

**MINUTES**  
**CITY COUNCIL MEETING - COLUMBIA, MISSOURI**  
**APRIL 18, 2005**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m., on Monday, April 18, 2005, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, and JANKU were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF MINUTES**

The minutes of the regular meeting of April 4, 2005 and the minutes of the special meeting of April 11, 2005 were approved unanimously by voice vote on a motion by Mr. Loveless and a second by Mr. Hutton.

**APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA**

The agenda, including the Consent Agenda, was approved unanimously by voice vote on a motion by Mayor Hindman and a second by Mr. Ash.

**SPECIAL ITEMS**

None.

**SCHEDULED PUBLIC COMMENTS**

**Bailey Hirschburg - Claims & Efforts of the Columbia Police Officers' Association to revoke Proposition 2.**

Bailey Hirschburg spoke on behalf of NORMAL, the National Organization for the Reform of Marijuana Laws, and stated that since November the City's Police, Prosecutors, and Council had respected the voters' decision for which the proponents were very grateful. He noted that people were questioning what message Proposition 2 sent. He felt the message was that people should not use marijuana and that they should not lose their jobs or education because of it. He stated the Columbia Police Officers' Association included concerned citizens acting from a desire to change what they felt was bad public policy. He had no disrespect for that because that was also the reason NORMAL supported Proposition 2. He was, however, upset about their overzealousness and some of their claims. He pointed out the new law offered no power for drug dealers and did not make drugs available to any juvenile in town. Mr. Hirschburg also pointed out there was no effort made by this organization or any other who campaigned for the Proposition to embellish or misinform the frequency with which students were being punished under the Higher Education Act's drug provision by losing things like work study, financial aid and student grants. He noted that tens of thousands of students suffered from this law annually. He felt it was time for someone to send the right message to children and offer something other than mandatory minimums and more tax dollars wasted. He felt that Proposition 2 did just that. Mr. Hirschburg stated that he and his group remained open to a public discussion about this issue with anyone that wanted to discuss it in an open and fair way.

**PUBLIC HEARINGS**

**B100-05     Voluntary annexation of property located on the north side of Prathersville**

**Road, west of U. S. Highway 63; establishing permanent C-P zoning.**

The bill was given second reading by the Clerk.

Mr. Beck explained that this property, located in north central Columbia, was owned by Crown Power and Equipment Company and consisted of approximately 13 acres. He pointed out the company had a pre-annexation agreement with the City and that the request was for C-P zoning with all C-3 uses allowed. The Commission recommended approval with the exception that there be no adult entertainment allowed.

Mayor Hindman opened the public hearing.

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

B100-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B101-05 Rezoning property located on the north side of Richland Road and on the south side of St. Charles Road from R-1 to R-2, R-3, O-1 and C-1.**

The bill was given second reading by the Clerk.

Mr. Watkins explained that the Metro 2020 Plan showed the area as a neighborhood district. Street access was off of St. Charles and Richland roads, which were both unimproved streets. He noted that State Route 740 might extend through the area and staff's primary concern with this request was with the 740 environmental impact statement, which they were now beginning to work on with MoDOT. Until the actual route of 740 was determined through this environmental study process, he commented that anything they might do that would preclude routing could cost the City federal eligibility of the project. Both staff and the Commission recommended denial of the proposed rezoning for all six tracts.

Mr. Ash was concerned the request was not for planned zoning. In regards to the 740 issue, he asked if there was a defacto moratorium along this corridor and how they would handle the fact that property around this area might develop. Mr. Watkins felt they should defer changes in zoning until they were further along with the 740 plan. Mr. Ash asked how long people could expect to be left in limbo. Mr. Beck replied it would be one year to 18 months maximum and explained MoDOT was taking proposals now. Mayor Hindman pointed out that the property owners would still be able to operate within their own zoning.

Ms. Nauser noted that a Planning Commissioner mentioned that he would have looked more favorably upon approving Tracts A and B at a higher density. She asked why they would not allow the developer to continue. Mayor Hindman replied that they could if they chose to allow it.

Mayor Hindman opened the public hearing.

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

Mr. Hutton did not see the question about 740 being the biggest issue, but rather that the request was for all open zoning. He was hopeful that when this came back, the applicants would more seriously consider planned zoning.

When the environmental impact study was completed, Mr. Loveless asked if it would have the location of the centerline of the proposed road. Mr. Watkins replied that it would simply show a corridor. Mr. Loveless asked how wide the corridor would be. Mr. Patterson stated it would probably not be a constant width through the area.

Mayor Hindman agreed with Mr. Hutton in that the property should come in as planned zoning. He noted this was an opportunity to work with a large tract and that was his argument against accepting some of the smaller tracts.

B101-05 was given third reading with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. Bill defeated.

**B102-05 Rezoning property located on the west side of Rangeline Street (State Route 763) and on the south side of Blue Ridge Road from A-1 to O-P and C-P.**

The bill was given second reading by the Clerk.

Mr. Watkins explained that this tract contained approximately 45.5 acres and the Metro 2020 designations were employment and neighborhood districts. Street access to the parcel was off of Rangeline Street, a major arterial street, and Blue Ridge Road, an unimproved major collector. He noted that bids were opened on April 5th for improvements to Blue Ridge Road, which would have a 41 foot pavement width. All public utilities were available to the site, which was currently a mixture of pasture and forest. The site also contained a pre-Civil War era house. The property was in the Bear Creek drainage area with no greenbelt on or next to the tract. The tract was not within an existing neighborhood park services area. Mr. Watkins noted street access was the primary issue for staff and that Providence Road would need to be extended, by the developer, across the subject tract. Staff recommended strongly that a traffic study be required at the time of plan submittal and that the design of the development in the tract be based upon a level of service "C" at Blue Ridge and a level of service "D" on adjacent tracts. Staff's primary concern with the development was that most of the traffic using the tract would come through the intersection of Rangeline and Blue Ridge. Mr. Watkins stated that staff recommended approval of the rezoning request subject to the suggested conditions, which included the traffic study. The Commission also recommended approval of the request, subject to the conditions noted and the proposed uses for each of the tracts as amended. He pointed out an amendment of uses request that the applicant delivered today.

Mr. Janku thought the traffic study was incorporated into the ordinance and asked if that was correct. Mr. Watkins replied it was and noted the applicant agreed with the restrictions.

Mr. Loveless pointed out the staff recommendation was that there be no direct driveway access to Providence. He presumed there would be public street access in the development from Providence. Mr. Watkins replied affirmatively and added that the applicant agreed to a significant internal street system.

Mayor Hindman questioned the neighborhood market district and was confused about comments made at the Commission meeting. Mr. Watkins explained that C-P zoning allowed a site plan and what they were telling the developer was that C-P zoning was the appropriate use, but when they brought back the site plan, they wanted them to consider the restrictions and guidelines in the Metro 2020 for the neighborhood commercial area. Rather than trying to put a square footage limitation on the area, they thought the best approach would be for them to bring back, first, a traffic study and then the appropriate site plans. Mayor Hindman asked if the Council could indicate approval of the idea that the site plan show conformity with the neighborhood district concept. Mr. Watkins stated that could be conveyed to the developers or they could indicate it in the statement of intent.

Mr. Ash asked for an explanation of the level of services and how staff arrived at their recommendation. Mr. Patterson explained that level of service was a standard for how an intersection or roadway performed under certain traffic loading conditions. They usually tried to relate it to peak hour traffic situations. At the end of a design period, level "C", he commented would be a functional intersection. What they were doing was trying to set the minimum standard of operation at the design year and, in this case, that was 2025. Mr. Ash asked how they decided on a fair level. Mr. Patterson replied that they were talking about traffic engineering standards. If looking at something that was a level of "C" or "D" in 20 years, they were starting out with a much higher level of performance at this time. More than likely, those levels would be "A" or "B" when starting out. Mr. Loveless understood the levels of service also related to how much time a person in an automobile would be delayed at a particular intersection. Mr. Patterson replied that was included as an indicator.

Mayor Hindman commented that he wanted their plan to conform with the principles of a neighborhood market district and noted he might propose an amendment.

Mr. Janku explained the amendment sheet that was prepared. He stated it would add restrictions on the uses on Tracts 2 and 3. In regards to Tract 2, service stations would be added to the uses not permitted. The other part of the amendment would make clear that duplexes could not be built on Tract 3.

Mr. Beck asked if the line between Tracts 2 and 3 followed the projected Providence Road alignment. Mr. Patterson replied that it was very close to it.

Mr. Janku made the motion that B102-05 be amended per the amendment sheet. The motion was seconded by Mr. Hutton.

Mayor Hindman opened the public hearing.

Robert Hollis, an attorney with offices at 1103 E. Broadway, passed out a copy of the presentation and spoke on behalf of the applicant. Using the overhead, he showed thousands of homes built in the area, which, he stated, were eagerly awaiting commercial services. He pointed out the request came forth after meetings with the area homeowner associations, other interested parties, and City staff. He showed Phase 1, which was the area with larger and heavier commercial uses. They were hopeful to have something along the lines of a grocery store or something like a Target or Value City, not a Wal-Mart. From those uses, he noted they excluded sanitariums, motels and experimental or scientific testing medical laboratories based upon requests from the interested parties and home owners associations. Phase 2, he explained, was to the east of where Providence would be extended. He compared its size to the development at the corner of Forum and Nifong and expected a similar development. He commented that it might include a health club, dentist office, bank, restaurant, or smaller tenants that were more neighborhood oriented. He stated that there would be no gas stations in this phase. Phase 3 was the portion west of Providence with most of it being undevelopable because of easements and heavily wooded, rough terrain. He commented that they had committed to no duplexes on Tract 3 today. He pointed out that the staff report reversed the employment district and the neighborhood district and that the majority of the property was in the employment district rather than the neighborhood. Mr. Hollis noted the staff report had a long list of issues and he agreed that they were important issues. They also agreed with staff's suggestion that the issues be dealt with after a traffic study. Mr. Hollis stated that the applicant was willing to support the development of a TDD in the area to provide significant off-site improvements, if necessary, according to the traffic study. If all went well this evening, he would call Julie Nulfo in the morning asking her to get started with the traffic study.

Tim Crockett, an engineer with Crockett Engineering Consultants, 2608 N. Stadium, agreed there were existing and significant traffic issues and stated the applicant intended to help contribute to the resolution of those issues and concerns. Some of those items included right-of-way conveyances along Blue Ridge Road and 763. Preliminary indications were that as much as 90 feet of right-of-way would be needed from this property and that MoDOT understood they would have to purchase the property from the developer. If this went through as planned, he stated that they were willing to work with MoDOT to convey the right-of-way to them at no charge. Also included were deceleration and acceleration lanes on both Blue Ridge and 763, the extension of Providence Road, the construction of a three-quarter access on to the southeast part of the property off of 763, a right in/right out on 763, and another link between 763 and Providence. He commented that the development would extend Providence Road. He stated that they would maintain the divided parkway style which was presently extended north of Blue Ridge Road. They had discussed access points with MoDOT and, right now, there would be a three-quarter access point at the far southeast corner of their property. They anticipated that to be shared with the neighbor to the south, when and if that property was ever developed. He noted that would eliminate other entrances onto 763. They also proposed a right in/right out between Blue Ridge Road and

the three-quarter access, which, he stated, MoDOT had no problem with as long as it met their access management guidelines. Mr. Crockett commented that a crucial link between 763 and Providence Road would serve two purposes. It would alleviate some of the traffic on 763 and Blue Ridge Road and get the traffic into the development, while providing adequate internal traffic flows. They did not have a problem with a lot of traffic going through parking lots and in front of stores.

David Atkins, 1702 S. Fairview, stated it was their hope to bring to the north side of Columbia some very good uses. He noted concerns about the house on the property and its history. Mr. Atkins commented that they had met informally with a group of citizens to begin a process of understanding the pedigree of the house and options of trying to preserve the house to include moving it to another location, if necessary, by using historical tax credits. If it was determined the house should be saved and if they could preserve it in a viable financial manner, he stated they would do it. He wanted to point out that he did not want to leave the impression that they were promising to preserve the house if they could not find its history of if it was not financially viable.

Mayor Hindman understood the C-P to be in an area shown as a neighborhood district and the O-P in an area shown as an employment district. Mr. Hollis stated he believed it to be exactly the reverse of that. Mr. Watkins interjected that the vast majority of Tract 1 was an employment district and Tracts 2 and 3 were neighborhood districts.

Mr. Ash felt people were concerned about a large, under one roof, footprint right next to a neighborhood. He did not think they were concerned about Wal-Mart specifically. He thought the concern was if they rezoned to C-P, it would open the door to big box stores in the area. He asked what kind of assurances they could anticipate at this point. In addition, he asked about the sizes of Target and Value City stores. Mr. Hollis replied that he thought they varied drastically and Target stores could be as large as 150,000 square feet down to 90,000 square feet or smaller. Mr. Ash wanted to make sure they knew what they would be allowing. Mr. Hollis understood the Council would be approving the C-P zoning with a development plan to be approved in the future. He stated the development plan would be shaped by the traffic study. If there were concerns, Mr. Ash understood they could put some limits on the site plan. Mr. Hollis replied that was correct. Regarding the list of uses, Mr. Ash asked what one could get in C-2 that they could not get in C-1. Mr. Janku pointed out that C-2 was downtown and that there were no setbacks. Mr. Ash asked if that meant they could build to property lines with C-2 uses. Mr. Hutton explained that the C-P ordinance would control the plan. Mr. Boeckmann read the list of uses that went beyond C-1 and noted that some of them were already excluded in the ordinance.

Mayor Hindman was satisfied with what he had heard with it being understood that it was in the neighborhood district as far as the 2020 Plan was concerned. He felt they would have a right to review it based on that fact and that they would expect it to come back in conformity without very good reasons why it should not be.

Mr. Hollis asked Mayor Hindman if he was in agreement with their description of Tract 2. Mayor Hindman stated Tract 2 was the smaller stores and he was absolutely in agreement with it. He commented that Tract 1 was the one that would be of most interest to him. He stated that if it was going to be a Target store, he was sure they would be very interested in the size of the store and how it would fit in. Mr. Hollis explained that Tract 1 was in the employment district. Mr. Watkins agreed that the predominance of Tract 1 was an employment district with the predominance of Tract 2 and 3 being a neighborhood district. Mayor Hindman commented that he misunderstood and if it was an employment district, he had no argument.

Audrie Sabel, 3800 Mint Julep, commented that one of her concerns was traffic and added that not more than two cars could get through the stop light at Blue Ridge and Rangeline now. Her other concern was the old home, which, she stated, she would like to see preserved. Ms. Sabel had no objections to the plan and felt the exceptions the developer

agreed to would improve the neighborhood. She pointed out that they desperately needed a grocery store.

Jay Wilson, 2604 Oak Gate Court, pointed out that some of the developments Mr. Atkins had done in the community were top notch. In this area, he felt, they were in need of a big box store. Mr. Wilson owned units in the Vanderveen Subdivision and noted the people there were concerned about not having service oriented businesses and fast food restaurants near by. He felt the traffic in this area would not be caused by this development, but by the number of houses being built in the area and that MoDOT and the City should share in the responsibility of constructing 763. He asked the Council to support the request.

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

Mr. Janku confirmed the fact that input was received from the neighbors early on and that the plans reflected their comments and wishes. He noted the planned development established a precedent for adjacent property, which in this case was A-1 and he planned to support the request.

Mr. Loveless asked where the descriptions came from for the neighborhood marketplace and the employment district. Mr. Watkins replied that they came from the Metro 2020 Plan. In keeping with Mayor Hindman's thoughts about Tract 2 and having it develop as a neighborhood marketplace, Mr. Loveless asked if a number 8 could be added to Section 5 stating the C-P Development Plan for Tract 2 shall substantially conform to the neighborhood marketplace concept as discussed in this plan. Mayor Hindman replied he would be delighted with it.

Mr. Loveless asked if the developer would be in favor of the amendment. Mr. Hollis stated he was not intimately familiar with the neighborhood marketplace text. Mr. Loveless stated his amendment would substantially conform to the concept of the neighborhood marketplace as outlined in the Metro 2020 Plan. Mr. Hollis commented that it sounded pretty harmless.

Mr. Janku pointed out that it did say a grocery store of up to 40,000 square feet. He thought that was larger than what they were actually intending. The models they looked at were areas like Nifong and Forum with a lot a small restaurants and other shops and the area to the west of Hy-Vee, which had lots of smaller shops, nothing that approached 40,000 square feet. He noted the Hy-Vee was close to 80,000. Mr. Loveless stated he had seen that, but thought the Walgreen's at the intersection of Nifong and Forum was 30,000.

Mr. Loveless made the motion that a number 8 be added to Section 5 stating the C-P Development Plan for Tract 2 shall substantially conform to the neighborhood marketplace concept as discussed in this plan. The motion was seconded by Mayor Hindman.

Mr. Ash felt the concerns people had dealt with Tract 1 more so than Tract 2 and the concern that big box stores could end up on Tract 1.

The motion, made by Mr. Loveless and seconded by Mayor Hindman, was approved unanimously by voice vote.

The motion, made by Mr. Janku to amend B102-05 per the amendment sheet and seconded by Mr. Hutton, was approved unanimously by voice vote.

B102-05, as amended, was given third reading with the vote recorded as follows:

VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU.

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

**B103-05 Rezoning property located on the northwest corner of West Worley Street and Bernadette Drive from C-1 to C-P; approving the C-P Development Plan of Chuck E. Cheese's Restaurant.**

The bill was given second reading by the Clerk.

Mr. Beck noted that both staff and the Commission recommended approval of this request.

Mayor Hindman opened the public hearing.

Dave Bennett, an engineer with Engineering Surveys and Services, 1113 Fay, explained that his firm prepared the development plan. He offered to answer any questions. Mr. Ash asked if it was more prudent to build this store from scratch than to take an empty store and reconfigure it. Mr. Bennett replied that a representative from Chuck E. Cheese was present and perhaps she could answer that question.

Alice Winters, a representative of the corporate office of C.E.C. Entertainment, Inc., 4441 W. Airport Freeway, Irving, Texas, spoke in support of the zoning change to allow games. Ms. Winters apologized for not being able to explain why one site was chosen over another. She also noted that first and foremost this would be a restaurant with 60 to 70% of their revenues from food sales.

Mayor Hindman asked about the purpose of the games. Ms. Winters explained that they called themselves a pizza restaurant and family entertainment experience. She noted that no one under the age of 18 was permitted without a parent or guardian. Ms. Winters stated it was never a teenage hangout because there were no games they would be interested in.

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

Mayor Hindman stated the parking lot where this would be built was an explanation of why we had a landscaping ordinance. When the buildings were redone to put in the Best Buy building, there was, evidently, not enough modification to require landscaping of the parking lot. Chuck E. Cheese would bring some landscaping with it, which, he felt, would be an improvement.

B103-05 was given third reading with the vote recorded as follows; VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B108-05 Authorizing construction of improvements to the MKT Trail access at Providence Road and Stewart Road; calling for bids through the Purchasing Division; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Beck pointed out that this had involved quite a few agencies, such as MoDOT, the University, Corps or Engineers and our own departments.

Mr. Hood explained that the Department of Parks and Recreation was requesting authorization to proceed with improvements to the MKT Trail. The improvements would provide a below grade crossing of both Stewart and Providence Roads. The project would include approximately 1,200 feet of new trail, which would extend from Elm Street on the north to a point where the new trail would reconnect with the City's existing MKT Trail just south of Stewart. He noted that a portion of the trail would be on University property, a portion on MoDOT road right-of-way, and the remainder would be on City owned property. Construction had been pending for some time due to the need to negotiate use agreements with the different property owners and to obtain Corps of Engineers 404 and 401 permits. The use agreement with the University was approved approximately one year ago and the City Council approved the use agreement with MoDOT at their last regular meeting. Mr. Hood stated they did not have the 404 or 401 permit approvals yet, but after talking with the Corps, he felt they were getting very close to obtaining approval. He noted that staff recommended proceeding with the public hearing, so they would be in a position to begin once the permits were issued. The estimated project cost was \$196,167 including a Recreational Trails Program Grant in the amount of \$75,253.50. The City's match for the grant and the remaining funds for the project were from the 1999 one-quarter cent sales tax dedicated to greenbelt and trail improvements. As mentioned earlier, the work would be bid through the City's Purchasing Division with a portion of the work being done by contract and a

portion done by City force account labor. The first item, once they began, would be the lowering and relocation of a sewer line located just to the southwest side of Providence Road.

Mr. Loveless asked Mr. Hood to point out the sewer line on the overhead and asked about the right-of-way above it. Mr. Patterson thought it was the old rail bed.

Mayor Hindman opened the public hearing.

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

Mayor Hindman felt this would be a tremendous benefit to the MKT Trail and the downtown.

B108-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**(A) Voluntary annexation of property located on the north side of Brown School Road, west of the City limits.**

Item A was read by the Clerk.

Mr. Beck described this as an approximate 3.8 acre tract with one house and some out buildings. He noted the ordinance associated with it would be introduced under Introduction and First Readings.

Mayor Hindman opened the public hearing.

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

**(B) Construction of storm drainage improvements in the Woodside Drive area.**

Item B was read by the Clerk.

Mr. Patterson explained this project was actually the second of a three phase project in this general area. This phase and the one completed in 1997 were problem areas identified in the Black & Veatch Stormwater Study of 1983, which determined the entire neighborhood needed improvements due to house, yard and street flooding. This project would reduce the incidents of house flooding and street flooding by replacing the existing system with larger pipes and inlets and by extending the system to the Nazarene Church property to the detention outlet to reduce house flooding at 3510 Woodside Drive. They were also planning on extending the sewer system to 3604 Woodside to relieve severe erosion and street flooding problems at that location. Approximately 767 feet of pipe that would range from 12 inches to 30 inches in size would be used. The estimated project cost was \$113,000 and would be paid for by storm water utility funding.

Mr. Loveless understood that everything within the detention line flowed into the detention pond just north of the church property. Mr. Patterson replied that was correct and added that it was required of them when they were doing some improvements because the City wanted to prevent increasing the downstream problem that existed at the time. He stated this would capture the discharge from that detention facility, pipe it into our central system and take it north to where it would go into an open channel.

Mayor Hindman opened the public hearing.

Pat White, 2105 Oak Point Court, explained that she owned the rental property at 3510 Woodside. Since owning the property, she commented that she has had tremendous problems with flooding, even before the church added to their parking lot. She passed around pictures showing the flooding that had occurred over the past few weeks. She was hopeful something could be done about the problem soon.

Margaret Tarwater, 3601 Woodside, also had pictures she passed around that had been taken last month. She asked if the drain would go under the street as she was concerned about it going over her driveway. Mr. Patterson explained that the pipe would go underground.

Mr. Hutton made the motion that staff be directed to complete final plans and specifications and that they keep in mind concerns of the neighbors regarding landscaping. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

## **OLD BUSINESS**

None.

## **CONSENT AGENDA**

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

- B104-05**     **Approving the Final Plat of CenterState Plat 8; authorizing a performance contract.**
- B105-05**     **Vacating a sewer easement located in The Colonies Subdivision.**
- B106-05**     **Accepting certain streets for public use and maintenance.**
- B107-05**     **Accepting conveyances for utility purposes.**
- B109-05**     **Amending the FY 2005 Pay Plan, the Classification Plan and the 2005 Annual Budget; appropriating funds.**
- B110-05**     **Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for the WIC BFPC program; appropriating funds.**
- R72-05**       **Setting a public hearing: voluntary annexation of property located on the south side of Old Plank Road, west of High Point Lane.**
- R73-05**       **Setting a public hearing: construction of improvements to the Columbia Terminal Railroad (COLT) Corridor - Phase I, between Fay Street and Rogers Street.**

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, HUTTON. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

## **NEW BUSINESS**

- R74-05**       **Approving the Preliminary Plat of Manor Woods.**

The resolution was read by the Clerk.

Mr. Watkins described this as a 33.2 acre tract located south of Northland Drive and west of Parker Street. The existing zoning was R-1 and there was no change in zoning being requested. Access to the proposed plat included westward extensions of both Kitty Hawk Drive and Gypsy Moth Drive, which were local, residential streets. Internal access included three cul-de-sac streets and staff saw no access issues except two very long, straight streets. All City utilities were available. Staff recommended approval of the plat; however, the Commission recommended denial. He noted that the recommendation of denial required a two-thirds vote of the Council to approve the plat. The Commission's recommendation was based on three tier lots located in the south portion of the plat they felt to be inappropriate.

Mr. Ash asked why tier lots were a problem. Besides a safety issue in regards to access, Mr. Janku replied that shared driveways could sometimes become a problem for the

neighbors sharing them. Mr. Loveless stated they had found over the years that it was just a better policy to not allow them.

Mr. Hutton asked if the plat conformed with subdivision regulations. Mr. Watkins stated they looked at the configuration of the property and felt there was really not any other alternative to developing the property outside one or two very large lots. In this instance, they concurred that this might be the only opportunity for development. Mr. Hutton asked if a small cul-de-sac would work. Mr. Watkins replied that was what the Commission was considering. Mr. Hutton asked if the regulations addressed long, straight streets. Mr. Watkins replied that 800 feet was the magic number and after that they should be avoided, but also noted it was not an absolute no. Mr. Hutton asked about the width of the streets. Mr. Watkins believed them to be 28 feet.

Reading from the Code, Mr. Boeckmann noted that tier lots were acceptable, if tier lot design was the only feasible means to access lots due to extreme topographical conditions. He stated the plat could be denied based on the fact that this criteria was not met. Mr. Ash commented that it was the best way to maximize their land, but it was not an extreme topographical condition that warranted it. Mr. Hutton was not sure that was even true because he thought the right-of-way for the cul-de-sac was only 50 feet and they had 60 feet tied up in tier lots.

Ron Lueck, a land surveyor with Marshall Engineering and Surveying, 300 St. James, stated putting in a cul-de-sac would put a 25 foot building line beside a 45 foot radius cul-de-sac and would push the houses back quite a bit further down the hill. He felt it was an extreme situation. He commented that in this case, they could do a loop street or an eight inch thick street to address the situation.

Mr. Hutton stated that in a way, that addressed the cul-de-sac issue in that they would not lose the footage because of the 25 foot setback off the radius. Mr. Lueck agreed saying they would not have the bulb there plus the 25 feet back from it. Essentially, Mr. Hutton noted, it would be a street as opposed to a driveway, just not a City standard street. Mr. Lueck stated that was correct and added that it would be the thickness the City required.

Mr. Lueck stated they were considering some reverse curves along Gypsy Moth and Spruce Goose to see if that would work out to alleviate concerns mentioned in the minutes of the Commission meeting. He noted this was a preliminary and added that they would look at the concerns and consider them.

Mr. Janku noted stormwater runoff concerns voiced by neighbors and asked what could be done about it. Mr. Lueck replied that would be addressed when the stormwater plan was submitted to the Public Works Department. Mr. Janku asked if he thought it would have an impact on the property. Mr. Lueck replied that he did not see any. He noted that Bear Creek, which was where most of the stormwater would run, was at the bottom of the hill. Mr. Janku stated the neighbors in the PUD property to the north were concerned. Mr. Lueck indicated they would address it, but added that he did not think much of it would flow that way. He commented that they would not do too much to increase or decrease the runoff.

Mayor Hindman asked how they would not be increasing the runoff considering they would be adding streets and roofs. Mr. Lueck replied that they would be dealing with it to, hopefully, maintain it at the same rate. Mayor Hindman noted the steep topography on the west side and asked if they were planning on putting houses there. Mr. Lueck agreed there was steepness, but added that they did plan to put some small stuff there.

Mr. Janku asked about the property abutting the trail and whether or not it was shown on the plan. Mr. Lueck replied that they were providing some access through the end lot on the west. He noted the steepness and stated there might have to be tier steps going down to it. He stated an easement was being provided for it.

Weyan Burnam, 111 E. Mauller Road, explained that they planned this development to be very similar to their Manor Ridge Subdivision, which was a land lease type subdivision

where the land was not actually sold to the homeowners and whereby they actually maintained the land, driveways and sidewalks. In that type of situation, he noted the neighborhood conflict went out the window. Regarding the long, straight streets, Mr. Burnam stated he would be willing to negotiate if a curved street was needed to get Council approval. As far as stormwater impact, he noted that they had met with the Northland Homeowners Association leader and the Guti's, who were doing the PUD to the north of this, after the Commission meeting two weeks ago and addressed the situation. According to the engineer, there were about eight lots on the north side that would have drainage into the property, but it would be a very insignificant amount of water. The remainder of their property actually drained to the south via the drainage basin and into Bear Creek. He commented that it would be downstream from anything that might affect their property. He explained that they talked to the Guti's regarding the eight lots and leaving some sort of greenspace barrier to help slow the water either through natural plantings already there or by replanting, if they needed do so. Regarding the lots on the west side, Mr. Burnam noted it was fairly steep and that they had sectioned off a seven plus acre lot on that side. Their plans were to possibly donate it to the City for greenspace, use as a buffer or use it as access. As far as access to the property, they were willing to discuss making a trail access that would either get to the Bear Creek Trail via the north side of their property or through the south side in the drainage area.

Mr. Hutton thought the easement looked like it led to the cliff. Mr. Burnam replied that it went down to a ravine and depending upon what the Guti's did with their development, they talked about the possibility of making the north ten feet of all of those lots along the northern boundary line an access easement and tying into a trail that the Guti's wanted to bring in from their property down to the Bear Creek Trail.

Mr. Janku mentioned the neighbors had talked about a buffer between the properties on Northland Drive and the backs of these properties. He asked Mr. Burnam if he had any thoughts about that. Mr. Burnam replied that they had talked about the possibility of, on the northern lots, getting a variance to release them from the requirement of front sidewalks in lieu of doing a back nature trail. The neighbors indicated they were interested in supporting such a variance. He stated they were interested in negotiating with the property owners. Regarding the access of Gypsy Moth they had to build before being allowed to get their final plat approval, he noted that they deeded a 100 foot buffer to the landowners on Northland, which was part of a prior zoning approval. There was 10 feet of Burnam property remaining between the curb and the buffer. The neighbors' preference was to not put a sidewalk in with the hope that it would prevent pedestrian traffic from coming on that side of the road. Mr. Burnam stated they would be willing to offer up the property to provide a buffer for the homeowners.

Mr. Ash noted they had been receptive to alternative sidewalks in the past as long as there were safe places to walk, but he did not know if what was being proposed would work. He also noted that Mr. Burnam was most receptive to the curvilinear streets and wondered if it would be possible to approve this pending certain things being incorporated in the final plat. Mr. Boeckmann replied that they could add a section saying approval of the preliminary plat was subject to the final plat showing whatever it was they wanted to be shown on it, like the elimination of the two straight streets.

Mr. Janku asked how the stormwater would be addressed so the property owners to the north could have their concerns addressed. Mr. Patterson explained that stormwater issues were part of the land disturbance permit, which had to be approved before a final plat could be approved. They typically advised Council when they felt like there were problems. With the layout of this particular plat and the topography, he thought it would be a very difficult challenge to prevent problems of runoff with this type of development. He stated that they would do everything they possibly could within constraints of the ordinance to ensure that they did adhere to the philosophy that they would not create harm downstream. During

development, he felt, there would be problems with it. He noted the plat took no consideration of the natural topography and that the lines cut across the topography without trying to take advantage of the slopes and places where they might be able to capture water. He pointed out they were not required to, but added that it did create a very difficult situation to deal with during construction.

Mr. Loveless commented that this had been his impression when looking at the plat. He stated the property was high and fell off in every direction, yet the plat showed a remarkable lack of any kind of innovation in the layout. He noted that nothing took into account the numerous draws. He asked how obligated they were to support a plat that met the subdivision regulations, but was also poorly laid out. He felt it went against everything they were trying to do in this City as far as being innovative and working with the land. When reviewing subdivision plats, Mr. Boeckmann explained it was an administrative decision the Council made after determining whether or not the plat conformed with the requirements the Council had pre-established. He noted they could not turn it down because they did not like it or because it did not show adequate imagination.

Mr. Ash pointed out that the plat did not meet the severe topography being a requirement for the tier lots. Mr. Boeckmann stated that was a factual issue for the Council to determine and if they determined that criteria had not been met, they could vote no.

Mr. Janku asked if there was anything they could put on the plat that would help Public Works make sure some of the problems mentioned did not occur. Mr. Patterson did not know of anything that could specifically be applied to the preliminary plat, since it was regulated by separate ordinance.

Mayor Hindman agreed that this was an area that looked like it could be developed into something really nice that would fit into the contours of the land and be able to have just as many units in it. He was concerned about the runoff and stated Mr. Patterson alarmed him when he spoke of the difficulty, especially during the construction phase.

The vote on R74-05 was recorded as follows: VOTING YES: NO ONE. VOTING NO: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. Resolution defeated.

**R75-05 Authorizing the sale of Water and Electric System Refunding and Improvement Revenue Bonds, 2005 Series A; authorizing other preliminary actions in connection therewith.**

The resolution was read by the Clerk.

Mr. Beck explained that in November of 2003, the voters authorized the sale of \$28,300,000 in bonds for purpose of providing funds to extend, improve, repair, replace and equip the Water and Electric systems. In February of 2004, the City issued \$17,095,000 as the first installment of the bonds to be used for system improvements. This resolution would authorize the competitive sale of \$11,205,000 of these bonds, \$19,405,000 of refunding bonds for outstanding 1998 debt and certain preliminary actions in connection with the issuance and sale of these bonds. The bonds would be sold on May 2nd with the closing on May 17th.

The vote on R75-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R76-05 Authorizing an agreement with A & B Management, Inc. for the lease of office space for the C.A.R.E. Program.**

The resolution was read by the Clerk.

Mr. Beck explained that the Parks and Recreation staff had been working with the

Purchasing Division to lease space for the City's C.A.R.E. Program. The lowest and best bid was at 800 N. Providence, which was where they were now, but in a different location in the building. The space was 1,700 square feet with the rent being \$1,800 per month. Staff recommended approval of the agreement.

The vote on R76-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

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

- B111-05**     **Voluntary annexation of property located on the north side of Brown School Road, west of the City limits.**
- B112-05**     **Rezoning property located on the northwest corner of Bold Venture Drive and Smiley Lane from A-1 to C-P.**
- B113-05**     **Rezoning property located on the south side of Cooper Drive North, across from Rockman Lane from C-1 to C-P.**
- B114-05**     **Rezoning property located on the east side of North Tenth Street (316 North Tenth Street) from R-3 to C-2.**
- B115-05**     **Approving the Final Plat of Concorde Office & Industrial Plaza Plat 14; authorizing a performance contract; granting a variance to the Subdivision Regulations relating to sanitary sewer service.**
- B116-05**     **Approving the Final Plat of Creasy Springs Ridge; authorizing a performance contract; granting a variance to the Subdivision Regulations relating to utility easements.**
- B117-05**     **Approving the Final Plat of Red Oak Subdivision; authorizing a performance contract.**
- B118-05**     **Approving the Final Plat of Westcliff Plat 2; authorizing a performance contract.**
- B119-05**     **Amending Chapter 22 of the City Code and the City of Columbia Food Code to require a routine maintenance schedule for grease traps or interceptors connected to the sanitary sewer system.**
- B120-05**     **Amending Chapter 12A of the City Code relating to approval of development plans prior to approval of land disturbance permits.**
- B121-05**     **Authorizing an agreement with Threesixty Architecture relating to the renovation and interior redesign of the Wabash Station Refurbishment Project (Phase I).**
- B122-05**     **Confirming the contract with J.C. Industries, Inc. for construction of Blue Ridge Road from Garth Avenue to Rangeline Road.**
- B123-05**     **Confirming the contract with Emery Sapp & Sons, Inc. for construction of the Meridith Branch Regional Detention Basin.**
- B124-05**     **Authorizing a Right of Use Permit with The Curators of the University of Missouri to allow the installation of various utilities within a portion of Ninth Street right-of-way.**
- B125-05**     **Authorizing construction of improvements to the Columbia Terminal Railroad (COLT) Corridor - Phase I, between Fay Street and Rogers Street;**

calling for bids.

**B126-05**     Accepting conveyances for utility purposes.

**B127-05**     Changing the administrative support assistant I position in the Information Services Department from a one-half time position to a full-time position; appropriating funds.

**B128-05**     Authorizing the issuance of Water and Electric System Refunding and Improvement Revenue Bonds, 2005 Series A.

## REPORTS AND PETITIONS

### (A)     Intra-Departmental transfer of funds

Report accepted.

### (B)     Potential projects for STP Enhancement funding

Under this plan, Mr. Beck explained that MoDOT was making available to District 5 \$1.8 million in enhancement funds, which was federal money administered through the state. The maximum amount any one project was able to have was \$400,000. MoDOT formed a committee that would make recommendations to them as to which projects would be funded. He noted that Mr. Watkins would be on this committee. The City of Columbia was in a position to submit projects to MoDOT that would be competitively reviewed by this committee. The Planning staff had put together a list of projects for the Council to look at and decide which ones they wanted to send to MoDOT. Enhancement projects were typically trails and landscaping projects, things other than basic road construction. Mr. Beck pointed out that it was beneficial to have matching local funds. Our funding, he noted, could come from money set aside for trails and open space from a ballot issue. They would need to look at sources other than Parks and Recreation funding in regards to other projects. The suggestion was that a public hearing be set for May 2nd to get public input, which he noted, counted towards priority points with the review committee.

Mr. Hutton asked if the projects were in any particular priority order as far as staff was concerned. Mr. Watkins replied they were not. Mr. Hutton asked if they had an idea of what the potential match money availability was. He assumed we could not apply for more than what we had match money for. Mr. Watkins stated that was correct and added that they felt most comfortable with securing a trail project and perhaps an intersection project at this time. He pointed out there would be another round next year, although, it might not be quite as large. He commented that they should work on the projects they thought would score the best as they believed this year would be extremely competitive. Mr. Hutton asked if all nine projects would be judged under one point scale category. Mr. Watkins explained that there were actually 12 different categories of projects that were eligible, which included bike and ped, natural scenery, archeological, and tourism preservation. He noted that they got additional points if they could cross over. A trail project, he stated, where one could argue they could do some bike education, as well as some scenic opportunities and environmental mitigation, would score much better than a trail project along a street. Mr. Hutton asked which projects the staff felt would score the best. Mr. Watkins stated the staff recommendation was that the Hinkson Trail would probably be the best opportunity for scoring. Because this was the first time this system would be used, they felt it would make sense to put in a few other projects. He stated they would like to look at a pedestrian/bike project that had some landscaping in it and felt Stadium Boulevard had long been a priority and, in particular, Stadium and Old 63. It kind of tied into the corridor for the Hinkson Trail as well. Mr. Hutton asked if we would be competing against ourselves if we entered more than

one application. Mr. Watkins replied, potentially. He suspected, knowing other members of the committee, that they would want to spread the money around as much as possible. If Council was interested in multiple trail projects, the group looking at it might see two projects along the Hinkson as one project. If they did one in Bear Creek and one in Hinkson Creek, he felt that would definitely be two different projects.

Mr. Janku asked if they would consider, as in past processes, giving us part of the money. Mr. Watkins replied that they reserved the right to offer partial funding, which led him to believe they would want to spread it around.

Mr. Ash asked how many projects they needed to come up with. Mr. Watkins replied that there was no magic number and that the object of the public hearing was to truly get public input. If somebody came up with a project at the hearing that staff had not thought of that would score well, he was hopeful Council would give it some consideration. Mr. Ash asked if they pictured all nine going forward. Mr. Watkins replied they did not. He noted that if the Forum Boulevard project became a priority, they would need to do some work to get it ready for next year. Mr. Ash understood it was Council's job to provide direction on things like this and that staff was not supposed to lay it all out for them, but he felt staff understood a lot better what would score well. He thought it would be helpful to know the pros and cons of each of the projects.

Mayor Hindman understood staff felt that Grindstone Park to Stephens Lake would score best. Mr. Watkins stated it would score well. Mr. Ash felt additional information would be helpful. Mr. Watkins replied that the practical problem with staff scoring the projects was that there were nine people on the committee that came from varying backgrounds and differing communities with varying needs. They might all interpret the regulations slightly different and if staff indicated a particular project would get "X" number of points, one of the commission members who represented a more rural area might see things differently.

Mr. Ash asked if he was saying the Council's guess was as good as the staff's guess. Mr. Watkins replied that was close. He pointed out that they tried to outline what they thought to be critical criteria and decided on the projects they felt to be important in that they would not suggest going in with less than a 40% match. They would look for projects where limited right-of-way was going to be necessary, so they could get easements quickly. Points were also given for moving the project along. He suggested looking for projects that were on local, regional and state plans like our pednet plan and our trails and greenbelt plans.

Mr. Loveless suggested directing the staff to develop numbers one, four, six and eight for public input. He stated he would also like to see them move forward with developing thoughts on project nine, so they could be prepared to put it in next year.

Mr. Janku agreed that number one should be their highest priority. He reminded everyone that they had talked about the pedestrian crossing at Broadway and Old 63 at the last meeting. He thought this would help people avoid that situation and would also have a strong potential impact on traffic. He was not certain he would put number four on the list because they would be putting in something where in between these two parts we had something missing. If he were reading the applications, he might think these were not so good because of a gap between the two and it would not link Grindstone Park to Stephens Park because of an inadequate sidewalk between the two. Mr. Loveless stated he was not necessarily thinking of submitting that as a project, but taking public input on it so that it might be a submission next year. Mr. Ash noted that as Mr. Watkins mentioned they could see the two pieces and think of it as one project. Mr. Loveless asked everyone to remember they were giving staff direction so Council could take public input on projects. He stated they were not at the submission of projects point at this stage. They did not have to submit phase two, but if in the future they had public input on it and decided to submit it, they would be ready. Mr. Janku asked why they would not have more than just those in that case. He suggested having all five. Mr. Loveless stated he was suggesting asking staff to go ahead and develop

cost estimates on the pedestrian bridge at Hinkson. If they were looking at \$ 1 million in funds next year, he did not think there would be too many projects funded. Mr. Janku noted that he brought up the Business Loop project at the work session and that they received some grant money for part of it to get the project started. He wanted to figure out how to keep it going. He felt the thought was that they were going to address it all in phases. He thought at some point they would want to go to the State to see if they could get some help in building it. Mr. Loveless asked if he wanted staff to develop some cost figures for sidewalks on the south side. Mr. Janku replied for the south side and further down the Business Loop. He wanted the project kept on the front burner. Mayor Hindman reminded them that it was suggested they put in an intersection. He proposed the intersection improvements at Stadium and Old 63, noting that it fit in pretty much with the extension of the trail. Mr. Ash asked if there were other intersections that scored better or worse. Mr. Watkins replied that their concern with the two Southampton intersections was that they might be a year premature. As they did the Southampton extension, they would be in a better position to look at those intersections. He thought they could lose a few points for being premature.

Mr. Janku made the motion that projects one, four, and six be scheduled for public hearing and that staff prepare, for next year, cost estimates for the bridge on Forum over Hinkson Creek and sidewalk and intersection improvements along the Business Loop, including the intersections with the Business Loop at Rangeline and Providence. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

**(C) Bicycle/Pedestrian Commission report: Problem Intersections**

Mr. Beck explained that the Council asked the Commission to prioritize intersections where they felt improvements were needed as it related to pedestrian and bicycle travel.

Mr. Loveless asked about ballpark figures for improving the intersections as recommended by the Commission. Mr. Patterson commented that he did not know there was a recommendation as to what was to be done. He thought they were recommending that the locations be examined for particular features. Typically, if they used the rule of thumb they had on intersection improvements in general, he stated they would range from \$150,000 to \$200,000 per intersection.

Mr. Ash made the motion that staff be directed to prepare a report with recommended actions. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

**(D) Proposed Revisions to the Subdivision Regulations**

Mr. Ash asked why they would exempt City-owned property from the platting process. Mr. Watkins noted that at this point the recommendation was to refer them to the Planning and Zoning Commission. He commented that they might look at one or more of them and recommend against moving ahead on them. Mr. Ash felt we needed to be careful about following the same rules as everyone else.

Mr. Loveless asked if the City wanted to develop a piece of park ground just annexed into the City, if we would have to plat it before we could build on it. Mr. Patterson replied that it would have to meet the definition of a lot. It might meet that definition even if it were annexed in because it met some other criteria we had. Generally speaking, we would plat areas that had not gone through a subdivision process. He added that he did not know that anybody was recommending that we exempt ourselves and nobody else. They brought up the issues of Stephens Lake. He noted we had the same thing with telecommunication towers and other utilities where they felt it was appropriate to bring it up for public discussion to see if there were circumstances like this where there could perhaps be better ways of handling those types of situations rather than going through a platting process that might not accomplish anything other than just getting a building permit.

Mayor Hindman had no problem with sending it to the Commission, but stated he would be very concerned about the City not having to jump through the same hoops everyone else had to jump through. He thought it might be that they should change some of the hoops for everyone.

Mr. Janku suggested adding to the list sidewalks to be constructed along improved collector streets. He gave the example of Oakland Gravel, which was now being platted. He stated there would be many lots backing up to the street and that there was also other housing going back towards the park. He thought it was likely there would be gaps in the sidewalks from the multiple lots. For portions of plats abutting collector streets, he thought the sidewalks should be built at the time of initial development so there would not be gaps in the sidewalk system.

Mr. Janku made the motion that sidewalk construction along improved collector streets be added to the list. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mayor Hindman made the motion that the amended list be sent to the Planning and Zoning Commission for their review and a report back. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

## **BOARDS AND COMMISSIONS**

Upon receiving the majority vote of the Council the following individuals were appointed to the following boards and commissions:

### **BOARD OF ADJUSTMENT**

Song, John H., 901 Sycamore, Ward 5 - term to expire 5/1/10

### **BOARD OF ADJUSTMENT ALTERNATE**

Taylor, Robert W., 811 Sycamore, Ward 5 - term to expire 11/1/07

### **AIRPORT ADVISORY BOARD:**

Shanker, Richard A., 602 S. William, Ward 6 - term to expire 5/16/09

Taylor, Robert W., 2508 Cimarron, Ward 5 - term to expire 5/16/09

### **CABLE TELEVISION TASK FORCE**

Sapp, Jo, 1025 Hickory Hill - Ward 4

Wheeler, Janet E., 4105 Meadow View - Ward 6

### **CULTURAL AFFAIRS COMMISSION**

Kerner, Daniel, 515 Cherry, Suite 201, Ward 1 - term to expire 4/1/08

### **ENERGY & ENVIRONMENT COMMISSION**

Deken, Elizabeth E., 1942 Jackson, Ward 2 - term to expire 6/1/06

### **MAYOR'S COMMITTEE ON PHYSICAL FITNESS**

McKeage, Christine B., 5011 Lillian - Ward 3

Workman, Jenny L., 2213 Kyle - Ward 4

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

Randy Minchew, 2603 Chelan Circle, felt the marijuana issue could be resolved by listening to the City's Police Department and their belief that it was a public safety issue. He pointed out that people purchasing marijuana had to go underground to do that, which was putting families at risk. Mr. Minchew stated he helped start the petition process and noted it

was not just the police that felt we had an issue we should not have. He suggested the Council could do something to alleviate the issue and fears.

Ms. Crayton relayed stormwater concerns in the 400 block of West Worley. She stated she would get the phone number to staff so they could follow up.

Ms. Crayton stated she called in concerns about two houses, one on London Drive and one on Hirth. She explained that a van had been sitting at the house, which had a hole in the roof, on Hirth for two years. She stated that people did not understand why things like that could go uncorrected while others were being cited for things such as two tires in their yard. Ms. Crayton noted she had received word back on the London Drive house, but was not satisfied with the report. She stated that the digging had not stopped.

Mr. Janku commented that he received an e-mail regarding traffic and speeding on West Worley. He noted that Chief Boehm indicated more enforcement would be done in the area. The e-mail also asked about the possibility of additional traffic calming in the area because it was between Smithton School and Park de Ville.

Mr. Janku made the motion that staff be directed to report back on the situation. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Nauser reported an e-mail regarding mold and asked if the staff was looking into the mold issue and what could be done to satisfy the concerns.

Ms. Nauser made the motion that staff be directed to report back on the mold issue. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Ash explained that he had heard from someone at Campus Lodge about bus service. He noted that he had brought up in the past that people in Jefferson Commons, Grindstone, Canyon and Campus Lodge would like to have bus service and stated that they received the report regarding the situation from Public Works, but that he had not had time to read it thoroughly. Mr. Ash noted that apparently even the University might be interested in round tabling the issue because of their concern about parking on campus. He suggested looking into a public/private partnership where the apartments could chip in and buy some sort of shuttle that would take their residents to bus service. He wanted to expand the thought process beyond the traditional method of tinkering with the bus routes. Mr. Janku suggested the issue be placed on the retreat agenda.

The meeting adjourned at 10:13 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk