if he would be willing to go ahead with the annexation to make the other properties contiguous. He reiterated he could not promise the property owner would do anything.

Mr. Pitzer commented that it appeared to be a common sense approach to take. If there was not any agreement, nothing would happen.

Mr. Skala stated he felt there was less incentive for negotiations in terms of cost participation if they made more concessions.

Mayor Treece commented that he was not sure there was anything to acquire easements for since they had not authorized the construction of the sanitary sewers for which the easements would be needed.

Mayor Treece asked if they wanted to adopt the annexation agreements. Mr. Matthes replied if they took a positive stance on the acquisition of easements, he would recommend approving the two agreements. They would then only have to focus on the one connecting piece. He pointed out other easements would be needed to get to the Truck Stop. Ms. Thompson explained the annexation agreements indicated the City would construct the sewer line so if they adopted the annexation agreements, they would be committing the City to construct the sewer line.

Mayor Treece suggested B101-18, B102-18, and B103-18 be considered non-operable and be withdrawn.

**Mayor Treece made a motion to withdraw B101-18, B102-18, and B103-18. The motion was seconded by Mr. Skala and approved by roll call vote with Mr. Skala, Mr. Thomas, Ms. Peters, and Mayor Treece voting yes, and Mr. Trapp and Mr. Pitzer voting no.**

B93-18

Calling a special election on Tuesday, August 7, 2018 relating to the issuance of Water and Electric System Revenue Bonds.

The bill was given second reading by the Clerk.

Mr. Johnsen, Mr. Williams, and Tom Beckley with Raftelis Financial Consultants, Inc., a consultant for the City, provided a staff report.

Mayor Treece asked for the level of rate increase being anticipated. Mr. Beckley replied five percent annual rate increases for five years. Mayor Treece understood that was 25 percent compounded. Mr. Beckley stated that was correct. Mayor Treece noted the council memo had indicated an 11 percent rate increase. Mr. Beckley explained that was only for the debt issue. They needed 11 percent to pay for the debt that was proposed to be issued, but the utility needed a rate increase now, even before they issued this debt. He reiterated if they did not issue this debt, rate increases would still be needed.

Ms. Peters asked if 15 percent in rate increases would be needed. Mr. Beckley replied likely a little less than that, but it would be in that range. He thought they would need 2-3 percent a year over the next five years even if they did not issue the additional debt. He pointed out the average annual rate increase over the past ten years for water utilities throughout the United States had been 5-6 percent.

Mr. Thomas stated he did not see anywhere in the report the cost of expanding the capacity of the utility in future, and asked if that had been included in the analysis. Mr. Beckley replied that had not been included. They had only looked at the next five years to accomplish the renovation of the existing treatment plant to bring it to 32 million gallons. The 16 million gallon expansion that had been discussed as potentially being needed in the future had not been part of their charge. Mr. Thomas asked about the cost of new trunk lines or service lines that went to new developments. He asked if that had been included in capital projects. Mr. Beckley replied it had not, and explained he understood the City typically made developers pay for those. Mr. Thomas asked if that was correct. Mr. Johnsen replied yes.

Mr. Pitzer asked for the net revenue available and asked why it was going up almost 50 percent. Mr. Beckley replied the net revenue available were the revenues minus the O&M

costs. When issuing bonds, certain promises were made to bondholders, and there was a flow of funds in that promise. The promise involved collecting a certain amount of revenue. In addition, even though they were making a promise to bondholders, they would not be the first to be paid. O&M expenses would be paid first. The net revenues were then able to pay the bondholders, and that was essentially the gross revenues minus O&M expenses. As a result, bondholders were concerned about net revenues, but they also wanted to ensure the system was available to generate the revenue promised to pay the debt, which was why the O&M was paid first.

Mr. Pitzer noted in 2018 the water utility had a \$2.4 million excess net revenue over debt service, and asked if that implied they were \$3.5 million under water on the electric utility side in terms of meeting debt obligations. Mr. Beckley replied he had received this information from City staff, and noted his company had not been engaged to review the electric utility. Mr. Johnsen stated they would have to dive into more of the electric numbers before he could tell them what those numbers inferred for the electric side of the utility.

Mr. Beckley continued the staff report.

Mr. Skala asked about the equalization over time. Mr. Beckley replied it would take about three years to get the rates equalized.

Mayor Treece asked for the practical effect on a single-family owner-occupied home. Mr. Beckley replied the practical effect for a typical single-family occupied home was that they would not see any change to their bill in 2019 even though the utility would still achieve a five percent overall revenue increase.

Mr. Beckley continued the staff report.

Mr. Pitzer understood the average was five ccfs for residential users, and asked if that was total water usage divided by the total number of residences. Mr. Beckley replied it was total water usage divided by the total number of bills. Mr. Pitzer asked if Mr. Beckley knew what a family with a couple of kids might use. Mr. Beckley replied 20 percent of bills during the season had been above the eight ccf amount. Mr. Pitzer asked how many had been above it in the winter. Mr. Beckley replied there had been some in the winter as well. He pointed out there was a seasonal rate structure and they did not mind customers buying water off-peak to some extent because there was plenty of capacity in the winter to provide for it. He noted they were most concerned about the peak days in the summer when the most capacity was being used. He explained on the commercial side, they had the individualized blocks since their blocks were set based on the average winter period. He stated the best possible customer was a commercial customer that used the same amount of water every day throughout the year because they paid for the water and the capacity that had been built to serve their needs. The worst possible customer was someone that used 1,000 gallons per day every day, but used 100,000 gallons one day during the summer because they were only paying for that 100,000 gallon capacity one day out of the year. He noted that was the cost of service justification behind this rate that targeted discretionary outdoor usage. He commented that there was not an exact science when establishing these cutoffs. Rate setting was as much art as science sometimes, and determining how much a typical family used was a challenge as usage differed by family. He stated they felt 5 ccfs was fairly representative of a typical home in Columbia.

Mr. Skala asked if usage was a cultural phenomenon. Mr. Beckley replied yes, and explained the water bill was not a primary concern for some like him, but every family was different, which was why it was a challenge. He pointed out low income and more vulnerable families sometimes had larger household sizes, which could be a challenge. It was difficult to target that through rate design. The thought was that those who were most in need should be using less water, and the research did not show this. He noted lower income people sometimes had poorer plumbing and fixtures, and larger household sizes. He commented that they were accomplishing part of the goal of affordability here with the fact single-family customers using eight ccfs or less a month during the first year

would not see a rate increase even though the utility would see a five percent overall rate revenue increase, which was cost of service justified. It was not a handout from commercial customers or irrigators. If they wanted to do more in terms of affordability, he believed they needed to include something in the revenue requirement, such as some sort of customer assistance, because that was all that could be done to target those that needed it. Doing it through the rate structure was not feasible.

Mr. Pitzer asked why they would not use the percentage of the winter average like they did for commercial. Mr. Beckley replied that was an option they could go back and review, and pointed out the WLAB had asked for it. He noted they really did not have the data to do it right now, but it was an option he felt was good because it would tie it to each individual household. If they had someone that was using 8,000 gallons a month in the winter, that person should be able to use that much in summer too, and not pay more for it. He reiterated he believed it would be a good approach for residential, but noted it would be a significant change to the rate structure. He thought it would be understandable as it was not that complex and other utilities did it.

Mr. Trapp asked if the City of Columbia used to do that. Mr. Johnsen replied he had been told they used to have a tiered structure like that for residential, but there had been a significant number of people that were not here in the winter that had to pay for all of their usage at the higher tier. Mr. Beckley noted that could be addressed by having a minimum, such as 100 percentage of winter consumption or six ccfs, whichever was higher.

