



City of Columbia, Missouri

Meeting Minutes

City Council

Tuesday, January 17, 2017
7:00 PM

Regular

Council Chamber
Columbia City Hall
701 E. Broadway

I. INTRODUCTORY ITEMS

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Tuesday, January 17, 2017, 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 THOMAS, NAUSER, PETERS, TREECE, RUFFIN, TRAPP and SKALA were present. The Deputy City Manager, City Counselor, City Clerk, and various Department Heads and staff members were also present.

The minutes of the regular meeting of December 19, 2016 was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

The minutes of the regular meeting of and January 3, 2017 was approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Skala.

Mr. Thomas asked that B9-17 be moved from the consent agenda to old business.

Mr. Skala asked that R3-17 be moved from the consent agenda to new business.

The agenda, including the consent agenda with B9-17 being move to old business and R3-17 being moved to new business, was approved unanimously by voice vote on a motion by Mr. Ruffin and a second by Mr. Skala.

II. SPECIAL ITEMS

SI1-17

Recognition of Hurricane Matthew Mutual Aid Respondents.

Mike Conyers with the Missouri Public Utility Alliance explained the linemen in front of them today had taken time away from their families to restore power in the aftermath of Hurricane Matthew. He presented the linemen a plaque from Jacksonville Electric Association and a resolution from the Missouri Public Utility Alliance thanking them for their work. He noted the City of Columbia was recognized nationally through the Department of Energy, the American Public Power Association, and the Federal Emergency Management Agency.

III. APPOINTMENTS TO BOARDS AND COMMISSIONS

BC1-17

Board and Commission Applicants.

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

COLUMBIA COMMUNITY DEVELOPMENT COMMISSION

McCray, Cookie, 4400 Kentsfield Lane, Apt. 102, Ward 6, Term ending November 1, 2018

COLUMBIA VISION COMMISSION

Green, Trisha, 1504 N. Golf Boulevard, Boone County, Term ending December 15, 2018

MAYOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH

Lero, Tyler, 1109 W. Broadway, Apt. B, Ward 3, Term ending November 30, 2018

Mr. Thomas suggested they delay making appointments to the Finance Advisory and Audit Committee as he understood there was at least one other person who was trying to submit an application.

Mr. Thomas made a motion to delay making appointments to the Finance Advisory and Audit Committee for another month. The motion was seconded by Mayor Treece.

Mr. Trapp commented that the Council had already held making appointments one month and recommended they move forward with appointments if they had qualified applicants.

Mayor Treece explained he had wanted to reach out to the applicants as he had hoped this Committee would be more robust and meet more frequently. He stated he wanted to ensure the applicants were up to that, but noted he would defer to the group.

Mr. Skala explained he was aware of other interest in the Committee and felt it should be entertained.

Mr. Trapp stated he was agreeable to delaying the appointments for another month, but suggested they move forward next month.

The motion made by Mr. Thomas and seconded by Mayor Treece to delay making appointments to the Finance Advisory and Audit Committee for another month was approved without objection.

IV. SCHEDULED PUBLIC COMMENT

SPC3-17 Dr. Timothy Waid - Introduction of our new neighborhood association "East Campus Majority Housing Association" and explanation of our petition and reasons for creation.

Mr. Waid explained he owned a home at 1513 Bouchelle Avenue, which was within the East Campus urban conservation overlay district, and the property had been in his family for 40 years. He commented that he was present to announce the formation of the East Campus Majority Housing Association, which was organized through petition by a majority of property owners within the boundaries of the overlay district. He displayed a parcel map showing the properties owned by the petitioners, and noted the petition satisfied the legal terms of the overlay, known as Ordinance No. 017627, which required a majority of parcel owners to authorize amendments. He noted the petitioners had reaffirmed their support for the existing overlay and the democratic process that had created it. He explained they opposed additional restrictive changes and limitations to the overlay. He commented that they incorporated legally because they desired democracy and transparency in the neighborhood association. They petitioned to preserve the overlay district as it was without illegal amendments and had legally incorporated to demand representation in the overlay district. He noted they were mostly non-resident homeowners excluded from the East Campus Neighborhood Association (ECNA). Historically, they had suffered from injustices, which included secret meetings to revise the overlay without input and the \$100,000 fine that had been placed on the Beta fraternity for design oversight. They viewed that fee as exorbitant and remained unsatisfied because the money was not spent on safety lighting as had been agreed upon. He commented that they had restricted rights as they were banned from the presidency and had weak voting rights as compared to resident owners. He felt the division in the overlay district was a demographic divide. The area west of Ann Street was essentially R-3 zoning with student residents via mom and pop non-resident owners with roughly 2,000 inhabitants. The area east of Ann Street was essentially R-1 zoning with resident occupant owners of roughly 200 inhabitants. He stated the demographic divide was compounded by property use differences. About 73 percent of the homes in the area were used for rental housing, and 91 percent of the homes west of Ann Street were used for rental housing. On the contrary, roughly 68 percent of the homes east of Ann Street were used for occupant ownership. There were clearly two characters within

the overlay district, but emerging was a dominant character of R-3 zoned and locally-owned student housing. He commented that they were taxpaying citizens that lacked representation in the ECNA, and who were also misrepresented. He stated the hope of the East Campus Majority Housing Association was to utilize their property rights to better serve the overlay district stakeholders, which included the students, the University, the housing community, and the neighbors east of Ann Street. He hoped the Council would accept the Association's petition to preserve the overlay without change and their right for representation. Mr. Waid provided a copy of the petition to the Council.

SPC4-17 Lynn Maloney - Community Policing: A "Buzzword?"

Ms. Maloney commented that a couple of weeks ago they had the opportunity to hear the Police Chief present the federal award provided to the Columbia Police Department (CPD) for four more community police officers. She believed this was wonderful, but was disappointed by the Police Chief referring to community policing as a buzzword, which indicated he might not take the concept seriously. In addition, when reading the 26 page application submitted by the CPD for the additional officers, she became convinced he felt community policing was merely a buzzword. She understood there had been a long list of boxes he could have chosen to mark off as part of the work that would be done for community policing, and none of the boxes Race Matters, Friends would have like to have seen marked were included as a description of work to be completed under the grant. She listed those, and they included transparency, fairness and respect, community engagement, and diversifying the police department. She agreed the application used other phrases such as building partnerships and community engagement, but noted Race Matters, Friends was not an association they had listed for a partnership. She understood two law enforcement agencies had made the list, and although it was important for good relationships amongst law enforcement agencies, those were not the type of community partnerships Race Matters, Friends was hoping to see with these federal grant funds. She commented that they were also surprised to discover the City had posted a town hall meeting on its calendar related to racial profiling without issuing a press release or relaying the information to council members, Race Matters, Friends, and other community organizations that were actively involved in pursuing the topic. She understood the City had not even contacted the NAACP. She suggested Mr. Matthes utilize the skills of Steve Sapp and his staff to reschedule this event to allow for appropriate planning and community engagement. They wanted the agenda to be put together in collaboration with other community groups, but if that was too much, they wanted to at least see the agenda and PowerPoint presentation one week prior so they were able to fully participate. They also wanted an online form people could use to submit questions anonymously and in advance of the meeting. She believed the City needed to publicize the event through all available channels, to include posting flyers in coffee shops, grocery stores, churches, etc. They also felt the meeting should be held in a location other than City Hall since people were being asked to come forward to share stories about racial profiling. She noted a lot needed to be done to earn trust and create safety. She commented that she believed the meeting was a setup so the City Manager and Police Chief could say no one came to share stories of racial profiling so there was not an issue. She thought it was ridiculous to expect people to come to City Hall to share stories in that context.

SPC5-17 Janet Conboy - Parade policy.

Ms. Conboy read a letter from a constituent, Carol Brown, who had concerns about the parade policy and the special event permitting process. The letter indicated Ms. Brown was disappointed at the denial of a parade permit for the solidarity march in downtown Columbia. There was value in allowing citizens to publicly gather and peacefully demonstrate. A walk down the sidewalk did not have the same impact as closing a street for an hour, and Ms. Brown viewed the restriction as a public muzzling of dissent. There was a lack of engagement in local politics as people were reluctant to show up at

demonstration, speak out, and be heard. Social and political progress happened when community members were engaged in a dialogue with one another. The letter explained they only wanted to march up Broadway as was allowed for many parades, but this small group of people seeking political expression could not obtain a parade permit. They had not been looking to close the street for hours, and it would have been similar to the closing the street for the soap box derby and charity races. Ms. Brown indicated she wanted to voice her disappointment and cynicism with regard to what public speech was okay in Columbia.

Ms. Conboy commented that there were a number of reasons special use permits could be denied and reasons appeals of those denials could be upheld. It was clear there was no specific information with regard to the criteria, such as the numbers of hours calculated for police to be on duty or traffic impacts. She suggested more information so they could better respond, prepare requests, and understand more fully how the City made those determinations. She believed this would be helpful to all citizens.

SPC6-17 **Monta Welch - Formal submission of Peoples' Visioning Resolution on Water, Human Rights, and Energy.**

Ms. Welch, 2808 Greenbriar Drive, provided a handout and stated she was speaking on behalf of Peoples' Visioning and their allies and co-sponsors. She commented that the Sioux nation along with a historic gathering of 300 native nations and other allies stood together to protect water, the source of life, from pipelines crossing the Missouri River and other rivers. She understood the Missouri River would be crossed in two places if the North Dakota Access Pipeline was not stopped. She noted 18 million people and about half of Missourians along with those that resided in Columbia depended on this clean water from wells interacting with the Missouri River. She asked the Council to remember this was about large investments, money, and the old destructive system. She believed they needed to encourage investment in the new as was demanded by human and other life. She commented that the water, human rights, and energy resolution recommended for the Council to adopt by Peoples' Visioning had a number of points, and she read portions of the resolution. She asked those in the audience in support the adoption of the resolution to stand, and approximately 20 people stood.

SPC7-17 **Jeff Stack - Racism and Community Policing in Columbia.**

Mr. Stack stated he was the coordinator of the Mid-Missouri Fellowship of Reconciliation and explained he had heard a Euro-American man indicate he was a recovering racist a few years ago. The statement sadly resonated with him as he, like others, was a creature of his upbringing. He noted thankfully, everyone was capable of positive change as well. He commented that he had been raised in a house where his father had routinely told racist jokes, and by the age of 12 or so, he was protesting that humor as respectfully as possible so as to not anger him. He explained his parents had been products of segregated and racist upbringings. He noted racism needed to be addressed in Columbia, to include within the law enforcement offices. The Missouri Attorney General had indicated officers in the Columbia Police Department and the Boone County Sheriff's Department were three times as likely to pull over black motorists than white motorists and at a higher rate than the statewide disparity index. This was a sad and ugly truth about the community that needed to be acknowledged. He commented that this was more appalling because Chief Burton continued to deny the evidence of police profiling African-Americans. As recently as Sunday, which was more than six months after the Attorney General's report, the Columbia Daily Tribune stated he had told a reporter he did not believe officers racially profiled individuals, but he was open to the possibility it happened. This was a start, but it was not enough. He felt they needed to be guided by facts as unpleasant as it might be, and not biased perceptions. In October, he had attended a community meeting organized by Race Matters, Friends and had learned about saturation policing, which to him was a fancy name for racist policing. The

incident provided as an example involved a gun fired from a vehicle reportedly driven by an African-American man in central Columbia, and police responded by stopping all vehicles driven by African-American men in the particular area and searching any car and people that had raised suspicion. He noted Chief Burton seemed comfortable with that practice, perhaps because there were only two African-Americans among the 40 or so people that had attended the meeting. He wondered how the incident would have been handled if a gun would have been fired in a more affluent neighborhood and a white male was said to have been driving the car. He asked if the police would have stopped every car driven by a white man in that area. Like all people, he was concerned about public safety. He did not want anyone to be harmed and he wanted those who committed such crimes to be apprehended and held reasonably accountable, but in the example provided by Chief Burton, a broad racial net was casted. He felt having the police be on the lookout for a vehicle of a certain make and model would have been appropriate. By stopping all African-American male drivers, police officers risked further societal harm in several ways. This action implied the guilt of all black men who were driving in the neighborhood and further humiliated those that were stopped. These episodes also worsened the societal stereotypes many white people already had of African-Americans as criminals to fear. White drivers were allowed to drive on and watch as black men were stopped and some searched. He commented that neighborhood policing, which was an effort to be more actively engaged with residents of neighborhoods on a more daily basis, could go much further in building positive relations with all community members and increase safety much more so than having officers enter with a heavy presence as was done with saturation policing. He did not feel it should have taken Chief Burton a half of a year to acknowledge what the facts had shown as Columbia law enforcement officers had for years participated in racial profiling. The only question that remained to be answered was what the Police Chief and City leaders would do to help rectify the problem. He encouraged the City to continue working on this effort by earnestly moving toward solutions.

