

**CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
701 E. BROADWAY, COLUMBIA, MISSOURI
MARCH 18, 2013**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, March 18, 2013, in the Council Chamber of the City of Columbia, Missouri. The recitation of the Pledge of Allegiance was lead by Grant Elementary School Fifth Graders. The roll was taken with the following results: Council Members TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID and SCHMIDT were present. The City Manager, Deputy City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of March 4, 2013 were approved unanimously by voice vote on a motion by Mr. Trapp and a second by Mr. Dudley.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor McDavid explained R54-13 needed to be moved from the consent agenda to new business.

The agenda with R54-13 being moved from the consent agenda to new business was approved unanimously by voice vote on a motion by Ms. Nauser and a second by Ms. Hoppe.

SPECIAL ITEMS

Swearing In of Michael Griggs as the Parks and Recreation Department Director.

Mayor McDavid invited Michael Griggs to the podium.

Mr. St. Romaine commented that Columbia had a world class Parks and Recreation Department, which was evidenced by the fact they had received over 100 applications for the position. He thanked the selection committee, which was made up of internal employees and external people, and noted they had interviewed four candidates and felt Mr. Griggs was the best choice to be the new Parks and Recreation Department Director.

The City Clerk administered the oath of office to Mr. Griggs as the Director of the Parks and Recreation Department.

Recognition of Bob McCosh Motors and Stoney Creek Inn.

Chief Burton invited Bob McCosh and Michael Kelly to the podium and recognized them for their assistance during the snowstorms of February 21 and February 26. Mr. McCosh provided the Police Department four wheel drive vehicles without being asked and without taking payment. This allowed them to continue to offer police services as the vehicles they normally utilized were two wheel drive vehicles. Mr. Kelly, who was with the Stoney Creek Inn, had offered rooms to officers to rest between shifts if they could not get home. He noted both of these individuals went above the call of duty in assisting the Police Department and the citizens of Columbia, and presented them with a plaque of appreciation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

COLUMBIA COMMUNITY DEVELOPMENT COMMISSION

Baumgardner, Lynnanne, 6009 Dornagh Court, Ward 5, Term to expire November 1, 2014

Radmer, Jeffrey, 4601 Gage Place, Ward 4, Term to expire November 1, 2015

COMMISSION ON CULTURAL AFFAIRS

Leemis, Caroline, 3608 Chestnut Drive, Ward 3, Term to expire October 31, 2013

MAYOR'S COMMITTEE ON PHYSICAL FITNESS

Bross, Ryan, 4310 Brunswick Drive, Ward 3, Term to expire November 30, 2015

SCHEDULED PUBLIC COMMENT

Karl Skala - Infrastructure - How much does it cost and how should we pay for it?

Karl Skala, 5201 Gasconade Drive, provided the Council a handout and explained he was a Third Ward City Council candidate, a Planning and Zoning Commission member, the Chair of the Environment and Energy Commission and a current member of the Infrastructure Task Force. He noted he was speaking as a member on the Infrastructure Task Force that represented the minority view. The tasks of the Infrastructure Task Force were to determine the cost and how it should be paid, and to inform the Comprehensive Plan Task Force of an implementation strategy. The Task Force completed the first portion involving the cost and how it should be paid, and had submitted a majority and minority report to the Council. The major difference in opinion was that the majority felt sales tax needed to be increased in order to recover infrastructure costs for additional growth, and the minority felt a user-based fee structure was needed in place of a tax-based fee structure. He provided a history of the 2005 ballot issues involving two transportation sales taxes and a development fee, and pointed out only one of the sales tax issues and the development fee were approved. He felt there was a considerable amount of political risk depending on the amount of money being requested for capital improvements, and the City would likely be asking for \$203 million in 2015. The user fee model was based on the trip generation model developed by the Institute of Traffic Engineers, and the minority report indicated the local community would decide the trip generation fee. A table like the one with the report would be consulted, but it would not necessarily be the table the City utilized. He referred to the handout and explained the minority report had defined trip generation ends as the weekday, 4-6 p.m. peak hour destination averaged per day. He listed the amounts that would be yielded depending on whether a house, store, etc. was involved and reiterated the trip generation would be decided by the local community. He understood this might have been misunderstood based on campaign literature that had been recently distributed. He explained this model provided a structure and the Council would establish the policy, and noted the City Manager had already moved in this direction with the recovery of permitting costs related to new development. He

felt it was now up to the Council and its constituents to determine equity regarding taxpayer subsidies.

Laura Cornelison - Concerns about the legal sales of synthetic cannabinoids (spice, synthetic marijuana) in our city.

Laura Cornelison, 2502 Morning Glory Drive, stated she was speaking on behalf of parents and concerned citizens of Boone County and the United States, and a group she had formed known as Ban Spice from Missouri with regard to synthetic marijuana, which was commonly known as K2 or Herbal Incense. She noted she would refer to it as spice for this presentation. She explained this was a new substance abuse epidemic and that spice was legally sold in head shops and convenience stores in Columbia. It was packaged as air freshener or potpourri and was labeled “not for human consumption.” It was shredded herbs and/or tobacco sprayed with various chemicals and was commonly purchased for the sole purpose of smoking. This substance had been misleadingly labeled as a safe alternative to marijuana, but its contents and potency were a mystery since the chemicals used had never been tested on humans. Children were crash test dummies from unscrupulous street chemists and spice was known to contain fiber glass, formaldehyde and acetone. She explained the chemical compounds being used in spice were consistently changing and public knowledge of synthetic drugs was not comprehensive at this point. She pointed out other illicit street drugs, such as heroine, cocaine and methamphetamine, had been subjected to many years of toxicology and pharmaceutical testing. She commented that there was new medical research associating spice to acute kidney injury and psychosis that could last an indefinite amount of time. She questioned why this product was being sold legally in Columbia and why her 14 year old son almost lost his life from it, and pointed out its symptoms were less like marijuana and more like PCP or LSD. She explained her son essentially poisoned himself with a product that was easy to obtain. She understood kids believed the substance could be used safely and noted the substance was not detectable in a common urinalysis. She commented that her son was lucky compared to others as some parents had lost their children or had children that were left permanently handicapped. The street chemists were a step ahead of law makers as they changed the product when a certain chemical was banned by only changing a molecule. She asked the Council to target the retail sellers of spice similar to the State of Illinois by defining a synthetic drug product as one that contained a controlled substance not regulated by the United States FDA regardless of what it was called or how it was labeled. She noted she was working with a representative to establish a statewide ban, which would eliminate its sale on the internet as well as in retail sales. She noted Columbia had thousands of college-aged students that could legally purchase this poison had the ability to result in death, and asked them to research www.tothemaximus.org or google Synthetic Awareness for Emily to see the problems related to spice.

PUBLIC HEARINGS

B65-13 Authorizing the construction of a combined shelter and concession facility and a restroom building to serve the soccer, football and lacrosse fields at the Columbia Cosmopolitan Recreation Area; accepting donations from the Columbia

Youth Football League and the Columbia Cosmopolitan Luncheon Club; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Griggs provided a staff report.

Mayor McDavid opened the public hearing.

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

Mayor McDavid thanked the Columbia Youth Football League and the Columbia Cosmopolitan Luncheon Club for assisting with the funding of this project, and congratulated both groups and the Parks and Recreation Department for collaborating successfully.

Mr. Dudley stated he had spoken with some parents and they were excited about this. In addition, they appreciated the help they had received from the Parks and Recreation Department on this project.

B65-13 was given third reading with the vote recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Construction of the FY 2013 and FY 2014 CDBG downtown sidewalk projects.

Item A was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid opened the public hearing.

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

Mr. Kesprohl asked if these projects were recommended by the Disabilities Commission. Mr. Glascock replied staff had worked with the Commission.

Mr. Trapp made a motion directing staff to proceed with plans and specifications for the downtown sidewalk projects. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

(B) Construction of the Maplewood Drive PCCE #12 Sanitary Sewer Improvement Project.

Item B was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid asked for the annual funding amount of the sanitary sewer utility. Mr. Glascock replied he did not know the exact annual funding amount, but thought it was \$500,000 to \$1 million.

Ms. Hoppe asked if this project was being funded based on the need and the order they had applied for funding. Mr. Glascock replied funding was based on the order in which they were received. Mayor McDavid asked if the funding came from the sewer utility funds. Mr. Glascock replied yes.

Mayor McDavid opened the public hearing.

Wendy Evans, 501 Maplewood Drive, commented that three of the property owners involved had been on a private sewer line for years, and due to its location, she and her deceased husband had maintained it. She explained they had petitioned for this work, and were sensitive to the idea of digging the way it was planned due to her past experience with

Ameren UE as she was concerned about landscaping, some of the big trees and a fence. She wondered how the area would be put back together once after the work was completed.

Mr. Glascock explained staff planned to bore that portion of the sewer line, and pointed the location out on the overhead display. He stated they would not be digging in that location, but noted they would need to dig near a manhole and showed that manhole on the overhead display.

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

Mr. Dudley made a motion directing staff to proceed with final plans, specifications and construction of the PCCE #12 Maplewood Drive sanitary sewer improvement project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(C) Construction of the Prairie Lane connection project from Prairie Hill Subdivision to Vanderveen Crossing Subdivision, construction of traffic calming devices on Prairie Lane, a midblock crosswalk with a center median at the Bear Creek Trail Connector on Blue Ridge Road, and a sidewalk on the north side of Blue Ridge Road between Snow Leopard Drive and Piranha Court.

Item C was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid asked for the funding source. Mr. Glascock replied the project would be funded with the transportation sales tax.

Mayor McDavid opened the public hearing.