Mr. Pitzer commented that he might be interested in seeing that type of structure. Mr. Beckley reiterated it was something the WLAB had wanted them to review. He stated they had been working diligently from the billing system, and it was something they wanted to review. He pointed out they could tweak the rate structure. He explained it was important to get to the five percent average annual rate increases over the next five years to meet the bond debt and the operating needs of the utility, but they had the ability to tweak the rate structure and still meet those needs. As a result, he thought they could still have those discussions in the future.

Mr. Beckley continued the staff report.

Mr. Thomas understood that when they were approving the ballot language, they were not implicitly approving these rates, and that they were guidelines for what they would need to approve to pay back the bonds. Mr. Johnsen explained the rate structure increases, the operating increases, and the debt service increases would be a part of future budgets. As a result, some of the items shown tonight would come forward as they brought the budget forward as that was when they would implement rate structure changes. Mr. Thomas understood this provided a sense of what it would need to look like, i.e. five percent per year for five years. Mr. Johnsen stated revenue projections needed to increase so they had to determine from where the revenue would come, where were the costs incurred, and how that affected the planning horizon for future improvements.

Mr. Thomas noted the council memo had indicated that funding major capital projects with revenue bonds provided the lowest rate impacts, and asked for the other options and why those rate impacts would be higher. Mr. Matthes replied the alternative was to fund it all from cash so they would have to raise rates in an extreme way to get enough cash to complete the projects. Mr. Johnsen commented that the rates to meet those needs were higher and more volatile. He noted there was something to be said about those who used the assets being the ones paying the bond revenues that paid for the assets. Mr. Beckley referred to the concept of intergenerational equity, and explained by issuing debt, the customer who would be on the system in 25 years would pay for the debt service. He noted a little more would be paid in interest, but there would be a benefit from that perspective.

Mr. Thomas understood this bond issue would pay to bring the Water Treatment Plant back to 30 or 32 mega-gallons per day, and it would not increase it beyond that as that issue would be a separate issue for the future. Mr. Johnsen stated that was correct.

There were a few focuses, but it was primarily to get the Plant back to its designed capacity. He explained they expected improvements in the treatment process would be needed in the future, and they did not want to cost a project in the future way more than if they had addressed it upfront when it would have been cheaper. If there were improvements they could make now that would provide for a better cost-benefit for the future, they would want to make those investments now. Mr. Thomas understood those would be process improvements and not capacity improvements. Mr. Johnsen stated that was correct. He explained also included would be pilot testing to obtain permits as they would have to prove to the State the process was doing what it was supposed to do.

Mr. Skala appreciated the fact they had to think proactively in terms of water quality treatments in conjunction with capacity, and understood a large majority of the first bond was about going from the 24 to the 32 mega-gallons per day. He also understood it would not preclude any of the options recommended by the Drinking Water Planning Work Group (DWPWG), and that they might move forward with future bond issues to address some of those issues. Mr. Johnsen stated getting the Plant to its designed capacity was what all of the studies had indicated needed to be done soon.

Ms. Peters asked for the number of years it would take to pay off this bond issue. Mr. Johnsen replied they were looking at a 30-year debt instrument for this as it kind of matched the term of the assets. Ms. Peters asked if that had been true for the last bond issue. Mr. Johnsen replied he did not recall the term of that bond issue. He assumed it was either 25 or 30 years.

Mayor Treece stated Mr. Beckley had explained what would happen in the first year in terms of single-family homes, and asked what would happen in the other years. Mr. Beckley replied it would be an approximate five percent rate increase for those customers that stayed below the eight ccf cutoff. Mayor Treece asked how that would compare to multi-family or commercial rates. Mr. Beckley replied in the future everyone would be closer to the five percent. Commercial customers would see a slightly larger increase as the first tier moved to where it needed to be so they would be at a little over five percent while residential rates would be at a little less than five percent. In three years, they would be equalized, and then everyone would see five percent average rate increases.

Mr. Pitzer asked for clarification regarding the filter building improvements. He wondered if those were improvements to the building or the filters. Mr. Carrico replied the filter building improvements would be pretty extensive improvements to the existing filter building. One of things they wanted to do in the first phase was to bring the Plant to groundwater under the direct influence standards, and that would require some modifications. Currently, the filters were not a constant rate as they had degraded over time. In order to meet those standards, they needed constant rate filters so the water was constantly passing through the filters at a steady rate. This would require quite a few piping modifications and things of that nature. They would also need to extensively modify the high service pumping leaving the filter building right now. He noted that was likely about one-third of the project cost. Mr. Pitzer asked if it would address the filters also or just the piping and other items. Mr. Carrico replied it would potentially address the arrangement of the filters and there would be associated work. It might involve media replacement as well. It would not be granulated activated carbon (GAC) or anything of that nature. It would still be a sand-type filter. They might be looking at the media and the existing underdrain along with the configuration. He explained they would be looking down the road in terms of some of the stuff that had been identified through some of the planning processes with regard to advance treatment, and that would be a second phase.

Mr. Pitzer commented that there were several times in the memo where staff had referenced the urgency for repairs and rehabilitation of a lot of the equipment, but the main improvements would not happen until 2021 or 2022. He wondered why they were waiting three years if it was so urgent. Mr. Carrico replied they would have to go through a design process, which would involve the Missouri Department of Natural Resources (DNR) for approval of plans for any modifications. In addition, by the time the bond would



potentially be approved and in place with funds appropriated, only about 1.5 years would be left for design. This was a typical or slightly aggressive time frame. They wanted to do their due diligence in the early design phases and pilot testing to ensure the modifications and improvements would give them what they wanted. He noted they would look ahead in the first phase in terms of what might be involved for the second phase and make necessary provisions for that second phase if it was determined to be prudent to spend money on some items during phase one to realize savings later.

Mr. Pitzer pointed out the CIP Plan had indicated the upgrade would be about \$35 million, and \$23 million was proposed here. He asked for clarification regarding the difference. Mr. Carrico replied the \$35 million had come from the condition assessment, and a slightly different phasing had been anticipated then. Due to the outcome of the various reports in the past few years and the rate impacts on customers, staff had made the decision to go a different route. Based on the information on hand now, this was the best way to phase the work. They had originally anticipated building a new train first in lieu of rehabilitating the Plant first, which would have given them more flexibility on how they rehabilitated the Plant. The rehabilitation of the Plant would be slightly more difficult by doing it first, but they felt it was the more prudent way to go at this point. Ideally, with the phased approach, conservation measures would be effective allowing them to continue to beat the demand curves as had been the trend historically. He hoped the rate structure Mr. Beckley had presented would have an impact as well in terms of demand. He commented that, ideally, they would be able to push off the expansion, which would impact the second phase and any future bond issue. The overall concept was to take a nice diligent phased approach that provided options based upon demand and what the customers indicated they wanted.

Mr. Pitzer asked if the proposed improvements would meet the standards for groundwater under direct influence. Mr. Carrico replied they should be able to meet those standards. He explained they would ideally make additional modifications during the second phase. He stated at this point with current regulations, he fully anticipated being able to meet those standards with what had been proposed for phase one. He noted that was the goal and he believed there was sufficient money to allow it to happen.

Mayor Treece asked when the previous bond issue had been approved. Mr. Johnsen replied 2008. Mayor Treece asked if all of the projects had been completed with that bond issue. Mr. Johnsen replied yes, and noted some money had been left over, which had been used to reduce some of the impact of this bond. He explained some projects they would have included in this bond had been able to be completed with that bond. Mayor Treece understood the savings from that bond issue was about \$1-1.5 million and it had already been applied to this proposal. Mr. Johnsen stated that was correct. He pointed out they had worked to get this bond down to the most manageable amount. They were using savings and phasing projects so they made the most economical sense. In addition, they were trying to affect demand through conservation programs and the rate structure to minimize the impact to customers financially.

Wayne Hawks, 3212 Westcreek Circle, commented that he was extremely concerned about the direction they were heading in terms of drinking water and the bond issue to rehabilitate the Water Treatment Plant. He explained he had tested the water at his dental building, and was conducting further testing because it had not matched up the way he felt it should. He provided a handout of a water system detailed information report, which had been published by the City of Columbia. He commented that this was a tough subject and had the potential of bankrupting the City. He displayed a picture of a reservoir in another state and noted they had quickly decided not to get involved in trying to clean it up after testing the water. He referred to page 6 of the water system detailed information report and pointed out the inclusion of barium and manganese caused him concern. He stated if they did not pay attention to the chemistry of the water at McBaine by conducting protocol studies, they would spend a lot of money and have radium build up. He suggested a citywide sampling protocol be performed to produce a sufficient

study pool to constitute a valid study because they would then be able to build a water treatment system from the study to successfully handle the pollutants in the water. He believed this needed to be done before the commitment of hundreds of millions of dollars for a remediation program that would not work. He reiterated the necessary scientific research needed to be done because they did not want to make a mistake that would bankrupt the City. He believed they were headed toward GAC based on the work that had been done to date, and asked the City to look into the issue a little closer.

Mayor Treece stated he had asked the City Manager to ask Mr. Johnsen to reach out to Mr. Hawks after his testimony at the previous meeting, and asked if that had happened. Mr. Hawks replied no.

Richard Parker, 215 W. Sexton Road, commented that he was bothered by the rate structure presented tonight as it kept the low use individuals at the same level they were now. He understood the second item on the Council's request for consideration was affordability, and noted \$9.75 per month was the lowest rate for just having a meter. He thought the cost of a meter along with the reading and maintenance of the meter and the associated billing costs was less than half of that \$9.75. If the City was serious about affordability for low usage, like someone using only 2 ccfs, he suggested the base rate be cut and the rates for water increased. He understood they were only voting on the bond aspect tonight, and not the rate structure, but wanted to point that out.

Denise Brown, 3715 Woodrail on the Green, stated she had spent the majority of her professional career as a lawyer dealing with environmental and natural resource issues so she felt she had somewhat of a frame of reference in how to look at many of these issues. She understood they were talking a lot about the quantity of water and how it was delivered, but could not find a parallel process to actively discuss the quality of water. She noted she was blessed in that she had the resources to supplement what came into her home in terms of bringing in ten gallons of filtered water every week to ensure no long term detriment to her child. She commented that there was a growing group of them that were knowledgeable and wanted to see water quality questions addressed while they were dealing with the opportunity to pay more for the water they were receiving. She stated they wanted to increase their confidence in the quality of what was coming into their homes so they did not have to augment what should be safe. She understood they had discussed the values of the City, which she respected, and hoped the value of the safety of the drinking water was a paramount issue.

Mr. Skala explained the DWPWG had spent the last six months identifying three options for water quality beyond this first phase, which was the capacity issue, and noted he wanted to make sure Ms. Brown had been aware of that. Ms. Brown stated she appreciated that work, and explained she was concerned about the absence of the ability of the average citizen to find out the information of what would be done to address the current status of the water. She stated she was a label reader, but there was not really a label for the City water. She commented that she was not trying to be a reactionist, but wanted to point out there was a growing sentiment that this was something that was not being addressed in a timely enough way. As a result, they would likely look for ways they could become more involved to help address the issue.

Renee Hahne, 12 Russell Boulevard, commented that she worked with water and was concerned about not having a lot of the information. She understood dollars tended to drive how they made decisions, but wanted to see what the data showed. She thought it was great that engineers had completed reports, but noted she needed to see the data that had contributed to the decisions of water quality, larger pipes, more infrastructure, etc. She understood staff was trying to be good stewards with the bond issue, but hoped they would not be taking steps backwards in the maintenance process to rehabilitate the system. She was concerned they would fix what they had and then decide what they would do during the next phase instead of making greater strides. She suggested Columbia go above and beyond with regard to water quality and not settle for the minimum.

Julie Ryan, 5301 Regal Way, explained she was speaking on behalf of the COMO Safe Water Coalition and noted the Black & Veatch condition assessment had mentioned building the new 15 MGD train. She pointed out that would have the least permitting problems. In addition, the report had indicated that could be done before the other repairs to the existing Plant. It would address the need to restore capacity and would deliver high quality water sooner than what they were currently discussing. She noted that particular portion was estimated at \$23 million per that Black & Veatch report, which was a bit dated, and wondered if they should go back to the \$35 million listed in the CIP Plan. She commented that getting back to capacity was a priority for the DWPWG, but in her view that was a priority over expansion. They had not discussed it as a priority over improving water quality. She explained repairing the chemical feeds included approximately \$80,000 of repairs to the ammonia feed, and the recommendation of the DWPWG was to achieve disinfection byproduct compliance without using chloramine. The ammonia feed was a part of the chloramine system. As a result, the spending of the \$80,000 involved a plan to rehabilitate something the DWPWG had specifically indicated it did not want. She commented that she believed the City had sat with significant information for years and had not done its due diligence in protecting the ratepayers and citizens. If anything were to come from this bond ordinance, she felt it should be that there was a difference between accumulating engineering reports and actually using them in a time period that made them valuable. The ratepayers would be asked to pay for repairs to restore the capacity and basic performance of the Water Treatment Plant after those repairs had been postponed deliberately to wait for expansion to be needed. She stated as a ratepayer and customer, she would rather vote for a bond that improved the water quality and included advance technologies and initiatives showing the utility was proactive. The lack of operational rate increases from 2013 through 2016 had told her as a customer that annual maintenance was being taken care of without rate increases, but it very clearly had not been. She commented that there had still not been any significant method taken to enact ordinances that addressed irrigation in a meaningful manner, either through irrigation guidelines or new metering requirements. Although there were some plans for conversation and education in place, they continued to have the conversation without moving forward with action. She believed raising rates might help, but it was an easy way around the hard work that had been needed for years. As someone that had spent a significant time reading all of the reports referenced tonight in addition to many others, she continued to be disappointed by how the City water utility served its customers. She noted the Council was being asked to support this bond because without it the utility would suffer, and her impression was that the utility preferred to push decisions off as often as possible. She believed Columbia deserved better than the minimum.

Mayor Treece understood Ms. Ryan had been a member of the Integrated Water Resource Planning Committee (IWRPC). Ms. Ryan stated she had not been on the IWRPC, and noted she had been on the DWPWG. She pointed out she had attended all but 1-2 of the IWRPC meetings.

Mayor Treece stated Ms. Ryan had sent him an e-mail in March with her concern with regard to that process and noted he was hearing some of that tonight as well in terms of when she had received the data and the ability for meaningful input between DWPWG and the WLAB, and asked her to clarify. Ms. Ryan explained she had attended her first IWRPC meeting right after the COMO Safe Water Coalition had been established in September of 2016 and had asked what addressing supply meant in terms of water quality and the Plant. She stated she had been told they were not addressing that since they were only discussing supply, and noted she had been disappointed as she felt it should all have been integrated. She believed the decisions made in terms of how the Water Treatment Plant was set up could have been made differently at the IWRPC level. She commented that the fact they could build a Water Treatment Plant now that could process water under influence that had advance treatment technologies meant they could

be more flexible in terms of using horizontal collector wells in the future if they felt the well field could no longer operate in the manner in which they thought it should. She did not feel the IWRPC had truly been integrated. It had taken a long time to get the DWPWG going and it had been established to try to give the citizens and other customers groups a voice, but it had only delayed bringing this bond to the voters. She was not sure it had been helpful because she was not sure they were going to remove the ammonia, and water quality had been one of the top items the DWPWG had wanted. She felt they could have had a water bond issue in 2013 because they had paid Carollo Engineers over \$200,000 to do a report in 2012, which had listed things that could have been done for the Water Treatment Plant, and those had not been done. She felt they were all on notice and had to decide when they would make these meaningful repairs. The current plan involved another 2.5 years, and that was five years past the completion of the condition assessment. She noted she had seen the pictures and had been to the Plant many times. There were some great people that were trying to do their best with what they had, but they did not have the funding or capability to do what was necessary.

