



**Columbia City Council Meeting Recap**  
**Council Chamber, Columbia City Hall**  
**7:00 PM**  
**Monday, August 19, 2019**

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	<b>INTRODUCTORY ITEMS</b>
Pledge of Allegiance	(Recited as indicated.)
Roll Call	(Present: Treece, Ruffin, Trapp, Skala, Pitzer, Peters, Thomas) (Absent: None.)
Approval of Minutes	(Minutes from August 5, 2019 approved.)
Adjustment of Agenda	(Trapp asked to abstain B219-19 and B230-19. No other adjustments were made.)

**SPECIAL ITEMS**  
(None.)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**BC9-19** Board and Commission Applicants.

**Board of Adjustment:** *(Regular and Alternate – Readvertise)*

**Board of Health:** *(Nurse) Paula Williams; (Interested Party) Kathleen McKinney*

**Commission on Cultural Affairs:** Readvertise pending a text change to code and non-qualification of current applicant.

**Community Land Trust Organization Board:** *(The nominee is an occupant of a Land Trust home but is not an owner. Appointment delayed. Change in rules required for clarification.)*

**Disabilities Commission:** *Stephanie Bono*

**Historic Preservation Commission:** *(Expertise) Amanda Staley Harrison; (General Interest) Michael Ohnersorgen; (Real Estate) Readvertise*

**Integrated Electric Resource and Master Plan Task Force:** *Alexander Antal*

**Tax Increment Financing Commission:** No appointment. Position to be readvertised.

**SCHEDULED PUBLIC COMMENT**

**SPC53-19** Eric Scott - Labor & Columbia Performance Audit.

*(Action: A speaker appeared on behalf of Public Works Employees. First, he thanked the city for bargaining in good faith with their group and he thought it was an improvement over past years. We do have an issue, however. In the future, when we consider wages, we hope you look at the midpoint range. It is based on time in a job classification rather than total years worked for the city. So, sometimes people move to a new job and may have a high number of total years but who may have*

only worked in a certain job for only 2 or 3 years due to re-classification. That is the way it is in the current pay plan. We recommend you re-examine this element. Many people have this concern. Last year, when we changed the minimum wage to \$15.00, a lot of city workers had their jobs reclassified and the clock got reset on their eligibility for a pay bump to midpoint after five years. Finally, we support a performance audit and we think this could shine some light on this and other issues. (Show of hands in support).

**SPC54-19** Jana Stephens - Request for moratorium on development on Gillespie Bridge Road west of Perche Creek until a West Area Plan is agreed upon by City, County, and stakeholder-citizens.

(Action: The speaker lives on West Druid Lane. They have a coalition that is comprised of people who live along Gillespie Bridge Road. She noted that they were opposed to a recently approved 34 home development and criticized the applicant from turning in letters of support from people who were either trying to sell their land to the developer or who don't really live in the area. This development is the first domino to fall as development moves to the west. The county has experienced unprecedented growth since we created our last comprehensive plan. We ask for a West Area Plan to be created; ask for the Overton development plan to be tabled by the commission and a moratorium agreed to until a new plan is created that gives commission members appropriate discretion in deciding these cases. We ask that the city council and county commission work together to invoke this moratorium.)

#### **PUBLIC HEARINGS**

**(The following two items are being considered in tandem.)**

**PH35-19** Setting property tax rates for 2019 for the City of Columbia.

[See B232-19 for vote and final action.]

(Action: The City of Columbia levies property taxes to support operations of basic services in the General Fund. The 2019 property tax supports the City's FY 2020 budget. These property taxes comprise approximately 10% of the total General Fund revenue. The City collected approximately \$8.5 million in property taxes in FY2019. The FY 2020 budget submitted to Council does not include a property tax rate increase from the FY 2019 budget. The tax rate ceiling was reduced from \$0.41 to \$0.4075 for 2019 per the certification by the Office of Missouri State Auditor (which represents a slight reduction).

Legal explained how the cap on taxation works and how equalization occurs. It is based on the overall city – not on any one individual tax circumstance. Pitzer asked if they used the CPI to determine the new rate. Finance explained that there will be a slight actual increase, but overall, it is nearly revenue neutral. This year we used 41 cents in developing the budget. When we got the new authorization, we see some difference. If we would have passed a 2 cent increase last year, we would have started at a higher cap, so we lost a little on rate. Next year, we can look at that again since the setting can adjust the rate every two years.

The public hearing was opened. No one spoke.

**B232-19** Setting property tax rates for 2019.

[2nd Read & Vote/Mayor Memo]

**(Action: Final vote – Motion to set City of Columbia Tax rates at \$0.4075 passed unanimously.)**

**(The following items all relate to the adoption of the FY 2020 budget. Specific topic areas are included in this round of hearings. Additional topics will be featured during future meetings. Testimony and reports relating to each topic area follow.)**

**PH36-19** FY 2020 Annual Budget for the City of Columbia.

(Commission on Cultural Affairs Chair, Housing and Community Development Commission Chair, Human Service Commission Chair, any other Board/Commission Chair, and General Public Comments.)

[See B233-19 for specific action. **NO VOTES WERE TAKEN ON THESE BUDGET ITEMS DURING THE CURRENT MEETING. TESTIMONY ON ALL BUDGET ITEMS WAS ALLOWED DURING THIS MEETING.**)]

**B233-19** Adopting the FY 2020 Annual Budget for the City of Columbia.

*(Action: (This is the all-inclusive bill that represents the entire city budget. Additional public hearings for the Fiscal Year 2020 Annual Budget will be held on Tuesday, September 3, and Monday, September 16, 2019 to allow several opportunities for public input on the many items covered by the budget process. The FY 2020 Annual Budget being proposed by the City Manager has been submitted to the City Council as required by City Charter. In addition to the public hearings, the City Council will hold a budget work session to further discuss the budget proposed for fiscal year 2020. The proposed Council budget work session is Monday, August 26, 2019. Following the work session and the public hearings, any final adjustments will be made by Council prior to the passage of the budget on September 16, 2019.*

**(Action: Hearings on the budget bill were continued until the next regular meeting of the Columbia City Council.**

The City Manager presented his budget briefly then called on individual chairs for comment which is articulated below. All amendments will be considered in two weeks.

The City Manager indicated that the total budget is about \$484 million in expenditures with \$455 million in revenues. Even though we have lower sales tax revenues, we are increasing employee pay. We are trying to address fairness, morale and employee recruitment. Turnover has been a problem and has climbed in the last several years. Last year we boosted pay, but it has still not answered the whole retention problem. That is why we are boosting pay for equipment operators, refuse collectors, electric linemen, police and some other departmental positions with some across the board increases.

Sales tax is still a problem. It is our main funding source for discretionary spending and general revenue. We will see an \$800,000 decrease in sales tax this year according to projections. If we had a use tax in place we could have recaptured at least \$2.8 million in additional revenue. Our sales tax collections are 2.37% lower than the previous year. If that holds true this year, we will need to make some additional cuts. We have already included some cuts in multiple departments to fund our new pay package. We will make annual market adjustments, move wages to midpoint ranges, institute performance pay, adopt new pay ranges and try to keep pace with the general labor market. We also have a one-time classification adjustment for employees that got sideways during the changes. We still struggle to retain refuse collectors so we are moving them to between \$16.50 - \$18.70 for senior employees. We recommend a starting rate of \$33.14 for police sergeants.

Utilities are an important part of the services we provide. We have usually packaged utility rate increases with the budget, so this year, we want to do the rate changes in December and impose them in January. We are looking at a 3% Water increase, but we could live without it if we had to. There is also a stormwater rate increase of about 42 cents. Those will probably be the only utility rate increases.

We will continue our street program and have issued prior project lists. In terms of public transit, the city manager recommends no change to the new budget, but we are receiving more federal dollars and we are asking to be able to move some transportation tax money to parking and streets.

We are looking at major repairs to some of our key city buildings and will be conducting assessments on all buildings. The acting Finance Director explained the new pay package and how different departments identified cuts that could fund the pay increases and they are also using some reserve funds (\$2 to \$3 million) to increase public safety pay. We eliminated a Deputy City Manager position. Law department has cut some staffing. Public Works reduced their temporary health account and various other departmental cuts were explored in different ways. Courts, public works, economic development, etc. took different approaches to cutbacks. Tuition reimbursement was cut back. IT's telephone budget was cut. Some software maintenance was cut back. Community relations fund was cut by not printing an annual citizen handbook. It will all be done digitally. In the street department they incorporated a cutback factor and did some department reimbursement changes. The airport cut back on consulting fees. The Water Department cutback on the contingency fund and are postponing a deep well program for five years. In the sewer operation they are deleting three full time positions and reassigning jobs. They are looking at how much they spend on garbage bags in solid waste. All this adds up to \$3.5 million that will be used for fleet and public safety pay. We should have enough to cover all of our projected expenditures next year, but in 2021, we will have to make program cuts or find new revenue.

