

**MINUTES**  
**CITY COUNCIL MEETING - COLUMBIA, MISSOURI**  
**JUNE 6, 2005**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m., on Monday, June 6, 2005, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members ASH, HINDMAN, CRAYTON, JANKU, LOVELESS and NAUSER were present. Council Member HUTTON was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF MINUTES**

The minutes of the regular meeting of May 16, 2005, were approved unanimously by voice vote on a motion by Mr. Loveless and a second by Mr. Ash.

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

Mayor Hindman pointed out that Report F would be added to the agenda.

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

**SPECIAL ITEMS**

None.

**SCHEDULED PUBLIC COMMENTS**

None.

**PUBLIC HEARINGS**

**B130-05 Rezoning property located on the north side of Cooper Drive North, east of Hyde Park Avenue from R-2 PUD to C-P.**

The bill was read by the Clerk.

Mayor Hindman noted a request had been received to table this issue to the June 20, 2005 meeting.

Mr. Watkins provided a summary of the requested zoning similar to the one provided at the previous Council meeting.

Mayor Hindman made the motion that B130-05 be tabled to the June 20, 2005 Council meeting. The motion was seconded by Mr. Janku.

Mayor Hindman opened the public hearing.

There being no comment, Mayor Hindman continued the public hearing to the June 20, 2005 Council meeting.

The motion, made by Mayor Hindman and seconded by Mr. Janku, to table this issue until the June 20, 2005 meeting was approved unanimously by voice vote.

**B146-05 Voluntary annexation of property located northwest of the intersection of Old Field Road and Harvest Road; establishing permanent R-1 zoning.**

The bill was given second reading by the Clerk.

Mr. Watkins described the property as approximately 6 acres located northwest of the intersection of Old Field Road and Harvest Road in south Columbia. Street access would be

from Old Field Road. City sewer was off of Vawter School Road to the north and City water was available at Old Mill Creek Road and Ashwood Drive. He noted parkland was needed in the area and there was no dedicated greenbelt on the site. Both staff and the Planning and Zoning Commission recommended R-1 as permanent zoning.

Mayor Hindman asked if parkland was needed because there was not a park within a certain distance and if the Parks Master Plan proposed a park in this area. Mr. Watkins explained that the Master Plan drew a number of circles within a half mile radius and within this area, there was no park within the circle. Mayor Hindman asked if there was a policy dealing with situations like this to locate parks. Mr. Watkins replied that he would bring it up with the Parks staff and report back.

Mayor Hindman opened the public hearing.

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

B146-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B147-05 Voluntary annexation of property located on the south side of the western terminus of Brookside Lane, west of Bethel Church Road; establishing permanent R-3 zoning.**

The bill was given second reading by the Clerk.

Mr. Beck described this as a one-half acre tract of ground owned by the Boone County Regional Sewer District. Approval was recommended by both the staff and the Commission.

Mayor Hindman opened the public hearing.

Rick Kaufmann, an apprentice engineer and land surveyor with A Civil Group, 1010 Fay Street, offered to answer any questions.

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

Mayor Hindman noted this was another area where parkland would be required. He also noted an unimproved County road was involved and asked if the County had been consulted. Mr. Watkins replied they were consulted and their concern was that annexation and rezoning of these two lots would increase traffic. He explained that staff's position was that Brookside Lane already abutted property to be developed and that this additional half-acre would have minimal, if any, impact on Brookside Lane.

B147-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B148-05 Voluntary annexation of property located on the south side of Starke Avenue, east of U.S. Highway 63; establishing permanent C-P and O-P zoning.**

The bill was given second reading by the Clerk.

Mr. Watkins noted that this request involved approximately 25 acres on the north side of U.S. 63, adjoining Starke Lane. The requested permanent zoning for Tract A, which was about 7.6 acres, was C-P and the zoning request for Tract B, which was about 17.3 acres, was O-P. He pointed out the original request had been for all C-P, but staff felt that was too much for Starke Avenue. After discussions, the applicant agreed to reduce the C-P. He noted two boundary lines on the overhead and pointed out they were actually creeks, but staff felt they were reasonable boundary lines for the C-P. Mr. Watkins pointed out that it adjoined approximately one acre of C-P, which was rezoned earlier this year. Street access would be off of Starke Lane. Parkland was not an issue and the Bear Creek greenbelt crossed the western side of the site. Mr. Watkins explained the recommendations were for approval of C-P and O-P as permanent City zoning with allowed uses for C-P being all C-3 uses with some exceptions and with allowed uses for O-P being all O-1 uses with no

exceptions. He pointed out that he had spoken with Commissioner Elkin, who indicated the Commission had no problem with C-P zoning across from the Fairgrounds. The Planning and Zoning Commission recommended approval of both C-P and O-P as permanent zoning contingent upon the uses contained in the ordinance.

Mr. Loveless asked if the acre of C-P to the west was the Trachsel property. Mr. Watkins replied it was.

Mr. Janku asked if under our pyramid zoning, the uses in Tracts A and B included duplexes. Mr. Watkins believed that it did.

Mayor Hindman opened the public hearing.

Tom Schneider, an attorney with offices at 11 N. Seventh, spoke on behalf of the applicants. He read a letter from Boone County Fair, Inc. dated February 4, 2005 into the record, which stated "Dear Mr. Holden. Please accept this letter of support to commercially zone your 25 acre tract of land. The Fair Board feels strongly that this would be advantageous for all parties concerned." Mr. Schneider pointed out that the letter was written when the application was for entirely C-P zoning. It had now been reduced by about two-thirds to provide a planned office buffer to the east. He felt there would be a lot of synergy between the Fairground and this project.

Mr. Janku reiterated his question concerning duplexes. Mr. Schneider thought that was correct. Mr. Janku asked if it would be a problem, if they were not included as a permitted use. Mr. Schneider stated he would have to discuss it with his client.

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

Mr. Janku stated he had no problem with the proposed commercial office plan, but thought they often overlooked the fact that when they included all permitted office uses, they were also including duplex development. He was concerned about that and stated he would prefer it not be included. Mr. Schneider commented that Mr. Holden was not present, and therefore, a decision could not be made.

B148-05 was given third reading with the vote recorded as follows; VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B149-05 Rezoning property located on the north side of St. Charles Road, across from Kipling Way, from A-1 to PUD-10.**

The bill was given second reading by the Clerk.

Mayor Hindman noted a request had been received to table this issue to the June 20, 2005 Council meeting.

Mr. Watkins described the property as 4.31 acres with the Metro 2020 designation being neighborhood. Street access would be off of St. Charles Road, an unimproved collector street. It was on the fringe of the existing Woodridge neighborhood park service area and no greenbelt was on or near the site. Staff recommended approval of the request subject to street improvements being made by the applicant or a payment being made to the City for future street improvement work on St. Charles Road. The Commission concurred.

Mayor Hindman made the motion that B149-05 be tabled to the June 20, 2005 Council meeting. The motion was seconded by Mr. Janku.

Mayor Hindman opened the public hearing.

There being no comment, Mayor Hindman continued the public hearing to the June 20, 2005 Council meeting.

The motion, made by Mayor Hindman and seconded by Mr. Janku, to table B149-05 until the June 20, 2005 Council meeting was approved unanimously by voice vote.

**B150-05 Authorizing amendments to the Major Roadway Plan.**

The bill was given second reading by the Clerk.

Mr. Beck noted this would make major changes to the Plan. He explained it had been discussed by the CATSO Technical Committee, the CATSO Coordinating Committee and the Planning and Zoning Commission.

Mr. Ash understood that CATSO made recommendations, which were passed on to the Planning and Zoning Commission and the Council, but asked how they got to CATSO in the first place. Mr. Beck explained that CATSO tried to update the area transportation study area from time to time. He noted a study could be initiated by the Council, MoDOT, or the County Commission since they were all partners and part of the CATSO process. He stated the CATSO plan had to be signed off by the City, County and the Governor's Office for MoDOT. Once it was signed off, federal money could come in for these projects. He also pointed out the City's Thoroughfare (Roadway) Plan was used by subdividers to see the locations of the thoroughfares and how they were classified. Mr. Ash noted certain parts of the Plan were the direct result of the I-70 EIS, but others did not seem to have anything to do with I-70. He asked about the impetus for those changes to street alignments. Mr. Beck cited studies by City staff as the impetus. Mayor Hindman pointed out CATSO had a technical committee that sometimes looked at the overall transportation area and made recommendations. Mr. Janku noted that private property owners could also initiate a review and/or change.