Mayor Treece asked Ms. Ryan what she would do tonight if she was on the Council. Ms. Ryan replied she did not feel the Council was in a great position and that their backs were against the wall. She thought this bond needed to go to the voters as they needed to fund the improvements to the utility. She noted the bond included annual maintenance projects, and explained she did not agree with those being funded by the bond. She reiterated that there had not been any operational increases from 2013 to 2016, and believed increases then could have funded some of those annual maintenance projects. She was bothered that \$35 million had been brought down to \$23 million for the Water Treatment Plant. She thought the Council was in a tough place to say they did not want this bond because if that happened they would likely be looking at higher rate increases. She felt they had to send the issue to the voters and get it approved. She commented that the Council also needed to ensure the things that needed to be done were getting done, and that another ten years did not go by without work being done. She noted there were articles in 2012 indicating they would wait until expansion was needed, and in the meantime, 43 percent of the assets at the Water Treatment Plant were at least 0-10 years past their useful life. She believed that was irresponsible.

Mr. Skala asked Ms. Ryan if she was suggesting Columbia's water quality was unsafe. Ms. Ryan replied currently the City met the regulations, but the regulations had not kept up with science. In addition, there were many contaminants the City was not required to test. She felt to say the City's water met and exceeded the regulations was a naïve statement in her mind.

Mr. Skala asked Ms. Ryan if she would agree that there were recommendations and proposals in the works to accommodate some of the anticipated changes in the regulations based on her involvement with the DWPWG. Ms. Ryan replied she was concerned it would happen based on past experience. She stated she did not have a lot of confidence in what would be done in five years and as part of the second phase. In addition, she felt the phase two approach would bring them the best water quality, which included the building of a 15 MGD process train. That would improve the water quality right now. She commented that they had let this go for so long, and pointed out the Black & Veatch report had indicated relying on major unit processes would put them at risk.

Mr. Skala understood the City was maintaining all of the current requirements at this point. Ms. Ryan noted Mr. Skala was saying that based on the regulations, but there were contaminants out there for which they were not required to test. In addition, if they were reclassified as a groundwater under direct influence facility tomorrow, the turbidity levels at the Plant would not be in compliance. She did not feel this was satisfactory. They were essentially throwing chemical at the water to take care of the bacteria component. They were not doing anything to clean or take organics or other products out of the water.

Detelina Marinova, 4107 Nashua Court, explained she was also concerned about water quality and did not feel enough was being done at this point in time. She agreed with Ms. Ryan in that the Council was in a tough position given the fact they agreed the facilities were in terrible shape. She pointed out there was not full transparency in terms of what was in the City's water. She understood there were reports, but to the best of her knowledge, those reports were done once a year. In addition, there was not any systematic testing of all of the pollutants in the water. Without such testing, they did not have an understanding of everything in the water, and as a result, it would be very difficult to commit to a solution that would clean the water from a scientific perspective. She suggested the Council consider requiring staff to test the water for all pollutants in a systematic scientific fashion. She understood phase two was clearly when water improvement steps would be taken, and was concerned that the report by the consultant recommended a solution without specific empirical proof that it would be effective and efficient for Columbia's water. Proof of that nature would require a prototype that would be tested here systematically for twelve months in order to consider the seasons, variations, usages, etc. In addition, any kind of solution or vendor asking for \$221-\$300 million would need to prove the system could remove the contaminants and was cost-efficient. She asked the Council to consider these two criteria in phase two since they would be asking the voters to commit to a huge investment in the future. She wanted to ensure they knew what contaminants would be removed at what cost with a prototype here, and did not want to limit it to the few options suggested by Carollo Engineers.

Mr. Skala understood the City had a regimen of testing with a frequency of more than once a year, and asked for clarification of the processes that ensured people had confidence in the drinking water. Mr. Carrico commented that the utility issued a water quality report on an annual basis, and those were the results of repeated tests throughout the year. In addition, the worst numbers recorded throughout the year were reported. Some of the testing was done on a daily basis, and sometimes even multiple times per day. In terms of the unregulated contaminants or the potential contaminants that might be regulated in future, there was not necessarily routine testing for those. One of the reasons was because they did not know what all of them were. They were aware of the ones that were under study or consideration for future regulation, but it was an extensive list. They tested beyond the regulations to a certain extent through a cooperative contract they maintained with USGS in conjunction with the Sewer Division. He noted there were many unregulated contaminants in this phase of the contract that were being evaluated, and pointed out there had been some very relevant samples in the fall of 2017 that had gone beyond what was regulated.

Mr. Pitzer asked if there was a plan with regard to the ammonia and the chloramines. Mr. Carrico replied they would do some pilot testing with phase one. From a process and engineering standpoint, switching back to free chlorine tomorrow was not practical. In addition, he did not believe the State would allow it. The reason they were at that point was due to increases in trihalomethanes and haloacetic acids. If they were to go to free chlorine, those numbers would increase and they would be impacting regulated numbers. Until they did a process change or added advance treatment, the formation potential would be there. He stated they would evaluate technologies and put hard numbers to those. He noted they had heard some high numbers from some of the speakers, but they could not provide hard numbers until they did some pilot testing. He explained GAC could be very variable, and the biggest cost was operational and the cost of the filter media itself in terms of how often it had to be replaced. He reiterated they would be able to come back with hard numbers on the options after pilot testing.

Mr. Skala understood three options had been given, and they ranged in soft numbers from \$150 million to \$300 million.

Mayor Treece commented that they were literally at the end of the last day to put this on the ballot, and there was a lot of information. He stated if he had any complaint, it was

that they had too much information to make a decision. As mentioned by Ms. Ryan, the backs of the Council were against the wall due to all of the deferred maintenance on the Plant. He noted he was frustrated in terms of what to do.

Mr. Trapp stated he felt the answer was clear in that they needed to move forward as the biggest critics of the process had even indicated the need to move forward. They needed to rehabilitate the facility and have adequate supplies of water, and this would position them to address water quality. He commented that rate increases were tough as people were struggling. Wages had not been rising and things were tougher for the citizens. He felt cities in many ways were a house of cards in that they scrambled to stay one step ahead of disaster. There were some fundamental economic problems that they had not realized until they had dug deeper into it. He commented that he had not known until he had been elected and had looked into the issue.

Mr. Skala explained these were the cards they were dealt and they knew they had to move forward with this bond issue in order to even accommodate some of the valid concerns people had. He stated he wanted to ensure people understood the City had safe drinking water at this time. He noted they might be able to improve it moving forward, but in order to do that, they needed to pass this bond issue first as it would allow for some proactive measures, pilot testing, and the ability to address unanticipated regulations.

Mr. Pitzer stated he wished they could do all of these improvements tomorrow as it appeared a lot of things were broken and in need of repair. They had known about it for a while, and had spent about \$1.25 million over the last ten years in consultant studies and were at this point now. He thought the improvements would help with water quality, and they could have a larger discussion with regard to the technologies in terms of what was next. He believed for too long many municipalities in the country had treated water as essentially being free and unlimited. They were now discovering water was a very precious commodity, and that they needed to treat it appropriately. He did not believe they had a choice other than to move forward with the bond.

