

## THE UNDERMINER: CoMo public works director broke laws, bypassed City Council, report alleges

Details Written by Mike Martin



GLASCOCK

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*Emails reveal secretive meetings, illegal directives, lawsuit worries. Part 1*

**COLUMBIA, 2/18/13 (Beat Byte)** -- Even facing hesitation from his staff, Columbia public works director **John Glascock** violated city ordinances, the City Charter, and his duty to the Columbia City Council, documents released in [a report from the city's Historic Preservation Commission](#) (HPC) suggest.

The report -- requested by Mayor **Bob McDavid** -- references "meeting minutes, e-mail correspondence, letters, meeting notes, status reports, staff memos, and correspondence to homeowners and property owners relating to proposed changes to Providence Road from Stewart Road to Stadium Boulevard."

The documents show Glascock's subordinates fretting about how to follow the law; neighborhood association leaders worrying about lawsuits; and city engineers hesitant to follow Glascock's directives, all while the public works director charged ahead.

Citing chapter and verse from the Columbia code of ordinances, the report finds Glascock disregarded legal requirements to hold so-called "Interested Party (IP) meetings"; created his own public hearing notice weeks before he had Council approval to do so; met privately with a Council member when the meeting was supposed to have been public; and directed his staff to violate city law.

"**Proceed with the notification,**" Glascock told a worried subordinate about the unauthorized public hearing. And so "city staff proceeded with notice of a Public Hearing that **had not been approved** by the City Council," violating [Sections 22-46 and 22-71](#) of the **Columbia Code of Ordinances**, the HPC report explains.

Glascock also communicated directly and extensively with Councilwoman **Helen Anthony**, violating [Section 12 of the Columbia City Charter](#), which requires Council members to deal with "administrative officers **solely through** the city manager."

In emails released earlier, then-city manager **Bill Watkins** directed 5th Ward Councilwoman **Laura Nausser** -- frustrated with all the secretive goings on -- to avoid engaging her constituents to give his senior staff "the most flexibility" in various negotiations.

The alleged legal and ethical lapses were part of an effort by the city's executive branch to keep relevant stakeholders in the dark about a **plan to demolish eight stately homes** to widen Providence Road in the Grasslands neighborhood, taking the properties with eminent domain if necessary.

Designed by Glascock and Grasslands Neighborhood Association presidents **John Ott** and **Robbie Price**, the plan -- known as Phase 1 and Phase 2 of the Providence Improvement Project (PIP) -- ignores over a dozen other options presented to residents at IP meetings in 2008 and 2010.

**A** worried **David Nichols**, Glascock's number two in command, emailed the director on October 8 of last year.

PIP Phase 1 was coming up for a Council vote, and would require the city to acquire, by negotiation or condemnation, three properties: a vacant lot owned by Price, Ott, and other partners; **903 S. Providence**, owned by Mizzou Vice Chancellor of Research **Robert Duncan** and his wife, **Annette Sobel**, M.D., a physician and former National Guard major general; and **905 S. Providence**, owned by **Christopher Pascucci**, a long-time Columbia resident who owns several properties in the Grasslands and earlier testified that he felt "**left out**" of a **supposedly public process**.

Federal Highway Administration and Missouri Department of Transportation (MoDOT) regulations required the city to provide 21-days notice of a public hearing to all property owners in the path of road improvements. [Section 22-71 of Columbia's Code of Ordinances](#) lays out a multi-step process requiring the City Council to adopt a so-called "Resolution of Necessity" for the project that sets the public hearing.

With three properties in the path of the wrecking ball, and so many others affected, how was Glascock's staff going to get everything done?

"Scott and I had a meeting with Stuart and Wendy about how to proceed with setting the Public Hearing and sending out the necessary letters telling the affected property owners about the meeting," Nichols emailed Glascock, referencing [public works employees Wendy Lister](#), who manages property acquisition; **Stuart King**, who directs capital improvements engineering; and traffic engineering supervisor **Scott Bitterman**. "Stuart said the letter needs to say when the Public Hearing is, where, time, etc."

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Fifth Ward Councilwoman **Helen Anthony**, a PIP supporter deeply involved in its planning, was also leaving end of November. If she was to preside during a public hearing, time was running short. H  
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"The problem we have is the public hearing is not officially set until the Nov 5th meeting, when council takes action on the resolution setting the public hearing," Nichols continued. The Council's next meeting would occur on Nov. 19th, only 14 days away. "We need 21 days notice, **putting the public hearing in December**," Nichols wrote.

But after Nov. 19, the Council wouldn't meet again until Dec. 3. Mrs. Anthony would be gone by then. What to do?

"We could send letters out next week, meeting the 21 day requirement," Nichols told Glascock. "However, **we really don't have the authority** of setting the public hearing for the 19th...That is why **we have always waited until the resolution is passed**. This may be a **legal question**, and need to make you aware of this situation."

"**Proceed with the notification**," Glascock responded.

**A**nd so, in a circumvention of the Columbia City Council his own staff found unprecedented, Glascock's office sent the notice on **October 24, 2012**, 12 days **before** the director had legal authorization to do so. The City Council didn't vote to set the Public Hearing until November 5.

"There will be a Public Hearing concerning the referenced street construction project on November 19, 2012 at 7:00 p.m. in the Council Chamber of the City Hall Building, 701 East Broadway, Columbia, Missouri," Glascock's notice read.

Now, city engineers had to get their boss' notification to neighbors, one-by-one. The law required them to make every effort to "personally contact by telephone or in person, the owners of property abutting the proposed public improvement to advise the property owners of the time and place of the public hearing."

But they hesitated. The day after Glascock ordered the public hearing, Bitterman wrote City Engineer **Rick Kaufmann**. "I'd like for you to make the calls," Bitterman said. "**I think we should wait** until after the Nov 5 meeting to make sure the Public Hearing is set."

"City staff **understood the problem** of sending the notice to stakeholders **prematurely**," the HPC report explains.

**NEXT: Not interested in "interested parties"**

HPC Report:

<http://www.gocolumbiamo.com/Council/Commissions/downloadfile.php?id=8223>