SPC8-17 Carolyn E. Mathews, NASG: Native American Support Group - Peoples' Visioning Water and Energy Resolution in Support of Standing Rock Sioux and Others.

Ms. Mathews did not speak as she was not present at this time.

V. PUBLIC HEARINGS

VI. OLD BUSINESS

B3-17 Rezoning property located north of Stadium Boulevard and east of Cinnamon Hill Lane from District A-1 to District PUD-10; approving the statement of intent; approving the PUD Plan of Kelly Farms; granting a variance from the Subdivision Regulations relating to sidewalk construction; approving less stringent parking requirements (Case No. 17-1).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters understood Cinnamon Hill Lane was expected to go across the next 80 acres that was vacant and connect to Highway WW. She wondered about Stadium Boulevard. Mr. Teddy replied Stadium Boulevard was still on the Major Roadway Plan, but it was not something they would see in the near future due to the expense. This particular improvement would be developer funded so it would be contingent upon development. The reason for it was due to the potential traffic attracter in that interchange and the associated development around it. The main route for getting around would be the new

collector. He reiterated there was not a time table on it. It would be dependent on development activity, and they were not aware of any other than this proposal.

Mr. Skala understood staff had advocated for connectivity to the Planning and Zoning Commission (PZC) and this recommendation was reflective of the PZC including it in the proposal to the City Council. Mr. Teddy explained staff almost always recommended the interconnection of streets where the opportunities existed, particularly when they had a gap between interchanges as there was a need for secondary routes. He noted they also recognized they had differing intensity between the uses and there was concern as to how often the street would be used. It was a slow route so the hope was it would discourage trips. The majority of the PZC wanted to ensure it was not offered.

Ms. Peters asked how the traffic would flow from the apartments. She wondered if it would go out to Cinnamon Hill Lane and then west down to Stadium Boulevard, and asked how far the intersection was from Highway 63. Mr. Teddy replied he did not have a lineal measurement. Ms. Peters felt LeMone Boulevard was too close to the AC exit. She wondered if they would be coming in further down Stadium Boulevard or if there would be a messy bottleneck near Stadium Boulevard and Highway 63. Mr. Teddy replied he thought the trip behavior was a lot different for a residential area than a major employment area. He thought it would be a gradual metering out of the traffic to Stadium Boulevard. He noted the developer had performed a traffic impact analysis and the traffic engineers had not expressed concerns about bottlenecks. Ms. Peters asked when the traffic study had been conducted. Mr. Teddy replied it had been submitted with the application. Ms. Peters commented that she thought it might be a mess as professionals would likely be leaving and coming back at about the same time. Mr. Teddy agreed there would be peak hour behavior, but felt there would be staggered peaks with some of the other uses that shared the interchange system.

Ms. Peters understood this was a delicate area in terms of ravines, trees, etc. and asked if that had been looked into in terms of impact. Mr. Teddy replied the developer would need to address any issues as part of the construction documents process. What the Council was considering tonight amounted to the equivalent of a preliminary plat. It would allow the notice to proceed with construction drawings and the developer would have to prove soil stability for building pads, etc. They would also have to meet the land disturbance requirements and the specific requirements of this ordinance in terms of setting aside areas. The property drained to the southeast as that was the low area, and that open space would aid in their water quality treatment.

Mr. Thomas understood the number of bedrooms would be 465 fewer for this plan than the Avenue at Columbia plan and asked for the actual numbers. Mr. Teddy replied he did not have those numbers. He explained he did not want to dwell on the comparison, but the general statement was that this was much less dense in population than that development even if the unit density was comparable. Mr. Thomas asked if 465 was the difference in the number of bedrooms and how many bedrooms were in this plan. Mr. Teddy replied these were one and two bedroom units while the other development had proposed three and four bedroom units. Mr. Thomas stated he had not researched the issue in detail, but his notes had indicated this would include about 524 bedrooms. He wondered if the Avenue at Columbia had proposed about 1,000 bedrooms. Mr. Teddy noted staff had prepared a graphic indicating 465 fewer bedrooms, and explained he would have to verify the numbers if they were important to him in making a decision. Mr. Thomas stated that was not necessary.

Mr. Thomas asked for the formula for calculating the minimum number of parking spaces required for the multi-family area. Mr. Teddy replied it was a ratio of unit types by bedroom so a one-bedroom unit would require a certain number of spaces and a two-bedroom unit would require a different number of spaces. Mr. Thomas understood the applicant was requesting a reduction in the minimum number of required parking spaces and asked for the position of staff on that request. Mr. Teddy replied staff was supportive of the reduction as it was a small difference on a percentage basis. Mr. Thomas asked if

the number of parking spaces exceeded the number of bedrooms. Mr. Teddy replied yes, typically. He noted the requirement was 1.5 spaces for a one-bedroom unit, two spaces for each two-bedroom unit, and 2.5 spaces for a three-bedroom unit. He pointed out guest spaces would also need to be required at one space for every five dwelling units. Mr. Thomas asked how many spaces would be required. Mr. Teddy replied 687, which was the 649 that would be provided plus the 38 for which they were requesting a reduction. Mr. Thomas understood the garage spaces were included in the number. Mr. Teddy stated that was correct.

Mr. Thomas asked if city services in addition to emergency services could have access to the barrier between the two areas, such as snow removal or trash service to avoid those services having to drive several extra miles. Mr. Teddy replied he was not sure how that would work. It was not much of an emergency use only gate if it was open for trash service once a week or for some other service. He explained that was part of the reason they were recommending open street access. A Knox-box system was contemplated with emergency access only.

Mr. Skala asked if the Fire Department and Police Department had ever expressed an opinion as to this being any kind of impediment to performing their services. Mr. Teddy replied they received comments, but not necessarily strong objections. Typically, it was for them to have unfettered access in cases where there might be an emergency. He pointed out currently there was only access to and from the north for the Shepard Hills development. This would be a far larger development so it might be advantageous for an emergency vehicle to get to and from the area in two directions.

Greg Suhler explained the Shepard Hills Improvement Association, which was also known as the Timberhill Road Neighborhood Association, was requesting this be tabled to the February 6, 2017 Council Meeting. He noted a meeting had been deferred through the holidays due to the absence of people, and there was a three-day paralysis due to an ice storm that had not materialized.

Mayor Treece asked Mr. Suhler if he anticipated meaningful progress in their cooperation and communication with the applicant. Mr. Suhler replied yes. He noted he had wished they could have gotten the request to Council earlier, but they had been trying to resolve final differences.

Mayor Treece asked the applicant for a position on the request to table.

Caleb Colbert, the attorney for the applicant, explained they had learned of the request to table immediately prior to the meeting. He noted they had been working on this project and meeting with the neighbors since August. He commented that at this time they could not agree to the tabling. He pointed out it had been tabled once at the request of city staff. Mayor Treece understood that was at the PZC level.

Mayor Treece asked Mr. Colbert if he anticipated the opportunity for meaningful progress in their relationship with the neighborhood association. Mr. Colbert replied they had made meaningful progress to this point, and felt they were at a point of differences in density and connectivity, which he was not sure could be resolved. He stated he did not see anyone changing an opinion between now and the next meeting. He commented that it was unusual for them to oppose a request to table, but felt they needed to in this situation.

Mayor Treece stated he was inclined to agree to a tabling if the neighborhood wanted to engage in discussion.

Ms. Peters made a motion to table B3-17 to the February 6, 2017 Council Meeting.

Ms. Peters explained she wanted to table this because she now realized all of the traffic would come off of Stadium Boulevard, which she felt would be a mess. She wanted to discuss whether that was where they wanted Cinnamon Hill Lane to connect.

The motion made by Ms. Peters to table B3-17 to the February 6, 2017 Council Meeting was seconded by Mayor Treece.

Ms. Nauser asked what they hoped would be accomplished within the next three weeks. She understood the Cinnamon Hill Lane extension was a part of the CATSO plan. Mr.

Teddy stated that was correct, and noted it was a recent amendment. Ms. Nauser asked if it had always been projected to come out at Stadium Boulevard. Mr. Teddy replied every proposal involving this property had included the extension of Cinnamon Hill Lane as there was not an alternative other than Timberhill Road. Ms. Nauser stated she felt this should not be news to anyone if it had been on the CATSO plan for 10-15 years. She noted she would not be inclined to table this to discuss that issue, and asked what other issues they felt would be accomplished within the next three weeks.

Mr. Suhler explained there were a number of issues that were intertwined in terms of buffers, density, etc. He noted they felt the traffic issues had been substantially addressed and applauded the PZC for agreeing to the controlled access gate. He pointed out he would not be requesting the tabling if he did not feel they would have a productive several weeks as he was sensitive to everyone's time.

Mr. Skala commented that historically this neighborhood association had been divided in some of its opinions with respect to this property, and this was another iteration. He stated both the neighborhood association and the developer had worked hard on this, and he would hate to cut the discussion short when they were only talking about a few weeks. He noted he would support the request to table.

Mr. Ruffin asked if other members of the association were in attendance tonight. Mr. Suhler replied yes. He asked them to stand, and approximately seven people stood. He explained they were only an association of fourteen houses. Mr. Ruffin asked if the neighborhood association was unified in what it wanted or if there was division amongst them. Mr. Suhler replied they were all unified on the emergency access only issue. There was a lot that was liked about the development, to include the people and their local history, but there were some details that needed to be worked out. Mr. Ruffin explained his concern was that if the neighborhood was not in agreement, they would spend a lot of time arguing versus presenting a unified plan. Mr. Suhler stated there was reason to think the last differences could be resolved. Mr. Ruffin felt the items he had listed that needed to be accomplished appeared to be major issues. Mr. Suhler explained there was agreement on a lot for the most part. Mr. Ruffin understood they wanted to tweak the proposal, and did not want to throw it out altogether. Mr. Suhler stated that was correct.

Mr. Colbert stated they had discussed the issue a bit more amongst themselves and were agreeable to the request to table.

The motion made by Ms. Peters and seconded by Mayor Treece to table B3-17 to the February 6, 2017 Council Meeting was approved unanimously by voice vote.

B5-17

Approving the Final Plat of Windsor Place, Plat No. 1, a Replat of Lots 21-24, Stephens Addition to the Town of Columbia, located on the north side of Windsor Street, between Ripley Street and William Street; authorizing a performance contract (Case No. 17-22).

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor Treece understood Lot 24 was where the 1507 was located, and asked what had been on Lots 23 and 22 that had been removed. Mr. Teddy replied a community garden had been located there, and the organization associated with the garden had been notified they had to vacate the area. This was done last year. A house had been located on Lot 21 as well. Mayor Treece understood the house on Lot 21 had been removed, and asked what the setback had been for the house on Lot 21 and the house on Lot 24. He thought the setback line appeared to be a 21 feet for Lot 21. Mr. Teddy agreed the front yard setback appeared to be at 21 feet. Mayor Treece asked if a building permit been issued for the six-unit dwelling. Mr. Teddy replied yes. Mayor Treece asked if it spanned over more than one lot. Mr. Teddy replied yes. Mayor Treece asked if that was typical. Mr. Teddy replied it was allowed under the present Code, but the proposed Unified Development Code (UDC) would require a single lot for a single building.

Mayor Treece understood the structure had been removed prior to the administrative delay, and asked for the timing of it. Mr. Teddy replied they showed the permit had been issued in May, but he could not say when they had applied for it. A development plan had been submitted before the administrative delay. Mayor Treece asked when the administrative delay had come to the Council. Mr. Teddy replied he thought May 16, 2016 had been the effective date. Mayor Treece asked for the current zoning. Mr. Teddy replied R-3 with the urban conservation overlay. This meant there was a limit of 30-feet for the height of buildings and two stories. In addition, there was a requirement for front porches, some articulation, etc.