Mr. Fleck, the Senior Transportation Planner, explained the proposed amendments were the result of MoDOT's work on the I-70 corridor, the improvements identified, and MoDOT's study of the 763 corridor area. He noted that they had looked at preliminary designs and had conducted operational analyses on various intersections along the way.

Using the overhead and in discussing the roads identified in exhibit A of the ordinance, Mr. Fleck explained that the request of two property owners to realign Prathersville Road got these particular amendments started. He noted this had a couple of advantages in that it would eliminate a signalized intersection on the northern section of 763 and would potentially shorten the 763 widening project by approximately 2,000 feet, which would reduce the cost, especially right-of-way acquisition costs. Mr. Fleck explained that this was the impetus and staff went to work and looked at reconfiguring a number of roadways to see if they were still needed and if there were ways to make connections that were more efficient, shorter and less costly.

Mr. Fleck explained the first amendment to this area was the Hackberry extension. Staff was recommending that Hackberry be moved to the north as a straight extension from Providence Road to 763 to a new signalized intersection, which would align with the realignment of the Prathersville Road arterial function.

The next amendment in this section was the removal of East Cedar Street from the Plan from Providence Road to 763 because it was not necessary with the realignment of Hackberry to the north. He noted it traversed difficult topography and presented problems on how to resolve the intersection at 763 or Route VV.

Mr. Fleck explained the next amendment was an addition of a local non-residential street, which would basically replace the former alignment for Hackberry Boulevard. It was included because it tied into a break in access at Harvestor and Hackberry at 763. He noted a number of small lots already platted in this location and stated this would allow them to develop and provide circulation back to Hackberry and to a signal.

Another amendment for a local non-residential street was recommended for the same reason. Mr. Fleck pointed out that MoDOT was interested in controlling driveway access onto 763 and providing this roadway would allow the properties to develop properly. It would take traffic back to Hackberry and then to the signalized intersection with 763.

The next amendment included a new minor arterial. One benefit of this was that it would shorten the 763 project. In addition, Prathersville Road, as shown in the Plan, had several problems and widening Prathersville Road had a direct impact on several residences along there. Another advantage was a new alignment through a single property.

In regards to the next amendment, Mr. Fleck mentioned there was concern that the alignment shown would have immediate impacts on Crescent Meadows, which fronted along Prathersville Road. He noted that the new minor arterial could be constructed to Tower Drive and Tower Drive could connect up to Prathersville Road and then Prathersville Road could take traffic out to the Interchange with US 63. It could be an interim arterial alignment that would be used until the Crescent Meadows property was sold or redeveloped or until traffic at the intersection became problematic.

Next was an amendment that would downgrade Prathersville Road, west of Tower Drive, from a minor arterial to a major collector. Mr. Fleck noted it still served a lot of industrial and residential uses along this corridor and that the existing function would be maintained. Downgrading it would also reduce right-of-way requirements. He commented that they would probably see significant drops in traffic along the corridor with the new minor arterial in place.

Mr. Fleck described another amendment was intended to eliminate the dog leg that currently existed on the south side. With the downgrading of Prathersville Road to a major collector, Mr. Fleck stated this realignment would not be necessary and staff recommendation was to remove it from the Plan.

In regards to the Harvester Road amendment, Mr. Fleck noted the signal would be moved from Harvester and Hackberry up to the new minor arterial and Hackberry. Hackberry, east of 763, would be a collector street. He showed the current and new realignment, which was further south. He stated they would eliminate the adopted alignment and recommend the new alignment, which would tie into the soccer field along Brown School Road and Roger I. Wilson Memorial Drive.

Mr. Fleck noted the alignment of Derby Ridge Road was currently adopted in the Roadway Plan. He stated they were recommending an amendment that would remove the realignment for Derby Ridge because of an additional collector street to the west and because the County properties were unlikely to develop.

Mr. Fleck explained another amendment would include a new collector street, the extension of Tower Drive, which would run from Harvester northward up to the new minor arterial and up to Prathersville Road. It was intended to primarily serve development that would occur in this area, but would also replace the previous Derby Ridge alignment, connecting Harvester northward up to Prathersville Road. The alignment was also shorter and through a single property, which meant the road could be constructed relatively quickly.

Mr. Fleck stated the Edenton Boulevard amendment would be the extension of an existing local non-residential street to the south running along the east side of the Auburn Hills commercial tract that fronted on 763 and Brown School Road. This would be an extension of that roadway northward to serve the large property and connect up to Prathersville Road. This would help circulate traffic back to the collector streets and signalized intersections.

Mr. Fleck explained that the next amendment was to extend Prairie Drive, a local residential street, from East Tower Drive to the new minor arterial alignment. This was primarily to provide access to the properties to the north.

Mr. Fleck stated another amendment would be to extend East Tower Drive over to Edenton Boulevard to connect up to provide circulation for the residential uses.

The next amendment was another extension of a local non-residential street from the present platted terminus east to the extension of Edenton Boulevard. Mr. Fleck explained there was a convenience store on the north side of this where there was an existing platted street. This would extend that street over to Edenton to tie it in to further enhance the rearage road concept.

In regards to the interim alignment of the new minor arterial where it went due north on the east end and connected with the existing Prathersville Road to avoid the mobile home park, Mr. Loveless asked if that had been a recommendation of the Committee or just an

alternative they provided. Mr. Fleck replied that it was simply an alternative. There had been concern at CATSO's public hearings from residents of Crescent Meadows since the alignment had been shown to go through that property. Because this was within a single property, he thought they were likely to see the arterial constructed, which would allow an interim connection up to Prathersville Road and access to the Interchange at 63. This would provide the connectivity needed and allow the property owners to do what they wanted with their property in the future. Mr. Loveless understood the eastern section of Prathersville Road was not, at this time, built to minor arterial specifications. Mr. Fleck replied it was not.

Mayor Hindman opened the public hearing.

Paul Cushing, 1303 Carolina Drive, President of the Auburn Hills Homeowners Association, spoke to the Harvestor Road changes. He stated the new plan showed the road coming directly behind several newly built homes, just to the west of Derby Ridge. It also cut through a future City park, which was one of the features of the area. He was hopeful there would be a better way to align the road so it would not cut in so closely to their subdivision and ruin the trees behind their homes. Mr. Cushing also noted a location near the duplex area where there was a belt where water that collected near a creek. He did not think that would be a desirable spot to build a road.

Mr. Loveless assured Mr. Cushing that this was a conceptual plan and nothing specific as to precisely where a street would go. Mr. Cushing understood and stated his group would be more than willing to work with staff on other alignments, if possible.

Mr. Ash noted that besides the Crescent Meadows people having concerns, the convenience store also had issues and were worried about getting cut off. He thought the new proposed alignment would work better from their perspective.

Mr. Fleck explained the following series of Roadway Plan amendments directly related to the recommendations contained in MoDOT's I-70 Environmental Impact Statement (EIS).

Using the overhead and exhibit B of the ordinance, Mr. Fleck explained the first was the extension of Scott Boulevard northward up to I-70 with a full access interchange on I-70. The preliminary operational analysis was conducted as the EIS and it was determined that a full access interchange could occur within a certain envelope along I-70 without creating problems for the main lanes or conflicting with any of the weaving movements associated with the Stadium Boulevard interchange to the east. A large advantage to this alignment was that when it was modeled, it reduced the amount of traffic on West Broadway to the east and on Stadium Boulevard between Broadway and I-70. It also reduced travel time.

Mr. Loveless commented that the overhead depicted Scott Boulevard intersecting the oval at about the middle. He understood there was nothing sacred about the depiction. Mr. Fleck replied there was not. He noted that quite a bit of engineering work would be required and that a study would be needed to specifically identify a location for the interchange and to develop an appropriate alignment for that roadway. He reiterated that none of it was fixed. It merely showed they were going to have a connection of Scott Boulevard northward to I-70 at points to be determined.

