



City of Columbia, Missouri

Meeting Minutes

City Council

Monday, December 5, 2016
7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, December 5, 2016, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, PETERS, and TREECE were present. The City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of November 7, 2016 was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser. Mayor Treece noted the November 21, 2016 meeting minutes were not yet complete.

Ms. Nauser asked that B313-16 be moved to old business.

Mr. Thomas asked that B316-16 be moved to old business.

The agenda, including the consent agenda with B313-16 and B316-16 being moved to old business, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

II. SPECIAL ITEMS

SI19-16

Resolution of Appreciation - Tony St. Romaine, Deputy City Manager.

Ms. Amin read the resolution of appreciation.

Mayor Treece commented that 32 years in any position was a true milestone, especially when considering the context of his service to the community. He stated he appreciated Mr. St. Romaine's guidance, advice, expertise, experience, and institutional memory, and noted he would be sorely missed. He explained he would personally miss Mr. St. Romaine's presence at city council meetings and other board and commission meetings.

Mr. Skala stated he recalled some of the issues Mr. St. Romaine had worked on, many of which were controversial but still handled with the utmost delicacy. It was the kind of leadership they had come to expect from Mr. St. Romaine, and he would deliver. He thanked Mr. St. Romaine for his service.

Mayor Treece asked Mr. St. Romaine to join him at the podium, and he presented him with a Resolution of Appreciation signed by the City Council.

Mr. St. Romaine thanked his wife, Sherri, for allowing him to put in many long hours and to be available 24 hours/7 days a week to address city issues. He stated they were looking forward to traveling. He commented that the community's success and accomplishments were a direct result of many passionate individuals. He noted council members had a very difficult job. He explained many of them liked to complain about the things council members did, should not do, and their decisions, but they made less than minimum wage due to the number of hours they put into city business. Columbia had a representative democracy, and the council members had to listen to their constituents and make tough decisions. Columbia also had a highly engaged and informed public that cared deeply about the community. It was democracy in action. He stated he could not

say enough about the city department directors, managers, and staff, who he had the privilege of working with for 32 years. Good teamwork was essential to how well an organization functioned, and he was proud to be a small part of a team of professional and caring individuals that shared their talents on a daily basis for the benefit of the community. He quoted Henry Ford as saying "if everyone is moving forward then success takes care of itself." A few years ago, the City embarked on a strategic plan, and the vision of that plan was for Columbia to be the best place for everyone to live, work, and play. He commented that he felt the needle was beginning to shift with their continued focus on social equity and other issues important to the community, and he hoped, in some small way, he had been able to help influence that outcome.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

IV. SCHEDULED PUBLIC COMMENT

SPC65-16 John T. Conway, PE - Where does all that money go!

Mr. Conway, 4902 Thornbrook Ridge, provided a handout of the tentative schedule of the Water and Light Advisory Board for the upcoming year. He noted most of the issues were time sensitive and a driver of the agenda. He explained one of the most important issues they were involved with included the finances so he highlighted items related to it, and indicated it began in February. In April, they discussed the rate philosophy and how they might want to change the rates or if they needed to consider certain changes in the industry. In May, they worked with staff in terms of capital improvement projects, and in June, they deliberated the issues in more detail. In July, they reviewed the operations and maintenance budget along with the supplemental budget and capital items that were less than \$5,000. In August, they discussed everything more earnestly. He noted this was all timed for coordination with the budget process. He pointed out they also tried to hold meetings in the different facilities to meet with all Water and Light staff members and view the facilities. He commented that he and staff had developed a Water and Light Advisory Board orientation as it would be beneficial to new board members.

Mr. Conway thanked the City for the completion of Scott Boulevard Phase 3. He noted it had a sidewalk and nearby residents could now extend their walks and access the Jay Dix trailhead easily and safely by bicycle. He thought it was a great city addition.

SPC66-16 Tara Warne-Griggs - Speaking about the recommendations in the Mayor's Task Force on Community Violence final report.

Ms. Warne-Griggs, 106 McBaine Avenue, stated she was representing Race Matters, Friends, and provided a handout of a draft spreadsheet, which was meant to be a conversation starter. It was not final or complete. She explained the dashboard was a template that represented her understanding of the policing-related recommendations from the Mayor's Task Force on Community Violence Final Report in 2013. She and Lynn Maloney had been meeting with members of the council and the mayor throughout the fall to discuss their ongoing conversations with the police department and their interest in promoting community policing and community police relations. She noted Mayor Treece had suggested they craft a draft synthesis of the recommendations for Council to review and react. She explained the spreadsheet contained five recommendations relating to policing that had come from the Mayor's Task Force on Community Violence. There had been many other recommendations that were not directly related to policing, but this was related only to those recommendations involving policing. The five goals were to implement the Columbia Police Department (CPD) vision, mission, and goals, implement community policing, improve trust with the African-American community, positively engage the public, and develop strategies for re-entry related to offenders rejoining the community after incarceration. She stated she

had modeled the dashboard after a dashboard that had been created by the Parks and Recreation Department, and attached to each recommendation was a series of strategies, actions, potential stakeholders, the type of implementation in terms of a budget line or policy development, indicators that might be developed, evaluation criteria, time frame, a list of milestones, and supporting documents. She noted she had left most of the spreadsheet blank because she did not feel she should be the one filling it out, but had filled in a few items as examples. She believed the next steps would be to convene a working group, to include community members and activists, CPD leadership, line officers, which she felt was crucial, and other city officials. She pointed out some of their membership and other members of the community had forwarded the Council some social media communications that had occurred this week with the Police Officers Association, and felt there was a large gap in understanding between members of the community and the police, line officers in particular, and to have leadership only represented would do the line officers a disservice. She thought the working group, perhaps in conjunction with the process Mr. Thomas had proposed, could fill out the template, revise it, add to it, come up with something new, and align other existing plans with the recommendations. She noted the CPD Strategic Plan for FY 2013 and FY 2015 that had been presented to the Citizens Police Review Board in February lacked sufficient depth in carrying these things out. Once everything was fleshed out more thoroughly, the City could determine what had been accomplished, what impact had been achieved, if any, and what remained to be done. She reiterated this template was intended to get this process moving forward.

SPC67-16 Pat Kelley - Update on Columbia Community New Year's Day event.

Ms. Kelley, 1007 Grand Avenue, provided a handout, and explained a few months ago, she had been in front of the Council asking for support for a free community New Year's celebration. At the time, even among their core dedicated volunteer group, they were not sure it would be possible. She was happy to report they had received so much support from community artists, performers, neighborhood associations, the Family Impact Center, local businesses, city departments, including the Office of Cultural Affairs, the Parks and Recreation Department, the Convention and Visitors Bureau, the Office of Neighborhood Services, the Strategic Plan Neighborhood Outreach Specialists, and the Events Committee, and others. On behalf of the committee, she thanked the City for its support and invited everyone to join them from 3:00 - 8:00 p.m. on Sunday, January 1 at the Missouri United Methodist Church at 204 S. Ninth Street. A few highlights would include Sutu Forte playing Rhapsody in Blue, the Calvin Street Band, Missouri mules, a vintage radio performance by the Maplewood Theatre, crafts and games for kids, a hip-hop dance class, and a demonstration of ancient Greek warfare tactics. She stated they were very proud of this event and noted all of the artists were local. It was not only a celebration of the New Year. It was also a celebration of Columbia in terms of its talent, inclusiveness, and diversity.

V. PUBLIC HEARINGS

VI. OLD BUSINESS

B262-16 Amending Chapter 24 of the City Code to establish a public inconvenience fee for extended temporary occupancy of public spaces.

The bill (B262-16A) was given third reading by the Clerk.

Mr. Nichols provided a staff report.

Ms. Nauser asked if there was any evidence from any other community that had an inconvenience fee that this would speed up the construction process in public rights-of-way. Mr. Nichols replied staff had not spoken with any of the communities that had this fee as to whether this had an effect on construction timelines. Mr. Matthes thought the correspondence from the Downtown Columbia Leadership Council (DCLC)

had indicated one community had seen a reduction of 30 to 50 percent, and read from that correspondence. Ms. Nauser asked how that had been measured. Mr. Matthes replied he did not know.

Ms. Nauser asked for the target of the inconvenience fee. She wondered if it was the public, drivers, or property owners. Mr. Nichols replied the intent was to minimize the use of the public right-of-way or public space for private construction activities. They, for example, wanted to get the sidewalk opened so the public could use the facility as intended. Ms. Nauser asked why government would receive the money if this was to benefit the public. Mr. Nichols replied it was recommended the money be used to fix public sidewalks and address ADA issues. Ms. Nauser understood that had not been designated in the ordinance. Mr. Matthes stated that was an issue in which the Council still needed to provide direction.

Mr. Trapp understood this was based heavily on the Miami ordinance, which included a clause that discussed the installation of public infrastructure as an exemption, but this proposed ordinance did not include that accommodation, and asked for clarification. Ms. Thompson replied there was an exemption for work by utilities and other governmental entities, but not for work by private contractors putting in public facilities per se. Staff would be able to allow a credit for any closure required in connection with the construction of the public utilities if the public utility work was being done by a private contractor because there was a public utility exception. Mr. Trapp understood offsite sewer or water improvements would fall under the utility exemption. Ms. Thompson stated it could if a utility was being required to be constructed for public purposes. If it was being done for a private development, it would not be provided a credit. She provided the project on Elm Street as an example. There was a storm sewer on that site that went under the current building location. As a result, the property owner was being required to build a public sewer in a different location because they would take the existing public sewer out of commission. In that instance, the closure would be related to private property development, and not necessarily for a public project. If it were not for that particular private development, the public sewer would not have to be moved. To the extent the City would require an upgrade that would result in a public improvement or public closure, there would be discretion to grant credit days.

Ms. Nauser commented that any improvement to existing infrastructure, especially in the downtown area, would become a public benefit for not only the private development since all users in the immediate vicinity would benefit. She provided the contributions of \$450,000 by ACC and others for the Flat Branch sewer as an example. Ms. Thompson stated that argument could be made, but the question was whether or not it was "but for" the private development whether those improvements would need to be made. Sometimes, as government, they asked for or required a developer to make certain offsite improvements that would not necessarily have to be made but for that particular development. This had to be analyzed on a case by case basis in terms of which parts were public and which parts were the result of the private development.

Mayor Treece explained he felt a public inconvenience fee was a misnomer. He believed sidewalks and street lanes were public assets, and when those public assets were taken out of service for the use of private inurement of the development, the public deserved to be compensated. He saw this as a reimbursement mechanism for the loss of use by the public of those assets. They could argue about where it should happen, who should have to pay it, for how long it should be paid, and what the fee should be, but he did not feel anyone could deny that the public paid to install the sidewalk and they were losing the benefit of the public asset when it was out of use.

Mr. Skala commented that he understood the Council still had to determine where the money would ultimately go, and believed it was an important determination. He thought the money should be dedicated to those infrastructure areas. He agreed with Mayor Treece in terms of what this proposed ordinance was all about.

Mr. Thomas stated they had only received two examples of a similar fee when this had

previously been discussed, and asked if staff had uncovered other examples. Mr. Nichols replied the September 6 report listed Miami, Kansas City, Albuquerque, Denver, Norfolk, Philadelphia, Portland, and Washington D.C. Mr. Thomas thanked staff and noted he would look those up.

Matt McCormick, 300 S. Providence Road, stated he was the President of the Columbia Chamber of Commerce. He understood the fees were based off of the Miami, Florida ordinance, which was a community of about 425,000-450,000 in population while Columbia was only a town of about 125,000 people. He believed those fees were too high for Columbia. The fees for Kansas City, which was another Midwestern community, were about one-fifteenth of the fees for Miami, Florida. He asked that the fees for Columbia be more in line with the level in Kansas City, Missouri. He also asked the Council to reconsider charging for both the parking lane closure and the bag fee. He thought it should only be one or the other. He understood the proposed ordinance indicated that prior to the issuance of any such permit, the applicant must submit proof of liability insurance not less than \$2 million per occurrence and \$3 million in aggregate. In discussions with insurance companies in town, they found the standard insurance policy was \$1 million and \$2 million. This ordinance would require companies to purchase a one-off insurance policy, which would be extremely expensive. If the higher amount was required, he asked the Council to change the ordinance so it specifically stated the amount could be satisfied by an umbrella policy. He commented that if a project included street or sidewalk closures for the improvement of public infrastructure that the development should be exempt from the street and sidewalk closure fees since they were working to improve service for the public and the City. He asked that this be included in the ordinance so it was clear. He noted Columbia had 100 year old pipes and there was a need to update public infrastructure. He thought a credit needed to be applied even if they were only updating a part of the public infrastructure as the reason was secondary to the benefit of the community in terms of saving taxpayer dollars.

Mayor Treece asked how much larger Miami, Florida was than Columbia geographically. Mr. McCormick replied he did not know. Mayor Treece stated his sense was that it was likely much larger and included many more alternative routes. He thought the frustration many people in Columbia had was that they closed off a block of Ninth Street, a block of Tenth Street, and part of Locust Street, and soon they would close off everything south of Broadway. He was not sure there was a population to fee ratio. Mr. McCormick commented that Columbia was trying to move 125,000 people while Miami was moving close to a half a million people so the amount of people being moved via the roadways was not comparable. At no time did Columbia have 125,000 people in the downtown area, much like Miami probably did not have a half-million people in their downtown. He noted they were asking that it be comparable based on the size of the community.