Mayor Treece asked if the current lot identified as Lot 24 was in common ownership with the ownership of Lots 23, 22, and 21. Mr. Teddy replied Woodcliff, LLC was the name of the owner of the plat, and suggested he verify that with the applicant.

Phebe La Mar, an attorney with offices at 111 S. Ninth Street, stated she was appearing on behalf of the applicant. The owners of the property were 1507 Windsor, LLC and 1511 Windsor Townhomes, LLC. One of those owners owned Lot 24, and the other owned Lots 21 through 23. The application was filed by both. She explained her clients were requesting to replat Lots 21 through 24 of Stephens Addition, which was located within the Benton Stephens neighborhood and subject to the urban conservation overlay. The plat met all of the specific requirements included within the City's subdivision ordinance. At the present time, her clients were under construction pursuant to an existing building permit that was issued prior to the institution of the administrative delay. The building met all of the requirements of the Benton Stephens overlay and her clients were requesting the property be replatted to permit this building to be in conformance with the requirements of the proposed UDC, which would no longer allow the crossing of building lines. Even with the removal of the 10-foot strip proposed to be removed on Lot 23, the building under construction would still be in conformance with the overlay. Lot 1 currently consisted of a triplex that her clients had not constructed, and was nonconforming under both the current and the proposed revised code. The addition of the 10-foot strip removed from Lot 22 would address in part the lack of conformance by removing the encroachment that was currently in existence on the east side of the yard setback. The analysis of staff on Lot 1 indicated the addition of the 10-foot strip would permit construction of up to four dwelling units, but it ignored the restrictions that were already included in the Benton Stephens overlay, which was set to be revised and made more stringent this spring in conjunction with the adoption of the UDC. Given the existence of the administrative delay that precluded redevelopment at this time, any redevelopment would have to comply with the more stringent overlay requirements included in the UDC, and as a result, it would be impossible to comply with the new overlay and do anything more than a duplex on the proposed Lot 1. This would result in fewer units than the current triplex. If the replat was approved and the triplex was replaced, all of the current violations of the overlay would be remedied and the new building would comply with the more stringent revised overlay, more effectively protecting the neighborhood. She commented that one of the primary concerns expressed by property owners who lived in the vicinity of this property was with parking, but that was already addressed in the overlay, and the result was that there was nearly one parking spot per bedroom included on-site. This reduced the street parking requirement from what was currently required, and would help address the parking concerns instead of making them worse. She noted this area was a prime location for infill since it was close to downtown, creating the ability to walk or bike, and would in turn alleviate parking issues downtown. She stated approval of a conforming plat was a ministerial function, otherwise known as an administrative function. This was set out by Missouri statutes and had been affirmed by Missouri courts. The Council had the right to examine a plat to ensure it met the requirements of the ordinance provided the subdivision regulations were not too general and contained known and fix standards that applied to all similar cases. She explained Section 25-30 of the Columbia Code of Ordinances did not provide a known or fixed standard, which made it impossible to know

and be able to analyze any issue to determine if it measured up. She pointed out the staff report did not comment on whether this plat was sufficient to meet the requirements of Section 25-30. As such, she believed the Council should fulfill its ministerial duty as prescribed by Missouri statute and approve the plat as it met every specific requirement stated in the city ordinances. She thought it was important to note the property owners in this area had instituted an overlay to protect perceived threats to their properties. She reiterated any improvement to this property would be required to comply with the overlay, and there was nothing preventing anyone from building across lot lines. As a result, she did not feel it was logical to contend this was detrimental to the property owners to comply with the provisions of the overlay or that the surrounding property owners had somehow relied on the current lot sizes to their detriment given the fact it was permissible to do precisely what was being done on Lots 21-23. She asked the Council to approve the plat.

Ms. Peters understood Ms. La Mar had indicated there was nearly one parking spot per bedroom. Ms. La Mar explained that was what was required under the overlay. It was not precisely what it said, but was the result of what it said. Ms. Peters asked Ms. La Mar for the requirement. Ms. La Mar replied she would need to look it up. Mr. Teddy noted the overlay had a lesser requirement and any available street parking went toward the requirement. The idea was to minimize the footprint of surface parking.

Ms. Peters asked what was being currently built. Ms. La Mar replied a six-plex. Ms. Peters asked if it had front doors and porches that went to the street. Ms. La Mar replied yes, and explained it had on-site parking as well.

Mayor Treece noted Ms. La Mar had not commented on Section 25-30(d), which indicated a resubdivision of land should not be approved by the Council if the Council determined the replat would eliminate the restrictions on the existing plat upon which neighboring property owners or the City had relied or the replat would be detrimental to other property in the neighborhood, and the detriment to property in the neighborhood outweighed the benefits to the subdivider and the public. He understood she was saying the overlay provided the reliance. Ms. La Mar stated the overlay provided the protections that were in existence with regard to the Benton Stephens neighborhood, such as parking, the size of the development, etc. In addition, it was difficult to claim there was some sort of detrimental reliance on the size of these lots, which was what was at issue, given the fact it was completely possible under the current ordinance to cross three lot lines. The reality was that if all four lots were under the same ownership, they could have crossed all four lot lines to actually create an even larger development than the six-plex currently under construction on the three lots proposed to be combined into one lot. She felt claiming there was some sort of detrimental reliance on the size of the lots would be difficult since it was completely possible to cross lot lines now. This would not change until the new ordinance was put into effect.

Mr. Skala stated he was uncomfortable with moving the lot line ten feet. He understood there had been an issue a while back whereby a development was underway involving a miscalculation of ten feet, and that development was not allowed to continue to take place. Subsequently, there was an agreement between two owners to combine these properties with a replat in order to move the lines to ensure the development could proceed. He asked if this was a fair characterization. Ms. La Mar replied it was simplified, but along the lines of what had occurred. Mr. Skala understood the foundation had been poured on the lot before it had been discovered the lot was too narrow, and that had halted the development and led to the combination of the lots. Ms. La Mar stated she would contend that Section 25-30(d) was really not precise enough in terms of what was required by Missouri law and would question any reliance on that ordinance. She noted she also did not feel the history of the lot mattered. The fact was that the Council had a conforming plat in front of them tonight, and according to Missouri law, the ministerial function was to approve a conforming plat. Based on this, she was not sure where the history would come into play. Mr. Skala understood Section 25-30 of the Code

might be ambiguous, but believed it provided extra protections for the neighborhood. Ms. La Mar commented that she did not feel detrimental reliance by the neighborhood could be claimed since the foundation had been poured. In addition, they were talking about a plat that conformed to every precise requirement under the ordinance.

Peter Norgard, 1602 Hinkson Avenue, commented that he represented about 25 people and 35 parcels that were currently slated for downzoning, which had occurred in direct response to redevelopment pressures in the neighborhood. He felt there was a lot of concern in the neighborhood about out-of-scale redevelopment. He believed the purpose of the urban conservation district was to promote the general welfare of the public by maintaining neighborhood character and integrity, promoting efficient infill, and encouraging compatible development on vacant or passed over lots. He also thought it was to foster harmonious, orderly, and efficient growth in Columbia. He stated the redevelopment pressure in the neighborhood was not harmonious. It was acrimonious. He noted they felt the Council was their last hope of arbitration because as single-family homeowners, they did not have many tools to combat changes in the neighborhood that were out of character with the types of homes that existed. The six-plex would add eleven bedrooms, which meant eleven cars that previously did not exist. This would have a detrimental effect on the neighborhood. He pointed out Windsor Street was the location of the bike boulevard and it was historically overparked. This would contribute to the problem. As a neighborhood they were frustrated. He explained they recognized they were a prime location for redevelopment because they were a nice neighborhood, and felt they were being taken advantage of as a result. He understood the Council was granted ministerial rights, but believed arbitration was needed in some situations. He hoped the Council denied this on behalf of the 25 people that were downzoning their properties, two of which lived directly adjacent to these lots.

Rita Fleischmann, 1602 Hinkson Avenue, commented that in 1957 someone had made the decision to change their neighborhood, and the Council had the ability now to change the neighborhood with this replat. If replatting was continued to be allowed, the neighborhood would no longer exist as it would consist solely of rental units. She asked the Council to consider what they were doing to the community and Columbia.

Traci Wilson-Kleekamp explained when she had moved to Columbia from Long Beach, California, in 2004, they were having this same argument and discussion in terms of rezoning and allowing developments that were not compatible with the neighborhood. She stated people generally liked their neighborhoods and the character of their neighborhoods, and wanted developments to be conscientious so the character of the communities was not changed only to make money. She understood it was important to make money, but believed the line needed to be drawn at some point if they really valued neighborhoods and places for children to play. She noted it rested with the Council as to who was able to make the money.

Rebecca Graves, 1108 Chantilly Court, stated her support for considering quality of life in this decision. She commented that a development had been allowed in Miles Manor, her neighborhood. Fortunately, the development was not able to be completed, but the neighborhood was slowly turning into a rental neighborhood, which created more cars in the area. The neighborhood was falling apart, and they no longer knew each. There was more student housing there now, and although the students were great, they were temporary residents. As a result, they were losing their cohesiveness. She noted she was sympathetic to the developer as she understood they wanted to make money, but this one development could result in other six-plexes, duplexes, etc., and then there would not be a Benton Stephens neighborhood any longer. It would not be a fun, cute, desirable place to live any longer. It would be another overbuilt neighborhood. She also questioned the number of empty rental units in Columbia as she wondered if they were overbuilt.

Mark Stevenson, 3212 Shoreside Drive, commented that this was not about money as he was in his 60s and had enough to retire. It was also not about overbuilding in downtown

Columbia. A building permit had already been issued on the six attached single-family units, and that would not change. In addition, there was already a triplex on Lot 24, and that would not change. These were spurious arguments and reasons that should be disregarded. He noted this was about bringing Lot 24 into compliance as it was currently a legally non-conforming triplex on a 50 foot lot. They hoped to make it a 60 foot lot so it was in compliance with city standards.

Mr. Thomas asked Mr. Stevenson if the only purpose of the request was to simply bring it into compliance. Mr. Stevenson replied that was his purpose. Mr. Thomas understood if the UDC was passed as currently drafted, the building across lot lines would not be allowed, and asked if that would impact the six-plex that was under construction. Mr. Stevenson replied no.

Ms. Peters asked Mr. Stevenson if making 1507 Windsor a conforming lot would allow him to rebuild the triplex, or if a four-plex could be built there. Mr. Stevenson replied no, and stated a duplex would be the largest building they could construct. Ms. Peters asked if that was the case with a 60 foot wide lot. Mr. Stevenson replied yes due to the required on-site parking, setback, and height requirements. He pointed out only one adjacent property would be downzoned, and it was on the west side of the 1507 Windsor lot. If it was downzoned, it would place further restrictions on the height and side lot setbacks with the new UDC.

Carol Stevenson, 3212 Shoreside Drive, commented that she had heard repeatedly that Columbia was city of over 60 percent rental, which was shocking for homeowners. In 1957, the Council had determined where rental property should be based upon its proximity to the University of Missouri, and had decided to zone the Benton Stephens area R-3. For 60 years, this area had been deemed by the City to be rental property. Today, it was a very complex district. It had Stephens College, elementary schools, a proposed new academy for high school students, businesses, radio stations, Tiger Tots, parks, large and small apartment buildings, etc., and it was 85 percent rental. She wondered who was speaking for the 85 percent as renters wanted to live there too. She stated 937 certified rental units were in the area, and there were 528 parcels of which 297 housed rental units and 231 housed non-rental units. They were not destroying the neighborhood. They were preserving a neighborhood for those that wanted to live and rent in the area as it was affordable housing.

John Clark, 403 N. Ninth Street, explained he had been involved in the North Central Columbia Neighborhood Association (NCCNA) since the early 1990s, and in that period of time, he had come to realize his neighborhood, similar to that of Benton Stephens, had been upzoned contrary to most of the housing pattern that was there. This made it easier for multi-family housing by breaking up existing buildings. He commented that he was surprised to hear Benton Stephens was 85 percent rental, and did not feel that was a good result. He stated he did not oppose rental properties, and was interested in rentals that were well taken care of with long term tenancies. He believed the Council had made a very bad decision 60 years ago as it had aided in the destruction of his neighborhood, Benton Stephens, and other neighborhoods as a real mix of single-family and rental properties. He did not agree with the notion that the Council should approve this replat because Benton Stephens was 85 percent rental. He believed Benton Stephens would be better balanced with more owner occupancy.