Josh Davis, 3501 Piranha Court, explained the sidewalk in front of his home did not have anything on either side and thought the sidewalk needed to be finished as there was a lot of pedestrian traffic in the evening on Blue Ridge. He commented that he was concerned about cut-through traffic and understood the City had proposed a few speed tables on either sides of the box culvert. He suggested another speed table be placed on Blue Ridge Road in the area of the mid-block crosswalk due to the speed of traffic in the area.

Mr. Kespohl asked about the lots on the both sides of his property. Mr. Davis stated the property to the south was an open lot, but the area to the north was City property.

Mike Zimmerman, 705 W. Prairie View Drive, commented that they essentially had a closed area and the neighbors were concerned about an increase in cut-through traffic since the Vanderveen Subdivision had 400-500 houses in it. The roads in the subdivision were chip and seal and were built to County standards. In addition, the entrance onto Creasy Springs from the neighborhood was dangerous. He commented that they had gotten together as a neighborhood twice when they were in the County and had decided they did not want this connection. Also flooding had not been an issue until a nearby neighborhood was built so he did not believe the issue of water runoff had been handled adequately there. He believed part of the cutout would flood when Creasy Springs flooded and noted the turn when coming from Prairie View or Prairie Lane was more than a 90 degree turn, so inclement weather and ice would create a lot of problems in the area if there was a dip. He explained he and those he had spoken with were not interested in sidewalks being installed because homes were already close to the street. He believed at least 60-70 percent of the neighbors had issues with this project. He was also concerned this temporary fix would become a

permanent fix. Creasy Springs needed to be straightened out along with a few other improvements to the area for an overall solution.

Larry Bossaller, 909 W. Prairie View Drive, commented that he had a City document dated January 11, 2010, which was a very complete study based on information from a situation in the area. There had been water over the roadway ten times between 2008 and 2010, and an ambulance could not get through due to flooding in a life or death situation. Creasy Springs flooded as well as Brown Station Road and Obermiller Road, so they were isolated in those situations. He noted he had circulated a petition for those in favor of the project and out of the 44 property owners in the subdivision, 34 people had signed the petition in support of the project, and six had indicated they were not in support of the project. Of the six, five were in the County and did not want to annex into the City. He stated a supermajority of the neighborhood had signed the petition in support of the connection. He understood a report completed on February 19, 2013 had indicated eleven of the fourteen people that responded had indicated they wanted the connection. In addition, the President of the Vanderveen Neighborhood Association had indicated this appeared to be a necessary connection. He reiterated those in the Prairie Hill Neighborhood were isolated in terms of getting home or leaving the area.

Mr. Kespohl asked if the study mentioned the straightening of Creasy Springs. Mr. Bossaller replied no. Mr. Kespohl understood it only involved the connection. Mr. Bossaller stated that was correct, and explained it had been discussed in terms of safety.

Judy Kirkpatrick, 3532 N. Creasy Springs Road, stated she lived at the corner of Creasy Springs and Prairie Lane at the top of the hill where a lot of traffic would be cutting through and noted the curve on Creasy Springs was dangerous. She pointed out she could not place her mailbox in front of her house because it was continually knocked down. It had to be moved on the Prairie Lane side. She understood it might be more convenient to have another exit for the residents of Vanderveen and others, but she did not believe increasing the number of people traveling on the dangerous curve made sense. She agreed something was needed, but did not believe this was the solution.

Chris Zimmerman, 705 W. Prairie View Drive, commented that she had lived in the subdivision longer than Mr. Bossaller and most of the others in the neighborhood, and agreed there had been times the area flooded, but noted she had not recalled any flood lasting more than an hour. She wondered how much higher the new bridge would be than the existing bridge on Creasy Springs because she did not understand how the smaller new bridge would not flood.

Betty Avery, 707 Prairie Lane, stated the bridge would be built in her front yard and pointed out her yard had not flooded since she had moved there in 2003. She thought it would be nice to have the bridge there for health and safety reasons.

Kathleen Cassidy, 702 W. Prairie View Drive, stated she thought this was a good project, but had concerns as she believed the point about the bridge flooding was valid and trucks from the quarry would travel through the neighborhood to get to the Vanderveen Subdivision since development was still ongoing there. The roads were chip and seal and would not be able to withstand the abuse from cut-through traffic. She hoped this was a step toward straightening out Creasy Springs where the accidents tended to occur. She agreed

there were flooding problems and there were a couple times she was unable to leave her home due to the road being flooded or the snow being too deep. She asked the Council to take all of these items into consideration prior to making a decision.

Nancy Wood, 715 W. Prairie Lane, explained she lived at the intersection and suggested signs be discussed indicating “no thru truck traffic” would be allowed. She understood something would be constructed at the intersection, but did not believe it would stop trucks from using the streets in their neighborhood. She noted the trucks leaving the quarry had to go up hill either way unless they cut through the neighborhood, which was why they felt the drivers would cut through with the connector. She understood the flooding situation would get worse once Bradley Place was developed since there would be more pavement and rooftops for water runoff and less soil to absorb it.

Justin McNutt, 305 Macaw Drive, stated he was the President of the Vanderveen Crossing Homeowners Association and noted Vanderveen Crossing was generally in favor of this project as a whole due to its safety aspect in terms of the ability of emergency personnel to access the area. He pointed out they had some concerns as well. He believed the two speed humps between Vanderveen Crossing and Creasy Springs would do something to keep Vanderveen residents from taking it as a short cut, but those heading west would still likely take that route. The Vanderveen Crossing neighborhood was concerned about this as well since those residing further east of the neighborhood would travel along Blue Ridge. He understood that as long as it was monitored, there was the potential for another speed hump in the future if warranted. He asked the Council to straighten out Creasy Springs Road as well since this dangerous situation would likely get worse with increased traffic due to this connection, and noted both were needed.

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

Mayor McDavid asked staff about the concerns regarding quarry truck traffic. He wondered if it was an issue and if it needed to be controlled. Mr. Glascock replied it could be an issue and noted “no thru truck” signs could be installed. He noted Blue Ridge was a major collector and they tried to avoid traffic calming measures on major collector roads since that was where they wanted vehicles to travel. He commented that he thought the bridge on Creasy Springs was built higher than the road and the natural dip allowed for flooding so the bridge did not have to be any longer. He explained the City was building a box culvert, not a bridge, and believed the culvert would be large enough for the water to flow through.

Ms. Hoppe asked for status of straightening Creasy Springs. Mr. Glascock replied it was on the \$210 million project list that had been identified. A determination had not been made as to whether it would be in the next funding cycle or another funding cycle. He noted the City had purchased property in the area for corridor preservation so they could eventually straighten the road, and pointed out it would require a new longer bridge. Ms. Hoppe asked for cost of the project. Mr. Glascock replied he did not know. Ms. Hoppe commented that this road and project had come up a few times within the past seven years. Mr. Matthes stated he thought the cost would be in the millions due to the bridge and rock.

Ms. Nauser commented that she did not believe a sign would stop truck traffic unless there was a way to enforce it along with a penalty, and asked what the penalty was for this type of violation. She thought it needed to be something significant as this would be a nice

short cut when Bradley Place was developed. Mr. Schmidt stated the cut through traffic would be from a single source so they would know where to go to find the drivers if there was an issue. Mr. Glascock noted there were some independent drivers as well. Ms. Nauser pointed out they were not the sole concrete drivers in the vicinity either.

Mr. Kespohl asked when the City had purchased the right-of-way to straighten the curve on Creasy Springs. Mr. Glascock replied about five years ago. He explained a couple of lagoons were creating a health issue, so the City purchased the property and closed the lagoons. Mr. Kespohl understood this had been discussed for quite a while. Mr. Glascock stated that was correct and noted it had been discussed long before the houses were even purchased.

Ms. Hoppe asked about the sidewalk connection on Blue Ridge as mentioned by Mr. Davis on Piranha. Mr. Glascock asked for clarification. Mr. Trapp explained there was an empty lot without a sidewalk next to the house. Mr. Glascock stated staff could look into it and noted that a sidewalk could definitely be built if the City owned it.

Ms. Hoppe asked when Blue Ridge would be extended. Mr. Glascock replied it would be continued once the area was developed as it was a part of Vanderveen Crossing Plat 9, which he believed was at a preliminary plat level as he did not think a final plat had been completed. Mr. Schmidt understood it would depend on the housing market. Mr. Glascock stated that was correct.

Mr. Trapp understood some people in Prairie Hill did not support this project, but almost everyone he had spoken with supported it and some were passionate about it due to the flooding situation as some floods lasted up to eight hours. He believed this was an extremely necessary project, but also felt the concerns of people were valid. Once the connectivity was created, he agreed people would use the connectivity, so he liked the idea of addressing truck traffic with signage and an ordinance to limit it. He stated this connectivity was needed for safety, and the speed hump and sidewalk were nice ancillary pieces to the project to increase pedestrian safety. He commented that he planned on supporting it and was happy it was progressing.

Mr. Trapp made a motion directing staff to proceed with the plans and specifications for the project. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

(D) Construction of the Forum Nature Area level spreader project.

Item D was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid asked if water would be diverted to the field once the level of the Hinkson Creek reached a certain height. Mr. Glascock replied no, and explained runoff from parking lots and other areas from above was being diverted to the field. They were trying to spread it out over a broader area so it did not go into the Hinkson Creek as one flow.

Mayor McDavid opened the public hearing.

Diane Oerly, 1712 Skylane Drive, encouraged Council to proceed with the construction of the wetland cells and level spreader area. She explained she was a member of the Hinkson Creek stakeholder group, which included representatives of the City of Columbia,

Boone County, the University of Missouri, the Department of Natural Resources, the Chamber of Commerce, the Columbia Public School District, the Central Missouri Development Council, Smart Growth, the Sierra Club, the Soil and Water Conservation Board, large scale commercial development, the agricultural community and the Hinkson Creek adjacent property owners, and at their most recent meeting she was asked to convey to the Council of the unanimous agreement among the different stakeholders for this project. It would provide improvement to the Hinkson Creek and give them the opportunity to measure and proceed with the collaborative adaptive management projects. She asked the Council to approve the project.