Mayor Treece asked Mr. McCormick if he supported the ordinance other than those three main concerns. Mr. McCormick replied they did not have any issue with the merit of the ordinance. The devil, however, was in the details to ensure it was fair and equitable for everyone.

Mayor Treece asked Mr. McCormick if he had heard from any small business owners that might have been impacted by sidewalk closures. Mr. McCormick replied they had. He understood this could be cost prohibitive for small projects such as updating or refurbishing buildings. Mayor Treece asked about retail businesses that might have been impacted by someone else's sidewalk closure. Mr. McCormick replied this could potentially be addressed by where the funds went. He was partial to the funding going towards marketing or a process by which it was shown which businesses were still open.

Mr. Skala asked if it was fair to state Miami, Florida had a rather robust transit system to take care of some of the traffic issues. He noted Columbia was a destination for the regional area. Mr. McCormick replied when looking at Kansas City, Missouri, which had a population similar to that of Miami, Florida, its fees were only one-fifteenth of the fees in Miami. He questioned why the fees in Columbia had to be the same as those of Miami,

and suggested they look at the fees of other Midwestern communities and to set the fees so they were appropriate for Columbia. He commented that they spoke often about the uniqueness of Columbia and thought they should determine a fair and equitable fee for Columbia, which was located in Middle America.

Ben Ross stated he resided in the Second Ward and was speaking as a private citizen, and not on behalf of any employer, client, or group. He understood this was being modeled off of the Miami ordinance, and read a portion of that ordinance. He believed it was very important for the ordinance to allow private developers to build public infrastructure that benefited everyone, and that it be clearly expressed as it was in the Miami ordinance. This meant there would not be a fee for public infrastructure that was built by private funds for the benefit of the public. He provided some examples, which included a project along Ninth Street whereby three separate utilities within a trench were owned by the City of Columbia. He showed a photo of new public storm sewer and noted that but for city funds there would have already been a public storm sewer in the area. Since there was not a storm sewer, the private developer had to build it. But for city funds, the conduit for traffic signal interconnect, which would allow the traffic signals at Elm Street and Locust Street to communicate with each other, move traffic more efficiently, improve the environment, and reduce congestion, would have likely already been installed. He commented that when congestion was reduced in a commercial area, it brought in more clients and customers for the businesses in the area. He stated a new sanitary sewer was being constructed by the developer of a ten-story building because Columbia's infrastructure had not been designed for ten-story buildings, and it would serve the public as it did not only serve the one building. He explained the sanitary sewer along Locust Street to almost Waugh Street would flow into the new pipe, which would benefit people along seven blocks. The pipes would last for 100 years and reduce inflow and infiltration so every day for the next 100 years, the people that lived, worked, and shopped along those seven blocks would benefit from the new pipe. He displayed a project along Fifth Street and Sixth Street and stated, but for city funds, the masonry storm sewer boxes would have been replaced with new modern infrastructure built to current standards. The developer was moving the box from private property to the street. There was also a new sanitary sewer, which was much larger, and would be used as part of the new Flat Branch pipe. As a result, the private developer would install a pipe the City had planned to build anyway. He thought it was important for the ordinance to allow this type of work without the additional fees.

Scott Wilson explained he was the Chair of the Downtown Columbia Leadership Council (DCLC) and noted the DCLC had held a public hearing at the request of Council. He pointed out the DCLC had already recommended the public inconvenience fee and expressed its support for it. In November, they had a longer discussion. He explained they felt it was meant to keep sidewalks open and limit the length of the closures as they were public assets being taken out of use, and they believed the public should be compensated. These were essentially private entities renting their sidewalks and streets, particularly in the downtown. Even with the proposed fee, they would rent it for a lot less than they would if they had to pay real money in the real world. He stated the DCLC believed the sidewalk should remain open with an ADA compliant route being available for pedestrians. If that was shown to be impossible, only then should a sidewalk be allowed to be closed. In addition, the impact on surrounding businesses should be as minimal as possible. He explained the DCLC recommended the notice requirements be increased greatly. Currently, there was a three day notice. They suggested a 14-day notice for closures over seven days and a 21-day notice for closures over thirty days at a minimum. The DCLC did not see any reason to allow the 70 percent reduction for closures that reopened at nights or on weekends. They were focused on the small businesses downtown that made their living during the day via foot and street traffic. He suggested they not get hung up on Miami as a Google search showed there were a lot of cities with similar fees. He reiterated it was essentially a rental fee. He agreed Miami was bigger,

but did not believe Miami had the amount of growth per capital or per block downtown of Columbia over the last five years. He would argue there was only one street like Ninth Street in Columbia, Missouri, and if they looked at closing a block or two of it and the proportionate rent, these fees were more than reasonable. He commented that the DCLC felt the fees should be high enough to incentivize completion of the projects as quickly as possible. The DCLC had recommended the funds be earmarked if possible to help market the businesses downtown that were most affected by the closure and for street and sidewalk infrastructure downtown. Although no specific vote had been taken, they felt the marketing funds could be coordinated through the Downtown Community Improvement District (CID) so the CID could help with the marketing of the affected small businesses and with notice to the small businesses. He pointed out the businesses on the same side of the street were not always the only businesses affected by closures as businesses between the closures and where the traffic was rerouted were also affected. He commented that the DCLC had discussed alleys being treated as a city street for the purpose of the fees if the alley had business frontage. With regard to earmarking the fees, he was not sure the ordinance needed to dictate it go into a particular fund as the use of the funds could be determined as part of next year's budget.

Mayor Treece understood the DCLC had recommended a 21-day notice for closures that required more than 30 days. He noted those closures would be created by an act of the Council and that agenda item was typically posted two weeks in advance, and asked if Mr. Wilson was suggesting the 21-day notice occur before they applied or before it was approved. Mr. Wilson replied they were advocating as much notice as possible. Mayor Treece thought the frustration was that the sidewalk would be closed for a year or another amount of time and the 3-day notice had been given on a Friday and would take effect on the following Monday. It did not provide much time to plan for it. Mr. Wilson reiterated the DCLC was advocating for as much notice as possible.

Ms. Nauser asked why the DCLC felt a developer or property owner did not already plan to get things done as quickly as possible, and why a fee was necessary for the work to be done more quickly. She understood time was money and thought most developers wanted to get things done as quickly as possible. Mr. Wilson replied he thought the fees would incentivize the developer when those costs had to be line items as part of the bid. He felt they would review how long they actually needed the street and/or sidewalk closed. He pointed out the auditor in Kansas City had indicated that even a ten percent increase in cost would reduce the length of the closure by 30-50 percent. He commented that he had a photo of the development above Shakespeare's Pizza where by Ninth Street was completely closed even though Shakespeare's Pizza was open and there were not any cranes or materials out front. He did not feel it needed to have been closed on that day.

Ms. Nauser asked why they were trying to force private developers to get their work done more quickly when the same logic would apply to government agencies that did road construction and closed sidewalks to do the work. She provided the work done along Scott Boulevard as an example and noted the drivers and business owners had been inconvenienced. Mr. Wilson replied he thought the DCLC would likely be in favor of charging governmental entities the rental fee as well. He noted they also did not feel there should be any exceptions from the rule except for government giving to government. They did not believe there should be exceptions for small businesses, large businesses, community improvements, churches, 501(c)(3) organizations, private institutions, public institutions, schools, etc. as they all involved the taking of public assets making it not only inconvenient but sometimes unsafe. They felt it was a rental fee that should be paid back to the public.

Mr. Thomas understood the data showed 20-30 cents per linear foot in Miami and 2-3 cents per linear foot in Kansas City, and asked where the other cities they had researched had fallen in terms of that metric. Mr. Wilson replied it was hard to tell because some used square feet instead of linear feet and some had a graduated

exponentially increased fee. He thought Kansas City was looking to increase their fee. He was not sure Columbia should be compared to Kansas City just because both were in Missouri as he did not feel any town within the Midwest had had the development of downtown Columbia within the last five years. It was a small area condensed with pedestrian and vehicle traffic. It was so important to Columbia that they felt the Miami fee was fine.

Mr. Thomas understood the fee for a parking space under the parking lane fee structure would be about \$6 per day, which was about the same as they charged for a parking space all day. Mr. Wilson thought \$6 per day for a parking spot was pretty cheap. Mr. Thomas agreed. Mr. Wilson pointed out they did not feel it was double charging to require payment for the meters and the parking lane. They felt the fee for the meter being taken out of use should go to the parking entity and the linear feet fee should go to the public inconvenience fee fund.

Carrie Gartner, 601 Business Loop 70 W, explained she was representing the Business Loop Community Improvement District (CID) and noted she had spent many years trying to balance the needs of buildings that had to be tuck-pointed with the needs of customers and small businesses so she absolutely sympathized with the desire here. She pointed out the Business Loop was very different than the downtown as they had a lot of space. They had five lanes, no on-street parking, and very few sidewalks. If they were lucky enough to attract larger development or construction projects, she thought it could be done without a lot of public inconvenience. In addition, one of the best solutions they had to getting sidewalks along the Business Loop was to attract private developers and have them build the sidewalks. She reiterated their needs were very different than those of the downtown. They needed to attract development because development would help improve the public space and the parts of the public space that was lacking at this time. She asked that this be limited to the MDT zoning districts.

Mayor Treece asked who owned the sidewalks on the Business Loop. Ms. Gartner replied she thought it varied by property and was a question for MoDOT. Sidewalks were for public use, but the property owners had to pay to construct them. She thought that was the case downtown and in other areas as well.

John Clark, 403 N. Ninth Street, commented that he attended the DCLC meeting and fully supported their report. He was glad Mr. Wilson, the Chair of the DCLC, presented the report as well, and thought that should occur more often so the Council had the ability to ask questions. He also supported the recommendation that this involve only the downtown. He commented that he felt offsets were needed for public infrastructure that was privately funded. He stated he was operating under the assumption that although the streets and sidewalks were constructed by a private party, they had been dedicated to the City. He thought at that point, the City took it over for maintenance, etc., and if that was unclear, he suggested it be cleared up. If this was City property, dedicated, owned, and maintained, the concept of renting the property for the specific use made sense. He did not feel the purpose was inconvenience. He suggested the goal be to minimize the period of time development would want to rent or pay, and for Council to view this as a rental issue. The question then was fair rental value, and if the goal was to minimize the length of time these projects interfered with business, commerce, and safety, the fee should be set at a level that would produce that result. He thought more research was needed to determine that fee.

Eric Williams, 1001 Madison Street, stated these fees were likely warranted to speed up production on a job site, but believed the fees were excessive. He was also worried about where these funds would go. He wondered if they would really go toward improvements downtown or if they would be marked for road improvements and then moved for more police officers similar to the \$400,000 that was moved from road improvements to police officers recently as part of the budget. He commented that the citizens had voted against an increase in property taxes for more police officers, and they were now increasing the tax on construction. Over his 15 years in the construction

industry, he had seen increased rates for building permits, sewer tap fees, etc., and it had slowed down construction in Columbia. People wanted to get out of Columbia due to the higher fees, and were going to Boone County, Boonville, and other communities. He noted he was worried a larger fee to increase the speed of construction would lead to safety issues. He provided opening a sidewalk while still working on the building as an example, and someone being injured as a result. He stated he felt bad for businesses that were losing money due to closures, but pointed out they would gain much more in the long run, and provided The Rise development as an example as many more people would live and shop in the downtown. The City would also earn more in property taxes and generate more sales tax. He commented that he would prefer to see 20-story buildings versus just 10-story buildings because it would result in more people living downtown and more revenue. He suggested the City allow work during the middle of the night as it would minimize closures.

Mayor Treece stated he wanted to draw a distinction between developers and owners and contractors. This might be an inconvenience to a developer, but that was not necessarily the case for owners. He understood that when property owners asked a contractor to bid on a job, the contractor tended to assume they could hood the meter or use the sidewalk or a lane of traffic as part of the job site. Without a fee associated with the project, they would continue to assume they could use the public asset. He felt the fee forced the contractor to rethink the process whether by deploying materials from another location, keeping the sidewalk open by utilizing scaffolding, or closing the sidewalk for a shorter period of time. He believed it would change behavior without triggering a full 18 months of fees.