Donna Kessell, 715 Lyon Street, commented that she lived in the East Campus neighborhood in the 1970s as a student, and the reason she lived there was because she could rent a house there. She noted she had come from rural Missouri and did not want to live in apartment. She explained she currently had many young professionals and students as neighbors on Lyon Street who wanted to live in houses instead of apartment buildings.

Ms. Nauser stated she had lived in a mobile home park, a duplex, and an apartment complex when she was younger, and noted she had been a good neighbor. Living in rental properties did not make one a bad neighbor. She commented that homeownership

was at its lowest since the 1950s. People could not afford to buy a house. She understood the plight of the people in the neighborhood and pointed out she could not change what the Council had done in the 1950s. This was a conforming plat and a conforming building in terms of the overlay district. She appreciated those that wanted to downzone their properties and encouraged people to do so as they moved forward. She stated she would support this because it was the obligation of the Council to approve a final plat as a ministerial function when it conformed to all of the ordinances.

Mr. Skala agreed the item under consideration was the plat, and that they were not dealing with history. He commented that he was not anti-rental, but felt the ratio of 85 percent in rental properties and 15 percent in owner-occupied properties was not a proper balance point. He understood the previous Council might have made a decision for R-3 blanket rezoning years ago to encourage growth and investor equity in the property, but did not feel they were there now. He stated he disagreed with Mr. Stevenson and believed this was about values. There were a different set of values for homeowners in the neighborhood than the people that wanted to develop the neighborhood. He understood Mr. Stevenson felt he was trying to improve the neighborhood, but he was not in the view of the neighbors. This was the reason why 35 property owners wanted to downzone their properties. They were trying to undo what had previously been done. He believed this was about balance. He understood the hands of the Council were tied to some degree with this replatting, and noted he resented the idea of moving property lines to correct something that had already been started. He commented that he was somewhat defensive of the neighborhood and had heard the emotional pleas of people residing in Benton Stephens. He thought it would be nice if people would build single-family homes on these lots instead of duplexes and six-plexes. He did not believe they could turn this around if they did not establish a philosophy of relishing the neighborhoods. He wondered if they really wanted these neighborhoods to consist of 85 percent of rental properties. He felt there needed to be balance. He commented that he would vote against this plat because he supported the Benton Stephens community. He also believed they needed to send a message that it was not okay to replat pieces of property in order to change the character of neighborhoods.

Mr. Trapp commented that he had lived on Windsor Street his first two years in Columbia in a house on the other side of a large apartment building. He loved the neighborhood. It was a desirable place to live and the place they saw the highest increase in property values in Columbia. When he decided to become a property owner versus a renter, he could not find a house in the neighborhood he could afford that was worth the investment. He ended up purchasing a home in another neighborhood, which he had fallen in love with since then. He appreciated the feelings of the neighbors, and Mr. Skala's desire to send a message and to try to protect the character of the Benton Stephens neighborhood. It was a unique, quirky, and interesting neighborhood that spoke well of Columbia. It was a great place to live with a great community culture even with a high percentage of rental properties. He commented that he had worked closely with the Stevensons professionally in terms of placing people in rental housing and had found them to be affordable housing landlords. He pointed out he was not interested in facilitating processes for people to make money, but was interested in having a livable city with transit and the ability to supply adequate resources. He noted that would require them to find infill projects with which they could live and ways more of them could live more closely together. He pointed out the item that was tabled earlier tonight involved twelve houses on three acre lots and a mile long road, which the City maintained so those twelve people could have an amazing quality of life while others did not have rights to any kind of housing. He commented that he believed in the value of affordable housing and the value of maintaining a good quality of life while at a density that was supportable. He explained when he was first elected to the Council, they were at 2.6 per acre in terms of density, and he believed they needed to be at about five per acre to have transit that worked, to be able to plow snow efficiently, etc. Columbia was a low density, sprawling

city. If they wanted to have less people who were cost burdened, stifling the supply of development of rental housing was not the answer. He agreed this issue was about values, but there were values in maintaining the rule of law and properties rights, which needed to be balanced against neighborhood character. He noted that was done by setting up frameworks and protections. The UDC would combine subdivision and zoning in order to protect the sense of place. He commented that it was appropriate for Council to set up the parameters of development, but those rules then needed to be applied fairly. He did not believe the neighborhood could rely upon the current situation because the building was already under construction. He understood people were afraid of the changes, but these were only changes on a map. He thought it made sense to not allow people to build on multiple properties in case someone only wanted to sell one. This would bring the property into conformance with where the law was moving, and it was a platting action whereby a strong case could be made it was a ministerial function. He did not believe the local ordinance supported them rejecting the plat. He commented that he supported the downzonings and the protections that were coming with the UDC, but he also supported this platting action. It would not change any facts on the ground as the building was under construction, and the other building existed and could not be replaced. This would not facilitate more development or the apartmentization of Benton Stephens. He reiterated it would not change the character because it would not change the facts. It would only change lines on a map to bring non-conforming properties into conformance, which was a social good overall.

Mr. Thomas stated he did not believe whether they approved the plat or not would make a difference in the Benton Stephens neighborhood, and understood they were required to approve a final plat as a ministerial act. He thought this was a good opportunity to discuss the competing values raised by this request and future requests. He agreed a ratio of 85 percent of rental properties was not ideal, but there was really very little government could do in that regard as it was fundamentally a market driven situation. They could not dictate people buying and living in houses there. He noted there were also vast areas that were owner-occupied only whereby it was difficult for rental properties to develop. He commented that affordable housing was needed, and this would produce affordable housing in rental terms. He understood another concern was traffic as the assumption was made that this would result in eleven cars. He thought they should re-examine that assumption as it was not his experience. He stated he had recently spoken with Eran Fields, the developer of The Rise, which would have 400 beds and over 100 parking spaces, and although about 50 percent of the apartments had been leased, only 30 percent of the parking spaces had been leased. He believed people in urban areas of college towns were living car-free or car-light, and the assumptions being made about parking requirements were out of date. He stated he would support this action, and asked everyone to think about whether the government could do more to create an environment that encouraged people not to have cars as too many of them created the problems. He agreed with Mr. Trapp in that density needed to be increased, especially in inner neighborhoods, in order to run an effective transit system as that would also solve traffic problems.

Mayor Treece explained he planned to honor the original plat upon which the neighboring property owners and the City had relied. He noted he would vote against this as he believed the replat would be detrimental to other property in the neighborhood, and that this outweighed the benefits to the subdivider and the public.

Ms. Peters commented that she believed it was worth having a conforming lot and noted a six-plex was already being constructed there. In addition, the Benton Stephens neighborhood was unique in terms of the number of single-family homes that were next to an apartment building. She stated she would support this since it was being constructed on already, and felt it was reasonable to have a conforming lot for 1507 Windsor.

Mr. Ruffin stated he planned to support this because it was a vacant lot, and development on a vacant lot was admirable. He also understood this had been recommended for

approval by the Planning and Zoning Commission and was in conformance with the ordinances.

B5-17 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, PETERS, RUFFIN, TRAPP. VOTING NO: TREECE, SKALA. Bill declared enacted, reading as follows:

B9-17

Authorizing a memorandum of understanding with Columbia Public Schools, Boone County Sheriff's Department and the 13th Judicial Circuit Court - Juvenile Division to establish a cooperative relationship for managing school-related delinquent acts by juveniles.

The bill was given second reading by the Clerk.

Mr. Thomas asked if this was a new memorandum of understanding (MOU) or an update of an existing MOU. Deputy Chief Schlude replied this was a renewal of a former MOU, but it included updates due to statutory changes that had taken effect. Mr. Thomas asked if she was referring to the statute that indicated school children could potentially be charged with a felony for violent behavior in the schools. Deputy Chief Schlude replied it was constructed to include the new definition of third degree assault. Mr. Thomas asked how the new MOU would handle those situations. Deputy Chief Schlude replied they would be handled the same way. She explained it was still possible for a juvenile to be charged with a felony dependent upon the degree of injury. She noted it would be highly irregular for a child to be certified as an adult on that level of assault charge, so even if the child was arrested, the child would go into the juvenile court system.

Andy Hayes explained she represented the Columbia Public Schools, and wanted it to be clear that the schools would be obligated under the statute to report the assault to law enforcement without this MOU. As a result, this actually allowed the schools to handle the situation internally with discipline, mediation, changing class schedules, etc. and without the involvement of law enforcement. The only reason this was being updated was due to the statutory changes and to ensure compliance.

Tara Warne-Griggs, 106 McBaine Avenue, urged the Council to vote in favor of this MOU as this allowed discipline to stay within the school district rather than being referred to law enforcement. It provided the school district flexibility, and although they had issues they needed to resolve, they were trying to work through them. She urged the City and others to lobby the State Legislature to amend the law as written so the definition of harassment in the Safe Schools Act no longer fell under harassment as she believed the criminalizing of behaviors was the underlying problem in the crosspollination of the bills.

John Clark, 403 N. Ninth Street, commented that he had been pleased to be at a Worley Street roundtable meeting near the end of December when the Columbia Public Schools informed them of this law. He understood the school district had already made policy changes that allowed them to do this. He thanked the four parties to the MOU for addressing this immediately. Adopting and implementing this MOU along with other changes brought the Columbia Public Schools into compliance with state law and minimized the potential school to prison pipeline. The idea was to handle as many of the matters as possible within the schools based upon policies with a whole range of assistance as well as discipline. This MOU was very much in line with the City's dedication to increasing social equity. He suggested the City work with its lobbyists to clarify the laws in terms of harassment, and urged the Council to support this MOU. He referred to a book entitled *Despite the Best Intentions*, and noted it explained why this was so important. He hoped the Council would read it.

Rob Stewart stated he was a social studies teacher at Lange Middle School, and explained there was not a lot of clarity as he spoke with parents and teachers. He asked that the public receive more clarity in terms of self-defense, the definition of harassment, etc. He suggested using this platform to educate people to the message that they were

trying to build the youth versus criminalize them as he sensed fear, frustration, and confusion.

Dan Cullimore, 715 Lyon Street, urged the Council to approve this MOU. He viewed the actions of the State Legislature in this regard as another usurpation of local control as this was something that needed to be maintained locally within the school district.

Ms. Nauser explained this would be a second passage of this MOU. It was something she, the Columbia Public Schools, the Police Department, and the Sheriff's Department had collaborated on with the Juvenile Division, and it had taken four years before anything was ready to come before them. She encouraged the Council to support this MOU. It put everyone on an even playing field and allowed people to make positive decisions for the children in the community. Years ago, there was the ability for different rules for different schools, and this brought everything together. This would also help with the disproportionate minority contact within the community. She thought they could be proud of this collaborative effort to keep children out of the Juvenile Justice System because there tended to be a cascading effect after the first contact. This allowed these issues to be kept within the schools.

Mr. Trapp stated he agreed with Ms. Nauser and noted singular commendation should go to Janet Thompson as she had gotten it over the finish line. He thought it had worked well in reducing the number of youth being referred to the Juvenile Justice System. It was something that had been effective and should be continued. He hoped the State Legislature would be mindful in further criminalizing youth behavior due to the bad effects it brought everyone down the road.

Mr. Thomas noted he supported this as well and appreciated all of the hard work many people from different organizations had put into this process and in reacting quickly to a change in the environment. He commented that he was also glad for the opportunity for multiple people with different backgrounds to be able to pledge their support for it.

B9-17 was given third reading with the vote recorded as follows: VOTING YES: THOMAS, NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. 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.

- B1-17 Calling the municipal election to be held on Tuesday, April 4, 2017 to elect council members for Wards 1 and 5.
- B2-17 Authorizing a first amendment to agreement with The Curators of the University of Missouri for physician services.
- B4-17 Approving the Final Plat of Mattingley Subdivision Plat 1 located northwest of the intersection of Wren Wood Drive and Ballenger Lane (4703 and 4705 Wren Wood Drive); authorizing a performance contract (Case No. 16-158).
- B6-17 Granting a variance from the Subdivision Regulations relating to construction of a sidewalk along a portion of the east side of Sanford Avenue (310 Sanford Avenue) (Case No. 17-13).
- B7-17 Accepting conveyances for utility, sewer, drainage and temporary

construction purposes.