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

Mayor McDavid stated he thought this was a great project and wished there was a way to get more runoff to this area, but understood it would then likely overflow, which would defeat the purpose of the project. Mr. Glascock explained it involved reforestation and would be monitored by the University, and the data collected would allow them to do other similar projects.

Mr. Dudley commented that he was on the stakeholders committee as well, and this had been discussed for three months. While this would not resolve the issues of the Hinkson Creek, it would put them one step closer to determining what to do to help the Hinkson Creek. He encouraged the Council to vote for it.

Ms. Hoppe stated she had attended the stakeholders committee meeting and pointed out this was one of many projects the committee was looking into, so she thought more projects would come forward soon. She noted the website was www.helpthehinkson.org if the public wanted to track what was being done.

Mr. Dudley made a motion directing staff to move forward with the Forum Nature Area level spreader project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

R60-13 Approving the FY 2012 Consolidated Annual Performance Report (CAPER).

The resolution was read by the Clerk.

Mr. Teddy and Mr. Cole provided a staff report.

Mayor McDavid opened the public hearing.

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

Mr. Trapp commented that complicated rules and different funding systems made it a challenge to work with the federal government and commended staff for increasing some metrics with less staff. He understood Community Development Department staff was working with the Public Health and Human Services Department as Steve Hollis had mentioned a day center, which was one of the unmet objectives, could be used in partnership with other social service agencies to provide a real place to help people on a path toward being productive citizens. He understood they might be able to work an inclement weather shelter into it as well. He stated it was nice to see the City as a whole addressing complex problems in partnership with the federal government and non-profit sectors. He stated he was impressed by the 200-page report.

Ms. Hoppe stated she liked the way staff incorporated the charts and graphs, and focused on the successes as well as the areas that needed improvement. She thought it was a good report.

Mr. Schmidt commented that each project touched a life or was an improvement to the neighborhood, and stated he appreciated staff for dealing with such complex situations with a reduced staffing level.

The vote on R60-13 was recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

OLD BUSINESS

R61-13 Authorizing a contract for sale of real estate with Job Point for property located at 411 McBaine Avenue.

The resolution was read by the Clerk.

Mr. Teddy and Mr. Cole provided a staff report.

Mayor McDavid made a motion to amend R61-13 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Jim Loveless stated he was employed by Job Point, which had offices at 2116 Nelwood, and explained they had a contract with a buyer. He understood staff was suggesting the resolution be approved in case this sales transaction was not accomplished by a certain date as it would allow the house to be purchased by the City from Job Point. He thought this would protect the City if the federal government tried to say the house was not in compliance.

Mr. Kesphl understood the original purchase price had been \$57,000 and it was now \$63,000, and he assumed the \$6,500 increase was the additional five percent that would go to Job Point. Mr. Cole stated that was correct, and explained the increase was in the developer fee.

The vote on R61-13, as amended, was recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B58-13 Authorizing a HOME program operating agreement with the Columbia Housing Authority for the transfer of title to property located at 411 McBaine Avenue; authorizing a neighborhood stabilization program operating agreement with the Columbia Housing Authority for the transfer of title to properties located at 904 Madison Street and 711 Mikel Street.

Mr. Noce provided a staff report and explained the purpose of the amendment sheet.

Mayor McDavid made a motion to amend B58-13 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Phil Steinhaus stated he was the CEO of the Columbia Housing Authority (CHA), which had offices at 201 Switzler Street, and noted he was pleased to be a part of this process as it fit in with the affordable housing initiative. He explained CHA had submitted a few documents to the Community Development Department and hoped they could figure out

a way to rent the properties long-term to families that were income eligible at or below the 50 percent of median family income or enter into a rent to own or other type of agreement.

Monta Welch, 2808 Greenbriar Drive, asked everyone to pause. She thought this was a good opportunity for non-profit agencies and should be continued, but wanted to ensure good decisions were being made so the community would not be at-risk as they did these redevelopment and rehabilitation projects. She asked Council to ensure they were moving in a way that would end in a good result.

B58-13, as amended, was given third reading with the vote recorded as follows:

VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT.

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

B66-13 Appropriating federal forfeiture funds and transferring funds for the purchase of an Armored Personal Carrier (APC) for the Police Department.

The bill was given second reading by the Clerk.

Chief Burton provided a staff report.

Mr. Schmidt asked if the armored personnel carrier that fell apart was parked in the Fifth and Walnut garage. Sergeant Bolinger replied yes.

Mayor McDavid stated the APC had a militaristic connotation to it and asked if this was something a good law enforcement agency in a community the size of Columbia had. Chief Burton replied yes, and noted the council report included several Missouri cities that had an APC. He explained they were hostage rescue vehicles as they allowed officers to be put in positions that would otherwise be unsafe. Sergeant Bolinger stated Springfield, Jefferson City and Lee Summit had an APC, and the Columbia Police Department had been operating with one since 2000.

Mr. Trapp asked if there was a log or report that documented when armored personnel carriers were used. Chief Burton stated he thought they could provide that data by reviewing the SWAT reports. He commented that an interesting aspect to the vehicle was its ability to make people surrender rather than allowing a situation to escalate as people tended to give up when they saw it.

Mr. Trapp asked if there was data or research that showed an APC had an impact on the crime rate or officer safety. Sergeant Bolinger replied he was not sure if data was available, but noted the APC would be made of a rifle grade ballistic material, which was a level 4 grade vehicle and something they were lacking in the Police Department. The current APC was a level 3 grade vehicle and did not protect against an average deer rifle. He commented that the APC was frequently compared to a tank, but he would compare it to a Brinks armored vehicle as there was no weapons system on it. It was a purely defensive vehicle designed to provide ballistic protection, and was typically only used on barricaded subjects or in situation where they believed someone was armed in a house as it provided additional ballistic protection to officers and medical staff.

Ms. Nauser asked how often the APC was used. Chief Burton replied it was a situation where it might not be used for five months, but was then used five times in one week. Ms. Nauser asked how many hostage situations occurred in Columbia. Chief Burton replied he did not think there had been very many since he moved to Columbia. Sergeant

Bolinger explained the APC was used with many barricaded subjects as well and provided an example of someone who was wanted on a felony charge who had weapons inside the home or vehicle where there might be a significant risk to officers. It was also used in SWAT responses when weapons were involved because it would provide ballistic protection. He noted the APC most recently would not work when they were trying to assist St. Louis County by serving an arrest warrant on a homicide suspect from St. Louis, and pointed out they still had to go to the call. They were just left exposed.

Mr. Schmidt understood the Columbia Police Department assisted other area police agencies who might not have this vehicle. Sergeant Bolinger stated the Boone County Sheriff's Department had used the City's APC in the past on numerous occasions. It was a regional asset for the area.

Mr. Schmidt understood the cost was about \$200,000. Chief Burton stated that was correct and pointed out the APC had a usable life of 20-25 years. Mr. Schmidt commented that he would be interested in knowing how many times it had been utilized and how many more times it would have been utilized with the higher grade of protection. Sergeant Bolinger stated he could not answer the exact number of times it had been used, but noted they had tried to use it 27 times in the past five years and were unable to due to it being inoperable. He pointed out the 27 included times they had tried to use it for training events, so not all 27 times involved incidents.

Mr. Trapp asked if the Police Department had use of force guidelines or protocols for when the APC was used. Chief Burton replied he encouraged officers on SWAT to use it even when they thought it was not needed because it was a defensive vehicle and provided the officers cover and concealment in situations where they did not know what they were dealing with.

Mr. Schmidt asked if they found themselves not using the APC because it might break down. Sergeant Bolinger replied they would try to use it if it was available, but there had been numerous incidents in which it had to be towed from the scene or it did not make it to the scene.

Mr. Trapp asked if the APC was ever used for protests or civil disturbances. He understood armored personnel carriers were used in law enforcement after the civil disturbances of the 1960's. Chief Burton stated the first APC for the Police Department was from military surplus. The vehicle they were requesting be purchased this time was made for law enforcement. It was not a military vehicle. Mr. Trapp asked if it was only used in SWAT or if it was used in general police work. He wondered what the guidelines were for using the APC. Chief Burton replied it could potentially be used for something other than a SWAT operation and noted he could not imagine bringing it out in a civil unrest type situation unless officers needed to be transported safely and the people they were dealing with were armed and could harm the officers trying to resolve the situation. The APC allowed them to get closer to locations they would not be able to get close to otherwise.

Ms. Nauser understood only nine other communities within Missouri were utilizing such an expensive tool. She stated she was supportive of officer safety, but thought most of the crime in the community involved burglary, larceny, etc. She noted efforts had not been made toward crime prevention due to budget constraints and the consultant had indicated a

need for training, etc. She understood a portion of this would be paid with general revenue funds and asked where they were in terms of moving forward with some of the recommendations of the consultant. Chief Burton explained \$75,000 had been added to the training budget and they were moving along on the initiatives of the Anderson report. Ms. Nauser asked about records management as it had been an antiquated system. Chief Burton replied it was still antiquated and explained it was a money issue as it would cost millions to upgrade.

Mr. Schmidt understood only \$36,000 was coming from the general fund. Mr. Trapp stated that was not correct. He understood \$127,000 would come from the general fund and \$36,000 would come from forfeiture funds. Chief Burton stated that was correct and that the remainder would come from a delay in the purchase of three vehicles.

Mayor McDavid commented that this was \$127,000 that would not be spent on something else or could be a down payment on police officers, and asked if this was worth more to public safety than hiring another police officer. Chief Burton replied the officers that were involved with SWAT deserved having the protection this vehicle afforded.

Mayor McDavid asked about a used vehicle. Chief Burton replied they considered a used one, but the one they had was used and it had problems. He thought another used one would have problems as well.