Mayor Treece commented that Mr. McCormick had mentioned a double fee issue of charging a fee for hooding the meter and closing a lane of traffic. He explained a lane of parking meters had been hooded on Locust Street so they had lost the parking meter revenue from it, but thought the lane could have been kept open for ongoing traffic. If they also close the lane of traffic, it was a double impact, and hence the double fee. Mr. Thomas asked why the meters would be bagged if the space was not used for something. Mayor Treece replied because it was not being used for parking. If a lane of parking closed and it was not used for a lane of traffic, there would be two fees. Mr. Thomas stated he believed that was double charging in that the space could either be used for parking or traffic, but not both at the same time. Mayor Treece pointed out another lane of traffic was then closed. Mr. Thomas commented that if it was a separate lane, they should charge for that lane, but did not feel they should charge twice for the parking lane. Mayor Treece asked for clarification from Mr. Nichols as he understood there were times when the meters were bagged, but they left the parking lane open for potential traffic. Mr. Thomas stated he did not understand why someone would pay to bag the meters if they would be used for traffic. Mayor Treece explained it was because they were losing the revenue of the parking that would have been there. Mr. Thomas asked whose initiative it was to bag the meters and why they were bagged. Mayor Treece replied the property owner. Mr. Thomas asked why they would do it if it was then used for travel. Ms. Peters explained the sidewalk and one lane of traffic had been closed when the Shakespeare's building was constructed, and they had moved the traffic over so people were still able to go in both directions. The parking along the Missouri United Methodist Church was bagged so people could drive in that lane. Mr. Thomas felt in that situation, the real estate was still available to the public whether it was used for parking or driving. He did not feel there should be an impact for it. Ms. Peters understood the only impact then would be for closing the other lane of traffic on the west side of Ninth Street. Mr. Skala commented that if a lane of traffic was closed that was the fee that should be charged. Mr. Thomas thought they should think of it as a rental fee per square feet or linear feet of road. He thought it was interesting that the 30 cents per linear foot came out to almost the same as 50 cents per hour for a 20-foot long parking space. He believed they should charge one or the other. He commented that he

supported the public inconvenience fee because it was a value to the public and the economy worked best if appropriate entities were charged for appropriate uses. Mr. Skala wondered if the fee should be equally split between the parking utility and the other purposes if there was a situation of determining whether to close a traffic lane or a parking spot. Mr. Nichols pointed out it was already in ordinance to charge \$10 per day for bagging a meter, and for the money to go to the parking utility for the loss of the space. He pointed out not all spaces were parallel parking spaces so the 20 feet did not always apply.

Ms. Nauser commented that she felt Mr. Ross had made some valid points with regard to infrastructure constructed for the public good as the City did not have the money to do it all, and believed there should be an offset. She noted she would propose an amendment for an offset for public improvements in terms of the inconvenience fee.

Ms. Nauser made a motion to amend B262-16A so there was an offset to the public inconvenience fee for a public improvement.

Mr. Thomas asked Ms. Nauser if she was speaking of a situation whereby the City had negotiated or exacted a public improvement from a private developer in return for supporting the building permit. Ms. Nauser replied yes, and noted she felt ACC was a good example where the City had extracted \$450,000. Mr. Thomas understood the developer would not have needed to close the lane purely to do its own project. The lane needed to be closed in order to satisfy the requirement to make a public improvement as well.

The motion made by Ms. Nauser to amend B262-16A so there was an offset to the public inconvenience fee for a public improvement was seconded by Mr. Trapp.

Mr. Trapp stated he also thought Mr. Ross had made a compelling case. He believed the point made was valid in that replacing a 100-year sewer with the same size modern sewer was a public benefit even if it was something done to facilitate a private development. The language he had crafted was to add the phrase "any installation of public infrastructure" to the second sentence in paragraph 2 page 3 whereby the exemptions were listed. He reiterated that even if it was needed to facilitate a private development, there were public gains due to its newness. In addition, these utilities were sometimes sized in a way that provided benefits to other property owners. Ms. Nauser stated she would gladly accept Mr. Trapp's friendly amendment.

Ms. Thompson suggested adding at the end of Section 24-43 the sentence "public infrastructure constructed, relocated or upgraded by a private contractor at the request of or on behalf of a governmental entity shall be exempt from payment of the public infrastructure fee for any closure solely required for construction activities associated with the construction of such public infrastructure."

Ms. Nauser changed her motion to incorporate the wording suggested by Ms. Thompson and Mr. Trapp, who had seconded the motion and had made a friendly amendment, was agreeable.

The motion by Ms. Nauser and seconded by Mr. Trapp was to amend B262-16A so a sentence reading "public infrastructure constructed, relocated or upgraded by a private contractor at the request of or on behalf of a governmental entity shall be exempt from payment of the public infrastructure fee for any closure solely required for construction activities associated with the construction of such public infrastructure" was added to the end of Section 24-43.

Mayor Treece stated he liked the language proposed by Ms. Thompson, but explained he did not want to create a loophole whereby a developer built a building and in the process destroyed the sidewalk so they could create a public infrastructure project of repairing the sidewalk that was damaged. Mr. Thomas understood the language proposed by Ms. Thompson talked about public infrastructure improvements that were negotiated and part of the project. Mr. Skala believed the "solely" covered any potential loophole.

Mr. Skala commented that he liked the discussion in terms of this amendment as there were situations whereby they could not deny an improvement was made and it was a

longstanding improvement into the future for something that was starting to wear out. He believed this was a reasonable amendment.

Ms. Peters asked who would enforce this and how it would be decided when something was for the public good and when that work was done. They would need to know this since they would then need to start paying a fee. She felt this was very muddy. Mayor Treece stated he was sensitive to that concern also. He wondered if the fee was assessed only when they were doing that portion of the public improvement as requested by the governing body, and at what point they started charging the fee because they were using the sidewalk as an extension of the job site. Ms. Thompson commented that this was one of the challenges for staff. It would take more staff time, observation, and analysis of what the contractor was doing on any particular construction site, and the coordination between Public Works and Community Development in terms of the building officials needing to be much more hands on to make a determination. Mr. Teddy explained if someone wanted to qualify their offsite utility work under the exemption just read, they would ask the contractor to show it as part of the traffic control plan during the application process. It would need to be broken out somewhat like a project within a project so they could count the number of days the closure was attributable to that work.

Mayor Treece pointed out the impact to small businesses was dramatic. They did not care if it was for a sewer improvement. They only knew people were unable to park and get to their business.

The motion made by Ms. Nauser and seconded by Mr. Trapp to amend B262-16A so a sentence reading "public infrastructure constructed, relocated or upgraded by a private contractor at the request of or on behalf of a governmental entity shall be exempt from payment of the public infrastructure fee for any closure solely required for construction activities associated with the construction of such public infrastructure" was added to the end of Section 24-43, was approved unanimously by voice vote.

Ms. Nauser asked who would receive the funds from the proposed inconvenience. She thought payments for sidewalk closures should specifically be earmarked for sidewalks in the community and any road closures fees should go to a road maintenance fund without any offsets in those budgets for the addition of these funds. She understood the ordinance would apply to the entire city.

Mr. Thomas thought the public inconvenience fee had been envisioned to apply downtown in the MDT district. Ms. Thompson stated the ordinance was not currently drafted to only apply to the downtown. Mr. Skala understood that had been a recommendation of the DCLC.

Mr. Skala reiterated his previous comment regarding the potential need to split where the money went if there was a situation involving parking meters and a traffic lane.

Mayor Treece stated he agreed with Ms. Nauser in that there needed to be a direct nexus between the impact and the offset. If it was a downtown impact, the offset should be a concomitant sidewalk improvement or pedestrian project downtown. He noted this would not be a dependable revenue source and they had created a public inconvenience fund in the budget for which all of the fees would be deposited for the impacted area. He thought the hooded parking meter revenue should continue to go to the parking utility. Anything else should go into the public inconvenience fund, and during the budget process, they could determine how much had accrued and dedicate the appropriate funds for those specific purposes.

Mr. Skala commented that it was incumbent on them to decide if they wanted to take the recommendation of the DCLC and restrict this to the MDT area.

Ms. Nauser made a motion to amend B262-16A so that any public inconvenience fees collected for sidewalk closures be applied to sidewalk improvements, any public inconvenience fees collected for roadway closures be applied to road maintenance, and any public inconvenience fees collected for parking lane closures be applied to the parking utility, and to ensure money was not taken out of the budget and supplanted with this new revenue. The motion was seconded by Mr. Thomas.

Ms. Thompson stated she would put that into the ordinance in paragraph form. Ms. Nausser asked that the money not be taken out of a pre-existing budget and supplanted with this new revenue. Ms. Thompson replied this would be included in a new Section 24-46 in the ordinance.

The motion made by Ms. Nausser and seconded by Mr. Thomas to amend B262-16A by adding a new Section 24-46 so that any public inconvenience fees collected for sidewalk closures be applied to sidewalk improvements, any public inconvenience fees collected for roadway closures be applied to road maintenance, and any public inconvenience fees collected for parking lane closures be applied to the parking utility, and to ensure money was not taken out of the budget and supplanted with this new revenue was approved unanimously by voice vote.

Mayor Treece commented that he wanted to adopt the recommendations of the DCLC with regard to notice. He explained he had been contacted by a lot of businesses when Ninth Street was closed and felt this discussion should begin sooner. Mr. Thomas asked if language could be included specifically stating the information would be posted at the location the sidewalk would be closed. He thought there had been a lot of uncertainty when Ninth Street was closed as to when it would be reopened. The business owners did not even know how to find out. He suggested the posting include a phone number. Mr. Skala agreed.

Ms. Thompson commented that the 7-day and 14-day notices would be included in Section 24-44(a)(5). She suggested it read "that evidence has been presented showing that all business owners along the sidewalk frontage of the impacted block have been given, in writing and by posting at the site of the closure, at least three days notice of the use for any closure seven days or less, or at least fourteen days notice for any closure between eight to thirty days, containing the dates and times of such use, and their right to protest by written notice given to the director of public works; or in the event of a closure greater than thirty days the city council has otherwise authorized issuance of the permit pursuant to the procedures set forth in Section 24-45."

Mayor Treece made a motion to amend B262-16A so that Section 24-44(a)(5) read "that evidence has been presented showing that all business owners along the sidewalk frontage of the impacted block have been given, in writing and by posting at the site of the closure, at least three days notice of the use for any closure seven days or less, or at least fourteen days notice for any closure between eight to thirty days, containing the dates and times of such use, and their right to protest by written notice given to the director of public works; or in the event of a closure greater than thirty days the city council has otherwise authorized issuance of the permit pursuant to the procedures set forth in Section 24-45." The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Thompson pointed out Section 24-45(a) would also need to be amended as it specifically discussed the 30-day notice. She suggested the first sentence of Section 24-45(a) read "whenever any person shall desire to temporarily close a public street, sidewalk, parking lane, traffic lane or alley for more than thirty days, such person shall make application to the city council not less than twenty-one days prior to the next city council meeting preceding the date the person desires to close such street or sidewalk." She noted it currently read 15 days.

Mayor Treece understood that would not be the notice to the adjoining property owners. It would be to the Council. Ms. Thompson agreed, and explained that Section 24-45(b) provided that the owners and occupants of the property abutting the area and on the opposite side received notice. She also suggested Section 24-45(b) be amended to include the language with regard to posting. She noted it should read "...closure request, in writing and posted at the site of the closure, including dates...." She stated they also needed to add that the notice would provide the date of the council meeting at which such request may be heard to that Section so there was follow through with the property owners.

Mr. Thomas understood the posting would say a request had been filed to close this sidewalk and it would be discussed at the council meeting on a particular date, and if approved, it would go into effect on a particular date. Ms. Thompson replied on a closure that was greater than 30 days, it would include the date, the time, and scope of such intended closure, and the date of the council meeting at which the request would be heard along with the right of any individual to appear before the City Council. Mr. Thomas understood it would not have to go through two 21 day periods before and after the vote of the City Council. It would only happen once. Ms. Thompson stated that was correct.

Mayor Treece made a motion to amend B262-16A so the first sentence of Section 24-45(a) read "whenever any person shall desire to temporarily close a public street, sidewalk, parking lane, traffic lane or alley for more than thirty days, such person shall make application to the city council not less than twenty-one days prior to the next city council meeting preceding the date the person desires to close such street or sidewalk" and so Section 24-45(b) was altered to read "...closure request, in writing and posted at the site of the closure, including dates, time and scope of such intended closure, the council meeting date at which such request may be heard, and the right of any individual to appear...." The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Treece stated he would like to delete the paragraph in Section 24-43(b) that would allow for a 70 percent fee reduction if the closure was limited to certain hours during the weekday. He thought the priority was to leave the sidewalks open, and this would only provide a priority for those businesses that were open after 6:00 p.m. Mr. Thomas agreed, and felt it appeared to be inefficient to open and close the street, sidewalk, etc.

Mayor Treece made a motion to amend B262-16A by deleting the paragraph reading "a seventy percent fee reduction factor will be granted if the public street, sidewalk, parking lane, traffic lane or alley is opened between the hours of 6:00 p.m. and 7:00 a.m. Monday through Friday and twenty-four hours for each weekend day or holiday" from Section 24-43(b). The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

Mayor Treece asked Ms. Thompson if she had any thoughts with regard to the insurance policy issue Mr. McCormick discussed. Ms. Thompson replied she would suggest an amendment to Section 24-44(d) so the first full sentence read "prior to the issuance of any such permit pursuant to Section 24-41(b), the applicant(s) shall submit to the city a certificate binder or policy of liability insurance..." and for language to be added indicating "or umbrella policy" in that Section where appropriate. She noted this would provide for flexibility and only apply to the larger construction projects. She explained the reason for the \$2 million and \$3 million amounts was because that was the extent of the City's sovereign immunity so they required all construction projects in use of the right-of-way to have the higher amount for protection of the public since the City needed coverage in that amount per state law.

Mayor Treece made a motion to amend B262-16 so the first full sentence of Section 24-44(d) was altered to read "prior to the issuance of any such permit pursuant to Section 24.41(b), the applicant(s) shall submit to the city a certificate binder or policy of liability insurance..." and so language was added to Section 24-44(d) indicating "or umbrella policy" where appropriate. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Skala understood they still needed to address whether they wanted this to only be restricted to the MDT downtown district.

Mr. Thomas asked if alleys were included and whether they would distinguish alleys with business frontages from other alleys. He noted he would also support a waiver of the sidewalk fee if a safe protection that was ADA accessible was provided to keep the sidewalk open.