The City Manager said overall, we need to shore up this funding and will have to cut funding for programs or find new money and we need to hear what the citizens want. New potential sources of revenue are use taxes, and we are not forcing any one option, but we need to do something. And we have to do it by next year. It's a challenge.

Thomas asked about the pay package being \$4.8. That's the total for this year, right? And we will have to find all of that again next year, right? Finance explained that that was true and that this year they were about \$2 million short in public safety pay and \$1.2 million for fleet replacement, but that is a one-time cost, not a recurring cost. Generally, we replace \$1 to \$2 million in fleet each year, but it is a different fleet of vehicles. We did use some reserve funds and identified about \$3 million in unspent funds.

Thomas thought we were going to keep the \$35,000 for CAT TV media center this year only and do something by contract with that next year – but that still has to be approved by council. Thomas thinks the city is running \$15 to \$20 million short each year by not charging adequate development fees. The city manager said we are already behind on new construction and if we keep charging higher fees, we could actually inhibit growth that we depend on for other revenues. Tim Teddy explained that there is an RFP related to cost of service and development fees that is still being formulated.

Skala said he understands that the gist of the discussion is that we have cut contingency funds in a lot of departments to achieve some savings. Obviously, if we do have a contingency situation, we will have to come up with that money somewhere. He believes that we will probably have to have some referendums to increase development fees to make this work.

Peters understood that a lot of the funds we see are funds that were taken away from some department's future plans. In other words, they use to save those funds for a bigger purchase and now that money is gone. Finance indicated that the people who could use the money have used it. In her department, they supplemented training budgets, so they returned the excess saved funds, cut two positions and achieved overall savings.

Pitzer asked about departmental savings vs. council plans for savings. Staff said all of it should be considered. If a council member wants to identify a program to cut, they can, and we can give you a list of council priorities along with departmental identified savings. You can't leave programs out there in

nebulous status. Pitzer asked about the pay classification problem mentioned earlier and staff indicated how that was considered. Pitzer asked about vacancy rates in determining budgeting numbers. Finance indicated that they did use numbers that have a historical basis but not vacancies that seemed to be one-time problems.

The entire public hearing was opened.

The chair of the Cultural Affairs Commission appeared. She presented a report and noted that all programs funded must be 501 C3 sponsored events and that there is a cap of \$7,000 on any one event. These awards are actually contracts for services by the city. Our subcommittee has created a more open and transparent process for evaluating projects. If you have received funding for 4 or more years, you can apply online. She explained the basic review process and what kinds of factors are evaluated including artistic quality, outreach, diversity etc. We received 28 applications this year. We anticipate distributing \$100,000 plus \$7,000 in other small grants this year. It has been demonstrated that \$15 million in spending and economic activity is leveraged by this grant funding. This is all about providing better access to the arts. We believe that more than 200,000 people will participate in these programs making the total cost about 39 cents per participant.

The chair of the Housing and Community Development Commission spoke. He described the mission of the group and its expanded role. This is the first of our new consolidated plan. This year we received \$2.6 million in requests for funding but only received \$1.6 million in federal funding, so we had some tough choices to make. Projects recommended for funding include home ownership assistance, Job Point, code enforcement, rehab programs, renovation programs and Great Circle programs.

The vice chair of the Human Services Commission appeared. She spoke in support of social services and believes they address important issues rooted in poverty and inequity. Key highlights from their report include the concept that they want to help all people meet their goals, but we have 23% of our population living below the poverty rate, with 16% of children living in poverty. We monitor people who live below 200% of the poverty level, and people who only earn 150% are considered to be the working poor. Household income increases have been flat for many years. One of the key drivers in poverty is the lack of gains in hourly earnings. Our poverty rates are higher than both state and national rates. African American poverty rates, unemployment and morbidity are too high. Education and income are too low. If you are born into poverty, your economic mobility is inhibited. Our goal is to address these inequities. We start by helping to meet basic needs. We leverage funds that are spent by social service agencies and charities and government is often left to address the problems. We thank you for your support of the social infrastructure in place in this community.

The chair of the Historic preservation Commission appeared and asked that the \$10,000 appropriation be continued this year. They will spend that money on Phase two of a survey of the North Central neighborhood area; host programs, fund special recognition plaques for historic places, and are participating in the COMO 200 anniversary celebration. We fully embrace our responsibility for writing a comprehensive plan for our work and will also include references to energy efficiency, indoor air quality, inclusive communities, parks and trails, economic development and other key priorities of the city. We might like the council to expand our membership to include a youth member and some person of color who represents a different perspective since we are not very diverse. We would like one person from Historic Preservation to be included in the Climate Action Plan Commission. At our last historic salvage sale we raised money. We need to have that money moved to the appropriate account so we can use those funds before the end of the fiscal year. The Mayor asked what the barrier is? Staff has said that

they did not have ordinance permission to conduct the sale in the first place so the commission can't ask for the money to be moved. The Mayor said he sits on the New Century Board and he would like to see that happen. We think there is a lot of important work to do.

The next speaker is a member of COMO Transit Justice. They joined together last fall when the bus system was cut last year. She has never driven a car. She works in retail. She can't afford a car. She needs the bus system. If you cut the bus routes that go to stores, it is rational that people will spend less money in stores and more online. It seems like we are just bargaining for scraps. We have a petition asking for a 20% increase in the transit system. Even non-riders believe that more funding is needed. For years, we have done studies and issued plans to improve mass transit. All the major plans say it is a good thing. So, there is a need and citizens want it. We should do a city-wide task force to address this. Stabilization of the budget is not enough.

The next speaker appeared on behalf of the Disabilities Commission and discussed the importance of the commission's work and the importance of sustained funding for reliable transportation and asked for more money for buses. She rode ParaTransit to the meeting tonight. She submitted written comments to the council.

The next speaker represented a religious coalition and indicated that she protested last year's budget and identified the damage that occurred as a result. This year's budget is not as bad, but we need a 20% increase, not a cut or stabilization. How we fund our programs says something about what we value. The council has the power to decide what trade-offs are made. Cutting the transit budget has a theological impact. God has a preferential option for the poor. If we did that the same way, it would mean liberation of the poor. No one is free until everyone is free. This is a small way where you can make a change and bring us all closer to freedom.

The next speaker indicated how important it is to have workers who can arrive on time and safely to their jobs, how important it is to have customers who can get to businesses to shop, how important it is to be able to get to our airport, etc. We need to have everyone have access to adequate transport. We need to restore the hours of service that were cut last year.

The next speaker wanted to address the water budget. The cost of service study done earlier in support of the bond issue. We ended up adopting a water rate that did not meet the cost of service study. Are we going to try to get back on track? I would like for you to do that before this coming January. There is an unaccounted-for water storage issue. There is a wrong fire service calculation based on the ISO rating that is actually in place. It takes more than fire hydrants to fight fires. Maybe we don't need a 3% rate increase this year even though it was earlier stated that it needed to be 3 - 3 - 2 over 4 years. Some numbers don't add up and need to be reconciled. Finally, the Water and Light Advisory Board needs important training since they are dealing with some pretty big enterprises in this town. I think you need to work that into the budget.

The next speaker said she was here to support public transit and oppose cuts that are unfairly borne by poor people and senior citizens. We do not impose a fee for parking at the airport to help augment funding for the bus systems. The speaker doesn't think a parking fee would deter people from flying out of Columbia Regional airport.

The next speaker said there are some dreadful disparities here in this city. As we think about what we are doing, what would happen if we considered what would happen if we DID fund our transit services.



Can we go anywhere else and NOT pay a parking fee? When people can ride, they can buy things at stores and they can be active in the community. These are not just people wanting a handout. If we spend money on people, that money will come back to us. But, we have to invest on the frontline. Look at the budget differently this year. It will make us all richer in many different ways.

Thomas thanked the city manager for creating a sustainable budget. He noted that we have heard from many people who want a more robust public transit service. It helps us with our climate action plan and vision zero plan. If the bus comes close to where you live and want to go, more people will use it. If we can assemble a task force about how to achieve all of our big goals, I think that would be great, but that group should hold a big symposium and show how all of these goals work together. I think we should double our transit budget over the next five years, and I support that goal. That's 20% each year for five years. There are a number of ways to do that. This year, I will propose an amendment to impose a parking fee at the airport. He thinks a pay and display method would work and it should be a \$3 per day fee and that could raise a quarter of a million dollars a year. I think we should take money out of the airport budget and let them make up the cut from parking fees over time. I also want to discuss how we approach this over time and not just this year.