Mayor McDavid made a motion to amend B66-13 per the amendment sheet. The motion was seconded by Mr. Schmidt and approved unanimously by voice vote.

Mr. Trapp asked if staff would object to tabling this issue for a month in order to allow time to provide a report indicating how often the APC was used and the way it had been previously used. He wanted to see the guidelines for future use as well. Chief Burton stated he would not object to the delay if that was the wish of Council, but pointed out they were currently without an APC and it would take 4-5 months from the time they ordered the new APC to the time they received it. They would either have to borrow an APC from another agency or do without it during that time.

Mr. Schmidt stated he felt he had a duty to the public to understand more about the usage and a delay would allow time for staff to provide answers.

Ms. Hoppe commented that a \$200,000 expense over twenty years was \$10,000 per year and a new police officer would not be able to be hired for that amount of money over that period of time. She stated additional information was always good, but she was comfortable with moving forward based on the staff recommendation.

Mr. Matthes stated he supported the request wholeheartedly. He felt it created a reduced effectiveness to go without the vehicle, and heightened the threat to officers. Police officers were sent into harms way, and this was something they could provide to protect the officers and maximize the City's success rate. He understood the concern of the community, but pointed out a weapons system was not on the vehicle. It would only protect the life and safety of officers.

Mr. Schmidt asked if it was done as a favor when an APC was borrowed from another agency. Chief Burton replied it was a mutual aid situation. Mr. Schmidt understood the City could not earn money by renting it. Chief Burton stated that was correct.

Mr. Schmidt wondered if the information Council was requesting could be provided within two weeks.

Mr. Dudley stated he had heard stories from several police officers regarding having to tow back the APC. Chief Burton commented that there had been \$35,000 in repairs over the past five years. Mr. Schmidt understood the cost was \$3,500 per year for repairs for an unreliable vehicle versus \$10,000 per year for a new vehicle to replace what they had.

Shari Korthuis, 2987 S. Running Deer Court, asked Council to table this issue for a month in order to investigate it further. She understood one of the primary benefits was ballistic protection from gunfire in terms of the safety of police officers and citizens, and stated she wanted to see statistics for 2012 with regard to how many police officers, citizens and innocent bystanders were killed by gunfire. She asked for the model of the APC that would be purchased as the ones she viewed online all looked like tanks and were intimidating. She felt it was militaristic and was known as an attack truck. She asked the Council to review it further before making a decision as she believed the \$200,000 could be used for other less militaristic projects.

Jeremy Root, 2417 Beachview Drive, thanked the Council for its careful consideration of this issue. He commented that officer safety was critical as he wanted the officers and citizens to be safe, but thought a delay made sense if there was uncertainty in terms of the guidelines for deployment for the information to be provided to Council and the public prior to authorizing the purchase as it would not delay delivery for a significant period of time. He noted he was often in front of the Council as a critic, but in this situation he was grateful as he appreciated the discussion that had taken place in the question and answer period.

Eugene Elkin, 3406 Range Line Street, stated he thought the City should be reimbursed for the use of its vehicles and equipment and felt this was one of the reasons the City was always short of money. He asked for the age of the current APC as he understood it had lasted 13 years for the City. Sergeant Bolinger stated it was a 1981 Cadillac Gage Peace Keeper. Mr. Elkin explained he had asked because it looked like a very old armored tank. He agreed they needed to keep officers safe, but thought the City should be reimbursed for the use of the vehicle when used by other agencies.

Monta Welch, 2808 Greenbriar Drive, commented that the People's Visioning was looking at how they could make neighborhoods safer and more peaceful so they believed this should be delayed to obtain more information. She stated they appreciated the job of police officers and wanted them to be safe, but also felt this was a major decision in terms of funding and the psychological affect it had on the community. She thought the additional data would provide a better snapshot of the community. She asked the Council to delay this decision until they had received the additional information requested.

Kathleen Weinschenk, 1504 Sylvan Lane, stated she believed the public needed more information and details about the armored personnel carrier. She noted she would be scared to death if it ever came to her house. She advised the Council to learn more prior to making a decision.

Joe Alder, 511 Parkade Boulevard, explained he was a former board member of the Columbia Safety Council and commented that a terrorist attack like Waco, 911 and Oklahoma City could happen anywhere. He believed cities had the obligation to protect their

citizens and be prepared for the worst possibility, and the APC had multiple potential uses. He felt the City also needed to retain good young police officers, and a young person would likely look at the type of equipment the community had and whether they would be supported and have the items needed for protection. He believed any equipment that made a police officer feel they were being taken care of should be considered.

Mr. Dudley asked where staff would go to borrow an armored personnel carrier. Chief Burton replied Troop F in Jefferson City if it was available. Mr. Matthes understood that was the Highway Patrol. Sergeant Bolinger stated that was correct.

Mr. Schmidt asked if there was really a six month acquisition period and whether there was truly an urgency to get the vehicle ordered. Chief Burton replied the APC would be built to specifications. He stated staff could provide a report at the next meeting. Mr. Schmidt noted the public comments illustrated the desire of the public to better understand it.

Mr. Kespohl asked for clarification regarding the situation where St. Louis requested assistance with a warrant and asked if it had been issued in Columbia. Sergeant Bolinger replied St. Louis County was where the warrant was issued, and they had asked the Columbia Police Department to serve the arrest warrant in Columbia.

Mr. Schmidt commented that he agreed Columbia should serve its fellow communities in times of an emergency without involving a price for the service. Chief Burton stated mutual aid situations came up from time to time.

Mr. Kespohl pointed out \$227,000 was a lot of money, so the Council needed to seriously consider this purchase. He noted he had always had the mindset to equip police officers with the finest equipment that could be purchased to protect their lives, and thought this needed to be provided even though it was expensive since it would protect the officers.

Ms. Nauser explained the Council wanted to provide police officers with the best protection possible, but she had a concern regarding the soft incrementalization of militarization of the police force. She understood the City had the current APC for 13 years without any problems so she did not foresee a problem in the future, but she also wanted that issue to be considered in terms of policing skills and the way the Police Department interacted with the community. She did not want the incrementalization of the military philosophy to enter into the police force as she felt police officers should be a part of the community. She thanked staff for providing the additional information requested.

Mayor McDavid asked that the report include a long list of examples of situations in which the APC would be used and would not be used than had been provided tonight.

Mayor McDavid made a motion to table B66-13, as amended, to the April 1, 2013 Council Meeting. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

B67-13 Amending the FY 2013 Annual Budget to add a training coordinator position in the Human Resources Department – Employee Benefit Fund, Insurance Division; amending the FY 2013 Pay Plan and Classification Plan.

The bill was given second reading by the Clerk.

Ms. Buckler and Mr. Matthes provided a staff report.

Ms. Hoppe asked for clarification regarding the training in terms of what might be uniform across departments and what might be specialized. Ms. Buckler replied the City

currently had a new employee orientation, customer service training, a six week supervisor training course and a six week manager training course that was uniform across departments. They also provided CPR training, which was voluntary. This would allow them to go further and develop a curriculum involving diversity training, cultural classes, training on rules, etc. that every employee would be required to complete. In addition, they could provide some of the basics such as how to purchase items, how to get a password and sign on to the City’s system, etc. In terms of development, she envisioned curriculum to help people who might want to continue their career and be promoted similar to what Missouri State University offered to become a certified public official. She explained they would work with departments to identify training needs. They also planned to work with institutions, such as the Career Center and Linn State Technical College, for equipment training, etc. to help prepare employees for promotional opportunities when available so they were able to operate higher level equipment, etc.

Ms. Nauser asked about the employee benefit fund and if employees made contributions to it. Ms. Bucker replied the City contributed to it and employees contributed to it through premium payments. Mr. Matthes explained all of the funds managed by the City contributed to it.

Mr. Schmidt stated he liked this idea as he felt it would help with employee satisfaction. He noted some of his fondest moments of working in a big organization had been the training opportunities. Seeing staff turnover in recent years made him like the idea of making City employees more promotable and satisfied within the organization. He thought it would create a lot of unquantifiable savings. Ms. Buckler stated she felt people would be more prepared, especially in terms of moving from a line job to a more supervisory role.

Mayor McDavid made a motion to amend B67-13 per the amendment sheet. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

B67-13, as amended, was given third reading with the vote recorded as follows:
 VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT.
 VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B59-13** Approving the Final Plat of Old Hawthorne, Plat No. 7 located along Shallow Ridge Circle, east of Rolling Hills Road; authorizing a performance contract.
- B60-13** Amending Ordinance No. 021606 to correct the ward designation of property recently annexed into the City of Columbia, Missouri located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive (5000 East Richland Road).
- B61-13** Accepting conveyances for sidewalk, utility, access to storm water facilities and sewer purposes.
- B62-13** Accepting Stormwater Management/BMP Facilities Covenants.

- B63-13** Authorizing a power purchase agreement with The Curators of the University of Missouri for the sale of wind energy and associated credits produced by Crystal Lake III.
- B64-13** Accepting conveyances for utility purposes.
- R55-13** Setting a public hearing: consider an update to the City’s Sidewalk Master Plan.
- R56-13** Authorizing Amendment No. 1 to the participation agreement for state investment in local public health services with the Missouri Department of Health and Senior Services.
- R57-13** Authorizing agreements with Inside Columbia, Special Olympics Missouri and John William Boone Heritage Foundation for tourism development funds.
- R58-13** Authorizing an amendment to the agreement for professional engineering services with Engineering Surveys and Services, LLC for construction inspection services for the Short Street parking garage project.
- R59-13** Authorizing the temporary closure of a portion of Turner Avenue between Fifth Street and Tiger Avenue, and the temporary closure of a portion of Fifth Street between Turner Avenue and the western approach to the Newman Center parking lot, to allow for the repair of the steam chase to Clark Hall on the University of Missouri campus.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

- R54-13** Setting a public hearing: construction of street improvements on Providence Road from Stadium Boulevard to Stewart Road (near the Grasslands Subdivision).