**B93-18 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. ABSENT: RUFFIN. Bill declared enacted, reading as follows:**

B94-18 Voluntary annexation of property located generally southeast of the intersection of I-70 Drive SW and Strawn Road (840 N. Strawn Road); establishing permanent R-1 (One-Family Dwelling District) zoning (Case No. 18-47).

Discussion shown with B95-18.

B95-18 Approving the Final Plat of Strawn Road Subdivision located generally southeast of the intersection of I-70 Drive SW and Strawn Road (840 N. Strawn Road) (Case No. 18-48).

The bills were given second reading by the Clerk.

Mr. Teddy provided a staff report on B94-18.

**B94-18 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, PITZER, PETERS, TREECE. VOTING NO: NO ONE. ABSENT: RUFFIN, THOMAS (Mr. Thomas had stepped out during the vote on this item). Bill declared enacted, reading as follows:**

Mr. Teddy provided a staff report on B95-18.

Mr. Trapp asked Mr. Teddy if the proposed Central Missouri Humane Society facility would be a part of Lot 1. Mr. Teddy replied yes. He explained the discussions to date had indicated they would favor the northwest corner where the two existing roadways

intersected.

Mr. Thomas stated he would vote against the plat, and noted he would have voted for the annexation had he been in the room. He explained the reason he would vote against the plat was because he did not believe they should be planning to extend Scott Boulevard up to the interstate as he did not think that would benefit Columbia at all. He felt it was another example of a poorly conceived expansionist plan that had not been analyzed in terms of the real costs and benefits to the community.

Mr. Skala understood Mr. Teddy had referred to it as land-banking for the potential for a road. Mr. Teddy explained there was not a capital improvement project for the roadway. It was not an imminent project. The CATSO studies and plans indicated that there ought to be greater connectivity on this side of town. Traffic originating on the southwest side of Columbia had to go east to go back north and then west via the interstate system. Plans had been put in place to put some kind of connection of Scott Boulevard directly to the interstate. He pointed out it was very expensive and in the long-term.

Mr. Skala asked if the configuration in the plat would affect the potential salability of the property. Mr. Teddy replied he did not think it would. It set land aside. He pointed out things could be done with the right-of-way if it began to look like the roadway was becoming less likely, such as right of use agreements.

**B95-18 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, SKALA, PITZER, PETERS, TREECE. VOTING NO: THOMAS. ABSENT: RUFFIN. Bill declared enacted, reading as follows:**

R77-18

Authorizing a memorandum of understanding with the Central Missouri Humane Society relating to the relocation of its facilities from City-owned property located on Big Bear Boulevard to City-owned property located on Strawn Road.

The resolution was read by the Clerk.

Mr. Musgrove provided a staff report.

Mayor Treece understood other public input meetings had been held and asked when they had occurred. Mr. Teddy displayed a graphic of the dates and noted the first one had been held at the end of January. It had not proposed any specific use for the land, and had only been held to explain the application that had been put forward on behalf of the Council to get the property annexed into the City. He explained another two meetings had been held in February, and pointed out they had provided extraordinary notice for the second set of public meetings. He stated a public hearing at the Planning and Zoning Commission (PZC) level had been held afterward, so there had been a total of four meetings.

Mayor Treece asked about the other ideas that had been presented. Mr. Teddy replied they had mostly heard about the Central Missouri Humane Society (CMHS) facility. One individual had thought this would be an ideal preservation of open space and natural resources. He noted he had received an e-mail last week from another social service organization that had indicated they would appreciate the reservation of a site of about two acres if possible. He thought that had been the extent of the comments.

Mr. Pitzer understood the MOU would set aside a certain amount of land, but it did not lock in where that land would be located or how it would be drawn on the plat. Mr. Musgrove stated that was correct.

Mr. Trapp asked Chief White to discuss the future fire training needs and how they would make use of an expanded fire training facility. Chief White replied the current fire training facility was landlocked in the sense they could not expand it any further in its present location. The location, however, worked out well as it was in an area that was light industrial. He explained they conducted burns, worked with flow water, etc., and it was beneficial to stay in that same location as it was already an accepted use. The ability to more than double the land availability in the area would be helpful, and in the short term,

they would likely look at reutilizing the existing buildings. In the midterm, he thought they might create a parking area because they currently had difficulty conducting exercises and parking vehicles and equipment in the same area.

Mayor Treece noted they had previously discussed the fundraising requirements for CMHS and thought there would be certain goals in the MOU in terms of meeting milestones or the project would expire, and asked for clarification. Mr. Musgrove replied they had not included any milestones as far as fundraising. The MOU included a clause for the project to be completed by the winter of 2025.

Joe Ritter, 2412 W. Rollins Road, explained he was the President of the CMHS Board of Directors, and asked for those in support of this to stand and about nine people stood. He asked the Council to approve the MOU the Council had directed staff to develop with the CMHS at its December 18, 2017 Council Meeting. He noted much work had gone into the development of the MOU and the public meetings throughout the planning, zoning, and annexation process to discuss land development. He stated CMHS had completed a needs assessment of its current facility and location and its anticipated growth, and had established a feasibility study committee to help develop a set of specific strategic priorities for the capital campaign. At the December 18, 2017 Council Meeting, they had explained it was critical to have the Council's approval for this land swap so the campaign could move forward with fundraising efforts and architectural plans. Knowing the real estate had now been secured, they had hired a consultant for the capital campaign and were committed to the development of a new facility, and the approval of the MOU was essential at this time. He stated CHMS had enjoyed a long term partnership with the City and it was anticipated that the new facility would include offices and facilities for animal control operations. He pointed out the largest percentage of animals picked up by animal control were in the ward of the proposed site so animal transport time would be greatly reduced. Additional consideration for space would be given to the University of Missouri Veterinary Shelter Medicine program as well. He commented that this was truly the ideal piece of land for the new CMHS facility. The location was compatible with a proposed dog park and the nearest residential neighborhoods were not in close proximity. He believed the City of Columbia, Boone County, and the enter Central Missouri region would greatly benefit from the proposed new animal services center. The project would enhance animal care in the community for many years into the future, strengthen existing partnerships, and provide the opportunity to develop new partnerships. The City's fire training center was located behind the current Big Bear Boulevard facility, and relocation of CMHS via this land swap would allow the training center to expand its footprint, which had been requested. Improving animal care services in the community could not happen without a successful capital campaign, and CHMS stood ready to continue to move forward with the approval of the MOU by the Council.

Mayor Treece asked Mr. Ritter how much they hoped to raise for this project. Mr. Ritter replied they did not have an exact number finalized, but thought it would be in the \$5-\$7 million range.

Mr. Trapp stated he thought this was an important project as it advanced a lot of important goals for the City. He commented that animal welfare was an important issue, and CMHS had done a great job in that effort. He noted their facilities were badly in need of an upgrade. He explained that if CMHS had not done such a good job managing that sector, government would have had to take on a much larger role. He pointed out many communities had municipal shelters as a governmental operation, and noted non-profit organizations could often do things in a more cost-effective manner. Absent this, they would also need to find another location for the fire training facility, quite possibly on the parcel being discussed, which had been donated by Larry Potterfield of Midway Arms. He suggested they move forward with this MOU. In the unlikely event, CMHS was unable to complete it, they would still have the property, and it would likely just increase in value so they would be able to dispense with it in the future.



The vote on R77-18 was recorded as follows: **VOTING YES: TRAPP, SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. ABSENT: RUFFIN.**  
**Resolution declared adopted, reading as follows:**

B114-18      Appropriating architectural salvage sale revenue to the New Century Fund.

The bill was given second reading by the Clerk.

Mayor Treece understood there was an amendment sheet to correct one of the account numbers. Mr. Teddy stated that was correct.