Mayor Treece understood alleys were included for when they were used as alleys and the fee was two cents per linear foot per day. There was not any stipulation for alleys that

provided access to businesses. He asked how they wanted to view an alley. He wondered if they wanted consider it a traffic lane or a sidewalk when used for business purposes. Mr. Thomas understood an alley closure fee would be two cents per linear foot while a travel lane fee was 35 cents per linear foot. Mr. Skala thought they would want alleys to be equivalent to sidewalks. Mr. Thomas felt the alley fee was low and noted people used alleys like sidewalks all of the time.

Mayor Treece asked if Alley A was still characterized as an alley for staff purposes or if it was closed for pedestrian use. Mr. Nichols replied he thought they had a right of use permit and the property owners were maintaining all of the infrastructure. He noted it was a unique situation.

Mayor Treece commented that he felt alleys should be treated like sidewalks when there were businesses on them. Mr. Thomas stated he supported treating them like sidewalks all of the time as they were pedestrian connections.

Mayor Treece made a motion to amend B262-16A by altering Section 24-43(b) so alley usage and its fee of two cents per linear foot were deleted and alley was added to the sidewalk/curb usage fee so it read "sidewalk/curb or alley usage" and had a fee of twenty cents per linear foot per day.

Mayor Treece pointed out the sidewalk/curb or alley usage fee had a note indicating a twenty cents per linear foot per day fee unless the walkway was covered and remained open to public use as Mr. Thomas had been previously asked if the fee would be waived if the sidewalk remained open and was safe and ADA accessible. Mr. Thomas stated he thought that could be done economically in almost any situation.

Mr. Thomas asked for clarification regarding curb usage. Mr. Nichols replied it was the adjacent curb and gutter space. Mr. Thomas understood that was not a part of the parking lane. Mr. Nichols stated that was correct.

The motion made by Mayor Treece to amend B262-16A by altering Section 24-43(b) so alley usage and its fee of two cents per linear foot were deleted and alley was added to the sidewalk/curb usage fee so it read "sidewalk/curb or alley usage" and had a fee of twenty cents per linear foot per day was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Skala made a motion to amend B262-16A by limiting the ordinance to the proposed MDT district as had been recommended by the DCLC.

Mr. Thomas stated they did not have an MDT district yet. Mr. Skala agreed, but noted they had a defined area it would be based upon. Ms. Thompson pointed out they could not define an area based upon a future zoning. Mr. Skala understood the proper thing would be to pass this as it was and then amend it later. Ms. Thompson explained they could choose an existing designation, make a boundary by streets, use the Downtown CID area, etc. Mr. Skala asked what might be the best fit. Mr. Matthes suggested the Downtown CID or the area defined for review by the DCLC as they were different. Ms. Nauser asked about the administrative delay boundaries. Mr. Skala replied that went a mile beyond the downtown. Mr. Matthes commented that if the goal was to capture what most people considered the downtown, he would recommend the DCLC boundaries.

Mr. Skala amended his motion so it was now to amend B262-16A by limiting the ordinance to the Downtown Columbia Leadership Council (DCLC) study area. The motion was seconded by Ms. Nauser.

Mayor Treece stated he would speak against the motion. He explained his philosophy was that these were public assets that were paid for by taxpayers so it did not matter where in town they were taken out of public use for private benefit, and there ought to be some compensation for it.

Mr. Thomas thought logically Mayor Treece was correct. In addition, he felt it was easier to not have a need to close sidewalks and travel lanes in the sparser areas of the community. Mayor Treece agreed there was conceivably more space in areas outside of the downtown so the fee would likely never kick in, but in the occasion it did, he would prefer it be applied equally.

Mr. Thomas asked for the rationale of the DCLC for limiting it to the central city.

Mr. Skala commented that a lot of the discussion had been based upon density and the unique features of the downtown. He thought Mayor Treece had a legitimate point that there should be compensation for taking assets out of the public realm. He noted they also had a discussion with regard to the significance of the fees and wondered if a tiered approach might be necessary so the fee was different for those areas outside of the central city versus those areas within the central city.

Mr. Thomas noted they could pass the ordinance tonight based upon the DCLC boundaries with the thought of determining how it was working and whether there were any unexpected consequences in six months. They could then consider expanding it.

Ms. Peters commented that she thought one concern that had come up involved the reconstruction of a fraternity or sorority outside of the downtown area that included the closure of a sidewalk, and they wanted to address situations of that nature as well as it was a danger to those having to walk around the closure. She thought the area should be beyond the downtown area.

Mr. Trapp stated he agreed with Mayor Treece and Ms. Peters in that it should apply to a larger area than just the downtown with the only exception being the Business Loop area because it had space constrained lots similar to the downtown, limited sidewalk infrastructure, and ample lane usage. He noted if this amendment failed, he would make an amendment to exempt the Business Loop CID area. Otherwise, he believed it should apply citywide because it took out assets and there were generally less constrained lots whereby projects could be done without sidewalk and street closures.

Mr. Ruffin commented that he agreed with Mr. Trapp.

The motion made by Mr. Skala and seconded by Ms. Nauser to amend B262-16A by limiting the ordinance to the Downtown Columbia Leadership Council (DCLC) study area was defeated unanimously by voice vote.

Mr. Trapp made a motion to amend B262-16A by exempting the Business Loop Community Improvement District (CID) area. The motion was seconded by Mr. Ruffin.

Mr. Thomas asked Mr. Trapp why he would want to exempt the Business Loop CID. Mr. Trapp replied because there were a number of unique factors within the Business Loop CID area. There were space constrained lots, very limited sidewalk infrastructure, and ample lane usage if there should be a need to close a lane for a construction project as there were two travel lanes and a turn lane throughout the entire area. In addition, the Business Loop was hungry for reinvestment and he did not want to create a disincentive for people to invest there due to the constrained lots. He thought they should continue to look toward ways they could encourage investment in the area.

Mayor Treece stated he would speak against this motion as well. His philosophy was that if a public asset was being taken out of public use, there should be some compensation for it. If there was plenty of room there as Ms. Gartner had indicated, there should be plenty of room to avoid closing a sidewalk or a lane of traffic to do the construction project.

The motion made by Mr. Trapp and seconded by Mr. Ruffin to amend B262-16A by exempting the Business Loop Community Improvement District (CID) area was defeated by voice vote with only Mr. Trapp and Mr. Ruffin voting in favor of it.

The vote on B262-16A, as amended, was recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, PETERS, TREECE. VOTING NO: NAUSER. Bill declared enacted, reading as follows:

B314-16

Authorizing Amendment No. 7 to the general cooperative agreement with the Boone County Regional Sewer District relating to sewer service to property within Arrowhead Lake Estates - University Estates and located on the west side of South Arrowhead Lake Drive and the payment of special and regular fees for sewer connection to the Cascades Pump Station.

The bill was given second reading by the Clerk.

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

Mr. Thomas understood there had been a number of exceptions to the 1997 policy resolution and asked for a listing of those and the reasons the exceptions had been granted. Mr. Sorrell replied the policy resolution had a provision in it allowing developed property under multiple owners to be connected provided the Council chose to waive the annexation requirement. This was not a developed property so it fell into the provision for undeveloped property, which required annexation or an annexation agreement in all cases. Mr. Thomas understood none of the previous exceptions to the policy resolution had been for undeveloped property. Mr. Sorrell stated not to his knowledge.

Ms. Nauser asked if the Arrowhead Lake Subdivision had connected to sewer before it had been developed. Mr. Sorrell replied there was a treatment facility that had served the Arrowhead Lake Subdivision, and there was later an agreement between the City and the Boone County Regional Sewer District (BCRSD). The BCRSD eliminated that facility and connected to the sewer system to the City's regional facility. Ms. Nauser understood the subdivision had already been developed. Mr. Sorrell stated that was correct. The homes were there so annexation was not required.

Ms. Nauser understood the issue here was that the property was not developed. Mr. Sorrell stated that was correct. He explained the policy resolution required an annexation agreement or annexation for undeveloped property in order to provide sewer service.

Ms. Nauser asked if there was only capacity for another 13-15 lots on the Cascades Pump Station. Mr. Sorrell replied yes. He explained currently there were enough platted single family homes or structures on PUD plans whereby only 13 lots of capacity was left for the Cascades Pump Station. Ms. Nauser understood only 3-4 lots were proposed by this development and some capacity would still remain. Mr. Sorrell stated that was correct. Ms. Nauser understood the entire property, however, should not be annexed into the City because it would lack the ability to connect to sewer since there was not enough capacity. Mr. Sorrell stated that would depend on the number of lots they wanted to develop. If they did not exceed 13 total lots, the Cascades Pump Station could serve it. Ms. Nauser thought the original plan was for 100 lots. Mr. Sorrell stated he thought the plan had only been for 13 lots. Ms. Nauser asked how many homes could be built by acreage. Mr. Sorrell replied he did not know. Mr. Skala thought there could be about 40 homes with R-1 zoning.

Mayor Treece referred to a diagram and understood they were only talking about three denoted by hash marks, and not the balance at the corner. Mr. Sorrell stated that was correct. Mayor Treece understood the corner was contiguous with the city boundaries, but the area identified as 3 was not contiguous. Mr. Sorrell stated that was correct.

Mr. Thomas asked for the rationale for the 1997 policy resolution of requiring annexation in return for providing sewer service to customers outside the city limits. Mr. Matthes replied it was fundamentally a freeloader opposition policy. It tried to reduce the attraction to build just outside the city limits to avoid city taxes and build at a lower level quality while allowing the value of the property to be higher because it was close to the city limits. The goal of the policy was to keep sprawl or leap frog development from happening as those developments would use city services in the form of sewer and roads without paying for them. Mr. Thomas felt the policy resolution encouraged sprawl because it allowed the city boundaries to keep enlarging. If they kept the city limits where they were, an investment potential would more likely to come into the City. Mr. Matthes stated he would argue growth would happen outside of the policy. The policy existed to simply make the determination as to whether one was a part of this community or not and whether one would help pay for the facilities. Mr. Thomas asked if the City could charge a higher sewer utility monthly fee, service fee, etc. to customers outside of the city limits legally. Mr. Matthes replied they paid more now.

Ms. Nauser understood this property was surrounded by property already under the 1997 agreement, and they were paying more into the sewer utility. She did not feel they were

using city roads, electric, etc. Mr. Matthes explained they were paying more as a customer, but they were paying two different entities. The sewer utility received less. Ms. Nauser understood they were talking about four lots. Mr. Matthes noted it was surrounded by the City on three sides.

Mayor Treece asked how this was the same or different than the discussion they had on the Henderson Branch sewer extension project. Mr. Sorrell replied there was not a lot of difference between the two in terms of annexation requirements and city sewer services. The biggest difference was that the sewer existed in this situation, and the City would not spend any additional funds to provide sewer. Mayor Treece asked if it was the City's sewer. Mr. Sorrell replied it was the BCRSD sewer, which connected into the City's system. Mayor Treece understood they would be customers of BCRSD. Mr. Sorrell stated that was correct. Mayor Treece understood BCRSD would be the retailer and the City would be the wholesaler. Mr. Sorrell stated that was correct.

Mr. Skala commented that another layer had to do with the urban service area and the idea that development could occur outside of the city limits, but that the development incur additional costs and some obligation for annexation. He asked if that was a fair assessment. Mr. Matthes displayed a map showing the urban service area along with the water, electric, and sewer service boundaries, and noted they did not match up. There were urban service areas outside of two of the three utilities. In addition, parts of the urban service area were inside all of the utility service areas as well. At some point, it had been a judgement call by the group that had worked on it. He thought any point could be argued, and it was driven case by case and location by location. The traditional approach was to expect developers to bear more of the costs outside of the urban service area.

Steve Keithahn, 6575 S. Arrowhead Lake Drive, explained that early last year Nick and Diane Peckham had reached out to potential buyers of their 52 acre farm located in Boone County. His home was in Arrowhead Lake Estates and his property bordered the northern edge of the farm. The Peckhams were negotiating with several developers including one firm that planned to build a 110 home development on the property. Instead of joining forces with their neighbors to fight an undesirable high density development after the fact, he and his wife purchased the farm through 3WT Properties. They were now seeking to create and bring four lots into the Arrowhead Lake neighborhood. The four lots would be created from the current Arrowhead Lake common area, which they were purchasing from the neighborhood as well as a small portion of the former Peckham farm. The area was shown in the crosshatched section of Exhibit 13 of Amendment No. 7 under consideration tonight. The lots would all have driveways that connected onto Arrowhead Lake Drive, and the Arrowhead Lake neighborhood sewer was in the County sewer district and ran across the street from the proposed lots so it would make for an easy connection. The Arrowhead Lake neighborhood was located in Boone County and Arrowhead Lake Drive was a county road. Discussion in the staff report described how the Arrowhead Lake neighborhood had been originally constructed with its own wastewater treatment facility, and the agreement between the City and the BCRSD to eliminate this facility and connect the neighborhood collection system to the Cascades Pump Station at the expense of the BCRSD had occurred in 2007. At that time, the Arrowhead Lake Estates had been granted an exemption from the 1997 policy resolution and was not required to annex into the City. They sought the same exemption for the four new lots that would come into the Arrowhead Lake neighborhood. Since this was a unique situation, he did not feel this exemption would be a change in policy or set a new precedent. It would merely extend the waiver from annexation that had been granted to the Arrowhead Lake neighborhood in 2007. He explained their vision was one of a seamless, continuous neighborhood, and he believed it made sense for the four new lots to remain in Boone County. Driving into the neighborhood on a county road, it would seem odd to have property in Boone County on both sides, and then property in the City of Columbia on the left and Boone County on the right until one rounded a corner whereby

property on both sides were again in Boone County. Furthermore the Arrowhead Lake neighborhood was currently served by MoDOT, Consolidated Water, Boone Electric, the Boone County Sheriff, the Boone County Fire District, and privately contracted waste disposal services. It made sense to continue those services instead of having the Columbia Police Department and Columbia waste services be responsible for a fraction of a large neighborhood. He pointed out this tract was outside of the urban service area and none of the four lots were contiguous to city boundaries. He wondered if the Council would feel compelled to annex the lots if they did not need to connect to city sewer since they were served by a Boone County road, would be outside of the urban service area, were not contiguous to the city limits, and did not have any city services. He commented that nothing in the development of these four new lots would preclude annexation of the entire Arrowhead Lake neighborhood into Columbia if so desired in the future, and having all lots in the neighborhood connected to the same sewer system could simplify the process.