The resolution was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid commented that he felt uneasy with this resolution being presented in this manner. He thought the consensus of the Council had been that the process they had arrived at on November 19, 2012 had been flawed. He was not sure they had identified the interested parties as he believed more people were involved than those living in the Grasslands due to the amount of money involved. Another concern was due to the complexities of the options. This resolution included options that he had not previously seen. He noted the Birch Street option involved a median on Providence Road and was not sure that had been previously discussed. He recalled discussion regarding a right in/right out, but had assumed that could be done without a median. Mr. Glascock stated MoDOT had asked for it and it had been presented in that manner on November 19, 2012. He pointed out all of these options had been presented in the powerpoint on November 19, 2012. Mayor McDavid commented that the information provided for the November 19, 2012 meeting had been nineteen pages and had only one option. The map provided did not even include Birch Street. He understood this was difficult for staff due to the complexities, but noted he did not

feel the Council had the breadth of information needed to make an informed decision. He felt they were rushed into a decision based on inadequate information. As a result, Council had made the decision to vote on whether to rescind the decision made on November 19, 2012. He commented that he did not know if that vote would pass and noted they did not know who would be on the Council on April 15, 2013 when that was being voted on. If the motion to rescind failed, what they had agreed to do on November 19, 2012 would move forward. This resolution provided ten options so they would have to go over these ten options by April 15, 2013. He thought the more appropriate process would be for the Council to decide whether to rescind the previous decision on April 15, and if it was rescinded, the Council should then be presented with all of the information after another interested parties meeting was held. He suggested a dedicated work session on this issue prior to April 15. Mr. Glascock explained the recommendation was to provide direction to staff if the Council rescinded its previous decision. It would not require them to vote on any option. He wanted to ensure Council had all of the information on April 15. Mayor McDavid asked if a work session could be held prior to April 15 on this issue. Mr. Glascock replied yes.

Mayor McDavid stated he wanted to avoid a situation where people provided input on all ten options at the April 15 Council Meeting as he felt that needed to be done at an interested parties meeting, and staff could then present the findings at the interested parties meeting to the Council at a work session along with the staff recommendation.

Mr. Kespohl pointed out the interested parties meeting was scheduled for March 20, 2013.

Mr. Glascock explained staff did not know what Council would do on April 15, but if there was a change, he still needed to follow the federal process and this provided the 21 day notice required if a change was made. Mayor McDavid stated he did not believe they would reach consensus on a plan within a reasonable amount of time if they debated all ten options on April 15. He thought the options should be presented at a work session so details such as medians could be discussed. Mr. Glascock pointed out all of the options involved medians except for the one that was approved at the November 19, 2012 Council Meeting. Mayor McDavid asked why it did not have a median while the Birch Street option had a median when the traffic flow was the same. Mr. Glascock replied it was because that was the deal they made with MoDOT and Bingham would be limited. Mayor McDavid stated he was concerned that this was the type of discussion they would get into on April 15 with all of the options.

Mayor McDavid understood there were two problems. They needed more traffic to flow through on Providence Road and they needed to resolve the disruptions in the Grasslands Neighborhood caused by the traffic on Providence Road. Mr. Glascock pointed out the problem was the Stadium and Providence intersection as more traffic needed to be able to flow through that intersection, and that caused the problems for the Grasslands Neighborhood.

Ms. Hoppe stated she understood the concern of Mayor McDavid was that if they moved forward with a hearing on ten options, everyone affected by any of those options would speak, and some of the options would not be seriously considered. She suggested this be discussed at a pre-council meeting. Mr. Glascock pointed out a separate work

session could be held. It did not have to be discussed at a pre-council meeting. Mayor McDavid stated the work session would need to be held after the election. Mr. Dudley thought the work session should include representatives of the University, MoDOT, the Grasslands Neighborhood, etc. Mr. Glascock pointed out representatives of the University and MoDOT would be at the interested parties meeting. He explained the interested parties meeting was an open forum that allowed people to view all of the options and provide comments. Mr. Schmidt stated he liked the format where there were storyboards for each option and staff was at each storyboard. Mr. Glascock noted that was the format of the interested parties meeting.

Mr. Matthes pointed out staff had put everything they had discussed over the past ten years on the table. He explained they had gone through the legal process twice in trying to get a unanimous decision from the interested parties, which were MoDOT, the University of Missouri, the Grasslands Neighborhood, Council, etc., and people still had honest problems with the final outcome, so staff was trying to be responsive. Since they did not know the preferred options at this time, staff included everything in the resolution. Mayor McDavid stated he believed preferred options could be developed after the work session.

Mayor McDavid understood staff had been working on this issue for ten years, but those on the Council had not been involved the entire time, and the only options that had been a part of his packet on November 19, 2012 involved Phase 1 and Phase 2. Mr. Glascock explained only those were provided because they were the preferred alternative. Mayor McDavid pointed out the Council was the final arbiter and some of them disagreed with the conclusions. He reiterated the need for a work session to go over each option individually.

Mr. Kespohl understood Option II would cross University of Missouri property and was thrown out because the University did not agree with that option, and asked what kept the City from using eminent domain on University property. Mr. Glascock replied the City could use eminent domain on that property.

Mayor McDavid thought these types of items needed to be discussed at a work session so questions could be asked with regard to every option, and as a result he wondered what this resolution would accomplish. Mr. Matthes pointed out the resolution would only set the date of the public hearing. Mayor McDavid noted the Council would set the date of the public hearing at which time no one knew what would happen. He stated he was not sure the public was comfortable with this. He believed the public wanted a more measured process. Mr. Matthes noted it would allow the Council to rescind its previous decision. Mayor McDavid stated the public would also wonder whether the Council would come up with another option.

Mr. Matthes pointed out there was a time constraint that was weighing on staff as well, and explained the money they had for the project would go away if they did not spend it. Mayor McDavid asked when it would go away. Mr. Glascock replied there were different time frames, but it would start in September with \$5,000 if it had not been spent. If they had \$1.8 million a year, they would lose it over a two year period. Mayor McDavid asked if they would lose any money if this was resolved within the next two months. Mr. Glascock replied no.

Mr. Matthes suggested the Council adopt the resolution as it did not lock them into anything. Staff would hold the interested parties meeting and provide that information to the Council at a work session after April 2, 2013 but prior to April 15, 2013. The public hearing could still be held on April 15, 2013. Mayor McDavid thought the public needed to know the recommendation of the City prior to April 15 because there were interested parties that were not interested in nine of the ten options. Each option had its own unique group of interested parties. He did not believe that should be decided on April 15.

Ms. Hoppe wondered if this could be amended after the work session, but prior to the April 15 public hearing date, so what was truly being considered was clear. Mr. Noce thought that could be done if it could be included in the packet for the April 15 Council Meeting as that would provide notice to the public. Mayor McDavid wondered if three days provided enough time for the public after a ten year process.

Mayor McDavid stated he thought they should decide whether to rescind their previous decision at the April 15 public hearing. They could then set another public hearing with a preferred option if they rescinded the previous decision because it would then be clear.

Mayor McDavid explained it was complicated because they did not have a process and the public did not know what process would be followed. Mr. Matthes pointed out rescinding a previous decision was rare so there was not an established process to do this.

Mayor McDavid noted if the Council did not rescind the decision made on November 19, 2012, staff would continue moving forward based upon that decision. If the Council rescinded the decision, they could set a time frame of 2-4 weeks out to come up with a preferred option as they would have had an interested parties meeting and work session by then. Mr. Matthes thought staff could narrow the options in time for the April 15, 2013 meeting.

Mayor McDavid reiterated the public needed a sense of what the Council intended to do. If they intended to rescind and start completely over with no decision on April 15, he thought they needed to make that clear. Given that information, he asked if this resolution could be passed while accomplishing that goal. Mr. Dudley did not think that could be done.

Ms. Hoppe commented that seeing this list was helpful and noted the interested parties meeting on March 20 would consider all of these options, and they could narrow it down after the work session. Mayor McDavid agreed. He only wondered if they could declare some sort of consensus or plan before the April 15 Council Meeting.

Mr. Noce explained if they passed this resolution it left all of the options open. The purpose was to replace the resolution they had before with an option they wanted to select including rescinding it or affirming it.

Mr. Kespohl noted an option not on the list was to widen Providence Road.

Mr. Schmidt suggested they table this resolution and hold a work session. Mayor McDavid asked if the resolution could be tabled. Mr. Noce replied it could be tabled to the April 1 meeting. Mayor McDavid noted a work session would not have been held by then. Mr. Schmidt asked if the resolution could be tabled to the April 15 Council Meeting. Mr. Noce stated they would then be tabling it to the date of the public hearing, which did not make sense. Mr. Glascock pointed out a 21 day notice was required. Mayor McDavid asked if it

could be tabled to April 15 if the public hearing was held on May 20. Mr. Glascock replied yes.

Ms. Hoppe pointed out none of the options included the recommendation of the Historic Preservation Commission. Mr. Glascock stated the plan recommended by the Historic Preservation Commission did not work for the first phase, and the second phase had not been a part of the public hearing.