**Mayor Treece made a motion to amend B114-18 per the amendment sheet. The motion was seconded by Mr. Skala and approved by voice vote.**

**B114-18, as amended, was given third reading with the vote recorded as follows: VOTING YES: SKALA, THOMAS, PITZER, PETERS, TREECE. VOTING NO: NO ONE. ABSENT: RUFFIN, TRAPP (Mr. Trapp had stepped out during the vote on this item). Bill declared enacted, reading as follows:**

## VII. CONSENT AGENDA

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

- B96-18      Approving the Auburn Hills Plat 16 PD Plan for property located on the south side of International Drive and approximately 300 feet east of Rangeline Street (Case No. 18-81).
- B97-18      Approving the Final Plat of Riddick Subdivision Plat 1, a Replat of all of Lot 3 and East Half (E ½) and the South Half (S ½) of the West Half (W ½) of Lot 4, of Garth's Addition to Columbia, located on the north side of Broadway and approximately 250 feet west of Garth Avenue (201 W. Broadway); granting a design adjustment relating to street right-of-way (Case No. 18-79).
- B98-18      Approving the Final Plat of The Villas at Old Hawthorne Plat 9C, a Replat of a Portion of Lot 5 of Old Hawthorne Plat 1, located southeast of the Old Hawthorne Drive West and Screaming Eagle Lane intersection; authorizing a performance contract (Case No. 18-70).
- B99-18      Approving the Final Plat for Craig Point Plat No. 1 for property located on the east side of College Avenue and south of Hospital Drive (1022 S. College Avenue) (Case No. 18-94).
- B104-18     Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for sidewalk repairs and enhanced pedestrian facilities along Providence Road from Vandiver Drive to Stadium Boulevard.

- B105-18 Authorizing the City Manager to execute permanent and temporary easements to the Missouri Highways and Transportation Commission relating to proposed sidewalk repairs and enhanced pedestrian facilities along Providence Road, between Vandiver Drive and Stadium Boulevard.
- B106-18 Authorizing the City Manager to execute an agreement for temporary construction easement to Red Oak Marketplace, LLC relating to a storm water improvement project along Grindstone Parkway.
- B107-18 Accepting conveyances for utility, sidewalk and street purposes.
- B108-18 Authorizing an amendment to the agreement with Tyler Technologies, Inc. for the Columbia Financial Enterprise Resource System (COFERS) project to extend the go-live date for the EnerGov module relating to software for Business License operations.
- B109-18 Authorizing a Memorandum of Understanding with the Missouri Department of Health and Senior Services for STD testing and treatment services.
- B110-18 Authorizing an inspections participation agreement with the Missouri Department of Health and Senior Services for a summer food service program for children.
- B111-18 Appropriating funds received from the Missouri Department of Health and Senior Services for current and future building projects at the Sanford-Kimpton Building and replacement of the electronic medical records system used by the City's Department of Public Health and Human Services.
- B112-18 Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission for the reconstruction of Runway 13-31 and Taxiway C projects at the Columbia Regional Airport; appropriating funds.
- B113-18 Appropriating funds for the Clary-Shy Community Park - Agriculture Park improvement project.
- B115-18 Amending the FY 2018 Annual Budget by adding and deleting positions in the Community Development Department; amending the FY 2018

Classification and Pay Plan by reassigning a classification; appropriating funds.

- R73-18      Setting a public hearing: proposed construction of the Carter Lane sidewalk project between Huntridge Drive and Foxfire Drive.
- R74-18      Setting a public hearing: consider the FY 2018 CDBG and HOME Annual Action Plan.
- R75-18      Authorizing an amendment to the engineering services agreement with Burns & McDonnell Engineering Company, Inc. for planning, design, and construction of airport projects at the Columbia Regional Airport.
- R76-18      Authorizing the installation of street lights on Langham Drive, Providence Road, Waterloo Drive and Windmill Court, and authorizing the upgrade of street lights on Waterloo Drive, Tremaine Drive and Windmill Court.

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

#### VIII. NEW BUSINESS

- R78-18      Finding the by-laws of the East Campus Traditional Neighborhood Association meet the minimum requirements for recognition as a neighborhood organization and recognizing it as an official neighborhood organization for the area described in the by-laws of the Association.

Ms. Peters stepped out of the meeting room.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece asked if the approximately 75 existing neighborhood associations were exclusive geographically. Mr. Teddy replied there were one or two overlaps. One that came to mind was the Shoe Factory District Association, which was a small subset of another neighborhood association. He stated neighborhood associations were usually spatially exclusive, but there were a couple of exceptions.

Mayor Treece understood the neighborhood association policy indicated the association had to represent both property owners and residents. Mr. Teddy stated that was correct, and noted that meant representing both tenants and homeowners or property owners alike.

Mr. Thomas asked for a summarization of the minimum requirements for recognition and the benefits of being a recognized neighborhood association. Mr. Teddy replied the policy resolution indicated a neighborhood charter needed to be submitted for review, meetings should be well publicized, the neighborhood organization should be open to the total area and the diversity of interests present in the neighborhood, the submission should demonstrate the organization structure was capable of providing necessary coordination between neighborhood residents and City departments, the boundaries should define an area of appropriate geographic size and population for effective planning,

the neighborhood charter should assure satisfactory fulfillment of the above minimum requirements, it needed to be recognized by official Council action, and the neighborhood organization needed to assume the responsibility of maintaining the minimum requirements for recognition. He explained they were on their honor from this point out as staff did not monitor them. They were private voluntary organizations. He stated staff maintained lists for the public and other departments to use when conducting stakeholder processes.

Mr. Thomas understood neighborhood organizations automatically received notifications of public hearings that affect them. Mr. Teddy stated that was correct. Notices would be sent for any land use change, such as rezoning or subdivision within the neighborhood or within 1,000 feet. He reiterated colleagues often made use of the neighborhood association lists as they were planning capital projects that might affect those recognized neighborhoods.

Mr. Thomas understood a staff person provided some programming services. Mr. Teddy stated that was correct. He noted Mr. Cantin made himself available to the extent possible and that he attended a lot of meetings at the request of neighborhood associations and corresponded with them on a regular basis on issues of concern to them.

Mr. Skala understood Mr. Teddy had indicated concern with regard to representation of property owners and residents and with dues, and asked for clarification. Mr. Teddy replied they did not want these groups to become country clubs, and knew some had indicated they collected dues from their members. He thought it might be reasonable to collect a small amount for newsletters or if they had expenses, and staff felt it should be pointed out.

Mr. Skala asked what was meant with regard to the submission of the bylaws for approval. Mr. Teddy replied the Council could approve or reject the bylaws as being compliant with the policy resolution. He noted the Council could also ask this Association to rethink the voting membership to make it more accessible to tenants.

Mr. Pitzer understood with overlapping areas, a resident or homeowner could be a member of two different neighborhood associations. Mr. Teddy stated that was correct. There was not a process for the removal of a portion of an existing association. The map of the East Campus Neighborhood Association would remain the same. Mr. Pitzer understood there was not any requirement that anyone join the new association. Mr. Teddy stated that was correct, and noted they were voluntary organizations.

Mr. Pitzer asked if there was anything with regard to representation of single units as multiple representatives could be from one unit if there were tenants and owners. Mr. Teddy imagined that might be the case if they had adults sharing an apartment. Mr. Pitzer asked if the tenant of a residence and the owner of a residence could both be members. Mr. Teddy replied yes.