B8-17 Amending the FY 2017 Annual Budget by adding and deleting positions in the Finance Department; amending the FY 2017 Classification and Pay Plan by adding a classification.

R4-17 Authorizing an agreement for professional architectural services with Archimages, Inc. for the remodel of Fire Stations #4, #5, #6 and the Fire Training Academy facility.

R5-17 Authorizing an operations agreement with Ragtag Film Society for the 2017 True False Film Festival.

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

VIII. NEW BUSINESS

R6-17 Finding the structure located at 412 Sanford Avenue is a dangerous structure; authorizing an exception to Ordinance No. 022992 relating to the administrative delay on the demolition of structures in specified areas.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

John Clark, 403 N. Ninth Street, wondered how they got to the place in which they had to consider a request for demolition with their rental compliance laws and property maintenance laws. He did not feel this was good. He commented that his neighborhood and other central city neighborhoods had been devastated by the inadequate level of code enforcement, and believed it was essential to reverse this as part of the affordable housing policy. He felt code enforcement needed to be adequately funded.

The vote on R6-17 was recorded as follows: VOTING YES: THOMAS, NAUSER, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. ABSENT: PETERS. (Ms. Peters stepped out during the vote on this item.) Resolution declared adopted, reading as follows:

R7-17 Approving the Preliminary Plat of Ridgemont Park located on the south side of Ridgemont Drive and west of College Park Drive; setting forth conditions for approval (Case No. 17-8).

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.

Ms. Peters asked why they would want Ridgefield Road to connect to Ridgemont Drive. She wondered why they could not have a single access. Mr. Teddy replied that was an alternative the Council could consider. He noted a cul-de-sac could come off of Ridgemont Drive. Ms. Peters asked if it could service the 25 lots. Mr. Teddy replied it could not be longer than 750 feet as that was the requirement for cul-de-sacs. Ms. Peters asked if this would be less. Mr. Teddy replied he had not conducted that analysis as it was an alternative to the plan before Council. Ms. Peters understood that would be a possibility. Mr. Teddy pointed out that in order to promote route choice and flexibility of

access, staff recommended the street be joined at both ends, but it was ultimately up to the Council.

Mr. Ruffin asked about the conflict at the Planning and Zoning Commission level since the vote was 5 to 4. Mr. Teddy replied he did not like speaking for nine different people, but thought some were persuaded that Ridgefield Road might get its share of the traffic by creating an outlet to Ridgemont Drive. It had been described as an access to Stadium Boulevard, but it did not go directly to Stadium Boulevard as there was College Park Drive, Ridgemont Drive, and the intersection with Ridgefield Road.

Ms. Peters commented that when she drove the area she had been surprised by how quickly she had gotten to Fairview Road.

Mr. Skala asked if it was fair to characterize the staff's position as the proposal before them currently tended to favor connectivity over the alternative of a cul-de-sac. Mr. Teddy replied yes. He stated streets were built to be used, and they would get more use out of the investment by it connecting at both ends.

Ms. Peters believed the problem was that it was a fairly small street with a lot of homes. Mr. Teddy stated there were ten homes on the existing dead end, and traffic was negligible currently since it was only the ten neighbors. By opening it up, they would experience a significant increase. He noted from a capacity standpoint, the street could handle it. He explained there was a 50 year difference between this tract and when the last one was planned.

Mr. Thomas asked if it would be appropriate legally if Council were to approve a motion to create a condition for an emergency access only connection at some point. Mr. Teddy replied he thought that would be acceptable, but stated he would defer to Ms. Thompson. Ms. Thompson stated they would be able to restrict the ability of future city councils. It would not be a condition on the plat. It would not be a development condition that could be removed at some point in time in the future. Mr. Thomas understood a future city council would have to make the change via an ordinance. Ms. Thompson stated that was correct.

Tim Crockett, an engineer with offices at 1000 W. Nifong Boulevard, explained this project had gone through several iterations. It had started off with a cul-de-sac and as a PUD with single family attached units for sale. They had participated in several meetings with the neighbors. Due to many circumstances, the plan had been modified to what was seen today, which included a through street. He explained the property was currently zoned R-1 so it was zoned for single-family houses. This was not a request for rezoning. The only issue before the Council was the preliminary plat. The proposed plat contained 25 lots on 12.24 acres, which was roughly a 2.0 density and relatively low for the area. He noted it was an infill development, and they would preserve a little over seven acres or about 58 percent of the property. He pointed out 5.8 of those acres would be deeded to the City for a neighborhood park. He stated they would be in full compliance with the stormwater regulations in terms of detention and water quality. He explained the trail network was an important aspect of this development, and noted it would connect to the County House Branch trail. There was currently a trail easement on private property, but it would be given to the City as interest had been expressed in owning it. He displayed a diagram showing the areas that would be deeded to the City along with the open space area that would be deeded to homeowners association where the stormwater features would be located. He commented that the proposal before the Council tonight was for a through street, and it was in conformance with the subdivision regulations. He pointed out there were a lot of varying opinions by the neighbors, and noted the applicant would be willing to include a cul-de-sac instead of a through street if that was the desire of Council. He reiterated the proposal before the Council met the subdivision regulations, but they would be more than happy to lose density and units by placing a cul-de-sac on the property if requested. He thought the cul-de-sac length would be about 500-550 feet. This change would leave the existing Ridgefield Road as a cul-de-sac as it was now.

Mayor Treece asked if there was an elevation change between the existing stub-out of

Ridgefield Road and what they were proposing. Mr. Crockett replied yes. Mayor Treece asked how dramatic it would be. Mr. Crockett replied he thought it was between six and eight feet.

Mayor Treece asked how the cul-de-sac would be engineered within the development. Mr. Crockett replied they would place the cul-de-sac right up against the Ridgefield Road cul-de-sac. They would pull it further to the east and back lots up to the cul-de-sac on Ridgefield Road. Mayor Treece asked how the back yard of the last house on the Ridgefield Road side would abut. Mr. Crockett replied they would likely have one house at the end, but there was also some screening via trees they wanted to try to keep. He noted these houses would set below the Ridgefield Road elevation so they would not necessarily be looking right into the back of someone's house or yard. There would be screening along with the elevation change.

Mayor Treece asked for the preference of the applicant in terms of the cul-de-sac. Mr. Crockett replied they would follow the will of the Council. He noted there were valid points on both sides.

Ms. Peters asked if there were issues with the cul-de-sac besides the City wanting connectivity. Mr. Crockett replied he did not believe there were any issues other than connectivity. He pointed out they would lose at least one lot so they would lose density in the development, but they were okay with that.

Kim Kraus, 2304 Ridgefield Road, stated she represented over 100 neighbors and asked those in attendance to stand, and approximately fifteen people stood. She noted she was also President of the Ridgefield Park Association. She commented that she and her neighbors opposed the extension of Ridgefield Road for a few reasons. It was really close to Stadium Boulevard and would be a straight shot to Fairview Road. In addition, they already had unaddressed traffic problems, did not have sidewalks, and did not have bike lanes. She noted the speed tables discussed would be very inadequate as there would only be two on roads that were over a mile long. One would be at the top of a steep hill and the other would be right below them. She explained they were on the City's traffic calming wait list. She stated they would also like Ridgefield Road to be left alone. It had been final platted in 2005 and staff had commented at that time that although the dead end was not standard, it had functioned adequately. She reiterated they wanted the dead end left alone, the new street to be a cul-de-sac, and the traffic calming done properly by the City. She stated they also opposed a connection of the roads with an emergency gate in between because they could not control the future, and if the road were there, the gate could be removed.

Alyce Turner, 1204 Fieldcrest, commented that she had lived in the neighborhood for 15 years and felt she might be more neutral on the issue since she did not live on Ridgefield Road or Ridgemont Drive. She explained she had a public health and emergency preparedness background so she was interested in the best public safety plan for the entire neighborhood. She understood Westwood Hills involved about 250 people, and noted she was not within 180 feet of this proposal so she had not received many e-mails about it. She stated she supported two outlets from the neighborhood because she believed that was best for public safety. She commented that cars sped at 40-45 mph on Ridgemont Drive as it was a long and winding, and there was also a hill on the other side. They came out to a juncture at the pedway, and she was concerned the pedway would be extremely dangerous if there were not two outlets. She stated she wanted to protect the pedway. She explained there was not a stop sign there currently and she was not sure that would even be enough due to the amount of speed one could get going down the roadway. She noted they all walked without sidewalks, and the only road they were afraid to go on was Ridgemont Drive. She felt it would be a huge traffic problem if the only exit was Ridgemont Drive for the pedway and College Park Drive to Stadium Boulevard. The proposed second exit would be at Wood Hill Road and Ridgefield Road, and it had better visibility as one could see from the top of the hill. She thought City staff felt the two exits were needed for public safety and connectivity. She pointed out she

was extremely interested in traffic calming and did not want to wait ten years, but understood the Ridgefield Road people had indicated the traffic calming was inadequate and that they should wait for the future. She did not feel they could speak for the rest of the neighborhood as she wanted proposed traffic calming now. She also felt they needed the connectivity of two exits.

Marty Katz, 1304 Fieldcrest, stated he was completely surprised the developer had agreed to a cul-de-sac. If he was to agree to the cul-de-sac, he believed it should be at the other end of the proposed street to prevent an intersection with Ridgemont Drive. He suggested Ridgefield Road be extended into the development and the cul-de-sac be placed at the other end. Originally, he had planned to speak in support of the connectivity of the roads since that had been on the table. He understood the Council was now considering a cul-de-sac as an option. He thought the Council needed to consider all of the traffic from the neighborhood that went out to Stadium Boulevard. In the morning, most of the traffic from the neighborhood was traveling to Stadium Boulevard via Ridgemont Drive and College Park Drive. They were feeding into that small spot from both sides of the neighborhood. He explained most of the traffic from the new neighborhood would also be traveling to Stadium Boulevard via Ridgemont Drive where all of the traffic from both ends was converging already. He agreed with Ms. Turner in that the visibility there was horrible. It was dangerous to put another intersection there with all of the converging traffic. He stated he supported the connectivity for the new neighbors and to spread the traffic throughout the neighborhood. If a cul-de-sac was being considered, he believed it needed to be at the other end of the road for safety reasons. He thought it should be at the Ridgemont Drive end versus the Ridgefield Road end. He pointed out Ridgefield Road would still have its dead end. It would only be a little longer that it was now. People heading to Fairview Road to the west or Rollins Road to the north would take Ridgemont Drive as well. He stated Ridgemont Drive bore the greatest burden of traffic in the neighborhood, and noted it was the only street he was fearful of walking on with his children.

David Malloy, 2311 Ridgemont Drive, stated he was also surprised by the change in agreeing to a cul-de-sac and noted Ms. Kraus did not represent the homeowners association. He pointed out she only represented a small group of homeowners that lived along Ridgefield Road and backed up to Ridgefield Park as she was the President of the Ridgefield Park Association. There was not an officially recognized homeowners association in the neighborhood. He commented that he had supported the plan as submitted. He thought it was a great plan in that there would be more than one east-west route. He explained some vehicles went down Ridgemont Drive to Wood Hill Road to Ridgefield Road to Middlebush Drive to Fairview Road while other vehicles traveled Ridgemont Drive to Overhill Road to Ridgefield Road to Middlebush Drive to Fairview Road. If they had the connection, it would allow traffic to go around to get out at Ridgefield Road and Ridgemont Drive if they were unable to go up the Ridgemont Drive hill at Wood Hill Road. He believed the speed tables that had been agreed to by the developer would help calm traffic, and was something they could have now versus waiting. They had a serious speeding and traffic problem in the neighborhood now. He thought it was important to have a choice in terms of emergency vehicles accessing the area because they could still get through if one of the paths was blocked.

Marilyn McLeod, 2307 Ridgefield Road, explained the traffic tended split off so it minimized the impact of one main road pulling traffic from Fairview Road to Stadium Boulevard. She believed a connection would create a speedway to go all of that way. She commented that there would only be one exit onto College Park regardless of what was done unless another access was made in the future, which she doubted. Currently, the traffic on Ridgefield Road and Ridgemont Drive would split depending on the time of day, and traffic calming would help. She was appreciative of the cul-de-sac option as it would be a nice for the new subdivision.