Jeremy Root, 2417 Beachview Drive, thanked the Council for moving R54-13 off of the consent agenda, and commented that as of today, the Council had passed a resolution on November 5, 2012 declaring certain improvements were necessary with regard to Providence Road and had held a public hearing and approved an option on November 19, 2012. Subsequently, an ordinance, B367-12, was passed. He noted he was uncertain as to whether any action had been taken in reliance on that ordinance or if any money had been spent. He noted he was confused by this particular resolution because it was declaring the necessity of an improvement that had already been declared. It was similar yet different to previous resolution and he wondered what authority the Council had to approve another resolution in addition to the previous one. He also wondered what authority allowed for an interested parties meeting to be held to consider options that were different than had already been approved. He felt the only action Council could take at this time was to either rescind or not rescind what had previously been done in November. He did not believe other options should be considered at this time as the public did not know how to act and whether to participate in the interested parties meeting since Council might choose not to rescind what they had previously authorized. He suggested the Council first decide whether to rescind the decision made on November 19, 2012 because if the Council decided not to rescind it, it was over. He thought a work session to vet the various options needed to be held prior to a public hearing, and possibly prior to the interested parties meeting, so when they held the interested parties meeting, the only options presented were those that had real salience and might work. In addition, it would allow for feedback to be received by those most directly affected by those options. He felt the public hearing should be held afterward incorporating the information collected at the interested parties meeting. He was not sure of the time frame, but believed this was needed in terms of sequence. He suggested this resolution be voted down as it did not make sense and the sequence he recommended be followed.

Mr. Kespohl pointed out that voting this resolution down would not rescind the previous action. Mr. Root agreed, but noted it would not inject more confusion into an already confused process.

Rob Duncan, 3611 Holly Hills Court, stated he and his wife co-owned the property at 903 S. Providence Road, which was one of the properties slated for destruction against his objections by the motion already approved by Council on November 19, 2012. He explained he had spoken with several friends in the Grasslands, and most had indicated they only wanted was a stop light so they could get in and out of the Grasslands Neighborhood, and that option was \$4.5 million cheaper than the option that would destroy eight stately homes at the rim of campus on Providence Road. The \$4.5 million was equivalent to 23 armored personnel vehicles, a lot of law enforcement, etc. He asked why the City would spend \$4.5 million and destroy eight homes before they knew whether a simpler solution, such as the

stop light option, might adequately solve the problem, and suggested something of that nature be done first.

Eugene Elkin, 3406 Range Line, stated he felt he was an interested party since he traveled Providence Road frequently and explained he had attended a meeting at the University of Missouri and felt there had been a lot of confusion. He suggested they utilize the existing five lanes by having three lanes go south or north depending on the time of day along with connecting lights at Stewart, Burnam and Stadium. He felt this was a permanent solution. He understood expensive wiring was under the east side of Providence on University property. He did not believe this was a Grasslands issue and that the issue involved the expansion of Providence.

Chris Pascucci, 1107 Merrill Court, thanked Mayor McDavid for making the effort to undo this and establish a better process in the right order as it was appreciated.

Monta Welch, 2808 Greenbriar Drive, commented that the public appreciated the availability of more time to understand all of the options since the currently approved option was very expensive and one the taxpayers would have to fund. She felt many people wanted the historic preservation piece considered and was uncertain as to what would disqualify the option suggested by the Historic Preservation Commission as she understood it had not been included as one of the ten options. She thanked the Council for trying to sort out the process and for slowing things down to allow the public to review the information.

Mayor McDavid stated he thought this resolution exemplified what had been wrong with the process all along as it did not tell anyone what would be done. He understood the Council had approved a motion to vote to rescind an action the Council approved on November 19, 2012, so that process was underway. If the Council did not rescind it, the decision they made on November 19, 2012 would continue. If the Council rescinded it, they would have to consider another option. He thought it was a mistake to have the interested parties meeting before the work session as he thought the Council needed to collectively decide the direction they wanted to move on this issue. They could then hold the interested parties meeting and approve a resolution that clearly showed the public the direction in which they planned to proceed. He stated he planned to vote against this resolution. He asked if the Council could vote on whether or not to rescind their previous action even if they voted this resolution down. Mr. Noce replied no. He explained the Council needed to follow the steps they had previously taken in order to undo their previous action, and staff had provided more options in the meantime. The Council could choose to undo their previous action after the public hearing because people might want to speak like they had before when Council approved the action on November 19, 2012. They needed to provide due process. In addition to rescinding the previous motion, the Council could replace the motion with something else or not rescind the motion so they continued moving forward as they had decided previously. This resolution maximized the options of Council, but it might have created confusion as well. Mayor McDavid stated it was confusing to him and the public, and he did not think they wanted to go into the April 15 meeting with a list of ten things. He asked why they could not just have a motion to rescind the November 19 decision. Mr. Noce replied they could. Mayor McDavid asked why they did not just do that as that was what had initially been requested by Ms. Nauser. Mr. Noce explained staff also wanted to provide

other options to meet the time lines. Mayor McDavid understood they had three months to meet the time line and noted he was committed to meeting it if he was re-elected.

Mr. Kespohl asked if Council could change the date of the public hearing on this resolution to some future date. Mr. Noce replied the Council had a many options. Mr. Matthes asked if this resolution could be amended to set the date of a public hearing on whether to rescind the previous decision or not. Mr. Noce replied yes. Mayor McDavid thought that was what they needed to do as that had been the original intent.

Mayor McDavid made a motion to amend R54-13 so it would set a public hearing to decide whether to rescind the previous decision of Council regarding the Providence Road improvements for April 15, 2013. The motion was seconded by Mr. Kespohl.

Mr. Trapp asked if a work session could still be held to discuss the options. Mayor McDavid replied yes and noted he did not think they were limited to when they could hold it. Mr. Kespohl stated he wanted to have information from the public prior to going into a work session.

Mr. Matthes asked if the Council wanted the interested parties meeting to contain all of the options and whether they wanted that meeting held before or after the work session. Mr. Kespohl thought they could have two, one before and one after the interested parties meeting. Mayor McDavid stated the problem he saw with the interested parties meeting was that those that lived in the Grasslands Neighborhood were not the only interested parties, and this had been a Grasslands centric project for a long time. Mr. Glascock explained staff had met with the University and others as well. Everyone had been invited. Mayor McDavid stated he understood, but thought most of the public input had been from the Grasslands Neighborhood. He understood it might be because they had a vested interest since their traffic flow would be disrupted, but felt it needed to involve a broader group of interested parties. If staff wanted to continue with the March 20, 2013 interested parties meeting, he was agreeable. Council would need to pick a date for a work session to be held prior to April 15, 2013.

Ms. Hoppe commented that she was interested in any other ideas that would come from the interested parties meeting that might not be included in the list of current options as well, and wanted that information provided at the work session.

The motion made by Mayor McDavid and seconded by Mr. Kespohl to amend R54-13 so it would set a public hearing to decide whether to rescind the previous decision of Council regarding the Providence Road improvements for April 15, 2013 was approved unanimously by voice vote.

The vote on R54-13, as amended, was recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

B68-13 **Extending a moratorium on illuminated window signs that have electronic changeable copy.**

- B69-13 Repealing Ordinance No. 021141 which approved the C-P Development Plan of Ill Forks Prime Steakhouse located on the northeast corner of Providence Road and East Green Meadows Road; approving the Macadoodles C-P Plan; setting forth conditions for approval.
- B70-13 Amending the permitted uses on property in District O-P located on the northwest corner of Rainbow Trout Drive and Scott Boulevard; approving a statement of intent; approving the Quail Creek Professional Park O-P Plan; approving less stringent screening and landscaping requirements.
- B71-13 Rezoning property located on the southwest corner of Grindstone Parkway and Rock Quarry Road from District A-1 to District C-P; approving the Grindstone & Rock Quarry Break Time C-P Plan; approving less stringent screening and landscaping requirements.
- B72-13 Rezoning property located on the southeast corner of Forum Boulevard and Nifong Boulevard from O-P and R-1 to C-P; approving the Boone Hospital Medical Park South C-P Plan; approving less stringent screening requirements.
- B73-13 Rezoning property located north and south of Broadway at the intersections of Dorsey Street and Ripley Street from R-3 to O-1.
- B74-13 Approving an update to the Stephens College Campus Master Plan.
- B75-13 Approving the Final Plat of Steeplechase Estates Plat 3 located on the east side of Howard Orchard Road, north of Route KK; authorizing a performance contract.
- B76-13 Vacating street right-of-way located along a portion of the west side of Rangeline Street, south of Wilkes Boulevard.
- B77-13 Amending the FY 2013 Annual Budget to add an Administrative Support Assistant III position in the Community Development Department, Planning Division; transferring funds.
- B78-13 Authorizing an intergovernmental cooperative agreement with Boone County, Missouri and The Curators of the University of Missouri as it relates to the collaborative adaptive management implementation (CAM) process to address the total maximum daily load (TMDL) for Hinkson Creek.
- B79-13 Authorizing a financial assistance agreement with the Mid-Missouri Solid Waste Management District for the purchase of a roll-off recycling container to be used to collect recyclables at special events; appropriating funds.
- B80-13 Authorizing acquisition of additional easements for construction of a sidewalk along the north side of Texas Avenue from Garth Avenue to Providence Road.
- B81-13 Accepting conveyances for utility purposes.
- B82-13 Authorizing lease agreements with The Callaway Bank and Hawaii, Inc. d/b/a Taj Mahal for retail space in the Fifth Street and Walnut Street parking garage.

REPORTS AND PETITIONS

- REP40-13 Veterans United Home Loans - Request for Unique Address.

Mr. Teddy provided a staff report.

Mayor McDavid made a motion directing staff to draft an appropriate resolution or ordinance and right-of-use agreement. The motion was seconded by Mr. Dudley.

Ms. Hoppe commented that if this was allowed, she thought the City needed to provide equal treatment to anyone else that might have a similar request. Mr. Matthes suggested this be a narrow precedent in terms of anyone else that had 1,000 employees being able to make the request. He noted it was a slight concern to the emergency response people. This particular solution would work, but if it was something that became more prevalent, it could become problematic. He recommended this be limited.

Mayor McDavid asked if the restrictions would be implemented by ordinance. Mr. Noce replied he thought an ordinance was being drafted.

The motion made by Mayor McDavid and seconded by Mr. Dudley directing staff to draft an appropriate resolution or ordinance and right-of-use agreement was approved unanimously by voice vote.

REP41-13 State Legislation: Fifth State Building Fund.

Mayor McDavid made a motion to allow him to sign letters supporting the Fifth State Building Fund to Representative Chris Kelly and Senator Kurt Schaefer.

Ms. Hoppe commented that item 4 at line 44 for HJR 14 indicated a direct tax shall be levied upon all tangible property in the State for payment if the State general revenue fund was not sufficient and asked if this implied a tax would be placed on all tangible property and the likelihood of it. Mr. Schmidt wondered if that was boilerplate language for any bond issue. Mr. Matthes understood it was security for the bond as it allowed a way for governments to ensure it would be paid back.

Ms. Nauser thought this was a deviation from past practice in that when she was previously on the Council, the policy was that the City did not get involved in state and federal issues due to varying opinions. She understood anyone could individually sign a letter stating his/her position on any particular issue. She recalled the concern was for the potential for people to address the Council on a number of broad issues. Ms. Hoppe explained that Council had recently decided to comment as a whole on certain issues that impacted the City directly. Mayor McDavid agreed and noted this had a massive economic impact on Columbia in terms jobs and construction. He understood the concern of Ms. Nauser, but felt this was different due to its significant local impact.

Ms. Hoppe asked for clarification regarding the tangible tax and if it was likely that it would occur. Ms. Cannon replied she had previously worked in the Office of Administration and they had never implemented any tax due to this. She noted it was boilerplate language for a general obligation debt bond issue and was in the Missouri Constitution. Mr. Matthes understood this legislation had been proposed because previous legislation similar to it had been repaid so the capacity to pay it back was there. Mr. Schmidt understood the bond would not be issued if the State did not believe it had the capacity to pay it back. Since it was boilerplate language, he was comfortable with Mayor McDavid signing the letter.

The motion made by Mayor McDavid to allow him to sign letters supporting the Fifth State Building Fund to Representative Chris Kelly and Senator Kurt Schaefer was seconded by Mr. Schmidt and approved unanimously by voice vote.

REP42-13 Public Transit Advisory Commission.

Mr. Matthes provided a staff report.

Mayor McDavid made a motion directing staff to bring forward an ordinance for Council consideration.

Ms. Hoppe commented that she felt the membership was too narrow as there was not enough of a public component and did not reflect the fact the City was working with the Columbia Public School District. She suggested expanding the membership by adding an equal number of public non-student residents and a member of the Columbia Public School District. She understood the draft ordinance included a representative of the Bicycle/Pedestrian Commission and thought a representative of Columbians for Modern Efficient Transportation (CoMET) should be included as they had been focusing on transit and had 3,000 members and 80 organizations committed to their initiative. She also understood the need for a paratransit rider because the City wanted to know if savings could be had with that system and thought a member of the Disabilities Commission was also needed for disabled persons that traveled on the regular transit routes. She thought a thirteen member commission might be needed instead, and believed subcommittees could be used to focus on particular issues. Mr. Matthes understood Ms. Hoppe was recommending four additional members as representatives of the Disabilities Commission, CoMET, the Columbia Public School District and a general member. Ms. Hoppe stated that was correct.

Mr. Trapp thought they risked the commission being too unwieldy when there were too many members. Mayor McDavid agreed. Mr. Trapp thought a nine member commission was large enough and noted the Council had the ability to appoint three members on whatever criteria they wanted.

Mr. Matthes pointed out the wording included a statement for consideration to be given to the appointment of at least one member who was an owner or representative of a business, and thought that approach could be taken with the Disabilities Commission, CoMET and the Columbia Public School District representatives as that would guide the Council in its decision making without it being required. Ms. Hoppe suggested the Bicycle/Pedestrian Commission be included as a consideration versus a definite member as it would allow for the membership to include a better general public component. Mayor McDavid asked if they were still at nine total members. Mr. Matthes replied his suggestion would be to leave it at nine members, but to add those specific descriptors for consideration. Ms. Nauser understood the number of years the members would serve would need to change since there would be four general vacancies instead of three. Ms. Amin stated that could be resolved by having two members with the same terms.

The motion made by Mayor McDavid directing staff to bring forward an ordinance for Council consideration was seconded by Mr. Trapp and approved unanimously by voice vote.

REP43-13 Incentive Based Budgeting.

Mr. Matthes provided a staff report.

Ms. Hoppe explained that the Council had held meetings in their wards a year ago regarding street needs to spend \$400,000 that had become available since the City had not

had any major snow storm that year, but understood that money ended up going to the Sunset or Hubbell sewer. She suggested they choose projects from those identified street needs in an effort to be more responsive to the public. She asked for a list of the project that had come from the ward meetings so they could then determine how to proceed. She preferred that instead of opening it up to another public process when they had not followed through on the first public process.

Mr. Schmidt commented that these were all wonderful projects, but noted he would be more comfortable if they rolled the surplus into the regular budget process because a lot had been sacrificed to make this surplus happen. He stated he also liked the idea of incentive based budgeting, and for departments to receive a larger allocation during the regular budget cycle for sacrifices made. He reiterated that as important as some of these projects were to particular constituencies, he felt the use of the surplus funds should go through the regular budget process. Mayor McDavid understood if they did not go through the regular budget process, they risked a secondary budget process.

Mayor McDavid saluted the staff for its financial discipline, but noted it was something he expected. He wanted to ensure they did not start thinking like a family that received a bonus and would spend it without thinking about applying it to the credit card debt they had since the City had \$200 million in road projects, \$125 million in unfunded pension liability and needed more personnel for police and fire. Mr. Schmidt agreed.

Mr. Trapp commented that 16 percent was the standard GASB recommended and the City's established standard was 20 percent, so the City was already budgeting conservatively. He understood they could address the CIP list if they prioritized that list. He was agreeable to providing it to departments for next year's budget for unfinished business, but also felt they should be able to do some things as elected representatives that they were not normally able to do through the regular budgetary process. He stated he liked the projects as recommended as they would benefit the disabilities community and create a fund to encourage economic development and start up companies. He thought they should move forward as recommended.

Mr. Kespohl asked what the plans were for the Blind Boone home after it was restored. Mr. Matthes replied staff had started to discuss ideas. He noted a 501(c)(3) existed with regard to the Blind Boone home and thought they should determine their level of interest in owning or operating it and provide input in terms of what they might want or could live without. Mr. Kespohl understood Richard Shanker had volunteered his time and expertise in terms of the electrical work and commended him, and noted he thought if they made this public, they might get more volunteers, which would reduce the cost of the project. He thought \$200,000 or less would be needed in that instance. He recommended that any funds remaining from this project be used for streets as well. He asked about the possibility of the Blind Boone home being a homeless shelter when finished. Mr. Matthes replied he did not believe it was big enough, but agreed a homeless shelter would be a great use of one time funds. Mayor McDavid stated J. W. Boone was likely the most consequential and well-known Columbian of the late nineteenth century and his home was purchased by the City due to his historical stature. He noted he was uncomfortable with turning it into a homeless shelter as

that involved an entirely different mission. In addition, it was essentially just a shell of a building at this time. Mr. Matthes stated that was correct as the interior was gutted.

Ms. Nauser commented that she agreed with the recommendations of staff except for the funding to restore the Blind Boone home. She thought it was commendable, but pointed out the City still owned the Heibel-March building, which was vacant, and noted the YouZeum, which the City invested funds toward, had failed. If the City were to operate a museum at the Blind Boone home, they would need to determine how to pay the salaries of a curator and other staff, furniture, fixtures, equipment, etc. She believed there were too many unanswered questions surrounding the Blind Boone home and there were many other needs for that money. She suggested they restore and repair the existing building to the point it met the building codes and turn it over to the Foundation. The Foundation could then raise private money to turn it into a museum, gathering space, or any other use. She thought \$475,000 was too much to put into this home when they did not have plans for it, and was another example of why the City should not be in the business of buying historic properties. She suggested providing \$120,000-\$130,000 for its repair and asking for volunteers to assist with the rest. The City could then give it to some other entity to continue the renovations from that point. She felt the rest of the funds should be used for capital improvements, street repairs, etc. Mayor McDavid stated he did not disagree, but noted they did not know how much the repairs would cost. He understood it needed drywall, electricity, plumbing and HVAC. He also pointed out the City had already invested \$380,000 into this project. That decision had been made by a prior Council. He felt if they did not do anything, they would be abandoning it. He understood the staff would tell them what could be done and what it would cost, and noted this would have to come back to Council before any money was allocated. Ms. Nauser stated the \$475,000 was more than was needed to repair and restore the home. In looking at the 2010 numbers, the low cost was \$576,000 and \$324,000 of that amount was for the new building museum and gathering space. She agreed they should take care of what they had purchased, but did not believe they should go beyond repairing it to an acceptable condition. She also thought they should provide the building to an outside entity at that point to turn it into a gathering place or museum. Mr. Matthes stated they could come back with more realistic cost estimates. Ms. Hoppe asked that staff pursue potential other volunteers such as Mr. Shanker as well.

Mr. Trapp commented that as follow up to the recommendation of Mr. Kespohl regarding a homeless shelter, they had looked at City lots with the idea of using CDBG funds in partnership with the non-profit community, but no City lots would work. As a result, they would likely need \$40,000-\$50,000 to purchase a lot in the central city area, so savings found in the repair of the Blind Boone home would be helpful.

Mr. Schmidt noted that if the 9-1-1 tax did not pass, the City would go into FY 2014 with a built in shortfall of over \$1 million. Mayor McDavid understood the projects on this list would go through the budgeting process. Mr. Matthes pointed out each of these items would come back to Council, and they would come back after the 9-1-1 ballot issue was voted on.

Mr. Matthes understood there was consensus to proceed as logic and time allowed. Ms. Hoppe asked if the street improvement list from the public meetings by ward would be included and considered. Mr. Matthes replied yes.

REP44-13 Annual Water & Light Advisory Board Report to City Council.

Mr. Johnsen and John Conway, Chair of the Water and Light Advisory Board, provided a staff report.

Mayor McDavid noted the report indicated \$1.8 million had been saved due to the Columbia Energy Center (CEC) and asked how that money had been saved. Mr. Johnsen replied the purchase of the Columbia Energy Center (CEC) replaced capacity payments the City had been making through a contract to Ameren Energy Marketing, so they had essentially turned the capacity payments into bond payments. In addition, since this had been a warm summer, they had made money off of the operations of the facility in the energy market that had been dispatched by MISO. They had saved about \$1 million due to the bond and had received operational income due to the warm summer and the fact the unit was dispatched. Mr. Conway thought it demonstrated the fact the City had fulfilled its commitment through the referendum they had to purchase it. He noted it would be examined annually to ensure they were on track in terms of that investment.

Mr. Kespohl understood the Board had adopted a cash reserve policy for the water and electric operations and asked if that was at 20 percent. Mr. Johnsen replied it was a cash reserve policy specific to the Water and Light Department that had not yet been brought to Council. They planned to base it on the 20 percent, but needed to include other factors, and would bring it to Council when finalized. Mr. Kespohl asked if they would use 20 percent. Mr. Johnsen replied yes, as a minimum. Mr. Conway pointed out there would be a cash reserve policy for water and a cash reserve policy for electric, and the reason this was being pursued was because one of the criteria used to assess the bond rating for a municipality was whether a cash reserve policy was in effect by ordinance. If the municipality was in compliance, it provided for a good bond rating and a lower interest rate.

Mr. Kespohl understood there had been a water rate increase of 5.0 percent and an electric rate increase of 1.5 percent starting October 1, 2012, while the ten year trend manual showed a reserve of \$33 million in excess of the 20 percent for 2012. He asked why the excess was so far above the 20 percent and why the rates had been increased. Mr. Johnsen replied they would be discussing the amount of money a utility needed to keep in cash reserves to address needs because the system could be impacted significantly in financial degrees, and noted they viewed the 20 percent as a minimum. They had a utility approach and would be looking at industry standards, etc., and would bring a recommendation back to Council. Mr. Kespohl asked if the standard was 30 percent as the City was currently at 45 percent. Mr. Schmidt asked if it would vary based on the type of operation in that they would have different cash reserves for different purposes. Mr. Johnsen replied yes, and explained it would take time to determine.

Mr. Kespohl understood 1 percent was about \$1.1 million, and the City had raised its rate by 1.5 percent, which was about \$1.6 million. He thought they might have been able to go without an increase this year as they had added \$8 million to the extra reserve, so the \$1.6 would have been a small portion of that. It would have also allowed them the ability to not have to raise the utility rates, and thought the City should avoid that when it could. Mr. Johnsen commented that they felt they were within the range. They did not want to go much

higher, but also did not feel they should be at 20 percent. Last year's rate increase was to maintain the level they were at, and due the timing of the budget year, they could not always project the revenues. Mr. Conway suggested the methodology and criteria be reviewed when the policy came forward to Council.

Mr. Trapp pointed out the City would soon be spending a lot of money with the transmission lines, etc. Mr. Kespohl asked if this reserve had been built for some purpose, such as a major enhancement to the water or electric system. Mr. Johnsen explained they were looking at a range because they had to consider those types of expenses and how it would impact the customer as it might be better to have slow, methodical increases for a lesser impact. He thought they were in a good place with the cash reserves in terms of the expenses they anticipated in the future so he did not expect to see any big rate increases.

Mr. Matthes noted last year was a good year, but that was not what they had expected when they developed the budget. In hindsight, they might have been able to go without the increase. He explained it was common to amass certain amounts cash in enterprise funds to allow them to spend down and reduce the cost of debt in future years.

Mr. Kespohl explained if he was asked how the electric utility was doing, he would have to say they had an \$8 million surplus, which was difficult to say when the rate had been increased. He was not sure how they could justify it except that they were saving for a major project. Mr. Matthes reiterated it was an abnormal year and pointed out they had a major expense coming that it would help with. Mr. Kespohl pointed out that they had not been below 27 percent in reserves over the last ten years, so he wondered if the rates were a bit excessive. Mr. Matthes stated they tended to be conservative and assumed they would spend everything, and would then work actively to avoid that situation. One result of this strategy made it appear as though they purposely inflated the budget. The side benefit was that debt was really cheap for the City. If they got down to the 20 percent and stayed there, the interest rates would be affected so there were benefits to having more than the minimum.

Mr. Conway reiterated that Council should really review the policy and weigh all of the factors when it came before them.

Mr. Dudley asked what was in the biomass supply contract as he wondered if it involved grass and wood. Mr. Johnsen replied this contract would include an engineered product involving corn and other items that would resemble coal consistency for storage and handling. A report on the MFA project with regard to the test burn would come forward to Council in the future. He noted they were burning wood at the power plant now. Mr. Trapp understood contracts with farmers needed to be made before a certain date and asked if they would make the time frame this year. Mr. Johnsen replied they were still working through the contracts to make the engineered product happen as they needed to ensure it was economically viable. They were trying to determine whether they could afford the development process and the fuel that resulted from it. Mr. Trapp stated he thought it was a great project, but understood the City was not a venture capitalist. Mr. Matthes noted the City had to work through the regulatory agencies and State legislature for permission, so a lot of things needed to happen. Mr. Johnsen explained they were at the point where they had made application to the State for the operating permit to conduct a test burn of the product.

REP45-13 Intra-Departmental Transfer of Funds Request.

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

Ms. Nauser commented that she thought it would be helpful to know where the money was being transferred from as it showed the project the money was being transferred to and she wanted to know if money had been saved, if the money was coming from something sold, if money was just being moved, etc. Mr. Matthes stated he thought titles could be provided.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Eugene Elkin, 3406 Range Line, understood REDI would be receiving \$150,000 to be used in a special way and wondered if it was time for full disclosure with regard to REDI in terms of its members, etc. He asked the Council to consider asking REDI to be open to the public.

Joe Alder, 511 Parkade Boulevard, stated he was a former member of the Columbia Safety Council, and tried to pay attention to local safety issues even though it had dissolved years ago. He understood some of the center refuge islands in the Stadium Corridor plans would divide lanes of traffic going in the same direction, which meant pedestrians would have to pay close attention every time they crossed the street, even with the signal being in their favor and a crossing sign with a count down. They would need to ensure they were looking in the right direction, etc. and his recommendation was for MoDOT to review those particular center safety islands due to the confusion and safety hazards they might impose on people crossing the street. He also noted the center safety island at the intersection of West Broadway and Park DeVille caused a lot of confusion and hoped a change could be made to it. With regard to the request for an increase in paratransit hours, he hoped the Council would work with the Disabilities Commission in terms of all of the paratransit services offered in Columbia, which included services provided by Services for Independent Living and other entities to ensure their vehicles were fully utilized. He thought there might be opportunity for public/private partnerships for these services to be delivered more efficiently.

Steve Hanson, 2105 Doris Drive, stated he was Chair of the Public Transportation Advisory Commission (PTAC) and understood the request for an increase in paratransit service had come from the Disabilities Commission as they had not been able to attend an evening meeting. He asked that the ordinance involving the Public Transportation Advisory Commission not be discussed until April 15, 2013 in order to allow time for the Disabilities Commission to provide input. He understood their next meeting was not until April 11. He stated the PTAC would also provide input regarding the changes as they were concerned with assigning positions when there might not be a direct relationship at this time. He wondered if the MSA had agreed to appoint someone to this commission. He was also concerned with having too much outside representation and the ability to get a quorum for the meetings.

Ms. Hoppe commented that she noticed the ward map was not available on the City Council web page or when one clicked on maps from the home page and that the only way to

find the ward map was by doing a ward map search. She asked if the ward map could be added to the City Council page.

Ms. Hoppe asked for the vote for the ordinance involving the Public Transit Advisory Commission to be scheduled for the April 15, 2013 Council Meeting.

Ms. Hoppe pointed out the REDI website provided a list of the board members.

Ms. Hoppe asked for staff to look into the concern expressed regarding the center safety islands for the Stadium Corridor project, and to provide feedback to Council. Mr. Matthes understood the diversion diamond had been proven to be safer than any other alternative in terms of accidents. Mr. Schmidt understood Mr. Alder was referring to pedestrian safety. Mr. Matthes asked Mr. Alder if he could discuss it with him after the Council Meeting. Ms. Hoppe asked staff to follow up and provide feedback to Council.

Mr. Kesphl stated he was anxious to discuss snow removal as he had received a lot of calls and concerns, and thought they would need to do a better job in the future.

Mr. Trapp commented that there was currently an ordinance that did not allow the selling of products on City streets, which he understood, but it also had an unintended consequence of stifling the food truck culture. He felt food trucks were a great promotion of entrepreneurialism and a niche for people who could not quite move into a restaurant. He asked staff to look into the issue in an aggressive way and to bring forward an ordinance that would allow food trucks on City streets.

Mayor McDavid made a motion for the City Council of the City of Columbia to meet on Monday, April 1, 2013 at 6:00 p.m. in Conference Room 1A/1B of City Hall, 701 E. Broadway, Columbia, Missouri for a closed meeting to discuss personnel matters as authorized by Section 610.021 (3) and (13) of the Revised Statutes of Missouri. The motion was seconded by Ms. Nauser and the vote was recorded as follows: VOTING YES: TRAPP, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: NO ONE.

The meeting adjourned at 11:17 p.m.

Respectfully submitted,

Sheela Amin
City Clerk