Mr. Skala asked if this negatively impacted the city sewer utility or infrastructure capacity in any way. Mr. Keithahn replied no.

Ms. Peters asked Mr. Keithahn what he planned to do with the rest of the property. Mr. Keithahn replied it was unknown at this time. Ms. Peters asked if it was sold if there was a chance someone would ask to add more single-family homes to the Cascades Pump Station. Mr. Keithahn replied they did not have any plans for it at this time. They were just focusing on these four lots.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, commented that he believed this project was gravely different than the Henderson Branch sewer extension project. The Henderson Branch would be an extension of a city sewer across property in Boone County to both developed and undeveloped areas with strictly sanitary sewer from the City of Columbia. In this situation, they had a BCRSD sewer crossing the property at this time. There was currently a sewer in place that could serve the property. In the area of the Henderson Branch sewer extension, there was no sewer in the vicinity. He commented that he believed this was a unique situation and not something that would come up at every council meeting. He did not feel there would be many similar requests. He noted the policy resolution had not been written for all instances, and he believed this exception was appropriate in this situation. He understood Mr. Matthes had mentioned a freeloader effect, and stated he believed that was the case in many situations, but in this instance, he did not feel it applied. He commented that had the City not installed a City sewer system to take out the Arrowhead Lake plant, they would not be in this situation, and they would have tied into the existing sewer that was owned by BCRSD. He felt it would be a unique situation to have city sewer that went from the Cascades Pump Station to the former location of the Arrowhead Lake treatment plant whereby it connected to a BCRSD sewer through the property and to add a section of city sewer. It would go from the City to the County and back to the City. It would be a confusing situation that could be resolved by allowing these lots to be BCRSD customers. He noted this area was essentially an island within the agreement itself, and felt this area had been omitted erroneously and should be included in the agreement.

Mayor Treece stated he wanted to ensure the applicant was not trying to incorporate these four lots so they could leap frog into the other area at some point, and asked Mr. Crockett if he wanted to make any representation as to the use of the other balance of the property. If they incorporated these four lots, he wondered if that would create an opportunity to leap frog the other property on to it through another request in the future. Mr. Crockett replied he did not believe so because the request before the Council tonight was simply for the four lots. Any additional area beyond the four lots would have to come to the Council for consideration. He did not feel allowing the four lots tonight would put the Council in a situation whereby they had to do this for any other property in the future.

Eugene Elkin, 3406 Range Line Street, commented that he had lived in the County in the 1980s and 1990s not far from a local sewer. He thought the original plan was to eliminate

all sewage in the County and to connect to the City. He also suggested this not be done in a piecemeal fashion.

Karen Weaver, 3040 W. Arrowhead Lake Drive, stated she was the President of the Arrowhead Lake Home Owners Association (HOA) and noted she had been aware of the Peckham farm property issues throughout the process. She explained the HOA was extremely grateful to the Keithahns for purchasing the property and preventing a high density development, which would have been inconsistent with the surrounding neighborhoods and would have had significant environmental and traffic consequences. The HOA supported the Keithahns efforts to create and bring four new lots into the Arrowhead Lake neighborhood. A 75 percent majority was required to amend their HOA bylaws, and earlier this year, well over 75 percent of the homeowner members voted to sell the necessary common area to the Keithahns to create the four lots and allow the four lots to be added to the neighborhood. The HOA fully supported Amendment No. 7 under consideration tonight.

Tom Ratermann, 1314 N. Seventh Street, explained he was the General Manager of the Boone County Regional Sewer District (BCRSD), and stated he was speaking in support of authorizing Amendment No. 7 to the General Cooperative Agreement between the City and BCRSD. The purpose of Amendment No. 7 was to provide sanitary sewer service to land on the west side of South Arrowhead Lake Drive owned by 3WT Properties. The land owned by 3WT Properties had a BCRSD sewer on it since 2000 when the subdivision to the west, Deerfield Ridge, was built, and the sewer was connected to the Arrowhead Lake wastewater treatment plant. Later, in 2007 in response to changing state regulations, the connection agreement between BCRSD and the City of Columbia had been developed to connect the Arrowhead Lake plant to the City's treatment and collection system. Perhaps it was an oversight that the 3WT Properties site was not included in the 2007 agreement since it had BCRSD sewer on it at the time and the connection had been built at the expense of the BCRSD. He commented that the BCRSD had about 25 connection agreements with the City of Columbia going back to the late 1980s. The agreements had always been predicated on the fact that the protection of public health and the environment came first, and that the protection of public health was best accomplish by having wastewater from areas served by the BCRSD transported to and treated by the City of Columbia's wastewater treatment plant, construction of which had been funded in part by federal grants over a long period of time. The amendment the Council was considering tonight was based on the concept that land with an existing BCRSD sewer on it should be served by the BCRSD without the requirement of annexation. He asked the Council to authorize Amendment No. 7 for this service area. He commented that on behalf of people living in unincorporated Boone County and BCRSD customers, he objected to the term "freeloader." It did not benefit anyone to use a term like freeloader in reference to a segment of the community.

Mr. Thomas understood Mr. Ratterman had indicated it was possibly an oversight that this property had not been included in the 2007 agreement, and asked if that applied equally to these four lots and the entire 52 acres that the Keithahns owned. Mr. Ratterman replied yes, but pointed out the request tonight was only for the four lots.

Ms. Nauser commented that this made sense to her considering this property was surrounded by property subject to the agreement. This only involved four lots that abutted the roadway for the Arrowhead Lake neighborhood. This would become part of the Arrowhead Lake neighborhood and was not property in Boone County that would eventually be annexed into the City. This property would likely never annex into the City. She reiterated this made sense for these four lots, and the BCRSD had lines on this property. They would not utilize city services, such as water, police, etc. They would only be utilizing city sewer. She did not feel this would be a drain to the taxpayers of Columbia. She stated she would support this bill.

Mr. Skala commented that this might be an appropriate exception. He thought the case could be made that this was different than the Henderson Branch sewer extension

because of the existing BCRSD sewer infrastructure. He stated he would not guess what would come of the rest of the property, and would take the developer at his word. In addition, they would see this again should it come back for additional development. In this situation, due to the redundancy of some of the lines, he thought it warranted an exception.

Mr. Trapp stated he would speak against this and thought "free riders" was a less loaded term than "freeloaders" as those that lived on the edge of the City enjoyed many of the benefits of the City without building to City standards. They were really talking about the use of the City's sewer system. He thought they needed to stand by their agreements, but noted he would not have supported that agreement had he been around in 2007. He believed they needed to take a hard line and not use the sewer industry to facilitate low density sprawl development at the edge of the City. Building to City standards included curbs, gutters, and sidewalks. They had decided, as a value for Columbia, to require heavy infrastructure costs up front for a walkable community with adequate stormwater protection and roads with curbs and gutters. He pointed out the problems that had been created in the past with regard to properties that had come into the City as the City then had to pay for expensive upgrades. He commented that none of them had crystal balls nor could they rewrite the past, but he believed they could make a decision tonight. He noted sewer was really the only prize for joining the City. Other prizes were a property tax of 41 cents per \$100, not allowing the use of fireworks, and the installation of expensive infrastructure. He believed at some point they needed to expand their footprint to pay for needed services on a consistent basis. He noted the installation of the expensive infrastructure was not done to be arbitrary. It was done because they had decided what they wanted as a community. They wanted a well-built city constructed for permanence, and this required a certain amount of density. He felt this was tough, but noted they had been asked to do a tough job by holding the line on what was in the best interest of the 117,000 people that lived in Columbia versus those in the immediate area because they would always choose the least amount of density, the biggest lots, and the most expensive houses. He pointed out they were not saying whether the property should or should not be developed. He just did not feel they should facilitate large lot, sprawl development that was not paying for core city services. He understood they would pay 150 percent to the BCRSD of which the City sewer utility would receive 80 percent, so they would receive 120 percent without the billing mechanism, but explained they would also use City parks and drive on City roads and call City police when they were in town. They would think of themselves as Columbians. He believed they needed to pull those people into Columbia whenever possible, and it meant coming into the City and doing things they did in the City like building nice roads and not allowing fireworks.

Mr. Thomas stated he hoped in the future they could clean up some of these boundaries as there were 4-5 different boundaries. Aside from the sewer area, they were all quite similar to one another. He noted it was very confusing and caused difficult decisions with regard to individual properties, which the Council should really not be debating. The Council should be creating the policy that established the framework for the more administrative decision-making. He suggested a boundaries committee with representatives from Boone County, the City of Columbia, and the different utility services to determine the goal. He noted he thought that had been done with the urban service area, but the urban service area pretty much followed the city limits in much of the City so it did not provide much of a guide. He felt they need to redefine the urban service area for the long term as a genuine future projection of where they saw the extension of the City. When looking at the larger view of the City, he believed this particular area should be in Columbia because the city limits extended to the south, east, and north of it. On the other hand, he thought they needed to consider fairness. When the onsite treatment facility for Arrowhead Lake was removed, it was part of a process of reducing a number of unhealthy and unpleasant facilities such that those properties would be treated by City sewer and the annexation requirement had been waived. Overall, he believed that needed

to apply to these four lots as well. He commented that he had appreciated the comments of Mr. Trapp with regard to creating a definition of the City, but in practice, this agreement seemed to not work correctly as it continued Columbia's footprint and encouraged more sprawl. He asked that in the future they explore whether the City could be compensated for the free rider effect by charging a more realistic fee to sewer customers outside of the city limits that had benefited from city sewer and had not built infrastructure to city standards. He noted tonight he would support this bill.

B314-16 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: TRAPP. Bill declared enacted, reading as follows:

B315-16 Authorizing a power purchase agreement with Crystal Lake Wind III, LLC for the purchase of wind energy.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mayor Treece understood the \$19 per megawatt would be about \$1.90 per kilowatt. Mr. Johnsen stated that was correct. Mayor Treece asked for the City's avoided cost for producing its own power. Mr. Johnsen replied the avoided cost would be in the \$30 per megawatt hour range. It was the cost to produce per the energy perspective. Mayor Treece understood the City could purchase this more cheaply than if they were to try to make it on their own. Mr. Johnsen stated that was correct, but pointed out this was located elsewhere. He noted this was essentially settled so they sold it to the market. Wind energy was produced in the spring and fall when the markets were low so there was a time of need and a time of use mismatch. They tried to reflect its production in the spring and fall as part of the methodology. He pointed out they really needed power in the summer and winter times, and it was all reflected in their rate impact methodology to try and analyze the price impact.

Mayor Treece asked Mr. Johnsen if he thought there was enough capacity with this project to meet the 30 percent goal by 2030. Mr. Johnsen displayed a diagram and explained it was trying to show the renewal energy requirement, which indicated 15 percent in 2018 and another increase in 2023. He explained this contract was not intended to completely meet the requirement, and pointed out they did not want to depend on one source. He noted photovoltaics were coming down in price and they wanted to leave room to utilize those. In addition, they were still looking at a biomass project at the Plant and needed to ensure they would have a fourth phase of landfill gas generator.

Mayor Treece understood there was still excess demand. He explained the Public Service Commission had a hearing on Thursday on the Clean Line Energy project and their costs were similar to this. He asked if the City would still need to access that power to meet their goals. Mr. Johnsen replied yes. He noted the Water and Light Advisory Board had discussed the Clean Line Energy project, and at this point, the City had indicated it was interested in up to 35 megawatts. He pointed out they would have to see the contracts to determine if it was viable. Based upon the indicative pricing, he thought they were interested. He understood construction would not be complete until 2021 or 2022. Mayor Treece asked if the City could buy enough renewable energy to meet more than what the renewable mandate required. Mr. Johnsen replied they could always buy energy, but they needed to be concerned about the rate impact which was limited to three percent. Mayor Treece understood this rate was cheaper than what it would cost of the City to produce its own energy. Mr. Johnsen displayed a diagram showing the rate impact and explained there would still be a rate impact since they had to settle up in a transmission constrained area. The methodology had them selling it into the grid. There would be a rate impact, but it would be about four times less than some of the original wind contracts that had been negotiated years ago. He pointed out one of the issues with the Clean Line Energy project was that it would be put into the City

system outside of an area that was typically constrained by wind deliveries.

Mr. Thomas asked if the reduction in the cost of wind energy was a national or international phenomenon. Mr. Johnsen replied it was definitely a trend in the United States due to supply and demand issues and tax credits. This was not a price that would have been quoted three years ago.