Mr. Thomas commented that several years ago the East Campus Neighborhood Association had received \$100,000 as some kind of settlement for a construction project that had been out of compliance, and asked if by paying that money, the fraternity had absolved all liability for fault or if someone else could file a complaint with regard to the building height. Mr. Teddy replied that had been a private settlement. Mayor Treece stated he understood it had been a civil dispute. Mr. Teddy agreed and noted the City had not been involved. Mr. Thomas understood it was out of compliance. Mr. Teddy explained the fraternity had been built too tall, and thought an agreement had been made between the Association or a couple of its members and the architectural firm. Mr. Thomas asked what theoretically would be the enforcement actions for that out of compliance building. Ms. Amin replied a variance had been granted. Mr. Teddy agreed the issue had gone before the Board of Adjustment and the matter was resolved as far as staff was concerned. The applicant had obtained the relief necessary to finish the structure. Mr. Thomas stated he did not understand how the \$100,000 came into play. Mr. Teddy reiterated it was a private negotiation, and the City had not been involved in

so he did not know the terms of the agreement.

Tim Waid, 2104 Bluff Pointe Drive, stated he was a member of the East Campus Neighborhood Association and the elected Chair of the East Campus Traditional Neighborhood Association, and asked Council to table this resolution until a date certain in July, such as July 16. The members of the prospective neighborhood association had individually reviewed the council memo, and believed they were in agreement with the suggestions of staff to include the recommendation to defer action until they had time to integrate the suggestions into the bylaws. He noted due diligence required a formal meeting to discuss and vote to approve revisions to the bylaws. He explained he had also discussed this issue with many members of the Council, and would take those suggestions into consideration. He commented that he had notified the City Clerk of the intention of perhaps tabling the issue tonight, and had also spoken with many of the Council Members over the weekend. He noted he had also then notified the East Campus Neighborhood Association President on Sunday of his intention to request to table this item, and believed they would support the tabling request.

Mayor Treece commented that he did not like this issue and did not like the infighting. He understood the East Campus Neighborhood Association had new leadership, and asked Mr. Waid if he had tried to integrate with that Association. Mr. Waid replied he was a leader and noted he was discriminated against from leadership because he could not be President of the East Campus Neighborhood Association since he was not a resident. The discrimination began with the East Campus Neighborhood Association bylaws as it prohibited him from leadership. He noted the East Campus Traditional Neighborhood Association had mimicked those bylaws when submitting this item back in October, and staff had indicated might not be in the spirit of community. Approximately 300 of the 400 or so parcels within the East Campus Neighborhood Association boundaries were non-resident parcels, and they had zero representation on the executive committee and one at-large board member. He did not feel that was representation. They needed balance. He stated he would prefer to have this argument and discussion in July.

Mayor Treece thought the existing bylaws allowed Mr. Waid to be a member of the East Campus Neighborhood Association. Mr. Waid stated he was allowed to be a member, but could not lead that Association. He could not control the vision, mission, and purpose of the East Campus Neighborhood Association because he did not live there. He reiterated that discussion needed to happen when everyone was in attendance as that was what they had agreed to in spirit over the weekend.

Mr. Skala understood Mr. Waid was saying the existing East Campus Neighborhood Association was not following the policy guidelines because of exclusions for leadership. Mr. Waid stated that was part of the issue, and explained the issue he really wanted to discuss was to make the bylaws in the spirit suggested by staff, which involved opening up the neighborhood. If the East Campus Traditional Neighborhood Association did that, he believed they would be in compliance. He was not sure about the East Campus Neighborhood Association as it required one to be a voting member through payment and it also discriminated in terms of those that could be officers. As a result, there was really no way for over 300 parcels in that neighborhood to ever gain representation.

Mayor Treece asked what this would provide Mr. Waid. Mr. Waid replied representation. Mayor Treece thought Mr. Waid had representation as he was present tonight. Mr. Waid asked that this resolution be tabled to the July 16, 2018 Council Meeting.

David Mehr, 714 Ingleside Drive, explained he was the current Chair of the East Campus Neighborhood Association, and noted he was not opposed to tabling this discussion to a time more people could participate. Having heard from Mr. Waid, they had told their members this was likely to be tabled tonight. He commented that they had many points of disagreement with Mr. Waid's contentions in the letter he had sent. While it was true the East Campus Neighborhood Association bylaws indicated the President had to be resident, there were other officer positions that were open to non-resident landlords. He

explained there had been considerable changes in structure and officers since the fall, and noted they had made significant efforts to be transparent. In his mind, the best solution would be for the group trying to form the East Campus Traditional Neighborhood Association to work with them in their current structure. He reiterated he was not opposed to tabling this resolution tonight so others had the opportunity to participate.

Mr. Trapp made a motion to table R78-18 to the July 16, 2018 Council Meeting. The motion was seconded by Mr. Thomas.

Mr. Skala stated he could go either way. Since they were tabling to a date certain, he felt there should be a goal, and suggested some exposition of what it meant to have bylaws approved and whether this system had evolved over time. He noted he became involved in government as a member of a neighborhood association and thought there had not been many rules then. He felt there might be some differences in terms of expectations, and explained he was somewhat persuaded by this being characterized as likely to be tabled.

Mr. Thomas understood one of the reasons for the tabling request was to allow the East Campus Traditional Neighborhood Association to rewrite their draft of the bylaws.

Mr. Trapp stated he appreciated the East Campus Traditional Neighborhood Association members being willing to consider staff feedback. He noted policies had evolved a lot since 1977, and the East Campus Neighborhood Association had been one of the earliest, which meant they might have things in their bylaws that would not be included now. He believed the City had gotten better about inclusivity. He stated he would give wide discretion to how groups wanted to self-organize. He did not feel one group's representation took away another group's representation, but as they built things, he thought they should build them in the best possible way. His suggestion would be to make it as inclusive as possible as there were a lot of barriers for the transitional population to get involved. He thought they wanted to encourage everyone to participate in every fashion they could.

**The motion made by Mr. Trapp and seconded by Mr. Thomas to table R78-18 to the July 16, 2018 Council Meeting was approved by roll call vote with Mr. Trapp, Mr. Skala, Mr. Thomas, and Mr. Pitzer voting yes, Mayor Treece voting no, and Ms. Peters abstaining.**

Ms. Peters returned to the meeting room.

## IX. INTRODUCTION AND FIRST READING

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

- B116-18 Rezoning property located east of the terminus of Jenne Lane and north of US Highway 63 from PD (Planned District) to M-OF (Mixed-Use Office District) (Case No. 18-91).
- B117-18 Approving the Minor Plat of Central Addition Plat No. 2, a Replat in part of Lots 12 & 14 and all of Lot 13 in Central Addition to the City of Columbia, located on the northeast corner of the Fay Street and Hinkson Avenue intersection (Case No. 18-72).
- B118-18 Authorizing construction of the Ballenger Lane Improvement Project from Ria Street to Mexico Gravel Road; calling for bids through the Purchasing Division.

- B119-18 Authorizing the acquisition of easements for construction of the Ballenger Lane Improvement Project from Ria Street to Mexico Gravel Road.
- B120-18 Authorizing construction of the Bingham Road and Ridgeley Road PCCE #16 sanitary sewer improvement project; calling for bids through the Purchasing Division.
- B121-18 Authorizing an agreement for professional engineering services with Black & Veatch Corporation for the preliminary design, final design and bid phase services for the Wastewater Treatment Plant Phase 2 Improvements - Digester Complex project.
- B122-18 Authorizing a license agreement with Logic, Inc. for the purchase of Wonderware software for the SCADA system at the Water Treatment Plant.
- B123-18 Authorizing a license agreement with Logic, Inc. for the purchase of Dream Report data analysis software to be used in conjunction with Wonderware software for the SCADA system at the Water Treatment Plant.
- B124-18 Accepting conveyances for sewer, drainage, and temporary construction purposes; accepting Stormwater Management/BMP Facilities Covenants.
- B125-18 Appropriating and transferring funds associated with the construction of Phase I of the Sports Fieldhouse project located in A. Perry Philips Park.
- B126-18 Appropriating funds associated with the construction of a replacement Hangar 350 structure to be located directly south of Taxiway C and west of Hangar 40 and construction of a connecting apron and taxiway at the Columbia Regional Airport.
- B127-18 Accepting grant funds from Petco Foundation Arson Dog Support for the purchase of equipment and supplies for the Fire Department Marshal Division Arson Dog; appropriating funds.
- B128-18 Authorizing Amendment No. 2 to the program services contract with the Missouri Department of Health and Senior Services for HIV Prevention services.