Peters asked if we already had a big study about public transit, didn't we already do this or am I wrong. Thomas said that there was one consult, but the old loop system came from city staff. The Olsen study said the Wabash system was recommended by the consultant, but we never implemented the flex system. I also think we should add back in the last hour of service that was cut last year. The city manager said that citizens didn't like the hub and spoke system, so we changed it to a loop and citizens didn't like that either so they keep changing back and forth.

**B234-19** Amending Chapter 5 and Chapter 11 of the City Code as it relates to Public Health and Human Services Department fees.

(Action: STAFF REPORT ONLY. NO DISCUSSION OCCURRED ON THIS ITEM.)

Annually, as part of the budget process, staff reviews current fees and recommends adjustments based on the cost of services. Fee increases proposed for FY 2020 meet the Council Objective of increasing the costs recovered for the provision of services.

The following fees are proposed effective October 1, 2019:

1. Increasing impoundment fees from \$25 to \$35
2. Increasing boarding fees from \$15 to \$20, per night
3. Increasing the fee to implant microchips from \$10 to \$15
4. Increasing the fee to spay or neuter an animal from \$75 to \$100
5. Increasing annual permit fee for owning a dangerous or aggressive animal from \$275 to \$300
6. Increasing annual inspection fees for food establishments based on annual gross receipts.
  - Annual Gross Receipts less than \$250,000.00 from \$205 to \$220
  - Annual Gross Receipts of \$250,000.00 - \$750,000.00 from \$285 to \$305
  - Annual Gross Receipts more than \$750,000.00 from \$530 to \$570
7. Increasing fees for persons conducting a temporary food event (an event lasting less than fifteen (15) days).
  - One to three-day event from \$35 to \$40
  - Four to fourteen-day event from \$65 to \$70
8. Increasing food establishment plan review fees.
  - Facilities classified as low risk from \$130 to \$140
  - Facilities classified as medium risk from \$200 to \$215
  - Facilities classified as high risk from \$400 to \$430

9. Increasing annual inspection fees for tattoo establishments from \$150 to \$165
10. Increasing annual inspection fees for aquatic facility inspections
  - Annual operating fees from \$400 to \$430
  - Seasonal operating fees from \$250 to \$270
11. Increasing annual inspection fees for junkyards
  - Annual gross sales of \$25,000 or less from \$100 to \$110
  - Annual gross sales of greater than \$25,000 from \$150 to \$160

**B235-19** Amending Chapter 12A of the City Code as it relates to stormwater utility charges.

(Action: STAFF REPORT ONLY. NO DISCUSSION OCCURRED ON THIS ITEM.)

Chapter 12A of the City Code governs the fees paid by citizens for the Stormwater Utility.

Missouri state law requires that storm water fees be decided by voters. This increase is the last of five Stormwater Utility rate increases approved by voters in April 2015.

This ordinance would increase each of the five categories of storm water fees in Section 12A148 by approximately 20%, as follows:

1. Increase the charge for multiple-family buildings having more than four units and single-family residences having a main floor area less than 750 sq. ft. from \$1.59 per month to \$1.90 per month.
2. Increase the charge for multiple-family buildings having four units or less, mobile homes and single-family residences having a main floor area from 750 sq. ft. to 1,250 sq. ft. from \$2.08 per month to \$2.49 per month.
3. Increase the charge for single-family residences having a main floor area from 1,251 sq. ft. to 2,000 sq. ft. from \$2.81 per month to \$3.37 per month.
4. Increase the charge for single-family residences having a main floor area more than 2,000 sq. ft. from \$3.30 per month to \$3.96 per month.
5. Increase the charge for all non-residential uses of developed land from \$9.77 or \$0.098 per 100 square feet of impervious area, whichever is greater to \$11.72 or \$0.117 per 100 square feet of impervious area, whichever is greater.

**B236-19** Amending Chapter 17 of the City Code as it relates to Parks and Recreation fees.

(Action: STAFF REPORT ONLY. NO DISCUSSION OCCURRED ON THIS ITEM.)

As part of the FY 2020 budget process, the Parks and Recreation Department evaluated existing fees and is proposing some fee increases for various recreation programs and rental facilities. The proposed fee changes are based on market research, recovery goals, and internal staff review; and if approved, are expected to generate an additional \$90,000/year in revenue for the Recreation Services Fund. The Department's philosophy is to periodically increase fees at small amounts instead of waiting several years for a large increase. The fee increases are needed to either reach or maintain established program recovery goals. The Department also increased the scholarship program from \$65,000 to \$70,000 in FY-2020 with funds coming from the 2015 Park Sales Tax.

Fee increases are proposed in the following areas: indoor/outdoor shelter reservations, park special use permits, garden spots, group swim lessons, adapted recreation, outdoor aquatic facility admissions, and golf.

1. Increase rental fee for all shelters by \$5.00 per use
2. Establish a fee for MU Pavilion at Clary Shy Park at a rate of \$230 per half day (does not include table and chair rental.)



3. Increase full day Saturday rental at Reichmann Pavilion from \$595 to \$650 for a full day rental. Three-day Wedding Weekend rentals have also been increased accordingly with higher fees during high wedding demand times in Spring and Summer and lower rates in Winter months.

4. Increase Special Use Permits from \$40 to \$45

5. Increase group swim lesson fees from \$48 to \$52 per season

6. Increase Adapted Sports Participation Recreation fee from \$15 to \$17.50 (This increase only captures 21% of actual program cost.)

7. Increase daily pool admission fees from \$2.75 to \$3.00

8. Increase 18-hole golf green fees from \$20 to \$22

9. Increase cart rental fees from \$14 to \$16

10. Increase day camp (Camp CoMo Kidz) fees from \$120 to \$125

The listed fee increases are expected to generate an additional \$90,000/year in revenue for Recreation Services Fund. The proposed increase in revenue is included in the FY 2020 budget.

**B237-19** Amending Chapter 29 of the City Code as it relates to planning and zoning processing fees.

(Action: STAFF REPORT ONLY. NO DISCUSSION OCCURRED ON THIS ITEM.)

This review identified that no fees have been formally codified within the fee schedule to offset expenditures associated with preparation of zoning review letters and the processing of Board of Adjustment applications. The attached fee schedule amendment requests that fees, consistent with peer cities, be adopted and codified as part of the UDC fee schedule.

Increase zoning review letter fee from \$50 to \$75 and officially incorporated into the code

Increase Board of Adjustment application fee from \$0 to \$250 (Refundable \$150 advertising fee also)

Research indicates the proposed fees are not inconsistent with peer cities offering similar services. It is believed the fees proposed are reasonable and will assist in off-setting the Planning and Zoning Division's impact on the General Fund.

**(The following two items are being considered in tandem.)**

**PH37-19** Proposed construction of the Kiwanis Park improvement project to include renovating the Talbert Thurston Shelter, resurfacing the parking lot and driveway, constructing an ADA walkway from the parking lot to the shelter, replacing existing lighting with LED lights and other miscellaneous improvements.

[See B218-19/Mayor Memo]

(Action: The proposed improvements at the park focus on park amenities located at the Maplewood Drive entrance, including renovations to the Talbert Thurston Shelter, parking and driveway improvements, LED lighting improvements, ADA walkway improvements, and other miscellaneous park improvements. The total project budget is \$125,000 and is one of the projects identified and funded by the 2015 Park Sales Tax.

The 20-acre Kiwanis Park has two park entrances located at 926 College Park Drive and 1001 Maplewood Drive and includes a 0.9-mile natural surface trail system, two medium-sized park shelters (Odor and Thurston Shelters), two parking lots, and a restroom on the west side of the park. Improvements at the park are scheduled to begin fall 2019, with an anticipated completion date of spring 2020.

There were several requests for a restroom near the Thurston Shelter and it is shown on the master plan but is not funded at this time. Some neighbors were opposed to a future playground, explaining that the school playground provides that amenity. However, customers prefer a shelter close to a playground where they can watch their children play. To make the Russell Elementary School Playground visible from the shelter would require significant brush and tree removal. The playground is currently unfunded at this time, but it may become a project of a local civic group.

Peters asked how they will make future improvements and if the clubs will help fund this. Staff said future improvements would be added to future ballot issues.

The first speaker noted that he was a Kiwanis member for many years and that this is an important park with important programs. With Kiwanis, the kids come first. We want kids to become lifelong learners and this park helps us achieve such goals. You should know that there was a young lady who is pursuing her Eagle Scout badge and this is her project, so let's help her out. She asked us to buy her a post hole digger to help her achieve her mission.

The next speaker indicated that this is one of our natural parks. It should stay that way to the extent possible. Instead of spending money on a playground, why not keep the old forest intact and send the money on maintaining that green space instead of playground.