Mr. Skala understood the City was constrained by some long term fossil fuel contracts in terms of cost. He viewed this as a way to diversify the portfolio in terms of renewables and felt that was a good idea from an energy perspective point of view. Mr. Johnsen commented that they liked to have varied resources because they never knew what the pricing might be at any given time. They wanted diversity as part of the plan going forward, and it was a reason they would not try to meet all of the goals through this contract. They felt there would be lower prices in other areas or they could purchase products in the short term until the biomass project was complete or the landfill gas project was on line. They only needed to be able to quantify the rate impacts. Mr. Skala commented that the emphasis on renewables was a much more flexible approach than some of the fossil fuel contracts. Mr. Johnsen stated photovoltaics and wind were intermittent resources, and the only issue was that their capacity values were substantially less than resources that could be dispatched. He noted they had to plan for energy and capacity separately.

Monta Welch, 2808 Greenbriar Drive, stated she was speaking on behalf of People's Visioning and explained they understood the need for a mixture of renewable energy, but felt it was important to move more quickly toward those types of investments as dirty, finite fossil fuels were counterproductive to the economies of scale for renewable energy. During the past two years, renewable energy had outpaced fossil fuels, and was a reason for the price drop in renewable energy. She understood rooftop shingles were or would soon be competitive with a traditional roof. She thought there were a lot of items they needed to think about, to include building codes. She commented that they also had a resolution they wanted to offer as the advancement of finite fossil fuels would eventually threaten the Missouri drinking water. She noted air, water, and soil all worked together. She stated she did not expect the Council to make a decision tonight on the draft resolution, but asked them to think about it and consider it for the next council meeting. She provided a handout with the resolution language.

Eugene Elkin, 3406 Range Line Street, commented that the City was at less than 15 percent in terms of renewable energy and wondered if they needed to get to 20-25 percent. He also wondered whether they would consider nuclear power to make up the difference. Several years back, a home had been constructed by Habitat for Humanity and the City of Columbia with solar panels. He thought they needed to review how Germany became completely solar to determine what they needed to do.

Ms. Nauser explained she supported renewable energy, such as solar, biomass, and landfill gas, but did not support wind as she felt wind was a scourge on the planet. She did not feel wind turbines were visually aesthetic and noted they killed an estimated 140,000 to 328,000 birds in North America alone according to the Audubon Society. It was one of the most threatening forms of green energy. She did not feel the technology was there for wind turbine blades to stop killing eagles and other migratory birds, and wind farms tended to be constructed in wind paths where migratory birds traveled. She understood they were trying to change course, but noted the solution was not any better than the problem they were trying to solve. She stated she would not support this purchase even though she supported the concept of renewable energy in other forms.

Mr. Skala commented that he was a proponent of renewable energy, whether it was solar, biomass, landfill gas, or wind. He agreed wind turbines took a toll on some bird populations, but understood those numbers had been exaggerated to a great degree. The technology, as it existed today, was light years ahead of some of the fossil fuel industry mistakes of the past. In addition, one person's rage at the aesthetics of what a windmill looked like was another person's awe of a field of windmills. He understood

technology was changing and noted he had seen reports for vertical blades and bladeless wind generators. He thought they should diversify the portfolio when it came to renewables and replace some of the fossil fuel contracts with deference to the issue Mr. Johnsen had raised in terms of capacity. He stated he would support this advance in more renewable energy.

Mr. Thomas stated he appreciated the work to stay above the minimum requirement. He agreed there were certainly downsides to any technology, but thought there were efforts to address some of the downsides to wind energy generation. He believed the benefits of wind energy in replacing fossil fuels were enormous and incomparable. He noted he would support this bill to add this component to the energy portfolio.

B315-16 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, PETERS, TREECE. VOTING NO: NAUSER. Bill declared enacted, reading as follows:

B321-16 Amending Chapter 13 of the City Code as it relates to pawnbrokers.

The bill was given second reading by the Clerk.

Assistant Police Chief Hunter provided a staff report.

Mr. Trapp commented that he appreciated the Substance Abuse Advisory Commission and the stakeholders for their involvement. He provided a summary of the changes that had come from the original legislation, which had been drafted by the Police Department. The seven day wait period was reduced to 48 hours for all items except jewelry. Jewelry was melted on Tuesdays, which meant someone could steal and pawn it on Monday allowing it to be melted by Tuesday. In addition, a drum set could be identified at a later time, but jewelry that was melted would not be identifiable. The proposed ordinance would also allow for the entry of the items to be listed on the LeadsOnline system so Jeff Adams, the civilian investigator, did not have to go from pawnshop to pawnshop and secondhand store to secondhand store. He could look at an online portfolio to know what items were there. This would allow the use of limited police resources to solve crimes. Other provisions included allowing a digital video to serve as the photographic requirement and shortening the storage requirement to 45 days to recognize technological limitations of video storage. In addition, an exemption was added for religious headgear. They wanted to capture an image of how someone looked, but they also wanted to acknowledge cultural and religious freedom issues. They had tailored the list of goods covered under the secondhand dealer to eliminate a lot of items, such as clothing, and they also defined jewelry as containing precious stones and precious metals. It was much more narrowly focused toward items that were routinely stolen and fenced. He explained there had been a lot of good forums to solicit stakeholder input and the proposed ordinance had many accommodations to protect the business and regulatory environments. Even with the changes, the proposed ordinance would prevent crimes as burglars were rational actors since knowing what could be fenced would determine what would be stolen. It would also help solve crimes as important evidentiary items could be obtained through better regulation. He noted the waiting periods were as long as 30 days in other cities, and many cities across Missouri had stricter ordinance and waiting periods. This was not a vanguard ordinance. It was something a lot of other communities had done to better protect their citizens.

Mayor Treece asked if there was a software program that connected the Police Department with pawnbrokers. Assistant Police Chief Hunter replied the LeadsOnline program was utilized as all pawnbrokers subscribed to it. Mayor Treece asked if it was an industry standard. Assistant Police Chief Hunter replied yes. He noted the Police Department had also created an e-mail group for all businesses that wanted to participate to help facilitate better and quicker communication with regard to stolen items for which they might want to be on the lookout. This was a result of a lot of the conversations they

had with stakeholders.

Ms. Nauser asked how many items were reported stolen in the City of Columbia. Assistant Police Chief Hunter replied he had the number of burglaries and larcenies annually and the amounts stolen from each, but not the specific items. Ms. Nauser explained she was trying to determine how many stolen items ended up in pawnshops. Assistant Police Chief Hunter stated he did not have that information.

Ms. Nauser understood the proposed ordinance had a provision for a photograph to be taken of any individual pawning an item. Assistant Police Chief Hunter replied that requirement was in lieu of not having adequate security footage to identify the person and the object being pawned. Ms. Nauser assumed most pawnbrokers would obtain state issued identification with a photograph, and asked if that photograph would not be sufficient enough to identify an individual. Assistant Police Chief Hunter replied that photograph was normally not sufficient because appearances tended to change. It was a provision they included to obtain as up to date of appearance as possible.

Ms. Nauser understood they did not know how many people walked into a pawnshop to sell a stolen good. Assistant Police Chief Hunter stated that was correct. Ms. Nauser did not understand why a photograph would be required to be placed into a police database when 95 percent of the people selling goods were likely honest.

Mr. Trapp asked if all of the pawnshops in Columbia had video surveillance that would serve as the photo requirement. Assistant Police Chief Hunter replied he believed they all did.

Mayor Treece understood they had tried to limit the definition of secondhand dealers to certain goods. He noted he had been told by a person in a vintage vinyl retail store recently that if he tried to sell vinyl records, they would have to take a photograph of each one and wait seven days before they could settle up with him, and asked if they would be exempt from that requirement. Assistant Police Chief Hunter replied they were not exempt. He explained it was only a 48 hour wait period once it was entered into LeadsOnline. Mayor Treece understood Assistant Police Chief Hunter thought the vinyl retail store would be impacted by this ordinance. Assistant Police Chief Hunter stated yes, and referred to item (12) in the ordinance. Mayor Treece asked about secondhand clothing stores. Assistant Police Chief Hunter replied clothing stores were exempt.

Mr. Skala asked if the photograph and 48 hour wait period would be required for each individual album. Assistant Police Chief Hunter replied yes.

Patrick McCollum explained he was with Family Pawn Stores and had been with them for close to 30 years. He believed there were a few misconceptions. He explained they had about 40,000 transactions in two years in one store alone, and about 25-30 items were recovered by the Police Department. He commented that he did not see the need for this proposed ordinance, and noted they currently did everything that was asked of them by the Police Department. They reported items in LeadsOnline. He felt one of the biggest disconnects was that there was rarely prosecution. It did not appear as if the prosecutor wanted to take on these cases. He stated pawnshops and secondhand dealers could be required to do more, but wondered what the point was if the prosecutor would not prosecute offenders. They felt more needed to be done by the Police Department and the prosecutors. He stated they entered information in LeadsOnline at the end of the day every day, so the information was available almost immediately. He wondered how long it was taking for the stolen property reports to be inputted by the Police Department. It was an issue if it took 2-4 days before the information was provided to the civilian investigator. He thought the Police Department processes should be looked into to ensure reports were processed quickly.

Mr. Ruffin understood Mr. McCollum felt they were already doing many of the things in the proposed ordinance, and asked how it would impact his business if the ordinance was passed. Mr. McCollum replied the proposed ordinance would require them to photograph jewelry. He explained they were in the loan business so items were dropped off, picked up, and brought back again, and wondered if they needed to take a picture

every time. They had a lot of repeat business. He felt the ordinance was written without really knowing how their business worked. Mr. Ruffin asked if that was the only issue. Mr. McCollum replied the hold period would take some effort on their part, but was not as big of a deal. He thought having to put the pictures with the transactions would create a software expense.

Ms. Nauser understood 40,000 photos would be required with 40,000 transactions. Mr. McCollum noted not everything was jewelry, and they had surveillance that would take care of the other requirements. Ms. Nauser understood there was a litany of items requiring a photograph. Mr. McCollum stated it would be a burden if they were required to take a photograph of everything.

Ms. Nauser asked if the surveillance video Mr. McCollum's business had would be sufficient enough for the clarity the Police Department wanted. Mr. McCollum replied one of their stores had high definition video surveillance and the other did not so they would have to upgrade that system. Ms. Nauser asked how much that would cost. Mr. McCollum replied surveillance video would likely be a couple thousand dollars. He was not sure of the expense of photographing.

Mr. Skala asked if the photograph requirement was restricted to problem items, such as jewelry and firearms if it would be more palatable for the business owners. Mr. McCollum replied he thought it would be, but noted he still did not know the cost associated with photographing everything. He noted he would have to research how many of those items were pawned.

Ms. Nauser asked Mr. McCollum if anyone had ever come into his shops with a stolen firearm. Mr. McCollum replied yes. He stated they did not get a lot, but did get a few. He commented that they were undergoing an ATF audit and he had noticed they had a firearm on their Police Department hold shelf that had been there for two years with no resolution and money invested.

Mayor Treece asked Mr. McCollum his preference on the proposed ordinance in terms of amending it or defeating it. Mr. McCollum replied he would suggest defeating it as he believed it needed to be revisited. He felt secondhand stores should be included as they were dealing with the same merchandise as pawnshops even though they did not give out loans. He thought they should be required to meet the same requirements of identification and LeadsOnline.

Robert Hayes stated he was with the Army Gear store in Columbia and believed there were two categories that would affect them. One was tools because he could construe that to be hand multi-tools, fixed blade knives, or folding knives. The other was sporting goods worth more than \$50. He wondered how sporting goods would be defined. He wondered if it would include a helmet, backpack, vest, or three-piece sleep system. He noted they did not have the technology to support the requirements in the proposed ordinance, and would likely have to hire staff to deal with it. This could negatively impact Army Gear quite a bit. He explained he had talked to some customers, and they did not like the idea of being videotaped or photographed because they felt strongly it was a violation of their privacy. He commented that in the last year, they had been contacted by three individuals who had military gear stolen out of their vehicles or homes who had provided a list of what had been stolen, which they had posted on their bulletin board. He stated they also kept an eye out for those items so they could contact them. He noted police officers had never been to their store to look for anything to the best of his recollection, and a coworker had indicated an officer had come one time in eight years.

Eugene Elkin, 3406 Range Line Street, commented that they wanted more jobs in Columbia, and this might shut down secondhand stores. He stated he had approached and suggested a dealer provide input on the matter, but he had refused and had indicated the City was after the person across the street whose business was now closed. He did not believe this proposed ordinance was necessary as it was a waste of police time and other peoples time if they were talking about 30-40 items from 40,000 transactions. He commented that he was a buyer, not a seller, on a fixed income and had gotten good,

decent merchandise at pawnshops. He suggested solving drug issues with unannounced police officers with dogs.

Mr. Ruffin asked if there would be a system in place to ensure all of the businesses were in compliance if this ordinance was passed. Assistant Police Chief Hunter replied there would not be anything beyond the provisions toward the end of the proposed ordinance involving a penalty and the business license office.