- B129-18 Authorizing installation of a suspended ceiling system in office areas at the Columbia/Boone County Public Health and Human Services facility; calling for bids through the Purchasing Division.
- B130-18 Amending Chapter 5 of the City Code as it relates to animal tethering.
- B131-18 Amending Chapter 12 of the City Code to provide for additional protected categories and to update terminology.

## X. REPORTS

- REP43-18 Administrative Public Improvement Project: Sinclair Road Sidewalk at Muirfield Drive.

Mr. Nichols provided a staff report.

Mr. Pitzer thanked staff for moving forward with this project. He understood it was small at only about 600 feet, but it connected a couple of neighborhoods so the benefit would be great especially with the opening of the new middle school.

- REP44-18 Citizens Police Review Board: Time Limit for Filing a Complaint, Section 21-51(b).

Mr. Matthes provided a staff report.

Mr. Thomas asked if this would really be implementable. He understood the recommendation was a year after discovery and wondered who that meant. Whoever perpetrated whatever it was would know it happened when it had happened. Ms. Thompson replied the challenge was that the Citizen Police Review Board (CPRB) complaints could be filed by citizen of Boone County. If it was at the date of discovery from a citizen of Boone County, it would be problematic. She noted she could discover something that happened to someone else, and could file a complaint. She explained the current language ensure it was timely. If the Council decided to make an amendment of this type, she suggested it be in relationship to a person who was directly affected. She did not feel they would want it to be any citizen of Boone County. She commented that she did not think it was tenable as broadly as the language was written now. Mr. Matthes agreed. He noted another concept could be to add another year.

Mayor Treece commented that this conceivably extended the statute of limitations indefinitely. Someone could see or hear about something fifteen years ago and file a complaint, and the evidence then would muddify. He was not sure that was fair from a personnel perspective. Ms. Thompson stated it would be very difficult to administer.

Mr. Trapp asked what had precipitated this discussion. He thought there might have been a specific incident that had generated the discussion. Mr. Matthes replied he could not recall, but agreed there had been a specific issue. He thought it was a known involved party that had discovered something later than a year, and had then been told the time had lapsed to make a complaint. Mr. Trapp thought it might have been captured in another report, and asked if that could be provided along with this report on a future agenda as a report so they could review this with all of the facts. If that was not correct, he asked for a report with the details. Ms. Thompson stated Mr. Trapp could discuss it with her later. Mr. Trapp noted he would be happy to discuss it offline. Mayor Treece stated he would prefer that as well.



**REP45-18 Insurance Services Office, Inc. Public Protection Classification.**

Fire Chief White provided a staff report.

Mr. Trapp asked how one fire station versus two fire stations would impact the deployment analysis score. Chief White replied they had to propose what they would do and send it to the Insurance Services Office (ISO). The ISO would respond by saying if this was done, the score would reflect this. It would have a positive impact to have an additional station in a placement where they did not have four minute travel time capability. Any improvement would have a positive impact on the score, and adding two stations would impact it that much more. This was where they had the most ability to improve and the most danger of slipping.

Mr. Skala understood the flow testing issue in terms of chlorine was related to the trihalomethane saga, and asked if that was correct. Chief White replied in the past the Fire Department had checked all of the hydrants once a year. They had run into a situation where the Department of Natural Resources had an issue with the amount of water they were flowing out of the hydrants and the chlorine that was in it affecting the waterways so they put a stop to the Fire Department's ability to flow test hydrants while they figured out a way in conjunction with the Utility Department to get back to checking the hydrants. Now the Utility Department was checking the hydrants for flow while utilizing a chlorine filter to capture the chlorine and to ensure they were not affecting the environment.

Mr. Trapp congratulated Chief White on the ability to keep the rating of two as he knew it had been close. Chief White agreed it had been close.

Mr. Trapp stated he had looked at the breakdown of fire stations, and Columbia was in the upper 5-10 percent nationally. They had some structural and financial challenges that had expressed themselves, but they were still doing well. Chief White commented that he thought if they made improvements and were able to get rid of the divergent factor, he thought there was a good possibility they could be rated a one in the future.

**REP46-18 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**

Eugene Elkin, 3406 Range Line Street, commented that many of the visitors to City Hall tonight had not known where the bathrooms were located and suggested signage.

Mr. Elkin stated the exhaust fan was dirty at a particular business he frequented, and thought there were likely others. He suggested something be done regulating the cleaning of those as they were breathing it.

Mr. Elkin noted the trailer courts were still not receiving newsletters.

Mr. Elkin suggested they consider water turbines as he had mentioned earlier as they could always count on the earth producing water.

Mr. Elkin commented that he was concerned about water quality, and asked the Council not to forget the 40 years of chemical dumping by 3M.

Mr. Thomas asked staff to review the fees required to downzone to an open space zoning designation, and compare it with the fees for downzoning to R-1. He also wanted staff to consider making recommendations on those fees.

Ms. Peters thanked Ms. Hall for all of the work she did for the Youth Advisory Council as she had done a wonderful job of shepherding them along this year.

Mayor Treece noted Ms. Hall had also helped him with a group of Rock Bridge Elementary School third graders, and thanked her for assisting him with them.

Mr. Skala stated he appreciated Mr. Maresh's article in the Columbia Tribune about the

sidewalk on Clark Lane. He understood the Ballenger Lane project had been introduced tonight, and thought that was great. He commented that there was an improvement at the end of Rice Road to connect it to Lake of the Woods Road, and it was proposed to be relatively wide. He suggested they consider traffic calming now. He noted they had addressed part of Rice Road, but this portion would likely be another thoroughfare, and asked for it to be on the list for traffic calming even before it was built.

Mr. Skala asked for a report or draft ordinance regarding grease in the alleys along with recycling in the downtown. He wanted to try to correct some of these issues.

Mr. Pitzer asked staff to look at changing the verbiage of the renewable energy ordinance from electric sales to usage, and to bring that forward for an amendment to the ordinance if there were not any issues with that change.

In response to Mr. Elkin, Mr. Trapp noted an entrepreneur was working on turbines in the Missouri River. He pointed out utilities were conservative institutions in terms of inventing technology, and that they usually used things other people invented.

Mr. Trapp asked that city sources be made available for Mr. Elkin and others who did not have access to utility bills.

Mr. Trapp commented that Barbara Wren of Its Our Wild Nature had hired a conservation expert, Badger Johnson, who had provided some recommendations for the Hinkson Trail Connector to several members of City, and asked that staff look to determine if any of those ideas could be incorporated. He thought it might save time down the road.

Mayor Treece noted Hugo Vianello had passed away a couple of weeks ago, and he had largely been responsible for the acquisition and preservation of the Missouri Theatre. There was a City-owned alley south of the Theatre that he had gone in and out of for 28 years. It was where they unloaded all of the props, instruments, etc. He stated he wanted to designate that as Historic Hugo Vianello Way. He explained he had asked the City Manager to have Tim Teddy review the street naming ordinance, which he had done. The alley was not named, and the City Attorney had indicated they could make that historic designation by resolution at the next meeting. This would allow it to be presented at the opening concert of the summer concert series. He noted he had spoken to the University of Missouri that now owned the Missouri Theatre and with the Odles, who owned the Shakespeare's building. He formally asked for this to be done if there was not any objection. No one objected.

## **XII. ADJOURNMENT**

Mayor Treece adjourned the meeting at 12:43 a.m.