Barbara Hawley, 1410 Shannon Place, stated she was strongly opposed to the

connective road. She preferred the cul-de-sac and was appreciative of the developer for considering it. She noted she was familiar with the effects of cut-through traffic as Shannon Place had a lot of cut-through traffic, and the main problem was with speeding. She expected the connective road would draw significant additional traffic. She wanted the roads to be developed for more than a connection as people enjoyed walking and biking. That value was important to neighborhoods. She asked the Council to support the integrity of the neighborhood and to meet her needs for safety and relaxation as a pedestrian. She urged the Council to vote for the cul-de-sac instead of the connective road.

Todd Irelan, 2303 Ridgemont Drive, commented that this had gone through quite a process and had created some discontent in the neighborhood. He noted he wanted to move forward with what made sense, and a connection here made sense as it would provide access for the new residents to the north, east, and west. In addition, it would provide access for emergency personnel. He understood the fire unit from Fairview Road would service this neighborhood, and it would be more efficient for them to get to the neighborhood with this connection. This was also true for police services as they could be coming from any direction. He pointed out a lot of traffic already traveled Ridgemont Drive, and this was not being addressed. Connecting this road would provide the traffic calming everyone wanted as it would balance the burden that was now completely handled by Ridgemont Drive. He did not feel there would be a spontaneous creation of new cars as people would still take the main arterial roads of Chapel Hill Road and Rollins Road, and the cars that were coming through the neighborhood would continue to travel in that manner. They would now have two access points instead of just Ridgemont Drive. In addition, it would provide an easier flow into the neighborhood, and the developer would install traffic calming devices, which was needed at the top of Wood Hill Road and Ridgemont Drive, near where he lived, as people traveled over that hill fairly quickly. He commented that he viewed this as a win-win for everyone. He appreciated the fact Ridgefield Road had been a dead end for some time, but noted it had been originally platted to connect to College Park Drive. He felt not having the connection defeated the continuity of infrastructure and the ability of services to reach the neighborhood, and believed the connection would help the community as a whole. He stated it made sense to have the connection.

Brianne Hunter, 2206 Ridgefield Road, asked those in the dead end to stand, and approximately 11 people stood. She commented that connectivity did not make sense to them, and noted she was not worried about a pizza delivery person getting to her house any quicker. She stated he and her husband were new to Columbia and the reason they had purchased an older home in this neighborhood was for the neighborhood. She felt this was something they needed to fight for and was the reason she had participated in all of the meetings for the past year. She was supportive of a cul-de-sac for this development. She understood not everyone in the neighborhood would be satisfied. She pointed out many wanted traffic calming now, and wondered why they would want to create another street to connect since there were already problems.

Kim Kraus commented that she represented neighbors that lived on Ridgefield Road, Ridgemont Drive, Middlebush Drive, Fairview Road, Hulen Drive, Crestridge Drive, Shannon Place, Madison Park Court, Hatton Court, and College Park Drive, and noted she would be happy to provide the names and addresses of the 130-135 people she was representing. She explained the reason she was stating she represented them was because she had either been in verbal communication or e-mail communication with them regarding what would happen in the neighborhood. She noted the fact she did not include people that wanted the road connection was a choice she had made.

Justin McElwain, 2200 Ridgemont Drive, stated every car that traveled through the neighborhood would pass by his house. Everyone that traveled on Ridgefield Road or Ridgemont Drive would only split off once they reached Overhill Road. He noted he was across the road at the end of Fieldcrest, which was why everything passed by his home.

As evidenced by how passionate everyone was, he pointed out no one wanted any more traffic anywhere. He commented that the only way to alleviate traffic was for the connection. He understood the people on Ridgefield Road wanted a cul-de-sac and no traffic calming to wait for something more adequate while adding 25 houses, and noted that would increase traffic in front of his house by a great deal. With another option, he was certain more traffic would split off. He understood this would cause an increase of traffic on Ridgefield Road, but it would result in a reduction on his street, which he believed needed to happen regardless. He pointed out everyone would lose in this situation, and felt the burden should be spread out. He reiterated he would be the biggest loser if the cul-de-sac was constructed. He explained he was likely at the worst location in the neighborhood with a hill on one side and a blind downhill with a curve on the other side. Every time he had to back out of his driveway, he could not go if he saw a car coming because everyone drove entirely too fast. He stated he had nearly been rear-ended trying to pull into his driveway by people tailgating, and noted people even tried to pass on his street. There was a complete disregard for the people living there. He reiterated traffic calming was needed, and wondered why Ridgefield Road could not connect straight to College Park Drive with a four-way stop at that location. He understood there was a two-way stop at Overhill Road, and suggested it be turned into a four-way stop as well as it would reduce cut-through traffic. He commented that people should be taking Forum Boulevard to Chapel Hill Road to Fairview Road because that was the main artery, but people were coming from Stadium Boulevard to College Park Drive to Ridgemont Drive to Overhill Road to Ridgefield Road, and nothing was slowing them down. He understood there was a yield sign at College Park Drive, but there were no stop signs. In the other direction, people took Middlebush Drive to Ridgefield Road to Overhill Road to Ridgemont Drive.

Dillon Falk, 2200 Ridgefield Road, commented that at the Planning and Zoning Commission meeting, the room had been packed with neighbors opposing the connection. By design, there was only a small contingent tonight. He felt it was a breakthrough that the developer was willing to do a cul-de-sac instead of a through street. He understood no one would be completely happy until traffic calming was installed on Ridgemont Drive, but shifting the problem to Ridgefield Road was not a solution. He stated the vast majority of the neighbors were in agreement with the developer.

Dan Cullimore, 715 Lyon Street, explained he did not live in this neighborhood, but his son did. He noted he was in favor of connectivity, and as a resident in another neighborhood, this was difficult for him because he also supported neighborhood action. As a citizen of Columbia, connectivity was in the interest of the City as a whole. He urged the Council to support connectivity.

Karen Stoll Talbott, 2302 Ridgefield Road, commented that she found it irritating that they were talking about connectivity for 24-25 homes. Ridgefield Road had been a dead end street for 50 years and there was not any reason for connectivity as there were 8-10 houses on the dead end. Fire trucks did not have any issues. She wondered who would benefit from a connection. Traffic would travel down Ridgefield Road because it would be a straight shot between Fairview Road and Stadium Boulevard. She understood the need for connectivity on arterial and collector streets, but did not feel it was needed on neighborhood streets. Connectivity for the sake of connectivity did not make sense to her. In addition, exacerbating traffic issues did not make any sense either.

John Clark, 403 N. Ninth Street, stated he had heard a lot of discussion about this project while attending Mr. Thomas' constituent meetings. He commented that he kind of liked the cul-de-sac idea with the cul-de-sac near Ridgemont Drive. He understood with a through road they would have College Park Drive to this connection and Ridgefield Road as a north-south road, and it would cause a dramatic increase in traffic on a residential road. He wondered why they had not already completed a large area transportation plan by people that were competent to measure it. He was not sure what to suggest to Council tonight. He also noted that there had been an imbalance between the ideas of

connectivity and safety, and thought they needed to pay more attention since they had adopted the Vision Zero policy. He felt safety needed to be given more weight in light of the policy as well.

Ms. Nauser explained she had heard a lot about the lack of stop signs and asked if there were not any stop signs along Ridgemont Drive. The audience listed where there were stop signs, but pointed out there were not any four-way stops. Ms. Peters felt that could be addressed.

Mr. Thomas made a motion to approve the preliminary plat with the condition that there was a cul-de-sac within the development so there was not a through connection from Ridgemont Drive to the current dead end of Ridgefield Road. The motion was seconded by Mayor Treece.

Mr. Thomas commented that they had heard many conflicting opinions and this project had gone through a lot of iterations this past year. He stated he wanted to stop the through flow of traffic because he believed safety was the most important consideration. He noted they were able to deny or change preliminary plats for the health and safety of residents. In addition, they had adopted a Vision Zero policy, which indicated safety was the most important consideration when transportation planning. As a result of many decades of land use and transportation planning, they had created an excessive reliance on the automobile, which had caused enormous traffic problems. He explained people's journeys were too long and there were too many people traveling with no other options. It was a systemic issue that had created tremendous safety problems. He was not aware of a human fatality in this neighborhood, but was aware of an accident where someone was badly injured and of incidents of family pets being killed by cars. He understood there had been a lot of near misses. He commented that too much traffic and traffic going too fast reduced the quality of life and property values. He believed the long term solution was to eliminate cut through traffic, and thought a couple of interruptions could be made with the flow of traffic in this neighborhood. He suggested bicycle/pedestrian and emergency vehicle only connections on Ridgemont Drive and Ridgefield Road. He pointed out this would mean people in the neighborhood would be inconvenienced to some extent as well, but he believed it was worth it as long as there was a good bicycle/pedestrian connection and as long as they improved the public transit system over time so people had other options. He explained he was not proposing this now as it was not relevant to the current discussion and only said it to set the context. He reiterated he felt the worst thing they could do was to add another through connection that would allow even more induced traffic. He commented that when this had been discussed at the Planning and Zoning Commission meeting, the Commission had opted to not make this condition, but later in two subsequent cases, they had made the recommendation for a bicycle/pedestrian and emergency only connection, which were arguably less justifiable, and had also had a discussion amongst themselves as to whether they had made a mistake by not doing the same for this development. He stated he wanted to ensure that if this condition was agreed to by the Council that it did not eliminate the traffic calming the developer had already committed to installing. He noted the area where College Park Drive met Ridgemont Drive was very dangerous due to the topography and traffic, and explained he was surprised there had not been a bad crash there.

Mayor Treece understood there was an existing traffic problem in the neighborhood, and if they would not connect the new development to the existing neighborhood, he did not feel it was fair to ask the developer to pay for traffic calming as they would not be contributing to it. He commented that he believed it was the City's responsibility to address some of these issues. Mr. Thomas stated he would be agreeable as he did not care how it was funded. He only wanted to ensure the traffic calming occurred. He suggested they look at some road projects and reallocate funding in order to get through the traffic calming list faster.

Mr. Trapp stated he would not support the motion as he believed connectivity was a

value. He noted it was clearly laid out in Columbia Imagined. He commented that they all enjoyed connectivity throughout Columbia except for the street on which they lived. They all wanted to be able to move about and get to the places they wanted to go. In addition, they all wanted police and fire to be able to get to their house quickly, but did not want anyone else driving in front of their house. He noted he lived on a busy street with some sightline issues, and pointed out he had been hit trying to take a left into his driveway because someone was passing him. He agreed there were things they needed to do to transform as a society, but in the society they lived in now, people would still drive. They would just drive in more circuitous routes and use more fuel, and they would drive in front of other people's houses. He appreciated the fact this property would be developed with the same zoning that was in the surrounding neighborhood. He commented that the role of the City Council was not to remediate a neighborhood dispute. It was to look out for the interest of the 117,000 people who lived in Columbia. He agreed they factored in those that lived the closest and were the most impacted, but they also had to take in the interests of other people being able to move about the community efficiently and safely. He reiterated that connectivity was important, and noted he planned to vote against the amendment.

Ms. Nauser stated she agreed with Mr. Trapp, and noted after the vote on this motion, she thought it was important to discuss the traffic patterns and the lack of stop signs in the neighborhood. She suggested staff look at that issue as part of the traffic calming measures.

Mr. Skala commented that when the City had developed street standards a few years ago, connectivity and cul-de-sac lengths had been a part of that discussion. He agreed with the statement made that the connection would help with traffic calming. He understood it was not traffic calming for the piece that was connected, but it would disperse traffic when looking at the entire grid. Along with the distribution of traffic, he thought they needed to look at traffic calming as well. He hoped not to err, but if he were to err, he would do so on the side of connectivity. He thought they could get into difficulty by carving out more and more cul-de-sacs. He stated he would vote against the motion.

Ms. Peters stated she would vote in favor of the cul-de-sac because there were not any sidewalks there. She noted people would be walking in the street, and adding more traffic was not a good idea. She pointed out she also agreed with Ms. Nauser in that they needed to ask the engineers to look at traffic calming in the area.