Ms. Nauser asked for statistics in terms of people being prosecuted due to taking stolen goods to pawnshops. Assistant Police Chief Hunter replied he did not have those statistics. Ms. Nauser understood an online complaint was filed by retail stores, such as Walmart, when goods were stolen due to staffing issues. Assistant Police Chief Hunter replied he would say if 30-40 stolen goods were found at pawnshops, there were 30-40 families that received their property back. Ms. Nauser pointed out that had occurred without this proposed ordinance. Assistant Police Chief Hunter explained they were asking for a little more in terms of time frames, and noted jewelry was an issue because they could not identify jewelry. Rarely was there a photograph of jewelry, and it was melted on a regular basis. Ms. Nauser asked who was melting the jewelry, the pawnshop broker or a secondhand gold dealer. Assistant Police Chief Hunter replied both. It was dependent on who dealt with precious metals.

Ms. Nauser asked Mr. McCollum if pawnshops melted jewelry. Mr. McCollum replied they did not personally do it. They typically sold the jewelry to a refiner. It was usually a two week process before they sold it. He agreed it was possible for it to be bought one day and taken the next day, but they typically had it in the store for 1-2 weeks. He commented that there were very few times whereby the police come to them looking for something that was already gone. It did not happen very often.

Mr. Trapp explained there were two photo requirements. The video surveillance was not anything they had planned to require, but almost all of the secondhand dealers and pawnshops had excellent, quality video already, so the video was brought in based on stakeholder feedback. Many were already capturing photo quality images that could be useful in solving crimes. The other photo requirement required jewelry to be photographed, and that was in an effort to speed up the ability of the civilian investigator to go to LeadsOnline to view pictures and match up items quickly. As Mr. McCollum had indicated, there was a possibility jewelry could be melted down the day after it was sold, which was why the week long period was felt to be critical.

Mr. Trapp made a motion to amend B321-16 by striking "records" and "audiotapes" from Section 13-76(b)(12).

Mr. Trapp explained they had heard testimony from both the police and stakeholders that there was not a market for stolen vinyls as it was a big bulky item. He understood there was a market for stolen discs and equipment. He thought this amendment would eliminate a large number of transactions.

Ms. Nauser asked how anyone could even identify a stolen music disc or video game disc as one's own. Assistant Police Chief Hunter replied the majority of cases involving discs were identified by the group of items that were stolen. If someone reported a burglary and provided a list of games, compact discs, movies, etc. and they came across those specific items at a car stop, they were then able to make the connection. Ms. Nauser felt many of the items did not have an identifier so she felt this effort would likely be fruitless.

The motion made by Mr. Trapp to amend B321-16 by striking "records" and "audiotapes" from Section 13-76(b)(12) was seconded by Mr. Thomas.

Mr. Skala stated he did not feel it was entirely true that a lot of the stuff did not have identification, but noted he was uncomfortable with the large list of items and the testimony made in terms of how some items were categorized. He suspected there were a few categories that were important in terms of public safety and the ability of the police to prosecute crimes. He commented that he was uncomfortable with passing this with a stipulated list of items whereby it was yet to be demonstrated that it would make a real

impact. He agreed some items, such as jewelry, would make an impact, and suggested targeting efforts there.

Mayor Treece commented that he did not feel anyone was going to the vinyl shops downtown to pawn records to buy drugs. He stated he would support the exemption, but noted he was not sure he could support the entire ordinance even with this amendment.

Ms. Peters asked if they could only focus on jewelry and firearms if those were the problem items. She stated she would not be able to identify many items on the list.

The motion made by Mr. Trapp and seconded by Mr. Thomas to amend B321-16 by striking "records" and "audiotapes" from Section 13-76(b)(12) was approved unanimously by voice vote.

Mr. Trapp stated this ordinance addressed two issues, and his preference was to deal with them separately, but at the behest of the pawnshop industry they were brought together. One was to capture the waiting period, which was very much oriented toward jewelry, but did apply to other items. He commented that he wished Jeff Adams, the civilian investigator, had been able to attend to share some of his heartfelt stories about people that were not able to get their items returned to them. The other was to bring in other businesses that had no regulatory framework at all, and the list was created by the experts and had been narrowed down considerably. He noted he had seen a lists from 20-30 other Missouri communities, which he wished had been included in the packet, and the businesses in those communities had been able to navigate and administer it. As they looked at the proposed ordinance, they often interpreted it in the most stringent manner with the most amounts of doubt, and this was good as a thought experiment, but on a practical level, there were a small number of items on which the police were focused, and it was larger than firearms. He listed a few of them, which included bicycles, golf clubs, video games, electronics, and other small, valuable, portable items. He thought electronics was the biggest issue, and currently, people did not have to show any identification. One could steal golf clubs, walk into a shop, and get \$200. He understood prices were lowballed to move items quickly under the existing framework, especially when 17 year olds sold golf clubs. He commented that very few 17 year olds legitimately had golf clubs or multiple sets of golf clubs for sale. He felt issues such as this needed to be addressed. He understood this proposed ordinance was not perfect, but noted not many ordinances they had looked at were perfect. He commented that the police had identified that this was necessary, and with an understaffed police force, he believed they needed to move this regulatory framework forward. They needed to bring other businesses into this and a waiting period. He felt those items were critical.

Ms. Nauser commented that if someone walked in her home and stole her son's Xbox, she would not be able to identify it. She understood the concerns with regard to a waiting period and people not asking for identification, and believed those issues could be easily solved. She thought they could have an ordinance requiring photocopies of driver's licenses along with a receipt that had model numbers, etc. for the items taken in by the pawnshops or secondhand stores. She did not think an individual that was selling an item should have to be subjected to standing in front of a screen to have her picture taken as she felt that was intrusive. She accepted being under surveillance when walking into a business with a sign indicating that on their door. She did not feel she should have to be photographed like a criminal because she was selling her own property. She was agreeable to requiring photo identification and keeping information on the item, but she was not sure a photo of each item was necessary as it would be extremely labor intensive. In addition, this was an effort of futility if people were not going to be prosecuted for pawning stolen items. Ms. Peters noted someone might be able to get there property back. Ms. Nauser agreed if the person could identify the items stolen. She thought the proposed ordinance was too much.

Mr. Thomas stated he would support this proposal. It appeared as though property was able to be returned 30-40 times annually, and with these additional requirements in place, he thought the numbers might be doubled, tripled or quadrupled. In addition, he

understood most of the new requirements were being met anyway, and several concessions had been made since the previous version of the bill. He noted it was something the Police Department had requested and thought they should support the Police Department by providing them the tools they needed.

Mayor Treece commented that there was a Scrivener's error on page one as silver was misspelled. He also asked if the secondhand dealer had to be a brick and mortar establishment as he wondered about someone that was repeatedly buying and selling on Craigslist. He was concerned about driving more fencing to online sites, and asked if they would be required to meet the proposed ordinance. Assistant Police Chief Hunter replied there had been a provision with regard to non-brick and mortar establishments, but he was not sure if that had been removed from the proposed ordinance. Mr. Trapp understood there was a business license requirement as part of the definition. Mayor Treece asked if that required a physical location. Mr. Matthes replied he would have to look into it. He understood there were businesses that operated via a Craigslist approach renting only warehouse space.

**B321-16, as amended, was given third reading with the vote recorded as follows:
VOTING YES: TRAPP, THOMAS. VOTING NO: RUFFIN, SKALA, NAUSER, PETERS,
TREECE. Bill declared defeated.**

B313-16 Amending Chapter 14 of the City Code to change the speed limit on portions of Providence Road and Battle Avenue.

The bill was given second reading by the Clerk.

Mr. Nichols provided a staff report.

Ms. Nauser commented that she had asked for this to be removed from the consent agenda because she felt reductions in speed limits should be made more public so more people were aware of the changes. She also thought those changes warranted more conversation or an announcement. She noted she was happy the speed limit was being lowered on Providence Road, but was not sure 50 mph was enough because she thought people would likely still drive 60 mph.

Mr. Thomas asked if there were any particular events or a process that triggered the speed studies on these roads. Mr. Stone replied Council had asked staff to contact MoDOT to evaluate Providence Road, which they had done. Ms. Nauser noted she had asked for it per requests from constituents.

Mr. Thomas commented that he had read a newspaper article a while ago that had tied a study on Providence Road to the death of the bus rider in January 2015, and asked if that had been the triggering event or if it was a different MoDOT project. Mr. Stone replied he thought the time frames overlapped, but they were not directly related.

Mr. Thomas asked for clarification regarding Battle Avenue. Mr. Stone replied this area had been annexed into Columbia in 2015 so they were monitoring the roadway. They conducted a speed study to learn what was going on in the area.

Ms. Nauser stated she thought the reduction made sense because the speed limit on Route K had been reduced to 45 mph. Mr. Nichols replied the access points were one of the main reasons for the reduction.

Mr. Thomas understood MoDOT was measuring 85th percentile speeds in the mid-50s on Providence Road, and asked if the current speed limit was 55 mph. Mr. Stone replied yes. Mr. Thomas asked how effective it would be and whether a follow up study would be done to determine if it was effective. Mr. Stone replied they could ask that of MoDOT. He explained they typically took into account everything about the road when making a change and understood they believed this change would make a minor improvement. Speed limit sign changes did not make a big impact, but they could with enforcement. Mr. Thomas thought it would be worth doing enforcement on Providence Road as it had tens of thousands of vehicles traveling on it for a more measurable impact than a less

traveled road.

Mr. Thomas stated he was glad these speed limits were being reduced. He believed they needed to move further with engineering changes on some roads to really reduce speeds to safe level where there were conflict zones, pedestrians, bicyclists, etc.

B313-16 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B316-16 Accepting Stormwater Management/BMP Facilities Covenants.

The bill was given second reading by the Clerk.

Mr. Johnsen provided a staff report.

Mr. Thomas commented that the ordinance indicated the covenants were included, but he could not find them, and noted that he did not even know what a stormwater covenant was and asked for an explanation. Ms. Amin replied she had them if Mr. Thomas wanted to look at them. She explained they had never been included in the packet similar to conveyances, but once they were recorded, they were filed with the respective ordinances. If Council wanted to change that process, they could direct staff to do so. Mr. Thomas stated the process likely did not need to change, and explained he only wanted to understand them. He asked if they were descriptions of onsite stormwater facilities. Mr. Johnsen replied yes, and noted they were project specific. They detailed what needed to be done in terms of construction and the ongoing maintenance for stormwater management. Mr. Matthes commented that it was important to note, these ran with the land. Mr. Thomas understood these were designed to be compliant with the rule that the development would not add stormwater runoff across any of the boundaries of the property. Mr. Johnsen stated that was correct. He explained they were to show compliance with the stormwater ordinances.

Ms. Nauser understood the private property owner was responsible for maintaining the stormwater facilities. Mr. Sorrell stated these covenants were required by Section 12A-95 of the City Code so the neighborhood association or developer was responsible for the maintenance of the stormwater best management practices. It identified where they were, what they were, and what maintenance was needed. It included inspection reports and different items within those.

B316-16 was given third reading with the vote recorded as follows: VOTING YES: RUFFIN, TRAPP, SKALA, THOMAS, NAUSER, PETERS, TREECE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

VII. CONSENT AGENDA

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

- B308-16 Approving the Wyndham Commercial Corner C-P Plan located on the northeast corner of Scott Boulevard and State Route KK (Case No. 16-205).
- B309-16 Approving the Final Plat of The Vineyards, Plat No. 3 located at the western terminus of Stone Mountain Parkway; authorizing a performance contract (Case No. 16-128).
- B310-16 Approving the Final Plat of Fox Lair, Plat No. 3 located at the western

terminus of Fort Sumter Court and west of Buchanan Drive; authorizing a performance contract (Case No. 16-203).

- B311-16 Vacating an existing sanitary sewer easement located on the northwest corner of Nifong Boulevard and Santiago Drive (Case No. 16-165).
- B312-16 Vacating an unused trail easement that was acquired as part of the Hominy Creek Trail Phase II project.
- B317-16 Authorizing recreational trails program project agreements and a land and water conservation fund project agreement with the State of Missouri - Department of Natural Resources; appropriating funds.
- B318-16 Authorizing a grant agreement with the State of Missouri - Missouri Arts Council for the Parks and Recreation Department Annual Fall Heritage Festival and Crafts Show.
- B319-16 Accepting a grant from the 3M Foundation for CoMo Common Ground for a monarch butterfly habitat restoration project; appropriating funds.
- B320-16 Appropriating funds for the purchase of City of Columbia flags to have available for resale.
- B322-16 Authorizing an agreement with the County of Boone, Missouri for the second assignment of legacy assets related to Public Safety Joint Communications.
- B323-16 Authorizing a cooperative agreement with the County of Boone, Missouri for server relocation and disaster recovery services.
- B324-16 Amending Chapter 17 of the City Code as it relates to parks and recreation.
- R175-16 Setting a public hearing: consider an amendment to the 2015-2019 Consolidated Plan and FY 2016 Annual Action Plan for CDBG and HOME funds; establishing a comment period.
- R176-16 Authorizing a contract with the Central Missouri Humane Society for 2017

animal control and municipal shelter services.

- R177-16 Authorizing an agreement for professional architectural services with SFS Architecture, Inc. for planning, design and preparation of construction documents for a sports field house at the A. Perry Philips Park.

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

VIII. NEW BUSINESS

None.

IX. INTRODUCTION AND FIRST READING

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

- PR178-16 Adopting a "Vision Zero" Policy; setting a goal of eliminating traffic deaths and serious injuries in Columbia by 2030.
- B325-16 Approving the CP/OP Plan for Discovery Park Subdivision - Plat 4 located on the west side of Nocona Parkway and south of Ponderosa Street; setting forth a condition for approval (Case No. 16-173).
- B326-16 Approving the Final Plat of Discovery Park Subdivision Plat 4 located on the west side of Nocona Parkway and south of Ponderosa Street; authorizing a performance contract (Case No. 16-175).
- B327-16 Vacating unused electric utility easements on property located east of Beverly Drive and south of I-70 Drive SW (1900 I-70 Drive SW) (Case No. 17-2).
- B328-16 Authorizing a development agreement with Greg and Kelly Deline as it relates to the proposed development of property located on the southwest corner of Highway 763 and Brown School Road (Case No. 17-30).
- B329-16 Authorizing a generators sale agreement with Shelter Mutual Insurance Company for the sale of two (2) generators and associated transformers and switchgear.
- B330-16 Authorizing a Freight Enhancement Program grant agreement with the Missouri Highways and Transportation Commission for the purchase of a

railcar unloading ramp and development of an automotive loading and unloading facility at the Columbia Terminal Railroad (COLT) transload site.

- B331-16 Authorizing a memorandum of understanding with the Missouri Department of Natural Resources relating to development of an integrated management plan for City of Columbia wastewater and stormwater systems; authorizing approval of an Abatement Order On Consent with the Missouri Department of Natural Resources.
- B332-16 Authorizing an agreement with the Columbia Public School District for playground improvement projects at Parkade Elementary School, Fairview Elementary School, Benton Elementary School and Paxton Keeley Elementary School.
- B333-16 Authorizing Amendment No. 3 to the program services contract with the Missouri Department of Health and Senior Services for the Healthy Eating Active Living in Local Communities program; appropriating funds.
- B334-16 Authorizing a program services contract with the Missouri Department of Health and Senior Services for child care health consultation.
- B335-16 Amending Chapter 18 of the City Code relating to police and fire pension plans.
- B336-16 Authorizing renewal of provisions pertaining to the operation of the Columbia Fire Department and conditions of employment of the Columbia Fire Department personnel.
- B337-16 Accepting a donation from United HealthCare for wellness promotions and programs for City employees; appropriating funds.
- B338-16 Adopting the Choice Plus \$750 Plan, the Choice Plus \$1,500 Plan and the Choice Plus \$2,600 High Deductible Health Plan for the City of Columbia.

X. REPORTS

- REP91-16 Administrative Public Improvement Project: Waters-Moss Memorial Wildlife Area - Waters House Renovations.

Mayor Treece understood this was provided for informational purposes, and noted staff would proceed since there was not an objection.

REP92-16 Parking Meter Replacements Planned for January 2017.

Mayor Treece asked if the intent was for all meters replaced to accept coins. Mr. Nichols replied yes. Mayor Treece asked about the spaces on Walnut Street that were currently posted with only the Parkmobile sign. He wondered if they would also receive new heads. Mr. Nichols replied they had not planned to place new heads there at this time. He explained they would have extra meters so they could place a few on those streets. He understood 55 total spaces were Parkmobile only spaces, mainly because they did not have extra meters since the current meters were 18 years old. Once they finished the replacement process, they would have older meters they could place in those areas. He commented that the meters on the 400 block of Ash Street were drawing \$1.60 per meter per month and the meters on the 800 block of Walnut Street were drawing \$8.00 per meter per month, so the cost to maintain the meters was higher than the revenues earned from them. As a result, they had decided to convert those meters to Parkmobile only meters when they had run out of meters. He commented that once they change out the more utilized meters, they might be able to place meters back to those areas if directed by Council. He displayed a map showing the Parkmobile only meters, and pointed out the 28 locations on campus were highly used.

Mr. Nichols explained a very intense marketing campaign would be put into place with regard to how to use the new meters. He pointed out the technology associated with these new meters would provide much more data. They would have a new meter in the office to show people returning EZ park cards for a CoMo park card how to use it. He commented that the EZ park card system allowed money to be placed back on the card if not all of the time was used, and malfunctioning meters had made it an unattractive option. The new system would allow one to insert the card to start the clock and then reinsert the card to stop the clock. He noted the new meters should all be installed in January, so there would be a time whereby the cards would not work, but coins could be placed in the meters in the during that time.

Ms. Peters asked how long it would take to get from the coin operated meters to the CoMo park card meters. Mr. Nichols replied January. He explained the 1500-plus meters would look the same, but the guts would be changed so customers would not know whether the meter took the EZ park card or the CoMo park card. As a result, the card system would not be functioning during the transition period, but they would all continue to allow for the use of coins. After all the meters were changed out, the card system would be reinstated. This was the reason for the intense marketing campaign.

Ms. Peters understood those that had EZ park cards would need to get their card switched out in January to the CoMo park card. Mr. Nichols stated that was correct.

Mr. Skala commented that some of this conversation was driven by an equity issue in terms of those that required only the use of the Parkmobile app. He understood the old coin operated meters could be programmed for the amount of time available for any particular parking place. Mr. Nichols stated that was correct. Mr. Skala asked if coin operated meters were added to the spaces that had the poles without any heads and were just available with smartphones, if they would be capable of both technologies. Mr. Nichols replied only if they had enough of those types of meters. Mr. Skala understood the smartcard technology would not be able to be used on them. Mr. Nichols explained every spot in Columbia would have a zone whereby all would be Parkmobile capable. Mr. Skala asked if they were trying to ensure all spaces could accommodate coins. Mr. Nichols replied if they had enough meters. He reiterated the usage was low. If that was the desire of Council, they would try to accommodate it.

Ms. Nauser asked if there would be a video on the City's website as part of the educational campaign so people could learn how to use the new meters. Mr. Nichols replied yes.

Mr. Thomas understood some of the meters only generated a few dollars a month and suggested those areas accommodate free parking rather than going through the expense of reinstalling coin meters. He commented that this also reinforced they did not have a

shortage of parking if the spaces were used so little only a couple of blocks from Broadway. Mr. Nichols pointed out those were the 10-hour pilot space locations. Mr. Thomas understood they were not only for those in the downtown employee program. Mr. Nichols agreed.

Mayor Treece asked if staff had seen a spike in those low revenue meters with the Parkmobile app. Mr. Nichols replied not much. Mayor Treece understood people were not parking there. Mr. Thomas thought a few people were parking there and were then dismayed to discover they could not put money into a meter. Mr. Nichols stated that was correct. He pointed out there were coin operated meters just around the corner from those locations. He commented that they could supplement meter heads into these areas if that was desired by Council. Mr. Thomas thought that should be done or they should designate those locations as free parking locations. Mr. Skala suggested they be supplemented on the basis of a return of revenue. Mr. Ruffin understood the administrative costs of those meters outweighed the amount of money being generated.

Mayor Treece asked if Council wanted to address that issue tonight or allow staff to make a recommendation. Mr. Skala replied he would like to receive an analysis along with the return on investment for those rarely used parking spaces to inform their decision. Mayor Treece thought it would be nice to make them free near a bus route so people could park and travel via a bus.

Mr. Trapp commented that he appreciated the point of Mr. Nichols in that the City just did not physically have the meters. It was not a move to strip the parking rights of people without smartphones. Not deploying meters to spaces that only generated \$1.60 per month when there was a shortage of meters made sense.

REP93-16

Intra-Departmental Transfer of Funds Request.

Mayor Treece understood this had been provided for informational purposes.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mary Hussmann, 210 Ridgeway Avenue, commented that she believed an analysis also needed to be done on the cost per minute of the meters as a quarter provided for 15 minutes on Hitt Street and 25 minutes on Ninth Street. She did not feel it was good to have that disparity from one block to the next. She did not believe any spaces should be an app only space, and noted an elderly lady had indicated she had trouble finding a spot on campus recently because there were a lot of app only spots. She stated more than students wanted to utilize those spots. She felt all options should be at all locations.

Monta Welch, 2808 Greenbriar Drive, explained People's Visioning dealt with racial, social, cultural, economic, and environmental justice, and noted she wanted to further speak on the topic of renewable energy. She thought they needed to be concerned about the air, water, and soil, and the justice issues in terms of where the polluting resources were directed. She appreciated the comments tonight of thinking about the issues more deeply while trying to keep the City moving forward as much as possible. She noted she had provided a handout previously which had included a draft resolution. She commented that the resolution was about the impact of energy on water and economic environmental justice. She asked what kind of world they would leave to their children.

Eugene Elkin, 3406 Range Line Street, commented that he was having trouble finding parking on campus as well. He wondered if the City should set aside a percentage for the general public while deciding what to do in the future.

Mr. Elkin understood Boonville was in the same situation as had been displayed in the news in terms of water and the Native Americans fighting to keep oil from going under the Missouri River.

Mr. Elkin commented that tonight he met with the gentleman than helped him start Habitat for Humanity, who was now a preacher in Moberly. He stated there was one

shelter in Moberly, Missouri for battered women, and they then had to be sent to Columbia.

Mr. Elkin stated he met a 72 year old gentleman in the lobby that was helping out with Room at the Inn, and noted he appreciated anyone that wanted to help the homeless. He understood many people only had two meals a day, and suggested feeding the homeless at least two meals a day. He noted the conditions outside would soon be freezing and he did not want anyone to die.

Mr. Thomas understood about 4,300 utility customers annually had electricity turned off for failure to pay their bills, and that seemed like a very large number to him. He noted this was presumably after some kind of payment plan had been agreed upon and they had fallen behind with it. He asked for a breakdown geographically as to where these occurred, how many were cutoff multiple times, etc. He wanted to understand the situation. He thought they might want to consider how they might reduce these occurrences. He also wanted to know about the process when someone failed to pay or fell behind in payments.

Mr. Thomas commented that they were in discussion with Mr. Matthes with regard to a police ballot issue and how to address the multi-variant problems with public safety. He urged the Council to think about the value of having a well planned community engaged visioning process that aired all of the issues in public. He thought they needed to collect input on how people wanted to be policed.

Mr. Thomas thanked Mr. Elkin for mentioning Room at the Inn and the fact temperatures would drop into the teens in the next few days, and thanked the Council for supporting the extra funding that allowed Room at the Inn to open last night, which was much earlier than the last two years. He stated he actually volunteered last night and everything went well. They were becoming more organized in terms of processes. He noted at about 10:00 p.m. he had been engaged in a game of scrabble with his 20 year old son, a young homeless man, and Officer Derek Moore of the Columbia Police Department, who was there providing services. He encouraged everyone to volunteer as it was a very good experience.

Mr. Trapp commented that he loved the idea of Ms. Warne-Griggs of a dashboard as had been discussed under scheduled public comments, and would like to see it expanded to all of the recommendations of the Mayor's Task Force on Community Violence. A working group would be something he would applaud and encourage. He believed it should be open to those who were a part of the Mayor's Task Force on Community Violence, and thought they had made tremendous progress considering resource constraints. It continued to be something in which the public was interested.

Ms. Nauser stated she agreed.

Mayor Treece thought the group should set the measurables that could be reviewed annually or on another time frame to ensure progress was being made.

Ms. Nauser commented that at the Mayor's Appreciation Breakfast, the Columbia Chamber of Commerce had listed its strategic plan goals, which included the sign ordinance. She noted several constituents had contacted her wanting to know if the City was in compliance with federal and state regulations. She asked staff to review the sign ordinance and to provide a report indicating whether the City was in compliance with state and federal regulations.

Mr. Skala stated he felt dashboards were great, particularly as reflected in the work of City Administration in terms of the budget. He also noted that he liked the fact the dashboards provided a colored status profile.

Mr. Skala explained he served on the Columbia Chamber of Commerce Government Affairs Committee and understood they wanted a review of the sign ordinance. He thought some of it had been rolled into the Unified Development Code (UDC). He understood what was of particular interest had to do with the distinction between electronic signs that operated at banks with time and temperature indicators and moving electronic signs, which he thought the Council had struggled with in the past. There had been a claim that some of the regulations were unconstitutional because no one could be treated differently. Everyone had to be treated the same. He noted he personally did not feel it was an issue, but agreed a review and staff report would be helpful.

Mr. Skala provided a handout he had received at the National League of Cities (NLC) Conference in Pittsburgh from the Racial Equity and Leadership (REAL) Council. He commented that he was tempted to ask for a resolution, but he preferred to obtain input from the City Council first. He explained it was called a REAL Call to Action whereby the NLC was encouraging local elected officials to issue a statement or formal resolution confirming their commitment to the values of equity, fairness, inclusion, and justice in response to the current tensions after the divisive general election. It included text from their partners at the Center for Social Inclusion and Government Alliance for Race and Equity in the form of four bullet points, which he read. He thought this was something they should consider and then potentially ask for a resolution with whatever consensus could be achieved.

Mr. Thomas asked that the document be e-mailed to him.

Mr. Skala commented that he had asked Ms. Amin to provide background materials regarding PACE, which was a renewable energy program. It had been introduced to the Environment and Energy Commission in 2013. There had been issues in terms of federal funding, which had been worked out. He noted Chris Kelly, the former state legislator, and had asked him to get some of the council members together for brief informative meetings. He asked whoever was interested in learning more in the next two days to contact him to get together with him, Mr. Kelly and Barbara Buffaloe.

Mr. Skala asked about the status of the Benton Stephens parking permit program. He understood the urban conservation overlay would be discussed as part of the UDC, but he had not heard much with regard to any progress with the parking permit program. He stated he was hopeful progress would soon be made.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11.25 p.m.