The next speaker wanted to know about park construction on restrooms and will that all be cleaned up? Staff said yes it would be.

The public hearing was closed.

Ruffin asked how the work of the Scout was integrated into this project. Staff said that she will mark all trails and make the signage. The city will do the other parts of the project.

**See next item for final vote.)**

**B218-19** Approving a revised Kiwanis Park Master Plan; authorizing construction of the Kiwanis Park improvement project to include renovating the Talbert Thurston Shelter, resurfacing the parking lot and driveway, constructing an ADA walkway from the parking lot to the shelter, replacing existing lighting with LED lights and other miscellaneous improvements; calling for bids through the Purchasing Division for a portion of the project.

**(Action: A motion to approve the project as presented passed unanimously.)**

**PH38-19** Proposed construction of improvements to the solid waste collection site located at 912 E. Walnut Street.

(Action: The Solid Waste Utility is requesting to make site improvements on the property at 912 East Walnut, previously acquired for a solid waste collection site. This location is consistent with the Downtown CID Compactor location plan adopted in April 2018. These improvements allow for installation of refuse and recycling collection facilities. Site improvements include:

- Removal of approximately 480 square feet of existing asphalt pavement.
- Installation of approximately 480 square feet of concrete pavement.
- Installation of an electric service for the compactor.
- Installation of a fence to restrict vehicular access on the property and improve the

- appearance of the property.

The estimated cost for the improvements is \$12,000.00 and will be paid using Solid Waste funds appropriated for the purchase of the property and the improvements. Additionally, staff proposes to schedule a future work session to discuss with Council the process and options for the use of the portion of the property not needed for solid waste purposes.

Trapp said he thought that all we originally wanted was the parking lot, but we bought the whole thing because we couldn't negotiate it another way. Staff said that waste rate payers will pay for these improvements but that future expenditures will be figured out and allocated appropriately. The Mayor asked if the current buildings were occupied and staff said they were. Questions were raised about the plats and potential replatting. Staff said they could not determine that yet. Pitzer asked what the parking lot was currently used for. Staff said it was not for parking, it will be used for a compactor and solid waste storage.

The chair of the Historic Preservation Commission appeared and indicated that they have looked at this building. Their concern is the placement of the fence that would be required. There are three tenants who live there. It is affordable. She talked to the tenants. She believes that if you cut off parking here you will inhibit the long-term likelihood of this building used as affordable housing. One of the tenants currently parks in a city garage. Try to figure out another way to work out allowing some parking to remain on-site. We would also like to show you the house. It has already survived a tornado in the 1920's. Let's not accelerate its demise. Ruffin asked if this has always been residential. The speaker said that it was a rooming house for a while and it may have been an insurance agency for a while, but there is an address discrepancy. The parking that did exist there was leased and was not always available to the tenants of the building. It was whoever downtown wanted to use it.

The public hearing was closed.

Pitzer said he thought it would be good to keep at least one parking space there. Staff said that maybe they could keep one, but no more than that because of the location of the electrical box.

Trapp said this is a part of a much bigger plan and it has been well-thought out. We didn't work out our downtown solid waste well in the past and this is a good step forward. I think we should adopt the plan. **A motion to approve was made and passed unanimously.)**

#### **OLD BUSINESS**

**PR118-19** Establishing revised guidelines for the City of Columbia Police and Fire Pension Statement of Investment Policy.

(Action: The Police and Firefighters' Pension Plan boards at their June 14, 2019 meetings voted to recommend that council adopt a revised Statement of Investment Policy. This revision changes plan asset allocation slightly and includes language consistent with Chapter 18 of the City Code of Ordinances and state statutes.

**The motion to approve passed unanimously.)**

**B211-19** Authorizing the issuance of Sewerage System Refunding Revenue Bonds, Series 2019; and prescribing other matters relating thereto.

(Action: This ordinance authorizes the issuance of sewerage system refunding revenue bonds, series 2019. The issuance of the 2019 Sewer Revenue Bonds will be used to do a current refunding of the \$10,405,000 outstanding principal amount of the 2009 Sewerage System Revenue Bonds (Build America

Bonds – Direct Subsidy) and pay costs of issuance. This current refunding is estimated to save the City approximately \$948,000 over the next fifteen years. This is a private placement bond deal.

The mayor asked how citizens ever really see the savings over time. Staff indicated that over time rates are not adjusted upward as frequently. The Mayor asked how staff could guarantee that? Staff said it frees up other funds so it should exhibit itself in the budget process.

**A motion to set the final interest rate and approve the bond sale was made and approved as amended to reflect the new rate.)**

**B212-19** Changing the uses allowed within the "Shapira Clinic" O-P Development Plan located southwest of the intersection of College Avenue and Rogers Street (411 N. College Avenue); approving a revised statement of intent (Case No. 153-2019).

(Action: This request would revise the Statement of Intent (SOI) governing uses on the .3-acre property to include the addition of "medical marijuana dispensary" as a permitted use. Presently, the site allows all office uses per the 1987 Planned Office (O-P) zoning classification. The existing dental office building and 18 parking spots were approved via the Schapira Clinic Final O-P Development Plan in 1988. This proposed amendment will not alter any site design or development features on the property – the amendment only addresses permitted uses.

When evaluating the applicability of the proposed additional use for this site, staff evaluated the surrounding land uses and zoning, the uses permitted under the existing SOI, and the Columbia Imagined Comprehensive Plan Land Use Designation as well as new rules relating to the operation and location of a medical marijuana dispensary. All the property immediately adjacent to the subject site to the south and west is zoned R-MF (Multiple-family Dwelling District). Property to the east across College Avenue is also zoned R-MF and is included in the Benton-Stephens Overlay District.

Across Rogers Street and Park Avenue to the north and west is M-N (Mixed use - Neighborhood) zoned property. Further to the north, northwest and west are commercial and industrial uses and zones, including the North Arts Village District to the far west. While Columbia Imagined identifies nodal intersections such as the intersection of Rogers and College as locations to provide neighborhood-level mixed uses, such nodal locations are typically achieved by the M-OF (Mixed-use Office) or M-N (Mixed-use Neighborhood) districts. Each district allows for neighborhood-level commercial and employment as well as softer land use transitions when adjacent to residential areas.

A medical marijuana dispensary use is only permitted in the M-DT (Mixed use- Downtown), MC (Mixed-use Corridor) and IG (Industrial) districts. These districts support uses that are of a higher intensity and on typically larger lots with additional land use buffers and transitions from residential neighborhoods. Staff acknowledges that the existing planned zoning for the subject site inherently controls the size and scale of all permitted uses allowed upon it; however, would be unlikely to support rezoning of this property to a zone which would permit the medical marijuana use "by right, regardless of possible size limitations. As such, the addition of this use to the planned district SOI is also not supportable. This conclusion is arrived at based on the belief that addition of the proposed use would actually be an "upzoning" of the property, if only by one use.

The Planning and Zoning Commission considered this request at their July 18, 2019 meeting. Staff was asked to summarize the public feedback, which included some support for the location for patients living in the area and concern by one resident of negative impacts to the neighborhood. No members of the public spoke during the public meeting. After discussion, a motion to approve the PD plan

amendment resulted in a tie vote (4-4). Pursuant to the Planning Commission's Rules of Procedure a tie vote is equal to "no recommendation".

The Mayor noted that the deadline to apply for a state license was 4:30 today and wanted to know how they handled this. Staff said he did not know. The Mayor asked if staff thought this was just speculative. Staff did not know. The Mayor also clarified that medical marijuana dispensaries can be located in Planned zoning and staff confirmed that they can, and they have, approved at least one other.

The hearing was opened and an engineer appeared on behalf of the project. He noted the current uses on the site and noted that they are asking for no new construction, no new parking and that what they are asking for is a lesser intensity use than some other uses already allowed. We are only asking to add one. We could ask for a complete zoning change, but that would open the site to additional unwanted uses so they are staying within the current Planned designation. He stated he did not know if they had made an application to the state before the deadline. He confirmed that the use was as a dental office, which is medical in nature.

There were no further questions.

**A motion to approve was made and passed unanimously.)**

**THE AGENDA WAS CHANGED AT THIS POINT TO ACCEPT A MESSAGE FROM THE MAYOR OF JEFFERSON CITY – CARRIE TERGIN.**

(Action: She indicated that she appreciated the help and professional services that had been rendered to her city by the City of Columbia after the recent tornado. She presented the council with a proclamation of appreciation for their help and advised everyone who hears this message to heed the public safety warnings, have an emergency plan in place, and never become complacent. She thanked the council and the city.

The Mayor further explained that our city manager, public safety and airport operations were involved in a quick response to help our neighboring city.

The first speaker on the next issue was asked to take a picture of the two mayors exchanging the plaque of appreciation.)

**B215-19** Authorizing a first amendment to development agreement with THM Construction, LLC to permit the relocation of a 69-kV electric transmission line on Lot 3 within the Final Plat of Westbury Village located on the northwest corner of Scott Boulevard and the southwest corner of Smith Drive (Case No. 177-2019).

(Action: Approval of the attached ordinance would authorize the City Manager to execute an Amendment to the Development Agreement for Westbury Village that would permit the relocation of a 69 KV electric transmission line which traverses through the middle of Lot 3, located at the southwest corner of Smith Drive and Scott Boulevard. The relocation project would move the existing transmission line closer to Smith Drive away from the middle of Lot 3. The relocation would increase the area of Lot 3 that could be improved with a permanent structure as permanent structures cannot be located within dedicated utility easements.

The Developer, THM Construction, at its own costs, would install and pay for all improvements and services associated with the project in accordance with the requirements of the Utilities Department. The proposed amendment would revise the existing development as follows:

1. Creation of a new subsection in the Development Agreement setting terms for the relocation of the 69 KV transmission line project, assigning responsibility for installation and costs to developer, and the dedication of easements on the site.
2. Incorporate the Transmission Line Relocation Plans as an exhibit of the Development Agreement. The proposed Amendment will not affect the zoning entitlement or plats already approved for the project site.

The requested relocation has been reviewed by the Utilities Department. No technical issues have been identified that would preclude the requested relocation from occurring. Prior to any work beginning on the requested relocation, authorization from Midcontinent Independent System Operator's (MISO) would need to be obtained. The proposed relocation plans will be submitted by the Utilities Department should this amendment be authorized.

City legal staff indicated that this was really a staff error and should have been included in the original development agreement and it should have been on the consent agenda or in the original agreement since this was always contemplated.

An engineer appeared on behalf of the project and noted that the old line followed the path of the old road. This simply corrects that alignment, buries some other distribution lines and cleans up the entire site. He agreed that this should have been included from the beginning and that it was simply an oversight. Peters indicated that she believed that there should be some detention basin in this area. The engineer explained the location of the detention approved in the current plan and it is on the north side of Smith Drive.

The next speaker appeared and wanted to connect the dots. He said that in the water department it was common for the city to pay for the variation in cost if pipes were upsized. He asked if the city would consider upgrading the 69kV lines to 161 kV and paying the difference. There was no response from staff.

**A motion to approve passed unanimously.)**

**B217-19** Establishing an administrative delay in the requirement to obtain a permit to operate a sidewalk café in the Downtown Community Improvement District.

(Action: At the July 15th City Council meeting, staff was requested to prepare an ordinance to establish an administrative delay in the requirement to obtain a permit to operate sidewalk cafés within the Downtown Community Improvement District. This request was in response to communication received from the Downtown CID for the council to further study the impact of such regulations.

Peters asked what they are supposed to learn from delaying this? Do they learn if they get grandfathered in or what? Staff said he attended a CID meeting and listened to people who were light users of sidewalk tables and were put out over the current ordinance and had more questions. Staff said they will continue to allow such uses for now but at this time they won't require a fee and permit. Other new restaurants could apply and it will be done administratively. We will come back in January and make new recommendations after we have additional meetings with downtown business owners.

**The motion to approve the moratorium passed 6 to 1 with Peters voting NO.)**

**B219-19** Authorizing a downtown street lighting replacement agreement with the Downtown Community Improvement District; amending the FY 2019 Annual Budget by appropriating funds.



(Action: The City of Columbia and the Downtown Community Improvement District (CID) have developed a partnership for the replacement of streetlights in downtown Columbia. Capital Improvement project E0180 has been established for the replacement of streetlights located in downtown Columbia. The new streetlights will include an advanced photocell controller attached to the luminaire on the lower sidewalk arm with the ability to be dimmed and brightened on a separate schedule from the upper street side luminaire.

The CID has offered to cover the cost associated with the advanced photocell controllers for the project, up to \$30,000 as mentioned in their letter of support presented at the Public Hearing. Staff recommends authorizing the City Manager to execute a Downtown Streetlighting Replacement Agreement with the Downtown Community Improvement District and the appropriation of \$30,000 to E0180. Peters asked about the time frame on this project. Staff said they are working with centralized timing switches and are trying to separate them from the other banks of downtown lights. He believes that they will have to work through that first, then come back here later this fall to complete the project. Staff explained that these lights need to have a power source 24 hours a day to operate correctly. Peters asked where they will be located. Staff indicated that the first group will be located primarily along Broadway.

The Mayor asked how much funding has already been spent and how many lights have we replaced. Staff said that they have received a total of \$400,000 and that they have replaced six lights in four years, but have also spent money on alley lighting, potential undergrounding of utilities etc. They have spent about \$25,000 to do the first six lights. The next 100 lights will cost about \$30,000. It would take about a year to replace the next 300 downtown lights and then all the money would be gone. The Mayor said that there are some Smart Cities programs that include new lights, street signs, WiFi, digital upgrades and that the private company can recoup its up-front investment and we partner with them. Staff indicated that there are some energy savings programs that they can work on. The Mayor said it may include some digital signage etc. Skala said he thought it sounded like a possibility. The Mayor said he would like to pursue some sort of program and asked staff to look into it.

No public comment was received.

**The motion was approved unanimously.)**

**B230-19 Amending Chapter 13 of the City Code to add a new Article XIII establishing medical marijuana business licensing regulations.**

(Action: The proposed amendment to Chapter 13 will add a new Article XIII to provide for the regulation of business license provisions for the cultivation, manufacturing, dispensing, selling, or testing of medical marijuana within the City of Columbia corporate limits as authorized by law. The ordinance is not intended to repeal, abrogate, annul or in any way interfere with existing provisions of other laws or ordinances.

All marijuana facility types will require a license, however, some facility types may include additional requirements. The following are some of the key provisions of the new rules as proposed:

- All applicants must be of good character and have lived in the state for at least one year prior to application.
- No license shall be granted or retained under this article for a medical marijuana facility if the applicant has not submitted, received, or maintained an approved security plan, operation and management plan, and emergency response plan in accordance with this article.
- Applicants must disclose all partners and whether they have been convicted of violations of any other medical marijuana laws.

- Applicants must have a state license to operate.
- An application fee to \$2,000 will be charged, plus the cost of running a background check.
- Applicants must show that they have the right to conduct business in a specific location in compliance with all state and local laws.

For dispensary facilities:

- The business services administrator will accept applications for the initial issuance of medical marijuana dispensary facility licenses under this article for a two (2) week period beginning on October 1, 2019 and ending at 5:00 pm on October 15, 2019. An applicant for consideration of issuance of an initial medical marijuana dispensary facility license issued by the city must submit a complete application during the identified two (2) week period. An application must satisfy the requirements of this article to be considered complete. The business services administrator shall review all applications within sixty (60) days after the close of the initial application filing period.
- Applications must show all scores issued by the Missouri DHSS in evaluating its state license.
- In addition to the core application requirements, an applicant may submit supplemental information upon which the business services administrator may award bonus points to be used in connection with determining the order in which medical marijuana dispensary facility licenses will be issued. After reviewing completed applications, the business services administrator will assess bonus points to each completed application based on following criteria:
  - (1) An application that complies with section 13-429 shall be assessed ten (10) bonus points.
  - (2) An application from a government certified minority business enterprise, women business enterprise, service-disabled veteran business enterprise, or veteran-owned small business shall be assessed five (5) bonus points. For every ten percent (10%) ownership share above fifty percent (50%) held by a minority as defined under section 37.013, RSMo., woman, or veteran the application shall receive one (1) additional bonus point. A single individual may not qualify for points under more than one qualifying criteria. An application is eligible to receive a total of ten (10) bonus points for this criterion.
  - (3) An application for a dispensary located two (2) miles or more when measured from property line to property line from 701 E. Broadway, Columbia, Missouri 65201 shall be assessed ten (10) bonus points. Any facility that is located one and one-half (1½) miles or more when measured from property line to property line from 701 E. Broadway, Columbia, Missouri 65201 shall be assessed five (5) bonus points.
  - (4) An applicant who has resided within the corporate limits of the city of Columbia for a minimum of three (3) consecutive years immediately preceding the date of the application shall be defined as a "local owner" for purposes of this subsection. An application that includes at least one (1) local owner with a minimum of ten percent (10%) ownership interest shall be assessed one (1) bonus point. For every ten percent (10%) ownership share held by a local owner who has at least a ten percent (10%) ownership interest, the application shall receive one (1) additional bonus point. An application is eligible to receive a maximum of ten (10) bonus points for this criterion.
  - (5) An application that contains a written cultural competency plan that describes how the facility will ensure services are provided effectively to people of all cultures, races, ethnic backgrounds and religions in a manner that recognizes, values, affirms and respects the worth of the individual and protects and preserves the dignity of each, shall be assessed ten (10) bonus points.

For the license year January 1, 2020 to December 31, 2020, the business services administrator shall issue a maximum of seven (7) initial medical marijuana dispensary facility licenses. In the event more

than seven (7) applications are received, the business services administrator shall issue the licenses based on the point system to the seven (7) initial applicants with the highest number of points.

If one or more applicants have the same total points using the point system, the business services administrator shall utilize the scores issued by DHSS to determine the priority rank for the applicants who have the same points.

If one or more applicants have the same total points after using both of the processes set forth in sections 13-431(1) and 13-431(2), then the business services administrator shall hold a random lottery between the remaining tied complete applications to award the remaining licenses.

Hours of operation for a medical marijuana dispensary facility shall be between the hours of 6:00 a.m. and 10:00 p.m., irrespective of what zoning district such facility may be located within. Medical marijuana dispensary facilities are prohibited from having hours of operation between 10:01 p.m. and 5:59 a.m.

When a license under this article is denied, the business services administrator shall notify the applicant, in writing, of such denial. The applicant may appeal the denial to the marijuana facility license review board by delivering a written notice of appeal to the director of finance with a copy to the business services administrator. The notice of appeal must be filed with the director no later than ten (10) business days after the applicant received the letter of denial.

Other general rules of operation include; no consumption of alcohol or marijuana on the premises; no fighting and a requirement to report any illegal activity; no underage use or sale; and no underage employment. Penalties for violation of the rules range from 30 days in jail and fines ranging from \$500 to \$1000 for individuals; \$10,000 to \$50,000 for corporations or partnerships; and civil actions up to \$50,000 in court actions.

Legal staff noted that this weekend, more than 800 new applications had been received at the state level and that the city of Columbia does not know how many of those are from here. There were at least 2,100 total applications, and the state will update statistics soon.

The Mayor noted that this framework will allow us to help sort out the applications we receive for dispensaries. Growing and processing facilities are not included in the cap. Staff confirmed that. Skala stated that the scoring system included a rule about awarding points for distance away from city hall by one and a half mile or two miles. Staff said that they want to encourage dispersion and that without having an anchor location it is impossible to determine which is the first dispensary and measurement between facilities, so this made some sense. Right now, the staff believes there were 30 applications for P&Z zoning clarifications and 4 of those were in the downtown area. Peters asked if more dispensaries could be licensed by the state in the future. Staff said he could not know that, but that it would require a rule change. Staff further explained that we are limiting the number of dispensaries on a citywide basis. Our rules are a little friendlier than the state in terms of population. The state application awards bonus points for geographic dispersion as well.

Pitzer asked about transferring an ownership license and that if new partners are added or if the business is sold it would result in the forfeiture of the license and would require reapplication. Pitzer asked if you can't pass the license from parents to kids. Staff said that is correct and they think that is the same thing at the state level. Pitzer asked if they thought about selling the business and that

someone could sell the business then lose the license for non-performance, even if they complied with the initial requirements, but not some of the requirements. Staff said the change in ownership results in forfeiture even if they meet other requirements. Pitzer then asked about the window for application. Staff said we have a two-week window for application. Then we have 45 days to review. If the state has not yet issued licenses, we can extend that time period and we don't believe there is any magic to this number and we could entertain a change in this part of the rule. We are trying to NOT delay the process. We believe that the state will issue licenses all at once and that they want to issue cultivation licenses first then dispensary licenses at the end. Pitzer asked if we had to issue licenses on January 1. Why not February 1? The staff said they want it to be a reasonable amount of time. We know people want access to medical marijuana so we are not trying to mess this up.

The Mayor asked about an LLC ownership. If the members of an LLC changed, would that result in forfeiture of a license? Technically, the ownership would not change, but the members of the LLC would. Staff clarified that if it is an LLC it is all members and managers of the application. If it is a single person or partnership, then it is major directors. What about the insertion of a management company? Staff said that would be a contractual relationship and that would be allowed. The Mayor said that he could see a company doing well or poorly. The current local owners want to sell to a bigger outside company and get out of the business for a profit, but the rule would not allow such a sale. The Mayor asked if that protects the interests of the city? Staff said they thought it would and that notification of changes in ownership should occur immediately as well as yearly. The Mayor asked why we make people apply for a local license before the state has awarded a state license. How do we justify that? Staff said we know that the universe for state applications is now closed for the first round. Our requirements are very similar. We feel like it is not an undue burden to go ahead and apply for a local license so we would not be the delay. What about the making people who don't get a state license go ahead and pay us a \$2,000 license application fee. Staff said they think some people will ask for the fee to be refundable.

The public hearing was opened.

The first speaker said that no one will know by October 1 whether they have a state license or not. That will happen later in the year. The speaker said he thought that making 40 or 50 people pay a \$2,000 plus fee up front and why during some certain window. He did not think it was the city's role to limit that time and that any fee should either be refunded or not demanded until licensed. He thought that parts of the local ordinance might be deemed to be unconstitutional. He thought that the parts that were similar to the state law might be OK. The speaker then indicated that the one-mile two-mile rule will not insure dispersion, it will simply prevent any dispensaries being located downtown. We discussed this earlier this summer and the prohibition is unwarranted. He also thought the police should not be allowed to add security measures at any time during the process and that they should be spelled out.

The Mayor asked the speaker if he was acting as a lawyer or a lobbyist? The speaker indicated that he is not receiving money for his advice and that he is speaking on his own behalf. The Mayor pressed the speaker about how they could submit a license without knowing if they have a valid address? The speaker said they could submit and give due consideration to all elements of qualification. He then indicated that he thought the window of time should be lengthened or eliminated and that there should be no cap on the number of licenses granted. He thinks if the state approves nine licenses in Columbia, all nine should be allowed to open.

The Mayor asked the speaker if he disagreed with the scoring criteria. The speaker said those rules only come into play if the state issues more than seven licenses. He thinks there won't be that many granted.

But if they are, all of them should be approved by the city and if you deny some through your process there will be litigation.

The Mayor asked about liquor licenses in the city county and state. Is this any different? Staff did not know how liquor license requirements compared. Peters asked the speaker if he thought most people who want medical marijuana live downtown? The speaker said there are more people downtown, so maybe. Peters said that some places had better parking than downtown and she liked the dispersal. The speaker said this didn't do that. Why not just say you could have one in each ward? That would work better, but we don't need any of these rules and rely on the state licensing. We also don't need the window for application. It takes four months to grow a crop of marijuana and it has to be grown in Missouri. So, why waste the staff time reviewing applications that will never be granted by the state. Wouldn't it be better to have a window but move it to a more reasonable time like in January?

There were no further speakers.

Council discussed procedure. Peters said she thought we ought to just wait until somebody gets a state license, then process that one rather than wade through a bunch of applications that will never really happen. The Mayor said they all think this is a gold rush. Why not wait until the state issues a license, then go from there? It seems like we will add to the burden to open the window before the staff acts.

Maybe we should wait and do this after the budget hearings if we think we are going to delay or eliminate the window. Peters suggested that we change the rule and say you have two weeks after you have a state license to apply for a local license. Staff said that could work, but we need a regulatory framework. We need something definitive, even if it is December 15 or something like that. What if we are the delay on improving a building? Staff suggested amending the window rule to December 1. Then, as we go forward, we could further extend the window if we get information from the state that makes us need to change.

Right now, we are already getting people submitting pre-application security plans and our number one question is when will you issue a local license? Peters said to tell them we will issue a license when they get their state license. Staff said to remember that there are various categories and that growing facilities will probably get licensed first. Peters said to take this back and rewrite it. After the state issues a license, you have 21 days to submit an application. Skala said he wants to wait until the state issues a license, then the city has 60 days to process the application.

The cultivation licenses and processing licenses don't have the same kinds of windows and scoring rules. Staff suggested an amendment to the timer period for a medical marijuana dispensary so that the city will accept applications for a period of 21 days after the state has issued a dispensary license. All applications must satisfy this requirement to be considered complete and add a sentence that the license will be issued within 60 days and may be extended for 30 days after December 31 for good cause shown.

**The amendment was made and was approved unanimously.**

Regarding the scoring criteria, the ward idea won't work because three wards come together downtown. The one-mile/two-mile rule may not be a good idea either. Pitzer thought that the zoning rules have already dealt with dispersion since we already can't have facilities next to churches, schools, etc. The Mayor also worried that our criteria may not coincide with the good state rules that exist, or will it all just be cookie-cutter? If we eliminate the local rules, then we don't have the two-mile rule, but

we also don't award bonus points for local ownership, minority involvement, etc. Peters asked if two could be located next door to each other downtown. Staff said yes, if they met the zoning rules. Pitzer said he didn't like the two-mile radius rule. Just take that out. You could leave some of the other rules in. Thomas thought that we don't do this with other businesses and he thought the marketplace would take care of itself.

Is this an effort to avoid poor parts of town? The Mayor said he thought this could result in a conglomeration like payday loan stores. Thomas asked the mayor if he was equating medical marijuana with payday loan stores? The Mayor said NO. Then they brought up bars and noted that they exist right next door to each other. Again, the question was, do you think bars are like medical marijuana? No, but bars can get rowdy. Thomas asked, "what's wrong with that?" The Mayor said it was part of the goal to get some of this out of downtown. He wants this to be better than vape shops. Ruffin thought there should be some social equity reflected in our rules.

Skala thought this was all over-engineered or maybe just simplify the distance rule to two miles and 5 points. **An amendment was made to that effect.**  
**The amendment was defeated.**

**An amendment to eliminate the distance rule altogether was made.**  
**That amendment was defeated.**

No further amendments were made.

Pitzer again said he thought this was over-engineered and admitted that this was a big unknown. The Mayor asked what if all the companies that get a state license are national companies? Then that's who would get a license here unless there are more than 7.

**A motion to approve the ordinance as amended passed 6 to 1 with Pitzer voting NO.**

#### **CONSENT AGENDA**

**(All items remaining on Consent Agenda approved unanimously.)**

**B210-19** Appointing John Glascock as City Manager for the City of Columbia; authorizing an employment agreement.

(Notes: This ordinance would authorize the Mayor to execute an employment agreement with Mr. Glascock to establish the terms and conditions of appointment. The agreement provides for an annual base salary of \$180,000. It also provides for employee benefits consistent with all department heads employed by the City. The agreement does not require the City to make any type of severance payment in the event of termination; however, it allows the Council to provide up to three (3) months' separation pay if warranted by the circumstances at the time of separation. The appointment will become effective upon Mr. Glascock establishing residency within the corporate limits of the city.

**B213-19** Rezoning property located on the south side of Ash Street and west of Greenwood Avenue (906 W. Ash Street) from District R-2 (Two-Family Dwelling District) to District PD (Planned District); approving a statement of intent; approving the PD Plan for "Ash Street Community" (Case No. 154-2019). (Thomas indicated that he had had an ex-parte discussion with a developer regarding this request.)

**B214-19** Approving a major amendment to the "Spring Creek - Phase 2" C-P Development Plan located on the north side of Vawter School Road and east of Scott Boulevard; changing the uses allowed within



the Spring Creek - Phase 2 C-P Development Plan; authorizing a revised statement of intent (Case No. 158-2019).

**B216-19** Amending Chapter 14 of the City Code to establish permit parking in the municipal lot located on the south side of Walnut Street, between Tenth Street and Short Street.

**B220-19** Accepting conveyances for drainage and sewer purposes; accepting Stormwater Management/BMP Facilities Covenants.

**B221-19** Authorizing a cooperative agreement with the Missouri Department of Conservation for financial support of the community conservationist position within the Office of Sustainability.

**B222-19** Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission relating to air service promotion for the Columbia Regional Airport; amending the FY 2019 Annual Budget by appropriating funds.

**B223-19** Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission for aircraft rescue and firefighting training assistance at the Columbia Regional Airport.

**B224-19** Authorizing a road relinquishment agreement with the Missouri Highways and Transportation Commission for the conveyance of a portion of the relocated Route H as part of the project to extend Runway 2-20 at the Columbia Regional Airport.

**B225-19** Authorizing an environmental child-care sanitation inspections participation agreement with the Missouri Department of Health and Senior Services.

**B226-19** Authorizing Addendum #1 to the agreement with the Boone County Fire Protection District. (Note: Staff is requesting the City Council authorize Addendum #1 to the agreement with the Boone County Fire Protection District (hereinafter "BCFPD") to extend the expiration date to December 1, 2019 of the original agreement relating to a stay in the Declaratory Judgment Action litigation filed by BCFPD.)

**B227-19** Accepting a donation from United HealthCare as part of the "Well Deserved Award" program in recognition of the City's demonstrated commitment to employee worksite wellness; amending the FY 2019 Annual Budget by appropriating funds.

**B228-19** Amending Ordinance No. 023721 to rename the Molly Bowden Neighborhood Policing Center to the "Molly Thomas-Bowden Neighborhood Policing Center."

**B229-19** Amending Chapter 2 of the City Code relating to conflicts of interest and financial disclosure procedures.

**B231-19** Amending Chapter 18 of the City Code as it relates to the investment committee of the police and firefighter retirement boards.

**R119-19** Setting a public hearing: proposed safety improvements to the Columbia Terminal Railroad (COLT) crossing at Route B to include the installation of new concrete crossing surface panels, ties, rail and related track materials, roadway approach pavement and pavement markings.

**R120-19** Setting a public hearing: consider the 2020-2024 Consolidated Plan and FY 2020 Annual Action Plan for CDBG and HOME funds; establishing a comment period.

**R121-19** Granting a temporary waiver from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for the area along a portion of Park Avenue between Tenth Street and St. James Street, and the area along a portion of Orr Street between Park Avenue and Ash Street, for the annual Mid-Mo PrideFest event.

**R122-19** Authorizing Amendment No. 1 to the professional services agreement with Intuition & Logic Engineering, Inc. to perform a floodplain analysis of Mill Creek east of Bethel Street and manage the process of revising the official Flood Insurance Rate Map (FIRM) through the Federal Emergency Management Agency (FEMA).

#### **NEW BUSINESS**

**(None.)**

## INTRODUCTION AND FIRST READING

**B238-19\*** Amending Chapter 18 of the City Code to restore coverage for the chief of police under the Police Retirement Plan; amending Chapter 19 of the City Code to eliminate special deferred compensation provisions for the chief of police.

**B239-19\*** Authorizing a first supplemental agreement to the airport aid agreement with the Missouri Highways and Transportation Commission for the reconstruction of Runway 13-31 and Taxiway C projects at the Columbia Regional Airport.

**B240-19\*** Authoring a cost apportionment agreement with the Missouri Highways and Transportation Commission relating to the City's financial commitment of participation in the replacement of the I-70 Missouri River Bridge at Rocheport; amending the FY 2019 Annual Budget by appropriating funds.

**B241-19\*** Accepting a conveyance for street purposes.

**B242-19** Authorizing construction of safety improvements to the Columbia Terminal Railroad (COLT) crossing at Route B to include the installation of new concrete crossing surface panels, ties, rail and related track materials, roadway approach pavement and pavement markings; calling for bids through the Purchasing Division; authorizing a supplemental agreement for highway/rail crossing improvements with the Missouri Highways and Transportation Commission.

**B243-19** Authorizing agreements for professional services with Horizons Energy LLC and Siemens Industry, Inc. for the development of an Integrated Electric Resource Plan, an Electric Master Plan and an Electric Cost of Service Study; amending the FY 2019 Annual Budget by appropriating funds.

**B244-19\*** Authorizing a second addendum to agreement for professional engineering services with Burns & McDonnell Engineering Company, Inc. for the More's Lake remediation and site restoration project at the Municipal Power Plant.

**B245-19\*** Authorizing an agreement for the donation of real estate with Ridgemont Development LLC for property in Ridgemont Park, Plat No. 1 Subdivision located southeast of the intersection of Ridgemont Road and College Park Drive to be used for open space and park purposes.

**B246-19\*** Authorizing an airport aid agreement with the Missouri Highways and Transportation Commission for the Route H relocation project at the Columbia Regional Airport.

**B247-19\*** Authorizing a memorandum of understanding with the Missouri Department of Health and Senior Services for the issuance of birth and death certificates and associated information technology activities.

**B248-19\*** Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for WIC local agency nutrition services.

**B249-19\*** Authorizing Amendment No. 3 to the program services contract with the Missouri Department of Health and Senior Services for public health emergency preparedness services.

**B250-19\*** Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services for the 1-2-3-4-5 Fit-Tastic! Early Childhood Education project; amending the FY 2019 annual budget by appropriating funds.

**B251-19\*** Authorizing Amendment No. 1 to the program services contract with the Missouri Department of Health and Senior Services relating to the Teen Outreach Program (TOP).

**B252-19\*** Authorizing an agreement with The Curators of the University of Missouri to provide for the services of an assistant fire marshal for fire inspections of University facilities, and to assist in the development of construction drawings, emergency operations procedures and fire safety training.

**(The following items are all related to the adoption of a new building code for the City of Columbia. They are being introduced at this meeting and will be voted on on September 3.**

**B253-19** Repealing Article II of Chapter 6 of the City Code relating to the 2015 Edition of the International Building Code and enacting in lieu thereof a new Article II of Chapter 6 of the City Code adopting the 2018 Edition of the International Building Code.

**B254-19** Repealing Article III of Chapter 6 of the City Code relating to the 2006 Edition of the International Code Council Electrical Code Administrative Provisions referencing the 2014 National Electrical Code and enacting in lieu thereof a new Article III adopting the 2006 Edition of the International Code Council Electrical Code Administrative Provisions and the 2017 Edition of the National Electric Code NFPA 70.

**B255-19** Repealing Article IV of Chapter 6 of the City Code relating to the 2015 Edition of the International Plumbing Code and enacting in lieu thereof a new Article IV adopting the 2018 Edition of the International Plumbing Code.

**B256-19** Repealing Article V of Chapter 6 of the City Code relating to the 2015 Edition of the International Mechanical Code and enacting in lieu thereof a new Article V adopting the 2018 Edition of the International Mechanical Code.

**B257-19** Repealing Article VI of Chapter 6 of the City Code relating to the 2015 Edition of the International Residential Code for One- and Two-Family Dwellings and enacting in lieu thereof a new Article VI adopting the 2018 Edition of the International Residential Code for One- and Two-Family Dwellings.

**B258-19** Repealing Article VII of Chapter 6 of the City Code relating to the 2015 Edition of the International Property Maintenance Code and enacting in lieu thereof a new Article VII adopting the 2018 Edition of the International Property Maintenance Code.

**B259-19** Repealing Article IX of Chapter 6 of the City Code relating to the 2015 Edition of the International Fuel Gas Code and enacting in lieu thereof a new Article IX adopting the 2018 Edition of the International Fuel Gas Code.

**B260-19** Repealing Article X of Chapter 6 of the City Code relating to the 2015 Edition of the Energy Conservation Code and enacting in lieu thereof a new Article X adopting the 2018 Edition of the International Energy Conservation Code.

**B261-19** Repealing Article XI of Chapter 6 of the City Code relating to the 2015 Edition of the Existing Building Code and enacting in lieu thereof a new Article XI adopting the 2018 Edition of the International Existing Building Code.

**B262-19** Repealing Article II of Chapter 9 of the City Code relating to the 2015 Edition of the International Fire Code and enacting in lieu thereof a new Article II adopting the 2018 Edition of the International Fire Code.

## REPORTS

**REP72-19** Proposed commission monitoring implementation of Climate Action and Adaptation Plan. (Action: This report proposes an outline of how a new commission dealing with the newly adopted Climate Adaptation Action Plan (CAAP) could be created. City Council advised that the new commission should:

- Take the place of the existing Environment and Energy Commission (EEC) with current EEC members and former members of the Mayor's Task Force on Climate Action and Adaptation Planning encouraged to apply.
- Include additional positions and representatives that reflect the intersectionality of the former Task Force.
- Be appointed by the City Council and eligibility not be limited to City residents with Boone County Commissioners suggesting potential members from the Boone County

The new Commission could be called the Climate and Environment Commission. Generally, the commission would advise City staff on reporting to City Council the implementation activities of the CAAP, act as a primary liaison for outreach and awareness on the CAAP throughout the community,

provide input on evaluating additional opportunities for mitigation and resilience actions in Columbia, and advise City Council on environmental issues, as directed.

The commission should be comprised of twelve (12) residents of Boone County, appointed by the City Council. Efforts should be taken to balance the composition of the commission as follows:

1. Members should represent the socio-economic, geographic, and demographic diversity of the community, including youth representation.
2. Members' interest and/or expertise must represent the three pillars of sustainability: economic prosperity, environmental integrity, and social/cultural vibrancy.
3. Members should represent a wide range of stakeholders of the community, including business, neighborhoods, non-profit, and educational institutions.

Terms: The term of office for commissioners should be three (3) years or until such commissioner's successor is appointed

The Mayor asked the staff if the Energy and Environment Commission members were willing to be disbanded, but be included somehow? Staff said some wanted to automatically go to the new commission and some believed that new voices should have a chance. The mayor asked if the county was on board with this. Staff said that they had talked to the county, particularly Janet Thompson, and she thought that although this would be appointed by the City, the county planning people and voices should be expressed.

Skala took a contrary point of view. He thought the Energy and Environment Commission filled a vital role and he thinks it will be diminished under this new plan. Unless he can be assured that those duties will be retained in this new commission. Staff said there is an open duty that indicates things can be added at the direction of the council. This is not only about mitigation, it is about adaptation and action as well. Staff said they were looking for direction. If you want subcommittees, it is better to have a large number of people. If not, you should have fewer. Skala said it should be an odd number.

**Staff will come back with a model ordinance for consideration.)**

**REP73-19** Commission on Human Rights correspondence regarding public transportation.

(Action: The Commission on Human Rights wrote a letter to the council indicating that reliable transportation is a key factor in helping people break the cycle of poverty and increase their social and economic mobility. Specifically, the letter asked the council to:

*“to further explore ways to better offer public transportation, to seek out innovative ways to leverage funding sources and multi-sector collaboratives in the name of equity for our community. We ask that the Council expand the thought process beyond the standard dollars and cents, of increased fares and decreased routes, and to further consider bridging the needs of Columbia residents with the available business resources and potential community partnerships. We encourage the Council to partner with community organizations that are currently pursuing solutions-based thinking to a persistent and wicked problem in this era of Columbia public policy.”*

**No further specific discussion or action was taken on this item.)**

**REP74-19** Operational cost comparison of existing and potential transit vehicles.

(Action: City staff presented the council with a report and chart showing the comparative costs of acquiring and operating various forms of buses, shuttles and mass transit vehicles, including autonomous vehicles.

[A COPY OF THAT REPORT IS AVAILABLE AT THIS LINK](#)

Thomas thought this was a good and informational report. He asked how many people can ride a ParaTransit van. Staff said about 12. He wants to consider using those types of vans for flex zone use. Forty-foot buses may be more expensive generally, but sometimes they are needed. Trapp asked if this would get in the way of any University contracts and staff thought it would not. Thomas thinks that some additional costs have not been allocated appropriately to the University and he also thinks that some of our bus systems still leave us reliance on cars going to parking lots. I think we are losing money on the University contract and we should have some honest conversations before we sign anything else. **No specific action was taken on this item.)**

**GENERAL COMMENTS BY PUBLIC, COUNCIL AND STAFF**

**Public**

One speaker went back to the contract to do cost of service studies with Horizons Engineering, LLC or Prime Group (Bill 243-19). That contract needs to have a Missouri engineer involved and those consulting firms need to be certified if they make any engineering determinations. Also, in the Siemens Industry contract, there is no project team listed. It would be nice to know who the professionals are that are involved with those groups. Also, Siemens estimates that this work can be completed within 48 months. That's 4 years. That's a long time. We need to look at that. Also, the total cost appears to be \$739,000 but you are asking for an appropriation of \$900,000. You may want to look into that.

The next speaker wanted to talk about three things. First was homelessness. One homeless man has had his bike stolen 3 times. How come bikes keep being stolen? Isn't there some kind of lock that can't be cut? Can't we provide something like that? Next, the speaker had a neighbor who had a massive heart attack. Why do fire engines go to ever emergency? Staff said that they are EMS trained and that they have the fastest response time. Peters also indicated that sometimes it requires some strength and manpower to move people. The speaker thinks we are wasting money by running that big truck. Finally, there is a big water leak behind Lee's Fried Chicken on Paris Road.

**Council**

**The Mayor** thought that the speaker who asked for a moratorium on development on Gillespie Bridge Road was compelling and wanted to know if council wanted to follow up? Staff said we did not annex that land, so it is in the county and they already approved it. We have a sewer agreement with that area, and that's all.

**Skala** said that Ballenger had been widened, that it is striped, and it looks great. It improves the whole corridor. Also, he was on a conference call this morning with the National League of Cities and he saw the range of costs for a study about racial equity, he wants to make sure that some of the money goes to local groups in some way, rather than all of the money go out of town to some consultant. He will also distribute some information on The Road To Affordable Housing as well as some other information about reparations.

**Pitzer** asked for a report about power outages in the 5<sup>th</sup> Ward. He wants to know about these outages, what the utility does and what can help avoid these problems. Also, how do we judge if we are doing a good job.

**Staff**

(None.)

**ADJOURNMENT**  
(Time: 12:08 AM, Tuesday, August 20)

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