The motion made by Mr. Thomas and seconded by Mayor Treece to approve the preliminary plat with the condition that there was a cul-de-sac within the development so there was not a through connection from Ridgemont Drive to the current dead end of Ridgfield Road was approved by voice vote with only Ms. Nauser, Mr. Trapp, and Mr. Skala voting against it.

Mr. Crockett commented that they were proposing to bring the cul-de-sac off of Ridgemont Drive. If they extended Ridgfield Road, it would be an extension of a cul-de-sac that would exceed the maximum length per the subdivision regulations as they would be over 750 feet. The location off of Ridgemont Drive would conform to the subdivision regulations and in terms of sight distance, spacing between intersections, etc.

Ms. Thompson explained they would need the document to attach to the ordinance if they wanted to approve a preliminary plat that was significantly different than what was before them. She stated they would not be able to pass the ordinance as it was tonight or approve it because it referred to a specific preliminary plat that was signed and sealed by the surveyor. If the Council would not approve the plat as it was submitted tonight, they did not have anything to approve. The revised plat would have to be an amendment to the resolution.

Mayor Treece asked if they could adopt R7-17 as amended tonight. Ms. Thompson replied the Council did not have enough specificity to amend it tonight without a drawing.

Mr. Crockett explained he wanted to clarify a couple more items with the cul-de-sac

scenario. He understood the neighbors did not want the existing cul-de-sac at Ridgefield Road to be improved, and wanted to ensure that was a condition as well. Mayor Treece asked who owned the cul-de-sac. Mr. Crockett replied the cul-de-sac was in the City's right-of-way, but they might have to go on private property to grade and build a larger cul-de-sac that was in conformance with city standards. Ms. Peters thought they would be okay with not improving it. Mr. Crockett also asked that they not have to do any traffic calming given the fact they were reducing density, which had a cost.

Mayor Treece asked if an interested parties meeting could be held to look at all of the existing traffic problems absent this development in order to develop a short list of potential remedies for evaluation through the public improvement process. Mr. Glascock replied yes. Mr. Thomas commented that more funding in the traffic calming program was needed because this was an intense issue all across the community. He was not sure how they could justify elevating Ridgemont Drive and Ridgefield Road to the top when they were at 11 or 12 on the list at the moment. He believed they needed to get through all of the projects quicker because it was a life and death matter. Mayor Treece asked about the addition of stop signs. Mr. Glascock pointed out stop signs were not a traffic calming mechanism. They could evaluate the need for stop signs without doing traffic calming. He wanted to know if this needed to be elevated to the top of the list so staff understood what they needed to work on. Ms. Nauser asked if it would be fair to ask for a staff report to review the placement of potential stop signs along this corridor of roads. She noted nothing would really change until the subdivision was built and people moved in so this did not have to be addressed immediately. She understood they would have about a year to work on the issues. Mr. Thomas noted traffic engineers would say they should not put stop signs in places drivers would feel frustrated about having to stop, but he did not necessarily agree. Mr. Glascock explained it created more noise for the houses next to the stop sign. Mr. Thomas commented that stop signs would not hurt, and they would likely help the situation. He reiterated he thought they needed to make a commitment to fund traffic calming in the next budget cycle so they could reach this neighborhood.

Mr. Crockett asked that in addition to not requiring traffic calming or an improvement to the cul-de-sac on Ridgefield Road that this be able to come back to the Council at its next meeting. They could have a revised preliminary plat to staff within a day or two so it could go through the review process. Ms. Thompson noted it was three weeks until the next meeting, and staff had indicated they could accommodate the review.

Ms. Peters made a motion to continue R7-17 to the February 6, 2017 Council Meeting. The motion was seconded by Ms. Nauser and approved without objection.

R3-17

Setting a public hearing: proposed construction of improvements at the Indian Hills Park to include renovations to the existing playgrounds, restroom, baseball field and disc golf course, construction of an ADA compliant walkway and the installation of parking lot lighting.

The resolution was read by the Clerk.

Mr. Griggs provided a staff report.

Mr. Skala understood they had achieved some positive goals in terms of minority contracting and asked if it would apply in this situation. Mr. Griggs replied they always tried to look at minority contracting when they could, especially on projects such as this. He explained one portion of this project would be the renovation of a restroom, and it would be put out for bid and they would work with the contractors to get the work done. He pointed out they were also working with the Public Works Department and Utilities Department in terms of apprentices to help do some of the work. A goal was to set up crews that could be equipment operators that could help with sidewalk projects, flatwork,

etc. He noted they were working with external entities as well as internal departments to create this apprenticeship program. Mr. Skala thought that would be good.

Mr. Thomas stated he was pleased they were thinking in terms of more diversity in hiring and in the work, and thought it would be great to recruit people from the very neighborhoods to do the work that did not require a lot of training.

The vote on R3-17 was recorded as follows: VOTING YES: THOMAS, NAUSER, PETERS, TREECE, RUFFIN, TRAPP, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

IX. INTRODUCTION AND FIRST READING

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

- B10-17 Authorizing a purchase agreement with AOD-MO Holdings, LLC for property located on the northeast corner of Paris Road and Waco Road.
- B11-17 Authorizing construction of improvements to the intersection of Waco Road and State Route B to include the installation of mast arm traffic signals and the modification of existing driveway access locations, and construction of raised islands and a pedestrian crosswalk; calling for bids through the Purchasing Division.
- B12-17 Authorizing a sidewalk improvements agreement with the Missouri Highways and Transportation Commission relating to the MKT to Parkade Bike Boulevard Project.
- B13-17 Authorizing construction of improvements at the Indian Hills Park to include renovations to the existing playgrounds, restroom, baseball field and disc golf course, construction of an ADA compliant walkway and the installation of parking lot lighting; calling for bids through the Purchasing Division.
- B14-17 Accepting conveyances for water main and underground electric purposes.
- B15-17 Amending the FY 2017 Annual Budget by adding positions in the Information Technology Department; amending the FY 2017 Classification and Pay Plan by adding a classification; appropriating funds.
- B16-17 Authorizing application to the United States Department of Transportation Federal Aviation Administration and the Missouri Department of Transportation for airport capital assistance grants.

X. REPORTS

REP2-17 Drinking Water Planning Work Group.

Mr. Johnsen provided a staff report.

Mr. Trapp understood staff was looking for direction to establish and appoint a drinking water planning work group. Mr. Johnsen stated that was correct. Mr. Trapp stated he would be supportive of forming such a group.

Mr. Skala asked for clarification. Mr. Johnsen replied this group would interface with the water treatment plant expansion study. They already had another group working on the integrated water resource plan. It was a quantity issue for the water resource plan, and this piece would look into how the water was treated. Mr. Skala understood staff wanted the process of who would be on this group started. Mr. Johnsen stated that was correct and noted they had made recommendations as to the structure of the group.

Mayor Treece asked for an update on Option E as he wanted that resolved prior to discussing another bond issue. Mr. Johnsen replied they were working with Ameren on siting the north line out of Perche Creek. Mayor Treece asked if an agreement had been signed. Mr. Johnsen replied yes. Mayor Treece asked when the Council should expect follow up. Mr. Johnsen replied he hoped they would have something within 1-2 months, but he could not dictate the time frame to Ameren. Mayor Treece asked when the agreement had been signed. Mr. Johnsen replied December. He explained they first had to go through a planning study with Central Electric Power Cooperative because they had to ensure the flows would work, and those were with Central Electric Power Cooperative. They were working with Ameren for the actual, physical alignment.

Mr. Thomas understood Mr. Johnsen had received a letter from a constituent in early January regarding concerns that the aquifers the City pulled water from could be contaminated with sewage water, and asked if this group would address that issue. Mr. Johnsen replied staff planned to respond by letter to the constituent, and noted he had taken a tour of the plant. He explained that was a source water issue while this group would focus on treatment, but agreed the two were related.

Ms. Nauser asked if one water industry professional would be adequate. Mr. Johnsen replied they struggled with what would be a good makeup of the group. They hoped there would be water experts elsewhere too, like on the industrial side. Ms. Nauser asked if they had a heavy water dependent industry located in Columbia. Mr. Johnsen replied there were some industries that had critical water needs. Ms. Nauser asked if staff had talked to them to see if they would be interested instead of assuming they would. Mr. Johnsen replied they had, but noted they did not have anyone identified for any of the positions. Ms. Nauser commented that this involved a big magnitude of technicality. Mr. Johnsen agreed and noted the Council could adjust the makeup of the group.

Ms. Peters stated she did not believe it would be a workable group if they had more than seven members. Ms. Nauser thought it was dependent upon who headed it and who would do the groundwork. She suggested the industrial member be an industrial partner with knowledge of water treatment issues. Mr. Skala noted Kraft came to his mind as they had a vested interest in the drinking water and the water used in their processes. Mr. Johnsen stated that was one of the ones that were very interested in this.

Mr. Skala commented that he liked the framework and thought they needed some suggestions as to who they might have in mind. They would also need to set this up with the City Clerk so they could arrange for an application process.

Ms. Amin asked if this would come back as a resolution establishing this group. Mr. Skala replied he thought that would be best. Mr. Johnsen replied that would be great if it was acceptable to Council. Mayor Treece stated he thought everyone was amenable.

REP3-17 Correspondence from the Bicycle/Pedestrian Commission regarding the Forum and Green Meadows Intersection Improvement Project.

Mr. Nichols and Bob Gilbert with Bartlett and West, a consultant, provided a staff report.

Mr. Thomas asked if there was a signal with the first J-turn option. Mr. Gilbert replied no.

Mr. Thomas understood there was absolutely no pedestrian connectivity across Forum Boulevard with this option. Mr. Gilbert stated that was correct. He clarified there would be along Forum Boulevard, but not across Forum Boulevard. Mr. Thomas thought that was a bad idea. Mr. Gilbert stated they were asked to provide other options, and this was another option. He noted he was not recommending it.

Ms. Peters asked about a left onto Forum Boulevard to Green Meadows Road with the J-turn options. Mr. Gilbert replied the person would have to take a right and make a U-turn. Ms. Peters asked how this was different than a roundabout. Mr. Gilbert replied it was at a different location. One would be forced to turn right and go a distance to get away from the intersection and then make a U-turn. The U-turns were happening away from the intersections.

Ms. Peters stated she did not believe they needed more unusual traffic patterns as they were having enough trouble with roundabouts. Ms. Nauser agreed. She did not feel her constituents would be supportive of the J-turn options. Mr. Gilbert pointed out they were limited since they could not do an interchange or something with great separation.

Mr. Skala asked if Mr. Gilbert recommended any option over the other options. Mr. Nichols replied the roundabout was still the recommendation of staff. Ms. Nauser asked for the cost of the roundabout. Mr. Nichols replied he thought it was around \$957,000.

Mr. Thomas understood the Bicycle/Pedestrian Commission had also discussed a road diet. Mr. Nichols agreed, but noted it would be separate from these intersections. Mr. Thomas stated he was not sure he agreed. He thought it was very connected with what might happen at the intersection and asked for clarification on that recommendation. Mr. Nichols explained they had suggested narrowing Forum Boulevard from four lanes to two lanes, and utilizing the other lanes for bicycle lanes. He pointed out they had a ballot project to make Forum Boulevard four lanes, so that was in direct conflict with their suggestion. He stated they had planned to address it when they got to that project in 2023. They were only attempting to address the intersection improvement at this time.

Mr. Thomas asked for the average daily traffic count on the section of Forum Boulevard the Bicycle/Pedestrian Commission had suggested reducing to two lanes. Mr. Gilbert replied it was roughly 14,000. Mr. Thomas understood a single lane of traffic could handle 18,000 cars a day. In this situation they had 14,000 spread over four lanes.

Ms. Peters asked what would happen when they closed part of Nifong Boulevard. Mr. Thomas replied he felt that was a temporary inconvenience. Ms. Peters noted it would likely be a yearlong issue.

Mr. Thomas stated the Forum Boulevard widening project had been on the list of projects that had been voted for by the public, but he had polled people and believed there was overwhelming opposition to spending nearly \$13 million on it. He thought they needed to seriously look at the recommendation of keeping it two lanes from Chapel Hill Road to Nifong Boulevard. He suggested a tactical urbanism project with temporary structures to create the narrowing and the bike lanes as the bike lanes would tie into the new bike lanes on the shoulder at the hill. They could then see how it worked and survey the public. He reiterated 14,000 vehicles did not need four lanes.

Mr. Nichols explained staff was looking at this for the long range and pointed out there were only five crossings of the Hinkson Creek from south Columbia, and those were Scott Boulevard, Forum Boulevard, Providence Road, Rock Quarry Road, and Old 63. From a public safety standpoint, a long detour would be required in terms of traffic flow. He thought a four lane facility on Forum Boulevard would help alleviate any public safety issue.

Ms. Nauser commented that since these were drastic changes, she felt it would be best to have another interested parties meeting with the neighborhoods that would be impacted. Mr. Nichols noted one other option was to wait until after the Nifong Boulevard project to determine how this intersection functioned. He believed the Nifong Boulevard project would be completed in 2021.

Mr. Thomas stated he liked the idea of an interested parties meeting and suggested they

add the potential of the road diet as well.

Ms. Nauser commented that she believed the Forum Road issue needed to be separate from the intersection improvement issue. She did not feel it would be fair to combine it. She noted others in her ward that wanted Forum Boulevard to be widened to four lanes would not be interested in discussing the roundabout. She wanted another interested parties meeting with these additional intersection improvement options. They could then hold a public hearing and make a decision. She was not agreeable to waiting until 2020. Mr. Trapp asked if the roundabout could be included again for the interested parties meeting. Ms. Nauser replied yes. Mr. Trapp noted it was not appealing when it stood alone, but it might be more appealing now compared to the other options and in the context of the Vision Zero policy. Mr. Skala agreed, especially when the costs of these other options were similar to those of the roundabout.

Mr. Skala stated he was intrigued by the road diet and suggested an interested parties meeting on that topic as well as it could help with the budget. Mr. Thomas agreed as they could fund more traffic calming projects if the Forum Boulevard widening project was canceled. Mr. Skala stated he was not suggesting canceling the project, but thought it was worth looking into further.

Mayor Treece understood the direction was to do an all of the above interested parties meeting. Ms. Nauser stated that was correct. She suggested they bring in the concepts of Vision Zero with these options and the roundabout. Mr. Thomas agreed and noted the Vision Zero process would call for the roundabout versus these other options.

REP4-17

Intra Departmental Transfer of Funds Request.

Mayor Treece understood the non-capital transfers involved adding two junior systems administrators, but they had just introduced B15-17 today to add those positions. He felt transferring funds for something that had not yet been authorized was premature. Mr. Glascock understood these positions were needed so they would not get fined. Mayor Treece commented that he would be inclined to authorize it prior to moving more money. He noted he also wanted to see more meaningful progress on Option E before adding more FTEs for water and light utility functions.

Mr. Trapp stated he would like to keep the City in NERC compliance. Mayor Treece noted he had heard that same excuse for Option A. Mr. Skala stated he still supported Option A. Mayor Treece pointed out the Council voted 7-0 in May to develop alternatives and seven months later they were still waiting on them. Mr. Skala agreed they needed that information. Mayor Treece stated he wanted to see meaningful progress and to hold off on the non-capital transfer. Ms. Nauser suggested they ask staff to provide more information at the next meeting. Mr. Glascock stated they would provide something this week.

XI. GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF

Carolyn Mathews, 4200 Rock Quarry Road, explained she was representing Native American support groups and provided a handout. She stated she was speaking about the resolution put forward by Peoples' Visioning regarding water, energy, human rights, and support for Standing Rock. She commented that this was a day and age when issues overlapped more than ever before, and Standing Rock was a good example. It involved the oil from western North Dakota down to eastern and southern North Dakota which continued close to Missouri, and they would dig under the Missouri River. As a result, it was related to water in Missouri and any spill would flow downstream. It was something she felt Columbia could not ignore as it affected them. She understood 19 cities across the United States including St. Louis and Kansas City had issued resolutions in support of Standing Rock with regard to the Dakota Access Pipeline. She noted Missouri River water affected the Columbia water systems. She commented that the issues were interrelated and suggested alternate energy be considered more and more versus perpetuating the perception of the need for more oil pipelines. She stated it

would leak and would then be a matter of how fast and how much was released along with how many times it would happen. She noted Monta Welch with Peoples' Visioning had shared the resolution with the Commission on Human Rights, who had expressed general support in December and had planned to follow up by letter to the Council. She commented that they were moving in the right direction by promoting more alternate energy, but believed the process needed to be sped up due to the humongous costs of associated disasters in terms of wildlife, those that used the water, etc. in multiple states. She did not believe decisions should be made for what was happening at the moment. Decisions needed to be made for the long range and in looking at the bigger picture. She noted the philosophy of the Native Americans was to not make a decision without looking at the next seven generations. She reiterated the Dakota Access Pipeline was not just a Native American issue. It had become an international issue. She explained Leonard Peltier was a Native American political prisoner who had served at least 40 years due to a similar issue in the Black Hills. She pointed out those interested could sign a petition through Amnesty International. She stated this issue was also an insult to human rights, and there was a lot of environmental and economic racism in the North Dakota area. She reiterated it was an environmental issue for Missouri, but it was also a human rights issue. She hoped the Council would move forward with the resolution tonight.

Perry Big Soldier, 1103 W. Broadway, commented that ancestrally he was from this area, along the Missouri River, so it was dear to him. He stated he represented Protectors of Water and Land - Columbia, Missouri, which was a group that had formed in September. Various members of their group had made trips to Standing Rock to support them. He hoped the Council would consider the proposed resolution to stand in solidarity with Standing Rock, and reiterated they would all be affected as it was the same river. He pointed out the prior proceedings were miniscule compared to not having water. He stated Protectors of Water and Land - Columbia, Missouri had meetings on Tuesday nights at 5:30 p.m. at Heart, Body, & Soul and invited everyone to attend. He noted they also had a Facebook page. He commented that he had grandchildren and did not believe there was anything more valuable. It was a humanitarian issue for generations down the line.

Eugene Elkin, 3406 Range Line Street, stated he wanted to reiterate the comments of the previous speakers, and believed an official statement was needed indicating they all wanted and deserved clean water.

Mr. Elkin commented that people should brush their teeth with fluoride, but not ingest it. He hoped they could get people to realize this.

Mr. Elkin noted the Alaskan Pipeline was built in the 1970s and the oil had always been sold to someone else. It had also leaked and destroyed the lands it had been built upon. Due to earthquakes, movements of land, etc., there was a good probability of poisoning water systems. He understood the Dakota Access Pipeline could poison the water supply of five states to include Missouri. He wondered how long it would take before people realized the importance of drinking water. He asked the Council to make an official statement for clean water.

Mr. Elkin understood Columbia would soon gain a new dairy business, and he had been informed that there had been multiple lawsuits on this particular dairy business indicating they were not producing organic milk.

Traci Wilson-Kleekamp thanked the Council for tabling the Cinnamon Hill Lane item earlier tonight as she felt it was a reasonable request.

Ms. Wilson-Kleekamp stated Race Matters, Friends had made contact with Charles Epp, the author of *Pulled Over*, to come to Columbia, and he had agreed. They planned to host him to have a conversation about racial profiling based on the research and data

from Kansas City and the State of Missouri. She thought it would be more productive to talk about policing tactics than to have people come to a meeting to talk about racial profiling experiences because they already had the data indicating there was a problem. She believed they should talk about how the data informed their practices so their practices could become better. She stated they wanted the Police Department to embrace a philosophy of community-oriented policing, which was about how people in the community would be treated, and community engagement was a big part of community policing.

Mr. Ruffin asked if there was a date for the meeting involving Mr. Epp. Ms. Wilson-Kleekamp replied no, but they were thinking March. Mr. Ruffin asked Ms. Wilson-Kleekamp if she would let the Council know when she had a date. Ms. Wilson-Kleekamp replied yes.

Monta Welch, 2808 Greenbriar Drive, commented that tonight there had been a lot of discussion about values, the rule of law, and fair play, and one of the items in the resolution she provided earlier tonight was the issue of segmenting the pipeline. She pointed out they would not have been able to pass an environmental review without segmenting the pipeline, and noted they had asked for a copy, but had not been provided one. She believed this was an urgent issue and a local issue because water was life for all of them. She pointed out Columbia was impacted in other ways as well. She did not feel the wrong people should be burdened because others were seeking a profit. She suggested development money be invested in something good for the next 100 years. She hoped the Council would send a message for life and human rights by passing the resolution tonight.

Mr. Ruffin asked about the procedure for drafting a resolution. Mr. Skala replied the Council would just need to request it. Ms. Thompson stated that was correct, and noted it would be added to the list of requests through the City Manager.

Mr. Ruffin stated he would like to ask that a resolution be drafted in support of these water issues.

Mr. Skala commented that along with the draft of the resolution, he would like information from Kansas City and St. Louis in terms of how they felt about the issue and why they decided to do what they did so they had some guidance.

Mr. Skala asked for a report with regard to the parade policy and how the permit process worked.

Mr. Skala stated he was concerned about the timeline for the Unified Development Code (UDC). He understood the Planning and Zoning Commission had completed its work and staff was now working on it. He wanted to ensure they could have three public hearings and a potential Saturday session and still meet the goal of getting this done before the election.

Ms. Peters asked if they would see the UDC at the February 6, 2017 Council Meeting. Mr. Glascock replied he thought they would have it ready for first reading by then.

Mayor Treece asked how many people would like a hard copy. Mr. Skala pointed out he had asked for a few things through the City Clerk to include a hard copy of the report by Clarion prior to any changes by the Planning and Zoning Commission and a hard copy of the document after all of the changes. He also wanted an explanation of the changes so they had a basis for making the decisions. Mr. Glascock stated he was not sure they had a tracking of the changes, but they would provide what they had. He noted everyone would receive a hard copy of everything they had.

Mr. Thomas asked if the copy that had been provided to the Planning and Zoning Commission had been edited or if that document stayed the same with the Commission providing a long list of suggested changes. Mr. Glascock replied he was not sure. Mr.

Skala thought it was likely the latter.

Mr. Skala assumed these documents would be provided prior to the February 6, 2017 Council Meeting. Ms. Thompson stated she was not sure it would be introduced at the February 6, 2017 Council Meeting. She noted she still had not yet seen a final copy in terms of an unmoving version. She explained staff was still trying to incorporate the edits of the Planning and Zoning Commission. Ms. Peters hoped this could be done in the next three weeks.

Mr. Thomas asked when the Saturday session would be scheduled. Mr. Glascock replied he was not certain.

Mayor Treece stated he wanted to convey a sense of urgency for them to stay on track with respect to the administrative delay. He felt the UDC needed to be introduced at the February 6, 2017 Council Meeting so they could have the regular public hearing at the second meeting in February, an extraordinary Saturday session at some point, and another public hearing. Mr. Thomas wondered if they wanted to schedule that Saturday session now. Mayor Treece thought Ms. Cole was working on determining a date that might work.

Mayor Treece explained he had received communication from the Downtown Community Improvement District (CID). They had submitted their nominations for five board members. He had returned that slate to them pursuant to the enabling legislation and had asked them to resubmit alternates as required. He noted there was some interpretation as to whether they had to submit two alternates or whether their slate plus alternates constituted the two alternates. Regardless, he felt it was timely to make the appointments with the consent of Council. He commented that he took these appointments seriously as the Downtown CID was a political subdivision. They were a public governing body with the authority to levy and administer taxes, so he wanted to ensure they had a broad cross section of representation.

Mayor Treece recommended they appoint Nickie Davis, David Parmley, Deb Sheals, Kevin Czaicki, and Kenny Greene to the Downtown CID Board of Directors.

Mr. Thomas asked for the list of choices. Mayor Treece replied the choices from the original slate were Nickie Davis, Christina Kelley, John Ott, David Parmley, Deb Sheals, and the alternates proposed were Caleb Colbert, Kevin Czaicki, Kenny Greene, Paul Land, and Jack Maher. Mr. Thomas stated he was happy to support the recommendation of Mayor Treece.

Mr. Skala made a motion to support the recommendation of Mayor Treece to appoint Nickie Davis, David Parmley, Deb Sheals, Kevin Czaicki, and Kenny Greene to the Downtown CID Board of Directors. The motion was seconded by Mr. Thomas and approved unanimously by voice vote.

XII. ADJOURNMENT

Mayor Treece adjourned the meeting without objection at 11:55 p.m.