Mr. Janku noted the mention of a reduction of traffic on West Broadway and asked if a percentage was available. Mr. Fleck recalled reductions of 18 to 20% of the forecast traffic from 2030. On Stadium, it was less significant, but still fairly high at 8 to 10%. Mr. Janku asked if there were projections on any other street, such as Fairview. Mr. Fleck replied that was extensively modeled as part of the I-70 EIS. They reviewed whether the Scott extension would divert enough traffic, so they would not need to make improvements on Stadium or connect at least some of the movements from I-70 to Fairview Road. Mr. Fleck noted it did not. Mr. Janku thought it would reduce it some. Mr. Fleck stated it would help some, but all of this was modeled with Fairview and everything else in place. Even with Scott Boulevard, the extension of Fairview up to I-70 was still needed to make Stadium Boulevard and the interchange functioned properly. Mr. Janku understood this would have an impact reducing traffic on Fairview. Mr. Fleck replied that if they did not have it, Fairview would have much

more traffic.

Stephanne Walker, 112 Scott Boulevard, thought it would be fairer to show all of the houses in the depictions. She stated it was very difficult to figure out what was being talked about without the roads named and the houses depicted. Mr. Loveless explained there was no fixed route. It was only a general concept of extending Scott Boulevard up to connect with a new overpass on I-70 somewhere in the oval. As they got to the design stage, the engineers would look more closely at where the homes were, where there was vacant land and how to run it through to cause the least amount of disruption on peoples lives. Ms. Walker asked about the time frame and whether or not the funds were available. Mr. Beck replied that money was not currently available, but if they did nothing, there would be houses all over these areas and people buying them would not know there was a plan in place for a thoroughfare to come up through the area. He reiterated that he was not sure that anyone knew when the funds would be available. Mayor Hindman thought 5 to 10 years could be a reasonable possibility. Ms. Walker understood this to be the City's wish list and asked if MoDOT had approved it. Mr. Loveless pointed out that MoDOT was part of the CATSO group. Mr. Beck explained that it would not be approved as part of the I-70 Corridor Plan; however, this particular position along the roadway had been indicated as a location on which an interchange could be built and not blocked by the I-70 program.

Russell Geen, 4 Shad Bush Drive, President of the Smithton Ridge Neighborhood Association, stated they had been told a few years ago not to worry about this and that there would be a good deal of further study. He commented that he was getting the feeling this was a done deal and was now awaiting approval of the City Council. He thought it needed more study and further consultation with the people involved. Mr. Geen noted his neighborhood bordered the placeholder for this roadway. He pointed out that things had changed in the past two years and reminded everyone that a new Wal-Mart Supercenter would soon be added to the mix.

Referring to the overhead and exhibit C of the ordinance, Mr. Fleck stated the next amendment was the upgrading of Fairview Road to a minor arterial from its current major collector status and the extension of Fairview Road, north of Bernadette, to connect with I-70 through two ramps. One from westbound I-70 and one to eastbound I-70.

Mr. Ash noted the Planning and Zoning Commission was in favor of everything except the flyover ramp. Because this was a result of the I-70 EIS Study, he wondered if they would be forced to go along with it. He asked if they had any latitude. Mr. Fleck replied that there was no burden on the Council to accept the recommendation. If the Council elected to not include it, that was their prerogative. Mr. Ash asked if that would have any affect on funding or if it could mess up the whole I-70 project. Looking at the scheme of improvements at the Stadium/I-70 Interchange, Mr. Fleck noted that the flyovers for two movements off Fairview were a very expensive fix. Before the ramps could be installed, they would need to completely reconstruct the interchange because the ramps went under the bridge. He thought it would probably be one of the last improvements that would be looked at and would only be looked at if there were actual operational problems occurring on the Stadium corridor. If there were, the fix would be in place because it would be part of the EIS document and they could move ahead. From a federal funding standpoint, CATSO had already adopted this Plan and if MoDOT chose to add the ramps, they could do so and get federal funding because of the CATSO action. Mr. Ash was concerned that once they put it in the document, it would be difficult to remove.

Using the overhead and exhibit D of the ordinance, Mr. Fleck described the next amendment relating to Parker Street. He stated the I-70 EIS identified a new interchange location, which was south of the current intersection of Parker and Vandiver. The Roadway Plan would be amended to extend Parker from Vandiver, south across I-70 and down to East Business Loop 70. This connection would replace the ramps that would be removed from East Business Loop. The extension of Parker Street currently shown running along the west

side of Albert Oakland Park was recommended to be removed from the Plan. The concern was that with the connection to I-70, the neighborhood collectors planned for this area would become an attractive shortcut to the Interstate.

Mr. Ash asked why it was being proposed so close to 763. Mr. Janku replied that they were doing interesting things, such as “triplets.” Mr. Ash asked if they would not be full access diamond interchanges. Mr. Fleck replied they would not and explained that there was already inadequate spacing at the two diamond interchanges at Providence and 763. What they were doing was creating a system of interchanges that were tied together with one-way frontage roads and slip ramps off to the frontage roads. This would eliminate the weaving conflicts and would provide the additional capacity needed. The “triplets” would include Providence, 763 and this one at Parker.

Mr. Janku asked about Northland Drive. Mr. Fleck replied that it would remain as a neighborhood collector. He reiterated the concern about shortcuts and the interchange access having an impact on that roadway and the nature of traffic through that neighborhood. He explained that they looked at other alternatives to provide additional access to try to mitigate some of that, but nothing had moved forward to the Roadway Plan stage.

Referring to the overhead and exhibit E of the ordinance, Mr. Fleck explained the next amendment would remove Heriford Road from the Plan, as it would conflict with the extension of Parker Street. As a replacement to the Heriford extension, the Plan would be amended to identify Burlington Avenue as a major collector roadway so there would be continuity between Vandiver and Route B.

Mr. Ash thought they had recently approved something in this location. Mr. Fleck stated that when the I-70 improvements were put into motion that property would be purchased, the buildings would be razed and the roadway would be constructed.

Using the overhead and exhibit F of the ordinance, Mr. Fleck noted the last set of amendments had to do with the extension of Clark Lane over I-70 with an overpass to Business Loop 70 East. He explained that as a major collector, it would allow local traffic to circulate across I-70 on to Clark Lane and would provide an alternative for the need to use the I-70/63 Interchange. He commented that this connection existed before I-70 was constructed, so it would restore the connection that previously existed.

Mr. Ash felt the left turn off of Clark Lane on to Paris was as a dangerous turn. He thought it needed to be examined.

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

Mr. Janku commented that they had a work session on the Harvester Road extension issue and had received a report from the staff detailing three different options. He pointed out the park itself was purchased from the developer and was currently undeveloped, but was an issue they were considering for the ballot. He noted that a plan had not been worked out for the park and that generally their procedure was to work with the neighborhood to develop an acceptable plan before moving forward. He noted rough topography where the realignment was shown. He felt they should allow the planning process for the park to move forward before making this particular change. He proposed an amendment to Item H in Section 1 the ordinance. He thought it should read as follows: “Retain the current alignment of Harvester Road west of Derby Ridge Road. Realign the extension of Harvester Road east of Derby Ridge Road ....” so it will continue to the east in the proposed alignment. He stated this would mean that Derby Ridge would have to continue further. It would freeze the alignment north of the park where it currently was until a plan could be worked out for the park. When the proposal came forward, they could then be more detailed on the alignment. He reiterated that he wanted to maintain the existing alignment west of Derby Ridge to allow the planning process to go forward.

Mr. Janku made the motion to amend Item H in Section 1 as previously stated.

Mr. Loveless asked if he meant Harvester Road in its current designated alignment west of Derby Ridge would stay on the north side of the park. Mr. Janku replied that was

right, which meant that when the plan was brought forward it might move south.

The motion made by Mr. Janku was seconded by Mr. Loveless.

Mr. Ash asked if they tried to minimize how much these roads went through County property. Mr. Fleck replied, yes. He stated the alignment for Harvestor that was in the Plan right now did run through a drainage swale or creek area. The Derby Ridge extension was shown as it was and when the City purchased the property, both roadways were in the Plan. A potential problem with leaving the Roadway Plan as it was, until a future date, was that they were going to have development on the tract to the north and west of the park. He felt they needed to get the alignments set to be able to decide where it would enter the park. If the Roadway Plan stayed as it was, the developer would be required, through the Subdivision process, to plat the right-of-way, as shown in the Thoroughfare Plan. He pointed out it would be locked in place and not subject to change at a future date. The same thing would be true of Crescent Meadows, if it were to redevelop for some reason. Mr. Janku pointed out that he was not changing the language with respect to Derby Ridge. He stated the part north of it would still go away. Mr. Janku commented that he only wanted to make sure we could have a feasible park on the property for which the City paid good money. He felt the neighbors bought their homes expecting a park there. Mr. Watkins stated staff concurred that the road alignment should be done in conjunction with park planning. He reminded everyone that as part of that park construction, according to City policy, the park would be responsible for building the roads the park would be around. He noted that would include both Derby Ridge and Harvestor, wherever it was located. Mr. Janku stated he would be glad to get the planning process started with a motion at the end of the meeting.

Mr. Ash asked for clarification of the motion. Mr. Janku repeated that his motion would affect Item H and would read as follows: "Harvestor Road: Retain the current alignment of Harvestor Road west of Derby Ridge Road. Realign the extension of Harvestor Road east of Derby Ridge Road approximately 1,600 feet south of the adopted . . . and would then continue with the existing language. He reiterated that it basically stated that we were preserving the line along the northern border of the park. He pointed out Item I would not change. It would still remove Derby Ridge Drive from the Major Roadway Plan from north of the proposed Harvestor Road realignment to Prathersville Road. The northern part of the realignment would go away as was proposed in their original document.

The motion to amend B150-05, made by Mr. Janku and seconded by Mr. Loveless, was approved unanimously by voice vote.

Referring to the connection related to the mobile home park and the convenience store, Mr. Ash asked if they needed to adopt the interim connection. Mr. Fleck replied the Roadway Plan would have it going through the northern portion of the mobile home park. He was just pointing out that a connection to Prathersville Road could be made in the interim because they did not know when or if the mobile home park would be sold or redeveloped. Typically they waited until the property developed to acquire the right-of-way and extend the streets. Mr. Loveless understood that they would not need to put that language in. Mr. Fleck replied that was correct. Mr. Ash wondered if they did not put it in, if it would happen. Mr. Fleck reiterated that the Tower Drive connection from the new minor arterial to Prathersville Road was part of the series of Roadway Plan amendments that were being discussed, so a connection would occur.

Referring to the Fairview Road upgrade to a minor arterial and extension to I-70, Mr. Ash suggested they agree to everything except the flyover. He thought they could add it back in later, if it was found it was absolutely needed.

Mr. Loveless stated he could not support such an amendment because of the congestion along the Stadium and I-70 intersection. He noted that any relief of that traffic situation was something he would support.

Mr. Janku referred to Roman Numeral 3 on Page 3 of the ordinance and noted that it

excluded flyover ramps to connect with I-70. Mr. Watkins explained that had been the recommendation from the Planning and Zoning Commission. If Council adopted their recommendations, Mr. Janku understood it would not include the ramps. Mr. Watkins replied that was correct.

Mayor Hindman commented that they had a situation in which, wherever they were talking about putting one of these relief roads in, there was opposition. He agreed that it was important to get these roads on the Plan, so there would be no further harm done as far as disrupting neighborhoods. He thought it was incumbent upon the Council to decide whether or not these roads were needed and to get them on the Plan in order to reduce future problems. He stated that they might also need to look at one in the Midway area and get it on the Plan, so everyone would be aware that there would have to be various kinds of traffic relief. He thought they needed all of the road reliefs, but also thought they needed to get busy and work with the neighbors to come up with good and acceptable solutions. He felt Scott Boulevard had more flexibility than the others and stated that they should be doing what they could to resolve the issues.

Mr. Loveless commented that Scott Boulevard would be particularly challenging without knowing the precise location of the interchange. He agreed it would be very helpful at this time to locate a mid-line up to the outer road. Once on the north side of the outer road, it was primarily commercial property, not residential.

Mr. Janku understood that a lot of people did not want the Scott Boulevard connection, but stated the benefit he saw was for the area to the east. Right now, all of the traffic from west Columbia used a lot of primarily residential streets or went along West Broadway, which caused problems for people accessing West Broadway, coming out of Silvey Road. He thought it would keep traffic out of that neighborhood and would allow traffic to go around the neighborhood to access the Interstate or come from the Interstate around the neighborhood instead of getting off at Stadium and coming through the neighborhood. He felt there would be less traffic on Fairview, if Scott Boulevard was connected to I-70.

Mr. Ash felt it was a lot like the discussion of the 740 extension connecting with 70. He noted that people that lived out there thought it was a terrible idea, but one could see how much sense it made when looking at the big picture in regards to traffic flow.

In regards to the Scott Boulevard interchange, Mr. Loveless asked how much leeway they would have in connecting to the oval from one end of it to the other, if they adopted the depicted exhibit along with the ordinance. Mr. Beck replied that they would have none west of the overpass because of the Perche Creek floodplain and the ramping onto an interchange at that location. Any movement would have to be westward from Sorrel's Overpass. Mr. Loveless assumed it was likely that a realignment of Scott Boulevard would be westward of where it was shown on the exhibit. Mr. Beck stated it would be quite close, maybe slightly to the east, unless someone had done studies since the one he saw about five years ago. He noted the distance between Perche Creek and the current overpass was pretty tight. Mr. Loveless asked if Scott Boulevard could essentially follow the Strawn Road alignment and then at the northern end, curve back east, to pick up the Sorrel's Overpass location. Mr. Fleck explained one of the problems was the grade change between I-70 and Strawn. Strawn Road was mostly in the floodplain and flooded when it rained. To get it out of the floodplain would require fill and fill in a floodplain was always an issue. Mr. Beck pointed out that the flooding was from both, Perche Creek and the Missouri River.

In regards to the Fairview flyover ramps, Mr. Loveless made the motion that Roman Numeral III of B150-05 be amended by deleting the phrase surrounded by commas that stated "excluding flyover ramps to connect with I-70." The motion was seconded by Mayor Hindman.

Mayor Hindman asked Mr. Ash about his objection to the flyover ramps. Mr. Ash thought it seemed odd to have flyover ramps. He also found it odd that once Broadway was

crossed, the street would change drastically. He noted it would be very expensive, a last resort, and the experts were saying we would not need it for many years.

Mr. Janku agreed it went through a commercial area to some extent, but felt there were immediately adjacent residential areas that were not designed for high volumes of traffic coming through, both north and south of Broadway.

Mr. Loveless did not understand why they were addressing Fairview south of Broadway. He pointed out that area was completely built out and there was no proposed upgrade of Fairview south of Broadway.

Mr. Janku stated that for traffic coming from somewhere between Scott and Stadium, they would have the choice of going down Fairview. He commented that people lived south of Broadway and an increased number of them would use that as their route to get to and from I-70. He asked if there were numbers available. Mr. Fleck replied that there was a slight increase in traffic, but it was an attractive route for people who already lived in the corridor. It was not pulling outside traffic through the corridor. Mr. Janku felt the traffic that might otherwise be on Scott would be using Fairview. Mr. Fleck agreed, but felt it was a wash.

Mr. Beck commented that he had checked with staff to make sure what they were doing would not cause a setback to the I-70 EIS. He noted the City needed to have that approved as soon as possible, so they could start doing some work on I-70. Until the EIS was approved by the federal government, there would not be any phasing of work on I-70. It was his understanding that if the Council did not adopt the flyovers, the EIS would go forward. Mr. Fleck replied that was correct. He pointed out that CATSO had already adopted this and that was the agency that needed to approve it. MoDOT needed to have it in the MPO's plan in order for it to be eligible for federal funding and CATSO had already put this in the Plan. The flyovers, once the EIS was signed off on, would be eligible for federal funding.

Mayor Hindman noted that Mr. Janku had been sitting on the I-70 Study Committee and asked him about his thoughts with the understanding that he did not think the flyovers were a particularly good idea from the City's point of view. Mr. Janku replied that he was concerned about the neighborhoods in the area. He thought traffic could be diverted using Scott Boulevard. Based on the numbers from the firm that did the I-70 study, the Fairview ramps took more traffic out of Stadium than the Scott Boulevard interchange. They recommended this instead of Scott Boulevard in order to make Stadium work. Mr. Fleck stated that Scott was included in the modeling, but they did not include it as an improvement to be constructed as part of I-70. He clarified the Fairview connections to I-70 were really intended to pull traffic out of the Bernadette/Stadium intersection, not out of the Stadium corridor.

Mayor Hindman asked how people would get onto Fairview using the flyover ramps. Mr. Fleck replied that they would take Fairview north and head east on I-70 or come off of I-70 westbound and go south on Fairview. Those were the only two movements available with the flyover ramps. Mr. Janku pointed out that it would not be a four-way interchange. Mr. Fleck clarified that it was actually not an interchange at all. It was an extension of the ramp because one would come off and go underneath the bridge structure on Stadium. Mayor Hindman wondered how traffic would be removed from Stadium if this was not implemented until 2030. Mr. Fleck explained that once the Stadium/Bernadette area could no longer be improved, Fairview would be the only solution to divert some of the traffic. He noted that one could take Scott Boulevard to I-70 and that might remove thru-traffic on Stadium Boulevard, but they would still have the turning movements. He clarified ramps were intended to solve that issue.

Mr. Loveless questioned why they would want to eliminate the flyover option at this point if they all understood it had a specific purpose. Mr. Ash thought there could be some other option they did not know about yet because a lot could change in 25 years. If it was

going to take that long before being needed, he asked why it should put on the table at this point. Mr. Loveless felt reasons were because it was already in the I-70 EIS and because CATSO had already endorsed it.

The motion to remove the language excluding the Fairview flyovers, made by Mr. Loveless and seconded by Mayor Hindman, was approved by voice vote with Mr. Janku and Mr. Ash voting no.

B150-05, as amended, was given third reading with the vote recorded as follows; VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**(A) Voluntary annexation of property located on both sides of State Route WW, east of the present City limits.**

Item A was read by the Clerk.

Mr. Watkins described this property as 804.8 acres east of the City limits. He pointed out that this public hearing was for the annexation only and the next Council agenda would include the related zoning issues and development agreement for consideration. At future dates, as development began to occur, the Commission and the Council would review PUD and C-P plans.

Mayor Hindman opened the public hearing.

Bruce Beckett, attorney for the proponents of this voluntary petition for annexation, provided a handout and explained that in considering voluntary annexation requests, the Council had to answer a few questions in the affirmative. The first question was whether or not the annexation of this property was reasonable and necessary for the proper development of the City. If they found it was, the next question was whether or not the City could provide reasonable municipal services to the area in a reasonable period of time. Mr. Beckett felt it was reasonable and referred to the handout, which showed the annexation history of the City up to November of 2004. He explained that he superimposed the Sapp property on the map and connected all of the out bound corners of the incorporated limits of the City. He felt it was easy to see that the Sapp property was well within the circle and a pocket of unincorporated areas surrounded on the north, west and south by other areas that were within the City. Mr. Beckett cited Section 71.012 of the Revised Missouri Statutes under which this annexation petition was filed and stated that one was not ineligible for annexing property voluntarily merely because one created a pocket of unincorporated land that was totally surrounded by incorporated parts of the City. He felt the next logical step in that line of thinking was that this annexation was not necessarily improper just because they left a peninsula of unincorporated land between the newly annexed territory and other already annexed areas of the City. Mr. Beckett felt this was a proper annexation under Missouri Statutes. Regarding the second question of whether it was necessary for the proper development of the City, Mr. Beckett proposed that any time the City could annex an extremely large parcel of ground and would know how it was going to be developed over the next 8 to 10 years would serve the development of the City in a way not seen before. He felt it was far superior than the patchwork of annexation the City had historically experienced. He pointed out that this particular tract was an essential element of the agreement the City had with the Boone County Regional Sewer District to sewer an entire drainage basin. In regards to whether the City could provide municipal services or ensure the provision of normal municipal services within a reasonable period of time, he noted that staff had indicated they could under the auspices of territorial agreements reached with special taxing districts that provide those kinds of services in the county or directly by the City. He urged the Council to look at the zoning development agreement issues that would be discussed at the next meeting and noted it included requests of both the City and representatives of HARG.

Renee Richmond, 6960 E. Summers Lane, spoke on behalf of HARG and provided a handout. She stated their goal was to see that the proposed development did not adversely affect the area and its residents and that the safety of Highway WW was addressed. Over the last six weeks, they had been working with Mr. Sapp and his spokesperson, Mr. Stamper, to come to an agreement over their concerns. The group had also met with Mr. Watkins and Commissioner Elkin to discuss the development. Ms. Richmond explained her handout contained a statement of intent listing their concerns and where in Mr. Sapp's development those concerns were addressed. Recently, she requested two changes to the development agreement that were inadvertently left out. Except for those changes and a little more tweaking, she stated they were satisfied with the development agreement. Their biggest concern about this development had always been the safety of Highway WW and the amount of traffic this development would generate. She stated the issue was not completely addressed within the development agreement. Highway WW was a two lane State Highway with no shoulders, line of sight issues and traffic levels in some areas sufficient to warrant a four lane road. Once complete, Ms. Richmond understood there would be close to 4,000 residents traveling in and out of Columbia along Highway WW from this development. Safety on this highway was not just a MoDOT issue. It also involved the City of Columbia and Boone County. They were told by MoDOT that there were no funds available for improvements to this road now or in the foreseeable future. She noted they could not depend upon MoDOT to make the improvements in a timely fashion. Mr. Watkins was given the authority to proceed with negotiations between the City, County and Mr. Sapp to address the needed safety features of shoulders, stop lights, and turn lanes along WW. She stated they would continue working in good faith with Mr. Sapp, Mr. Watkins and Commissioner Elkin. She pointed out that neither she nor Mr. Sapp had signed the statement of intent. She felt that Mr. Sapp was willing to work with the City and County to put shoulders on Highway WW and to pay for part of the cost. Mr. Watkins and Commissioner Elkin, she noted, were also working together to come to some agreement. She pointed out that once the plan was negotiated, it would have to go through both the City and the County for approval before funds could be allocated and the plans implemented. She stated the City or the County could decide not to spend the money and all of the work and negotiations would have been for nothing. This was why they had not signed the statement of intent. Once they signed it, they agreed to no longer oppose or petition against this development. Before signing, Ms. Richmond felt they needed some assurance from the Council that Mr. Watkins would be allowed to continue working with Commissioner Elkin and Mr. Sapp to complete their agreement and that once it was before the Council, the Council would thoroughly consider its merits. She understood the Council could not approve a plan they had not seen, but stated she needed to know the Council understood the importance of the needed safety improvements to Highway WW and that they would work along with Mr. Watkins toward that goal. She commented that Mr. Sapp and by all indications, the County, was willing to help with the costs. She asked if the Council was as well. Mr. Richmond provided a copy of her complete statement.

Mr. Hindman noted that the Council was not in a position to vote on such a thing. Ms. Richmond clarified that she was not asking for a vote. She was asking that the Council allow the Mr. Watkins to continue to negotiate with the County and Mr. Sapp to devise a plan and that when it came before them, they would consider its merits. Mr. Janku explained that they had talked about this issue at the pre-Council session and that Mr. Watkins detailed the discussions regarding what was coming forward and how things might be accomplished. He did not think Mr. Watkins or staff needed additional authorization because they were acting under Council authorization and were expected to continue. Mr. Boeckmann felt the concern could be addressed by a motion directing the City Manager or his designee to continue negotiating in this regard.

Ms. Richmond asked if the Council was willing to consider spending City money for the shoulders on that road. Mr. Janku, speaking for himself, explained that they were working on how to raise money for joint City projects for the ballot issue and thought this would be included in that.

Mr. Richmond reiterated their concerns and hoped that when this issue came before the Council that it was a reasonable plan and that it would be thoughtfully considered.

Mr. Loveless pointed out that there was identified funding in the proposals they were considering for transportation funding that was specifically earmarked for cooperative projects with both MoDOT and the County. He stated this would be one of those projects that could well be funded from that. He assured Ms. Richmond that the Council had concerns for all the citizens of the City and for the infrastructure problems and challenges throughout the City.

Dennis Bettenhausen, 9300 E. Turner Farm Road, stated that by putting a city the size of Centralia 2 ½ miles east of Columbia, the same situation would be created on the east side the City was now dealing with on the west side. He thought this presented an excellent opportunity to show that the City could look ahead and do some road work before it became a major problem. He asked for Council support in trying to do that.

James Fairchild, 9603 E. Vemers Ford Road, asked where the funds would come from for this roadway improvement and where this project would rank if it were to be added to the list of development projects. He was concerned that the developers indicated that they would support nothing but a sales tax. He thought it would be helpful to have figures included before voting on anything and that the cost would be in the range of \$8 to \$10 million.

Mayor Hindman stated these were issues they would include in their discussions about needed road work all over town. Mr. Beck noted they would continue ballot issue discussions at the next work session on the 22<sup>nd</sup>. He also explained that in previous ballot issues, they had not specified City, State, County projects. Past Councils included a level of funding like \$500,000 toward joint projects.

Mr. Fairchild understood they would expect this ballot issue to have wording on City/County funding. Mr. Beck stated that was what they were looking at. Mayor Hindman felt the question was how much it would be.

Mr. Ash thought Mr. Fairchild was asking about this particular road. He did not think they would necessarily spell it out for WW per se, but would have a set amount for joint partnership projects.

Mr. Boeckmann explained that it had not been in the ballot language itself, but the Council did provide a list for the public telling them how they intended to spend the money. He pointed out that Columbia had a very good record of following what the voters were told about what the money was going to be spent for. The actual ballot itself, for example, would state capital improvement sales tax. There would not be a list of streets for which the money would be used, just that it would be used for road improvements.

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

Mr. Janku made motion that the City Manager or his designee be directed to continue negotiations as requested. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

**(B) HOME funding for Bethel Ridge.**

Item B was read by the Clerk.

Mr. Beck noted that earlier a report was brought to the Council on this subject, which included the use of federal, HOME money, through HUD for funding the Bethel Ridge development project at the northeast corner of Bethel and Nifong for low income senior citizens. He pointed out there was an opportunity for comments on this issue through June 25<sup>th</sup>.

Ms. Crayton asked how comments would be accepted. Mr. Beck replied letters could be written to the Council, the Manager or the Clerk.

Mr. Janku asked if the Mayor wanted to have some kind of authorization to endorse the project. He thought it was an excellent project and wanted to demonstrate Council support. Mayor Hindman stated he would be glad to write a letter of endorsement saying the Council unanimously supported the project.

Mr. Loveless made the motion that the Mayor write a letter of support stating the Council's unanimous endorsement. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

Mayor Hindman opened the public hearing.

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

## **OLD BUSINESS**

### **B151-05 Granting a variance from the Subdivision Regulations relating to sidewalk construction along the west side of Smoky Mountain Court, south of Faurot Drive.**

The bill was given second reading by the Clerk.

Mr. Beck explained this request met the policy guidelines for waiving sidewalk construction. He noted it was on a cul-de-sac street, which already had a sidewalk on one side.

Mike Schofield, 512 Stalcup, spoke on behalf of the other five families on his street. He explained the land behind them was originally developed as an unbuildable strip to act as a buffer between Broadway Farms and Rothwell Heights and that it had been the intention of the developer to maintain it that way. The property, by default, became the property of the residents on Stalcup, who maintained it. He stated Mr. Wulff purchased the strip and quit claim deeded it to residents of Rothwell Heights. He referenced a petition signed by the residents who wanted to see the strip of land remain as undeveloped property.

Ben Wulff, 508 Smoky Mountain Court, stated he saw people walking on the east side of Smoky Mountain, who would go to the corner and then come back. Very few, he noted, walked on the west side. He felt it would be a waste of money to pour concrete in this location when there was a demand for it in other places. He asked the Council to approve the waiver.

Mr. Ash saw no problem with this and reminded the Council that they had not looked at his proposed changes simplifying the requirements to three from eight.

B151-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

### **B152-05 Approving the Final Plat of Ridgeway Place Plat 1; authorizing a performance contract; granting variances to the Subdivision Regulations.**

The bill was given second reading by the Clerk.

Mr. Beck described this as a 1.1 acre tract, which would create four R-2 zoned lots. The variance request was for street width and utility easement width. Staff reviewed the issues and recommended approval.

Since there was no longer a neighborhood association here, Ms. Crayton wanted to make sure the issues they had come up with still got addressed. She noted this was a small street and wanted to make sure emergency vehicles could get in. Ms. Crayton also noted the weeds were waist high and wanted to make sure these properties were maintained better once they were developed.

Mr. Glascock pointed out that the street was 28 feet wide, which met City standards. Mr. Janku noted that if there were problems, on-street parking could be restricted. Mr.

Glascocock stated that they did discuss restricted parking because of the narrow right-of-way.

Bob Walters, 2704 Vail Drive, explained that he was helping Habitat for Humanity with this. Since the project reached its current form, people with Habitat had talked to the immediate property owners and he thought they had satisfied their concerns. He felt the 28 foot street was as wide or wider than Ridgeway itself. Although the property was zoned R-2, he pointed out they would be building four single-family homes. Regarding emergency vehicle access, he understood the cul-de-sac dimensions to be typical. He thought it was designed for fire and garbage trucks to turn around.

B152-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B153-05 Approving the Final Plat of CenterState Plat 7; authorizing a performance contract and development agreement.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposed plat would create one C-P zoned lot, which was essentially the street itself. It met all of the C-P plan requirements and would be a private street like many of the streets in the development were. Staff initially had concerns with the potential of left turns coming into and out of the street. Since the developer agreed to give the City sole discretion to make it a right in/right out, staff felt this would solve the problem. He noted a signed agreement stipulating this was included in the packet.

Mr. Ash asked if there was ever a concern with private drives when pieces were sold causing someone to have a lot they could not access. Mr. Watkins thought the frontage on a public street would not be a problem. He pointed out this was all zoned C-P and that in some point in the future they would see a C-P plan for the area.

B153-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B158-05 Authorizing acquisition of land for expansion of the Wabash Station renovation project.**

The bill was given second reading by the Clerk.

Mr. Beck explained this property fronted on Orr Street and that the purchase was part of the Master Plan prepared for the Wabash Transit Center. It was now a warehouse.

B158-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**CONSENT AGENDA**

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

**B154-05 Approving the Final Plat of Forest Ridge Plat 3; authorizing a performance contract.**

**B155-05 Approving the Final Plat of Brookside Square Plat 3; authorizing a performance contract.**

**B156-05 Approving the Final Plat of Creek Ridge Plat 1; authorizing a performance contract.**

**B157-05 Approving the Final Plat of Woodland Springs Plat 3.**

- B159-05** Authorizing acquisition of easements to construct Southampton Drive from State Route 163 (Providence Road) to Nifong Boulevard, south of Grindstone Parkway.
- B160-05** Authorizing acquisition of easements for construction of Sanitary Sewer District No. 149 (Edgewood Avenue).
- B161-05** Confirming the contract with Boone Construction Company for the Auburn Hills sidewalk project.
- B162-05** Confirming the contract with Capital Railroad Contracting, Inc. for construction of sewers in Sewer District No. 141 (Green Valley Drive).
- B163-05** Confirming the contract with Ken Kauffman and Sons Excavating, LLC for construction of sewers in Sewer District No. 158 (Old Plank Subdivision).
- B164-05** Accepting conveyances for drainage, sewer, sidewalk, street and utility purposes.
- B165-05** Accepting conveyance; authorizing payment of differential costs for water main serving CenterState, Plat 3; approving the Engineer's Final Report.
- B166-05** Authorizing an agreement with the Missouri Highways and Transportation Commission for the Blueprint for Safer Roadways Program; accepting portable breath testers and laser radars; appropriating funds.
- R103-05** Setting a public hearing: voluntary annexation of property located on the northeast side of Strawn Road (State Road ZZ), north of West Worley Street.
- R104-05** Setting a public hearing: voluntary annexation of property located on the east side of Wyatt Lane, north of Thompson Road.
- R105-05** Setting a public hearing: voluntary annexation of property located on the north side of Prairie Lane, east of Creasy Springs Road.
- R106-05** Setting a public hearing: special assessments against property specially benefited by public improvements made to Heather Lane.
- R107-05** Setting a public hearing: storm drainage improvements of two culverts along Rock Quarry Road, between Nifong Boulevard and Gans Road.
- R108-05** Setting a public hearing: construction of the South Grindstone Outfall Sewer - Phase 1, 2 and 3.
- R109-05** Setting a public hearing: improvements to Nifong Park.
- R110-05** Authorizing application to the Missouri Division of Highway Safety for a law enforcement grant.
- R111-05** Authorizing renewal of a contract with the Central Missouri Humane Society for animal control services.
- R112-05** Authorizing an agreement with the Missouri Department of Health and Senior Services for the Show Me Healthy Women Program.
- R113-05** Authorizing agreements relating to the repair and conservation of art work in the Howard and Gentry Buildings.
- R114-05** Authorizing an agreement with the Curators of the University of Missouri relating to the Senior Games and Show-Me State Games.

**R115-05**     **Authorizing various Adopt A Spot agreements.**

**R116-05**     **Authorizing a historic preservation grant agreement with the Missouri Department of Natural Resources and the Office of Historic Preservation.**

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

## **NEW BUSINESS**

**R117-05**     **Approving the Preliminary Plat of Bear Creek Village.**

The resolution was read by the Clerk.

Mr. Watkins explained this 17.2 acre tract was located on the south side of Proctor Drive, east of Creasy Springs Road. The existing zoning was R-1 with access off of Proctor Drive, an unimproved local residential street and an extension of a local residential street. Internal access consisted of three cul-de-sacs and one thru-street. There were no access issues identified by staff. All City utilities were available to the site. Staff recommended approval of the plat, but the Commission did not make a recommendation due to name concerns, which were now worked out.

Mr. Loveless asked about the name and what the resolution was. Mr. Watkins replied that legally these people had the use of the Bear Creek Village name. That was recognized by the other group, who would now be changing their name.

The vote on R117-05 was recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Resolution declared adopted, reading as follows:

**R118-05**     **Approving Preliminary Plat 2 of Bay Hills.**

The resolution was read by the Clerk.

Mr. Watkins described this as an 11.3 acre tract located on the northwest corner of Grace Lane and Richland Road. The existing zoning was a combination of R-1, PUD-16 and C-P. Access was off of Richland Road, an unimproved major arterial street, and off of Grace Lane, an improved minor arterial street. Access was limited from the Grace Lane/Richland Road intersection and they saw no interference from that perspective. Both staff and the Commission recommended approval.

The vote on R118-05 was recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, NAUSER. VOTING NO: NO ONE. ABSENT: HUTTON. Resolution declared adopted, reading as follows:

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

**B167-05**     **Rezoning property located on the east side of West Sexton Road (713 W. Sexton Road) and on the west side of Jackson Street (610 Jackson Street), south of Business Loop 70 West, from R-2 to C-3.**

**B168-05**     **Approving the Restaurant Row C-P Development Plan.**

**B169-05**     **Approving the Pavilion Building C-P Development Plan; granting a variance relating to parking requirements.**

**B170-05**     **Approving the Woodland Springs Lot 102A C-P Development Plan.**

- B171-05 Approving the Bristol Lake Tract 2 PUD Development Plan; granting variances to the Subdivision Regulations.
- B172-05 Approving the Final Plat of Miles Manor Block 3; authorizing a performance contract.
- B173-05 Approving the Final Plat of The Crossing-EPC; authorizing a performance contract.
- B174-05 Approving the Final Plat of Woodland Springs Plat 4.
- B175-05 Vacating a sewer and utility easement in Club Woodrail; accepting a conveyance for utility purposes.
- B176-05 Vacating a sewer easement in Smithton Ridge Subdivision.
- B177-05 Vacating landscape easements in Norbury Hill Subdivision.
- B178-05 Approving the Engineer's Final Report; levying special assessments; appropriating funds for the Heather Lane improvement project.
- B179-05 Accepting conveyance; authorizing payment of differential costs for water main serving Thornbrook, Plat 13, Phase 1; approving the Engineer's Final Report.
- B180-05 Accepting conveyances for utility purposes.
- B181-05 Authorizing construction of improvements at Nifong Park; calling for bids through the Purchasing Division.
- B182-05 Appropriating donated funds for construction of a waterfall at Stephens Lake Park.
- B183-05 Appropriating donated funds for the purchase of supplies for the D.A.R.E. program.
- B184-05 Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for the Lead Agency Program; appropriating funds.
- B185-05 Authorizing an agreement with First States Investors 5000A, LLC for lease of office space at 800 Cherry Street.
- B186-05 Authorizing an agreement with ELM Building Partnership for purchase of land along the south side of Locust Street between Tenth and Hitt Streets.
- B187-05 Authorizing a development agreement with Property Development, Inc. and Billy and Glenda Sapp relating to annexation of property located on both sides of State Route WW, east of the present City limits.
- B188-05 Voluntary annexation of property located on both sides of State Route WW, east of the present City limits; establishing permanent R-1, PUD and C-P zoning.

## REPORTS AND PETITIONS

(A) Intra-departmental transfer of funds.

Report accepted.

(B) Street closure request.

Mr. Beck explained that the Public Works Department was requesting this closure for a stormwater outreach event.

Mayor Hindman made the motion that the request be granted. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

**(C) Central Providence Corridor Plan Status.**

Mr. Beck explained that a few zoning issues came up on Providence Road, which deviated from the norm. As a result, the Council asked that a corridor study be done. Staff had been working with the Planning and Zoning Commission and a sub-committee. Ideas were brought forward as to what they would like to have a public hearing on. The next step would be to have a public hearing and to bring recommendations back to the Council.

Mr. Ash thought they were on the right track, but suggested emphasizing limitations on the number of driveways and exits onto Providence. He suggested trying to funnel more traffic through intersections or some of the side streets. Mr. Loveless noted they had listed that. Mr. Ash thought they should expand on it and discuss where they should go.

Mr. Janku commented that since this was started, something else had come up when they were discussing the downtown demolition issue. He noted that they had thought the issue should apply to C-2 zoning, but then became aware that there was a lot of C-2 along Providence, particularly near Broadway. Mr. Janku understood C-2 zoning had almost no standards. The report talked about landscaping along the Providence corridor, but if there was some major redevelopment on the properties, they could conceivably be developed with almost no landscaping. He wondered if the issue could be addressed with some sort of overlay. Mr. Watkins noted the map showed quite a bit of C-2 south of Park Avenue and that north of Park Avenue the zoning was primarily residential. Mr. Janku did not want to hold up what the Commission was doing, but wanted to get their input if there was something that could address his concern. He pointed out they could move ahead with the other items they had been working on. Mr. Loveless noted C-2 between Stewart and Ash. Mr. Ash thought there were other pockets as well.

Mr. Ash was concerned about affecting the existing zoning. Mr. Janku clarified that he was not suggesting that they take away the uses, but wanted to find a way to address his concerns about redevelopment of the C-2 properties.

Mr. Loveless made the motion that staff be directed to proceed per the staff report. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Janku made the motion that staff be direct to report back on the issue of addressing C-2 zoning and how to make it an attractive part of an entryway into our community. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

**(D) Staff report on Avenue of the Columns Master Plan & 1<sup>st</sup> National Bank proposal.**

Mr. Beck explained the Avenue of the Columns Committee had come up with a plan, which was presented to the Council. The Bank also had a proposal for their property, which came before the Council. The Council asked staff to work with both groups to see if the plan could be coordinated and this report addressed that.

Mr. Watkins noted that staff had three recommendations on the Avenue of the Columns Master Planning. While they agreed with the thrust of the Plan, they felt approval of the proposed draft should be contingent on no sidewalk improvements being implemented until the City received a spec book, which was approved by the planning committee and the City Council. In addition, after the spec book was approved, the Council would authorize a review team to approve specific streetscape proposals. The third recommendation was that a consultant be retained to assist with the redevelopment aspects of the Master Plan. In

regards to the First National Bank proposal, Mr. Watkins noted the recommendations had been reviewed and approved by the Bank. It was recommended that they separate the sidewalk improvements from improvements behind the building setback line and that the sidewalk improvements be held up until the spec book was approved by the Council. In addition, they suggested the Council approve a motion authorizing staff to approve the proposed improvements, which were located over the existing public utility corridor. Also the plan the Bank proposed would address the individual comments listed in the staff report. Staff's main concern was that some of the improvements proposed were located over the utility corridor and there was insufficient specificity to determine exactly where that was going to be located and how it was going to be handled.

Mayor Hindman asked if the Council concurred with staff's recommendations, if that meant would be free to begin their project off of the main sidewalk. Mr. Watkins replied, yes. He stated the vast majority of First National Bank's proposal had been approved by Council several years ago and that the only unique thing to the new proposal, outside of the sidewalk area, was the development that was going to be put within the utility corridor.

Mr. Beck asked if there would be an agreement to be entered into regarding the handling of any work that would have to be done without underground utilities through the alley. Mr. Watkins stated that was why they would like the Council to give them the authority to approve them. This would require them to come back with a specific proposal. At this point, they did not know exactly what it was they were proposing to build or how they were proposing to build it.

Regarding the first three items under suggested Council actions, Mr. Loveless asked if staff was suggesting the consultant who initially worked on this with FNB be retained. Mr. Watkins stated they would be working with them, but clarified that it would not be the same consultant. He pointed out the cost would be shared between the City, County, University and private property owners. Mr. Loveless asked if that person would be responsible for putting together the spec book. Mr. Watkins replied, no. He stated that person would be more of a consultant in the redevelopment area within the blocks on Eighth Street. The spec book would be a combination of the existing consultant, Bruce and Company, staff, the private property owners and the committee. Mr. Loveless asked about the review team. Mr. Watkins indicated it would probably be the same group.

Mr. Ash made the motion that staff be directed to proceed with their recommendations. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

**(E) Utility services commercial lighting program.**

Mr. Dasho explained this to be a pilot program to look at getting more energy conservation via the commercial industrial customers through their lighting programs. Staff felt the customer could benefit from increased efficiency and the City could benefit by encouraging them to move forward with lighting programs that would give them a good pay back, but at the same time reduce costs for the City by allowing us to purchase less off the wholesale marketplace. He explained that they devised a program where the City would pay approximately \$100 per kW of reduction to the customer to encourage them to put in retrofit lighting. It would be a maximum of up to \$5,000 for the customer and the City would give them a rebate on their electric bills over a four year period to ensure that the savings were actually there.

Mr. Janku asked if they put in the equipment and it did not work, if he understood the City would not provide the rebate. Mr. Dasho stated that was correct. He pointed out that they would work with the customer and his contractor because they wanted to make sure the equipment they were putting in was going to act the way they expected it to. Mr. Janku thought the customer would be taking some degree of risk. Mr. Dasho stated it was much

more likely that after they put in the retrofit, they would stop doing business for whatever reason outside of energy efficiency or something else. They were looking to make sure the customer put in the right thing as well as being there in the long run so the savings were there over a period of time. Mr. Janku felt it would not take much for a large company to reach the \$5,000 cap. Mr. Dasho agreed and explained that MBS just went through a program like this and their lighting retrofit was over \$60,000. He noted that they received a payback in under two years. He pointed out that the intent of the program was not to pay for the lighting program, but to give them an incentive to move forward with a program.

Mr. Ash wondered what would happen if someone added something that would cancel out their savings, like an air conditioner. He asked how staff could tell if the savings were still happening. Mr. Dasho replied that the program would be associated with the lighting. If one reduced the loading associated with one's lighting, which was very measurable and understandable, they could go in and expand their operation and add more load, but you would already have received the savings, which would be there for the long term.

Mr. Janku asked about this not be transferable to a new owner or new business. He asked if normally the property owner would have to consent to this as some sort of major improvement. He wondered why someone else coming in could not pick up the program as well. Mr. Dasho explained that they felt it would be more straight forward to associate it with only one property owner. He reminded them this was a pilot program to see the pros and cons.

Mayor Hindman made the motion that they approve the pilot program. The motion was seconded by Mr. Ash and approved unanimously by voice vote.

**(F) Street closure request.**

Mr. Beck commented that this request was from the Columbia Bike Club for Sunday, July 3, 2005.

Mayor Hindman made the motion that the request be approved. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

**BOARDS AND COMMISSIONS**

None.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Ms. Nauser made the motion that staff be directed to report back on stormwater issues in the West Point Subdivision on Corona Lane. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Ash commented that he read through the development agreement and annexation information they would be discussing at the next meeting and suggested that a comparison of what had changed would be helpful. He stated that he would also like to know why the changes were being made.

Mr. Ash made the motion that staff be directed to report back on the changes and the reasons for those changes in time to have the information for the next meeting. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Ash reminded the Mayor about the nuisance task force. Mayor Hindman stated that he had received a few names, but was still waiting on others.

In regards to B149-05, which was tabled this evening and involved street frontage and how much should be paid for off-site improvements, Mr. Ash thought there could be some

inequities by just basing it on street frontage. He thought there needed to be a blend. Mr. Beck noted that the state statute dealing with it had been debated for years and added that it was always a tough issue.

In looking through the annexation issues in the Consent Agenda, Mr. Ash noted one catching his eye because of a letter from the County Commission saying they appreciated the heads up and saw no problems with it. He was expecting to see three letters and asked if we were doing something new. Mayor Hindman noted there was a lot more communication between the City and County on all of these issues.

Ms. Crayton noted that vacant lots were growing with weeds again on Worley by the metal buildings. Mr. Beck pointed out that it would be helpful if the addresses were provided. Ms. Crayton stated that she would report back with the addresses. She also noted a house on the corner of Garth and Ash.

Mr. Janku made a motion that staff be authorized to work with the neighbors at Auburn Hills to come up with a park plan to accommodate the extension of Harvestor Road. The motion was seconded by Mr. Ash and approved unanimously by voice vote.

Mr. Janku received a call about speed limits confusion in school zones. The specific issue involved Oakland, adjacent to Lang Middle School, where there was a speed limit sign up, but it was not clear in regards to whether it was in force all of the time or only during school hours. He thought this might be an appropriate place for flashing lights to let drivers know when the speed limit was being enforced. Since they started with elementary schools, he thought it would be natural to move on to the middle schools.

About a year ago, Mr. Janku noted they had received a report on the intersection of Oakland and Smiley. It was currently at a two way stop and there was a large subdivision on the east side of Oakland. He thought a lot of the students that had to walk to Lang had to cross the street without a stop sign. The report a year ago indicated it was close to meeting warrants. He thought that as traffic picked up with new developments, the warrants would be met. He asked if the report could be revisited and, if warranted, that stop signs be placed before school started in the fall.

Mr. Janku received a request regarding a sewer problem someone discovered after purchasing a home. This person had filed a request for payment with the City and the claims administrator turned it down.

Mr. Janku made the motion that staff be directed to look at the issue once again to make sure an adequate inspection was done at the time it was put in by the private sewer company. The motion was seconded by Mr. Ash and approved unanimously by voice vote.

Mr. Janku remarked that he appreciated the comments by the people from Harg and stated those working on these street issues knew how much time was spent in trying to put together a credible funding mechanism. He added that they were trying to included money for these types of projects. He pointed out that they had mentioned WW along with other project in their discussions. He stated they were working in good faith to accomplish what the Harg people wanted accomplished.

Mr. Janku was pleased to see the Auburn Hills sidewalk bid came in well under the engineer's estimate. He was hopeful the additional money, they would not be spending on the first phase, could be spent on the second phase of Auburn Hills. He asked if the second phase could be expedited. Mr. Beck stated staff would look into it.

The meeting adjourned at 10:48 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk