

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
MAY 21, 2007

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 21, 2007, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER and HOPPE 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 May 7, 2007 were approved unanimously by voice vote on a motion by Ms. Crayton and a second by Mr. Wade.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

The agenda, including the Consent Agenda, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Hoppe.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

Janet Godon – Bike, Walk and Wheel Week Status Report.

Janet Godon, 3061 Maple Bluff, stated she was this year's coordinator for Bike, Walk and Wheel Week and thanked the Council for awarding another \$5,000 grant for this event. She also thanked the City for allowing staff from the Office of Volunteer Services, the Columbia/Boone County Health Department and the Convention & Visitor's Bureau to assist. She noted they had a 40 percent increase in registered participants this year. As part of the cycle-recycle event, 102 bicycles were repaired by staff from four local bike shops and donated to children and adults that did not own a bike. Helmets were also donated by Safe Kids Columbia. She commented that they had ten breakfast stations located throughout Columbia and estimated that approximately 2,000 people biked or walked through those locations. Sixteen elementary schools participated and several of those schools organized their own breakfast. She stated Field Elementary School had 100 percent participation. They organized a walk from the parking lot to Columbia College and the College administrative staff provided breakfast for all of the kids. She noted they had the Bike/Car Challenge in which Ms. Nauser, Ms. Hoppe and Mayor Hindman participated. She commented they had over 100 volunteers participating in the event. She thanked Council for their support again.

Mayor Hindman stated he believed it was an extremely successful event and that Ms. Godon had done a wonderful job of organizing it.

Elaine Blodgett – Presentation of Citizen Petitions seeking Climate Change Action.

Monta Welch, 2808 Greenbriar Lane, stated she was representing the Columbia Climate Change Coalition and noted those that had worked on the effort to address climate change were the Columbia Climate Change Coalition, the League of Women Voters, Missourians for Safe Energy, many students from the college campuses and the people that signed the petition. They would leave the Council with a petition of over 700 signatures, although they had collected over 900 signatures and would continue to fill pages throughout the summer months to deliver at a later date. She thanked the Council for adopting the Mayor's Climate Change Agreement and for taking other steps to lead the community toward greater energy efficiency and a concern for the environment. She stated their petition shared concern for climate change and reflected the great desire by many who wanted the community to move quickly on the solutions proposed by the Mayor's Agreement. She pointed out these solutions would be beneficial for the community for reasons other than the efforts to address climate change. She read the petition which indicated climate change was happening now and was harming the economy, environment and human welfare, human production of greenhouse gases was responsible in part or in whole for the change and they needed to act now to reduce the buildup of greenhouse gases to prevent or mitigate further climate change. They asked the Council to actively work toward setting a timetable for implementation of the goals of the Mayor's Climate Protection Agreement, establish a commission of interested stakeholders to plan, promote and oversee implementation steps with the assistance of City staff and publish and disseminate to the public a biannual report on progress towards implementation.

Win Colwill, 1417 N. Country Shire Drive, stated she was speaking on behalf of the League of Women Voters and complimented the Council for endorsing the agreement and pledging to take action to sharply reduce greenhouse gases in City operations and in the community. They were pleased the first step, the inventory of local greenhouse gases, was complete. They felt the next key step was to set targets and develop an action plan. The most recent reports of the Intergovernmental Panel on Climate Change indicated the warming of the climate system was unequivocal and that most of the observed increase of average global temperatures since the mid-20th century was due to human-caused increases in greenhouse gases. Adverse impacts included heat-related deaths, floods, drought, storms and rising seas. She noted the reports also indicated that although warming would continue because of gases already in the atmosphere, the most catastrophic impacts could be avoided or reduced with mitigation. She felt it was clear action was needed now to address climate protection. She believed Columbia's energy conservation programs and renewable energy plans deserved the accolades they were receiving. The League had actively promoted them and was encouraging the Council to approve the net metering proposal on the agenda. They believed more needed to be done. She noted League members had studied the action plans of other cities and found numerous initiatives that, if adopted, could help Columbia reduce gases. They believed that in order to move this effort forward in a meaningful way and to sustain it over time, it was essential for all City departments and the entire community to be involved in the development and implementation of a multi-faceted action plan. She commented that Kansas City had a chief environmental officer coordinating the efforts of an

eleven-member steering committee and four large work groups in the development of their action plan. She urged the Council to favorably consider the petitions and to lead the community in the implementation of Columbia's Climate Protection Agreement.

PUBLIC HEARINGS

B497-06 Rezoning property located on the west side of Rock Quarry Road, north of Rolling Rock Road from A-1 to PUD-3.

The bill was read by the Clerk.

Mr. Watkins stated this proposal would rezone about 10.9 acres. The Planning & Zoning Commission recommended denial of the proposed rezoning by a 4/2 vote. Since their review, there has been a proposed amendment.

Ms. Hoppe understood the parties had spoken prior to the Council meeting and had indicated an interest in tabling this for one month. They were close, but still had issues left to be resolved. With further discussion, they felt they might be able to come to an agreement.

Dan Simon, 203 Executive Building, stated he was representing the applicant and explained they thought they had an agreement, but learned there were some misunderstandings. He felt there was reason to believe that given some additional time and assistance, they could work something out to avoid disagreements, and were therefore suggesting tabling this item for a month. He noted Ms. Hoppe and Mr. Wade had agreed to facilitate a quick discussion to determine whether there were points of commonality and whether it was possible for an agreement to be achieved. They understood it was unusual for a Council person to do this and noted it would be done with the understanding that they would not be committed to anything. If that was agreeable to the others, they would be amenable to trying that.

Julie Youmans, 2101 Rock Quarry Road, stated she was the President of the Grindstone-Rock Quarry Neighborhood Association and that they were in favor of tabling the item. She thanked the other party for the suggestion and the Council for considering it. In their most recent discussions, they were finding areas of agreement and that some of disagreement was due to misunderstandings or terminology. She stated things were progressing and felt tabling this was a good faith effort and would allow making things in the letter of intent more specific.

Mayor Hindman asked if they wanted this tabled to the June 18, 2007 Council meeting. Mr. Wade stated he would not be present for that meeting. Ms. Hoppe suggested

tabling it to the next Council meeting. Mr. Janku agreed and noted if that did not work, they could extend it to another meeting.

Mayor Hindman explained this item would be tabled and asked if anyone present wanted to speak on this issue. No one came forward.

Ms. Hoppe made a motion to table B497-06 to the June 4, 2007 Council meeting. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

B151-07 Rezoning property located on the southeast corner of East Ash Street and Orr Street from M-1 to C-2.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a request to rezone property in the northeast part of downtown from M-1 to C-2, which would bring the existing building into conformance with zoning regulations pertaining to setback and parking requirements. The applicant's stated reason for the rezoning was to clear the nonconforming status of the property and to allow the building to be renovated into art studios. The Planning & Zoning Commission recommended approval of the proposed rezoning.

Mayor Hindman opened the public hearing.

Mark Timberlake, 2408 Beachview Drive, stated he was representing Ash Street Arts and noted they were continuing with the Orr Street Studio concept. They presented this to the North Central Columbia Neighborhood Association and the Special Business District and both endorsed it.

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

B151-07 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B152-07 Rezoning property located on the south side of I-70 Drive Southwest (3712 I-70 Drive Southwest) from A-1 to R-1.

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposed rezoning would allow the applicant to apply for renewal of an expanded conditional use permit for an existing health spa being operated on the site. The Planning & Zoning Commission recommended approval of the request.

Mayor Hindman opened the public hearing.

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

B152-07 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B156-07 Authorizing the acquisition of land adjacent to the Columbia Regional Airport for future expansion and development; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins noted this would authorize staff to begin the process of acquiring approximately 61 acres adjacent to existing airport land. The property was included in the 2002 Airport Master Plan update. The proposed acquisition would consist of three parcel acquisitions and the Federal Uniform Acquisition Act would be followed. Federal Aviation Administration (FAA) grant funds would reimburse the City for 95 percent of the acquisition costs.

Mayor Hindman opened the public hearing.

John Bullard, 5013 Dee Woods Road, stated he was one of the landowners of the tracts the City might be taking. He commented that he was upset because they had no plans to sell the property and because the Council would be deciding on it tonight. He noted the flights to the airport were down to 33,000 in 2004 and did not believe they were up any now. He stated he purchased the land in 1998 and the Goetting's had owned their land since the 1950's. He explained he and Ms. Rippeto purchased the property for development on their own 20 year plan and their plan was on hold until the City made a decision. He stated he was not wanting to sell it and was definitely not interested at the price they were told a while back.

Jane Rippeto, 13301 South Bob Veach Road, explained they owned the tract identified as Tract A on the overhead, Mr. Bullard owned Tract B and the Goetting's owned Tract C. She noted this was significant for all of them. She stated they bought their property less than three years ago and received a phone call from the airport manager at that time who indicated their land would be acquired. She felt it was adverse possession if he was telling her if she developed the property, they would take it from her. She pointed out they had not heard anything more until now. She commented she would have to hear the numbers and the last numbers she heard involved about 20 percent of what the land was worth. She noted they planned a light industrial development. She stated her property had been for sale and the City did not purchase it. She commented that she did not know where the airport was going, but did not feel it needed to be expanded.

Mr. Bullard asked if there was someone they could talk to about the plans or if Council was going to decide tonight and move forward. Ms. Rippeto understood, procedurally, this was the first step. Mr. Watkins explained this was all spelled out in Federal law and unfortunately, as awkward as it was, this was the first step. They had to hold a public hearing and obtain Council authorization to acquire the land. Mr. Bullard stated they were then pleading with the Council to not move forward. It was in the 20 year plan priority update in 2002-2003. Ms. Rippeto noted she saw it on a map in 1972. Mr. Bullard stated he understood they had to do this to be compliant with the FAA, but did not think they would start building soon.

Ms. Hoppe asked when they bought their land. Mr. Bullard replied he bought his land in 1998. Ms. Hoppe understood that was Tract A. Mr. Bullard stated his land was identified as Tract B. Ms. Hoppe asked what he used the land for. Mr. Bullard replied he was growing crops, but had it platted for commercial development. He explained it had been agriculture and since then, they bought and annexed it into the City of Ashland as airport industrial commercial property. They were farming it until they did something with it. Since this was hanging over their heads, it was hard to invest any money. He explained this would affect

nine of his lots. In addition, he had to build a road from the front to the back and if he could not sell the land on the left side, it would make it expensive to build the road for the right side. He stated his goal was to hang on to it until the land was higher and the City's goal was to buy it while it was cheaper. He felt the City would be hurting them by buying it since they would not be using it anytime in the future.

Linda Goetting, 720 Angel Lane, stated she wanted the Council to consider the airport had purchased close to 1500 acres since 1967 and had grown some, but not a lot. She assumed the agricultural income was as much as the airport income. She was concerned as to whether this was a wise investment of money. She was also concerned about the farmers, like her husband who spent his life on that ground, would be seeing it taken for nothing. She asked them to consider everything involved. She did not think this was easy for anyone and felt it warranted making sure they had all the facts.

Mr. Skala asked when they each purchased their properties if it was zoned agricultural and then subsequently rezoned industrial in the City of Ashland. Mr. Bullard replied he bought his as agricultural in the County and then subdivided the 10 acres (Tract A) and sold it. He explained they worked as a group then. Ms. Rippetto noted 800 acres off of Angel Lane were annexed into the City of Ashland and became airport planned industrial and airport planned commercial. Mr. Skala asked when that happened. Mr. Bullard replied it was around 2003-2004. Ms. Rippetto thought it was about 2002. She noted when they purchased their tract about three years ago, it was airport planned industrial in the City of Ashland. Ms. Goetting stated her husband's family came here in 1950 and it was agricultural then. Mr. Skala understood her tract was also now zoned in the City of Ashland. Ms. Goetting replied yes and explained her husband had a lot to do with it. He wanted to be in the City of Ashland and on its sewer system. He donated land to Ashland, so they could put in the sewer lines. She explained he was a good man, but to take the land for nothing was a problem for him. She felt the City needed to consider what they were doing in terms of pricing. When they were annexed into the City, they considered the needs of the airport. Mr. Bullard stated it took several landowners to get it into the City limits of Ashland and to meet all of the requirements. That was all part of their plan. He noted another 400 acres north of them was currently in the process of being annexed.

Mr. Janku asked how much acreage they owned. Mr. Bullard replied 72 acres. Ms. Rippetto replied about 10 acres. Ms. Goetting replied they owned close to 300 acres, but she did not know how much was in the parcel on the overhead. She thought it was about 36 acres. She commented that she understood the road the airport wanted to put in went through farm ground and ended up on a gravel road. The gravel road then went to a blacktop with two lanes and no shoulders. She understood they were purchasing this for the future and would leave it as farmland and get the income off of these properties. When they built the road, more infrastructure would be needed because they would have to fix the gravel road to make it usable.

Glenn Nielsen, 1901 E. Walnut Street, #12, stated he was speaking in opposition of the acquisition of additional land to support future airport expansion. He explained he had flown out of the airport once and his return flight was delayed for hours. He could have been home if he had driven to St. Louis. In addition, on his return he found his luggage was

stained with hydraulic fluid. Since then, he used a private airport shuttle service or drove himself. He believed this was an example of how the free market provided better service to air travelers at a profit than the heavily subsidized commuter airline paid for with his tax dollars. According to newspaper reports, this land acquisition was part of the 2002 Airport Master Plan which was anticipating additional needs through 2020. He noted the historical trend data for usage of the airport in the Airport Master Plan showed that since 1978 it had continued down from its peak of around 68,000. He used another page of the Master Plan, which showed the projected growth, and plotted the data points for the most recent years on it. It was clear the trends did not match. He stated the Master Plan projections were completely disconnected from the historic usage trends and asked how this performance could justify expanding the airport at this time, especially through the property seizing power of eminent domain.

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

Mr. Janku asked if Mr. Glascock could respond to some of the comments made to include the discussion on future road construction. Mr. Glascock replied there would be a future road extension, but it was not on the plan. The City's plan was to buy the land for future growth. He stated passenger service at the airport was not their only business. DHL flew in and out and they were constantly looking for new business, such as cargo. One of the things that always came into play was the length of the runway. The runway needed to be longer in order to handle cargo aircraft. He noted they had talked to the City of Ashland and they were not opposed to this. They were annexing an additional 400 acres to the west for industrial use. He stated staff thought the airport would be viable in the future and they would continue to proceed to lengthen the runway to get other cargo business. He pointed out most of the ground around the airport was farmland and they continued to crop it as they would these particular tracts. Whoever owned it would have first option to crop it, if they wanted.

Mr. Janku recalled Airborne leaving due to the length of the runway prohibiting them from using the type of jet they wanted and asked if that was correct. Mr. Glascock replied yes. He noted the main runway was 6,500 feet and cargo needed an 8,000-9,000 foot runway.

Mayor Hindman asked how long this had been on the Airport Master Plan. Mr. Glascock replied he thought it had been on there since the 1980's.

Mayor Hindman commented that people were upset when they tried to stay ahead by planning for infrastructure in advance and people were also upset when they were behind and did not build the infrastructure until the need had arisen. He noted this had been on the Airport Master Plan for many years. It was inevitable that the runway would need to be extended at some point and that the land needed to be protected. He noted the Federal government recognized this as being important enough to fund 95 percent of the acquisition. He commented, with all due respect, they had people who purchased the land because of the airport and were speculating with that land in a way that might not be beneficial to the airport. If they had gotten ahead earlier, they might have been able to do this without disrupting their plans. He understood they were concerned about the price and noted the law required the City to pay fair market value. There were various procedures set forth to guarantee that was

done in a fair way. He believed they would be making a mistake if they did not look forward by doing this.

Mr. Janku stated he wished they would have had the money to do this years ago as well. He agreed this was important to the Federal government as they were willing to put up 95 percent of the funds. He noted there were cases where buildings were in inappropriate locations and it was mandated those buildings be torn down. That was a much more expensive proposition for all involved. He believed doing this was proper and pointed out Federal and State procedures would be followed. He understood there was something in the Federal tax law that treated this differently for the purposes of capital gains. Mr. Boeckmann thought there were, but he was unsure of the procedure. Mr. Janku stated they hoped they would not have to go to condemnation, but if that happened, there were protections for the property owner.

Mr. Skala stated he was struck by Mayor Hindman's comment of being criticized one way or another and wanted to assure the people who spoke to this issue that this was the beginning of the discussion. He commented that if he was going to be criticized, he would rather be criticized for taking a proactive stance toward future planning for the benefit of the community at large. He stated they had been bitten a number of times for reacting to things before properly planning and thought this was the right way to proceed.

Ms Nauser stated she felt this was a defining moment for the airport and that they needed to plan for the future if they wanted the airport to be successful. She noted a longer runway along with other options was part of that. She stated she planned to be proactive and wanted to move forward on the airport so it could be a bigger and better asset for the community at large.

Mr. Wade thought they were at the start of what was going to be some major long term efforts to begin revitalizing the airport. All of the attention had been on passengers and the decline in passengers. However, over the last 20 years, there had been a major shift from highway to air in the movement of goods. He believed, as they watched the regional economic growth of the area, cargo would increasingly become a critical component of the value of the airport. He also noted other airports that did not prepare themselves for expansions they knew were needed paid for it with far more dislocation than this would bring. He believed this was the proper step for the City to take as they moved toward a world that was increasingly based upon air cargo.

Ms. Hoppe stated she agreed with the comments made and believed the value of the property would be at the industrial/commercial use, which was a higher value than agriculture. She also noted Section 5 indicated \$300,000 would be allocated at this time and was hopeful it was fair.

Ms. Crayton stated eminent domain was not to be taken lightly by anyone. She understood they wanted to be compensated fairly and hoped the Council would ensure they were compensated fairly. Mayor Hindman pointed out there were numerous laws of seizures to assure they would be compensated fairly.

B156-07 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Voluntary annexation of property located between Bethel Church Road and State Route K, south of Old Plank Road.

Item A was read by the Clerk.

Mr. Watkins stated this involved the voluntary annexation of six tracts of land located south and east of the present City limits in the southwest part of the City. The applicants were combining the annexation request with zoning, which would be considered by Council at the next meeting. The public hearing tonight was on whether this property should be annexed. He noted he had worked with the Health Department and the Regional Sewer District in regard to this area and pointed out there was a substantial amount of raw sewage running into the ditches. Until they annexed into the City, they could not begin resolving some of these issues. He commented a letter from the Health Department would be included in the next packet discussing some of the issues from a health perspective.

Mayor Hindman opened the public hearing.

Bill Crockett, 2608 N. Stadium Boulevard, stated he was representing the owners of Tract F only and noted the primary reason Mr. and Mrs. Berendzen wanted this property annexed was to help clean up the area. They were, however, concerned because they had an existing 4-plex on that lot and without adequate zoning, if something happened to the 4-plex, they might not be able to rebuild. They wanted to be assured they would be able to rebuild and continue to maintain a 4-plex on that tract of land. The zoning requested was a PUD. The owners understood, if something happened to the existing structure, they would be required to go through the planning process. They had no problem with that. They only wanted to be assured they could have what they currently had, which would require a PUD-5 zoning for that tract.

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

OLD BUSINESS

B157-07 Authorizing an agreement with Peckham & Wright Architects, Inc. for architectural services relating to construction of Fire Station No. 9; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins stated this was an agreement with Peckham & Wright Architects, Inc. for design and construction plans for Fire Station No. 9 to be located at Blue Ridge and Providence. This project was included in the last capital improvement ballot issue agreed to by the voters. The total cost of the agreement was about \$110,000. If Council agreed, an additional \$19,000 would be required to allow the building to be certificated for LEED.

Mr. Janku understood Fire Station No. 8 was a prototype for Fire Station No. 9 and included a police substation. He asked if this station would also include a police substation as it might be warranted. Mr. Glascock replied if Council wanted a substation, he thought it could be included.

Mr. Wade asked if there was a plan which indicated where they wanted police substations. Mr. Janku explained Fire Station No. 8 was the first station which included a substation. They felt that was a convenient and economical location. He noted it was a relatively small room with parking to the side. Mr. Wade understood it created the possibility

without adding much cost. Mayor Hindman stated it was basically a room with a parking spot. Mr. Watkins noted it was not accessible into or out of the station itself. It had its own entrance to a separate parking lot.

Ms. Hoppe stated she was pleased to see this would be LEED certified. She noted she and Mayor Hindman attended a groundbreaking ceremony at Beth Shalom, which would also be a LEED building. She thought it was nice to see the City and a private group both going the same route.

B157-07 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B163-07 Authorizing a water service termination cooperative agreement with the Boone County Regional Sewer District.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a cooperative agreement the City was proposing to enter into with the Boone County Regional Sewer District and was provided for in State law. It allowed a sewer utility to contract with a water utility, so if someone was not paying their sewer bill, their water could be turned off since it was hard for sewer to be turned off. The goal was to hopefully receive payment for the sewer bill. He noted they were working out the administrative issues, since it would be the City turning the water off. He understood there might be some hard feelings if the water bill was current. He reiterated State law provided for this. He pointed out they were in discussions with the water districts because there were customers to which the City provided sewer and the water districts provided water. This would hopefully allow all of them to make people pay what was owed.

Ms. Hoppe stated she thought it was interesting the City was paid for water it did not sell. Mr. Watkins explained the fees were expensive enough the District would not do it on a monthly basis. They would likely only do this in a situation in which they were unable to collect for a long time.

Mr. Dasho stated this would add to their workload in the most negative way possible, but it was a State law they had to comply with, so they would do it.

B163-07 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

B153-07 Approving the Final Plat of Vistas at Old Hawthorne Plat 1A, a Replat of The Vistas at Old Hawthorne Plat 1, located north of State Route WW and east of South Cedar Grove Boulevard.

B154-07 Approving the Final Plat of Woodrail Plat 15, a Replat of Lot 15 of Woodrail - Plat No. 3, located south of Woodrail Avenue on Woodrail Terrace.

- B155-07 Vacating a portion of a sewer easement located approximately 150 feet south of the intersection of West Boulevard and Rollins Road (806 West Boulevard).
- B158-07 Confirming the contract with Lehman Construction LLC for rehabilitation of the general aviation apron and Taxiway A4 at the Columbia Regional Airport; appropriating funds.
- B159-07 Allowing a building permit to be issued to Woodland Hills Properties, LLC for structures in utility easements located within Copperstone Subdivision; approving a waiver of claim and indemnity agreement; authorizing a right of use permit to allow the construction of two decorative rock columns and a building structure in an island within the Stone Grove Court right-of-way.
- B160-07 Allowing a building permit to be issued to Premier Bank for construction and installation of two private block retaining walls with landscaping in utility and drainage easements located on Lot 3A of the Replat of Lot 3 of Rockbridge Subdivision Block 5; approving a waiver of claim and indemnity agreement.
- B161-07 Appropriating funds for a solid waste cost-of-service study.
- B162-07 Appropriating funds for the Hillshire Court drainage project.
- B164-07 Accepting conveyances for utility purposes.
- B165-07 Appropriating funds for the Share the Light Program.
- B166-07 Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for the WIC Supplemental Food Program; appropriating funds.
- B167-07 Appropriating funds for the Medical Reserve Corps program.
- R110-07 Setting a public hearing: upgrade of a water main along East Broadway, between Garth Avenue and Second Street.
- R111-07 Setting a public hearing: construction of water mains serving Monterey Hills, Plat No. 2.
- R112-07 Setting a public hearing: construction of water mains serving Bellwood, Plat No. 1.
- R113-07 Setting a public hearing: construction of improvements to the tennis court complex at Cosmo-Bethel Park and Gentry Middle School.
- R114-07 Authorizing an agreement with Planned Parenthood of Kansas and Mid-Missouri for Title X Family Planning Services.
- R115-07 Authorizing an amendment to an agreement with The Curators of the University of Missouri on behalf of the Department of Family and Community Medicine for medical director services.
- R116-07 Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for the WIC Supplemental Food Program.
- R117-07 Authorizing an agreement with the Missouri Department of Health and Senior Services for the Summer Food Service Program.
- R118-07 Authorizing an agreement with the Show Me State Games for Sports Development Funding under the Tourism Development Program for fundraising sports events.

- R119-07 Authorizing an agreement with the Show Me State Games for Sports Development Funding under the Tourism Development Program for the Midwest Lacrosse Open.
- R120-07 Authorizing a HOME agreement with CHA Low-Income Services Inc.; authorizing a Full Deed of Release on a HOME loan to The Housing Authority of Columbia.
- R121-07 Authorizing Supplemental Agreement No. 1 with Bucher, Willis & Ratliff Corporation for engineering services relating to rehabilitation of the General Aviation Apron and connecting Taxiway A-4 at Columbia Regional Airport.
- R122-07 Authorizing a No Cost Land on Airport Memorandum of Agreement with the Federal Aviation Administration for construction, operation and maintenance of FAA owned navigation, communication and weather aids for support of air traffic operations at Columbia Regional Airport.

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

NEW BUSINESS

- R123-07 Authorizing an agreement with the Thomas Jefferson Agricultural Institute for Attraction Development Funding under the Tourism Development Program for construction of the Jefferson Farm & Gardens.

The resolution was read by the Clerk.

Mr. Watkins stated this was a recommendation from the Convention and Visitors Advisory Board through the Tourism Development Program, which was funded from hotel and motel taxes. He explained the Commission considered a formula based on the expected additional visitors and use of hotel rooms when granting funds. The maximum grant was \$250,000.

Ms. Steiner stated the recommendation from the Board was for \$80,000. She explained that several years ago, they put together a committee to look over attraction development in the future. One of their goals was make sure they did everything they could to develop a strong attraction base. She noted that although this project had tremendous potential, one of the reasons the Board wanted to limit the award to \$80,000 was because they wanted to look at what they would be able to do in terms of overnight stays, motor coach business, etc. In addition, they anticipated other applications to the fund before the end of fiscal year and wanted enough funds to be able to consider those other applications. She stated they encouraged Jefferson Institute to reapply as they progressed for future phases of the project as it would be a nice addition to the community.

Rob Myers, 4500 Harvest Road, Executive Director of the Thomas Jefferson Agricultural Institute, stated they were pleased to have the support of the Convention and Visitors Bureau Advisory Board and his staff was very excited about this new visitor attraction. He noted the land was provided by the University through a 50 year lease agreement. They were developing public gardens, demonstration fields, a children's barnyard area and an indoor visitor's center. They believed this would be one of the premier

facilities of this type in the Country when it opened. He noted they planned on investing about \$3.4 million in this facility and were almost half way to their capital campaign goal.

Mr. Wade asked if all of the exhibits were contemporary or if there would be historical gardens as well. Mr. Myers replied the primary emphasis of this facility was on contemporary agriculture and horticulture. There was, however, a component of the facility that would touch on historical aspects of agriculture and rural development via indoor exhibits and information and the production of some heirloom vegetables.

The vote on R123-07 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R124-07 Authorizing an amendment to the agreement with Peckham & Wright Architects, Inc. for architectural services relating to construction of Fire Station No. 7.

The resolution was read by the Clerk.

Mr. Watkins stated this was an amendment to an existing design and construction agreement with Peckham & Wright Architects, Inc. for the relocation of Fire Station No. 7. It involved the design and oversight of construction on about 1,200 feet of a sewer line. The amount of the amendment was \$4,605. If Council approved this, staff would be coming back with a special tap in fee to the sewer because there were two other lots that could use the sewer. Although they needed it first, they believed they should be reimbursed for part of the cost of the sewer. He noted that was a topic that would be discussed at the Council Retreat.

The vote on R124-07 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R125-07 Approving the Preliminary Plat of The Gates at Old Hawthorne located north of State Route WW and east of South Cedar Grove Boulevard; granting variances to the Subdivision Regulations.

The resolution was read by the Clerk.

Mr. Watkins explained the Preliminary Plat involved a few things to include a vacation of two drainage easements.

Mr. Teddy explained there was an approved Preliminary Plat for Old Hawthorne, which included this section. That plan, however, had been revised with a different layout of lots and streets and involved some variance requests. One variance dealt with having a sidewalk on one side of the street and another involved having curbless streets. He noted the later was referred to in the development agreement entered into when the property was annexed. The Planning & Zoning Commission was supportive of the variance for sidewalk on one side. These were thru-lots or double-front lots so every lot would have access to a sidewalk as the dwelling lots had frontage on the front street and the back street.

Ms. Hoppe understood the Planning & Zoning Commission provided approval with the recommendation of name changes to Morning Dove and Open Gate to avoid duplication. She noted the executive summary indicated they were changing Morning Dove, but there was no reference to Open Gate. Mr. Teddy explained Morning Dove would only provide future access to the tract to the north and was used elsewhere within the Old Hawthorne

Preliminary Plat, so they requested a change. In regard to Open Gate, they thought the frequent occurrence with the word “gate” might cause some confusion, but noted it was not duplication as there was not a public street in Columbia that started with the word “open.” He thought Oak Gate would be the most similar name. Ms. Hoppe asked if staff was okay with Open Gate Drive even though there were other gates. Mr. Teddy replied yes.

Don Stamper, 2604 N. Stadium Boulevard, stated he represented the Old Hawthorne development and was available to answer questions.

Mr. Wade asked what Morning Dove was changed to. Mr. Stamper asked Mr. Teddy if he knew what it had been changed to. Mr. Teddy replied he was not aware of the change being made. Mr. Stamper stated they would get that done between now and the final plat. He explained portions of this land had been purchased by the HST Homes - Thomas Kinkade Group and they had some interest in the names. Mr. Wade understood the name change had not taken place. Mr. Stamper replied that was correct.

Ms. Hoppe explained they had a session about safety and how it was difficult to respond in emergency situations when names were similar or duplicates and asked if they were still firm on keeping the street name with “gate” in it. Mr. Stamper understood those thoughts were still in draft form. In addition, he believed if they got into the similarity name game, they would get into a lot of trouble as a community. He agreed they needed to be cautious to the same name. He noted with the advent of the grid system, GIS, and facilities that were in most fire trucks and law enforcement cars, the confusion on addressing was becoming less of a problem if reported accurately initially. He stated they had some comments on the draft policy regarding addressing and believed if they got into taking all possible similar names or duplications off of the list, they would have trouble naming streets. Ms. Hoppe stated she believed they had to balance it with safety concerns in terms of hearing the person correctly and identifying the street. Mr. Stamper felt they needed to know what the percentage of confused calls was. He believed there was a lot of data that needed to come to the table before that position could be adopted.

Mr. Skala asked if they were involved in the idea of drafting the policy to discuss the issues of similarity of names. Mayor Hindman understood there was a policy now. Mr. Stamper explained there was a working group of combined City/County representatives that had been working for over a year at the staff level with issues related to addressing. It involved the naming of streets and the application of addresses to the grid system. He stated a number of recommendations were in that report and the Development Council had been asked to respond.

Mr. Stamper stated if they were interested in seeing an example of the Thomas Kinkade homes and how they would lay on the lots, he could circulate a colored drawing. Mayor Hindman asked him to circulate it.

Ms. Hoppe asked if he wanted to make a comment on the curbs and gutters. Mr. Stamper explained if they were going to make optimal use of the estate lots, they would face all of the homes towards the golf course. In doing so, there was a lot of room between the lots because the lots varied between 7/10 of an acre and one acre. There were many places to treat stormwater as it came off of the impervious surface in a natural capacity. They believed it would be a more rustic area and would work in the estate lot area.

Mr. Wade stated he was pleased to see it and explained they tried to make that a possibility with the new street standards due to the impact on stormwater.

Mr. Janku agreed the curbless streets might be fine here, but noted there was another model which involved breaks in the curb where inlets channeled or directed water across open space while still providing the advantage of the curb for pedestrian protection. He felt that was a middle position and hoped they kept it in mind if this approach became more prevalent. Ms. Hoppe noted that was used in the Stephens Lake Park parking lot. Mr. Janku stated he had also seen it on major streets in other communities.

Mr. Janku stated when they granted sidewalk variances, they came back as precedent for future requests. He noted there were other types of thru-lots where they expected the developer to provide sidewalks on both sides of the lot even though it was not really accessible by the property owner. If they began giving variances in those situations, they would be shifting the cost to the public because they would want sidewalks on the back sides of houses on major streets.

The vote on R125-07 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

- B168-07 Voluntary annexation of five tracts of land located between Bethel Church Road and State Route K, south of Old Plank Road; establishing permanent R-1, R-2 and PUD-5 zoning.**
- B169-07 Voluntary annexation of a tract of land located between Bethel Church Road and State Route K, south of Old Plank Road; establishing permanent R-2 zoning.**
- B170-07 Rezoning property located on the south side of Stadium Boulevard (State Route E), approximately one-quarter mile west of Sunflower Street from A-1 to R-1.**
- B171-07 Approving the Final Plat of Howell Subdivision located on the west side of Strawn Road (State Route ZZ), approximately 750 feet north of West Broadway (101 Strawn Road); authorizing a performance contract.**
- B172-07 Vacating unused street right-of-way for West Ash Street, between Park De Ville Drive and Orleans Court; accepting grants of easements for underground utility purposes.**
- B173-07 Vacating two drainage easements located on the north side of State Route WW, east of Cedar Grove Boulevard within Old Hawthorne, Plat No. 2.**
- B174-07 Vacating an electrical easement located on the north side of Nifong Boulevard, east of Bethel Street within the Replat of Lot 3, Rockbridge Subdivision Block V.**
- B175-07 Accepting conveyances for temporary construction and temporary access purposes.**
- B176-07 Authorizing the upgrade of a water main along East Broadway, between Garth Avenue and Second Street.**

- B177-07 Authorizing construction of water mains serving Monterey Hills, Plat No. 2; providing for payment of differential costs.**
- B178-07 Authorizing construction of water mains serving Bellwood, Plat No. 1; providing for payment of differential costs.**
- B179-07 Amending Chapter 27 of the City Code as it relates to small scale solar generators; authorizing the City Manager to execute agreements for interconnection and net metering for solar powered electrical facilities.**
- B180-07 Calling for bids for construction of improvements to the tennis court complex at Cosmo-Bethel Park and Gentry Middle School; authorizing an agreement with the Columbia Public School District; appropriating funds.**
- B181-07 Amending Chapter 4 of the City Code as it relates to consumption of alcohol by minors.**
- B182-07 Amending Chapters 22 and 27 of the City Code to establish time limits for back billing residential utility customers.**
- B183-07 Authorizing an agreement with Jeffrey L. Bruce & Company, LLC for professional landscape architectural services relating to the City Hall Plaza and Streetscape Project.**

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Report accepted.

(B) Street Closure Request – Twilight Festival.

Mr. Watkins explained the SBD requested Fourth Street from Locust to Cherry and Ninth Street from Broadway to Cherry be closed for the Twilight Festivals in June. He understood the affected property owners and the CCA Board had approved the request. Staff was also supportive of the closures as proposed.

Mayor Hindman made the motion to approve the street closures as requested. The motion was seconded by Mr. Janku.

Mayor Hindman stated he believed this was progress. He noted it was not as far as he wanted to see this go as he thought they should close Ninth Street from Elm to Broadway, but agreed it was progress.

Mr. Wade asked what the Twilight Festival Kids' Camp was.

Carrie Gartner, 11 S. Tenth Street, replied Kids' Camp had been at the Courthouse Square the last five years. It included hands on kids' activities. Since Flat Branch Park was now a family friendly area with the creek and not having a lot of vehicles. They decided to move all of the kids' activities to the Park instead of splitting it in two. She noted families could now ride their bikes under Providence and Stewart to get to Flat Branch Park, so they thought it was appropriate.

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

(C) Nuisance Party Ordinance.

Mr. Watkins noted Council asked for a six month interval report regarding the nuisance party and chronic nuisance property ordinances.

Chief Boehm explained since this was the first six months, they did not have enough data to know a lot about it yet, but believed it was working well. The data involved the cooler time of the year, which was generally not the busiest time. He believed the one year report would be more significant.

Ms. Hoppe asked if she could get a map of where the nuisance violations were to see how it was distributed through the wards. Chief Boehm replied they could provide that.

Ms. Hoppe asked if any of the 38 arrests involved the use of force by police. Chief Boehm replied he would have to review the 38 cases in order to provide that information. In general, those were just summonses. Very few of those situations tended to involve in-custody arrests. Most were related to peace disturbances and minors in possession. Ms. Hoppe asked if they could put that together. Chief Boehm replied they would take a look at it.

Ms. Hoppe stated, in general, the input she received was that it was working well and the people she spoke with were in favor of it. Chief Boehm agreed it was working well on a preliminary basis. He noted the clearest indication so far, as it was still early, was that they did not have any repeat locations. He thought it was working as a deterrent.

Mr. Skala asked if the nuisance activities were restricted to residential properties. He wondered if commercial activity was included if it became a nuisance. Chief Boehm replied it did, but noted, typically, that was not where they were having those issues since they had other tools they could use with commercial properties. This tool was primarily for residential areas.

Ms. Nausser made the motion to accept the report. Ms. Hoppe asked if the motion could include a map with the locations and whether there was use of force in any of those incidents. Mr. Watkins stated they would provide that information. Mayor Hindman suggested the report be forwarded to the neighborhood associations that were most interested. Ms. Nausser accepted those amendments to her motion.

The motion made by Ms. Nausser and amended by Ms. Hoppe and Mayor Hindman to accept the report, direct staff to provide another report with a map indicating the locations of the incidents and noting whether there was use of force at any of those incidents and provide the report to the most interested neighborhood associations was seconded by Mr. Wade and approved unanimously by voice vote.

(D) Draft Policy on the Sale of Alcohol on City Park Property.

Mr. Watkins explained last year Art in the Park requested permission to sell alcoholic beverages, specifically wine, at Stephens Lake Park. The City did not have a policy, but developed a temporary permit, approved by Council, for that particular event. At that time, Council directed staff to develop a draft policy to address this type of situation.

Mr. Hood stated they spent several months reviewing similar policies for other communities. They borrowed what they considered the best practices or ideas from the many different policies reviewed. In general, they were suggesting a policy that would restrict alcohol sales to a special event, festival or special activity in the park. They would first have to have approval for such an activity and the permit to sell alcohol would be in conjunction or

support of that activity. They were suggesting a fee and to restrict this to the larger parks where they typically held these types of events. They did not believe this should apply to neighborhood parks. The group requesting the permit would have to comply with State liquor laws and City business license restrictions pertaining to the sale of alcohol. The permit would require the approval of the Parks & Recreation, Police, and Finance Departments. They believed, in general, it was a workable policy. If Council wanted to move in this direction, he suggested they refer the draft policy to the Parks & Recreation Commission for their review and comments.

Ms. Hoppe noted item F indicated the group applying for the permit would have to have the necessary State and local liquor licenses and permits. She asked if that meant the person they were hiring would need to have that. Mr. Hood replied if a group, such as Art in the Park, was sponsoring an event and they wanted alcohol sales, the individual they subcontracted with would have to have the necessary licenses.

Mr. Janku asked how much the premium for the insurance requirement of \$2 million would cost. Mr. Hood replied he did not know, but noted they required that type of liability for almost all of the special events occurring in the parks already due to the \$2 million liability limit per State statute. He pointed out they required it even if a group was bringing a bounce house into the park. Mr. Janku understood it had not inhibited those types of events. Mr. Hood agreed.

Mr. Wade asked if there was any discussion as to what value the sale of alcohol actually added to an event. Mr. Hood replied he did not recall discussion along those lines. He noted they found policies allowing the sale of alcohol in parks in the larger communities that had more festivals and ethnic celebrations where alcohol was considered a part of the celebration. He stated they were responding to a Council directive in creating this draft policy. If Council chose to pursue this, he believed it would be a policy they could work with and enforce. Mr. Janku explained this was initiated due to Art in the Park asking about the sale of alcohol at their event approximately one year ago. In that situation, they acted on an ad hoc basis. They asked for a policy so they would not be in that situation again. He noted Art in the Park felt it would enhance their event as it would bring in people and keep them there. Ms. Hoppe noted art openings typically involved appetizers and wine. She thought it was sedate and did not see anyone inebriated last year.

Mayor Hindman stated he was in favor of this. He felt when it came to the use of parks for events, they wanted to allow the people to have as much fun as possible and to set up the event in a manner they wanted as long as they did not damage the park or interfere with the rights and privileges of others using the park. He understood alcohol was one of those things that could be abused resulting in damage to the park on interference with other users of the park, but if used properly, it could also add to an event. He noted it was not like smoking where secondhand smoke harmed the people it reached. He felt this draft policy included a reasonable set of restrictions, such as alcohol not being the major purpose of the event. In addition, they were requiring the appropriate licenses and an insurance policy and were restricting it to not-for-profits. He thought this could enhance the use of the parks.

Mr. Skala felt this was event driven rather than place driven. It would not be allowed just because it was in a park. As long as the permits were required and they monitored the

events, he thought it could be a valuable asset. He reiterated it was event driven, so it was important to consider how the alcohol and alcohol sales would enhance a particular experience.

Mayor Hindman pointed out the City already sold alcohol in parks. Alcohol was sold at Rainbow and the golf courses.

Mr. Wade wondered, besides the enhancement of the value of the experience to individuals who appreciated alcohol, if another message was being sent in terms of acceptability of the real problem, the abuse of alcohol. He was not convinced the benefit to individuals at the events was strong enough to justify the message of allowing alcohol in public places. He thought the events included tended to have a lot of family involvement. He hoped the Parks & Recreation Commission would discuss more than just the acceptability of the policy. He thought the broader question needed to be considered.

Mr. Janku noted alcohol was permitted in the parks and if they did not allow the sale of alcohol, he thought people would be bringing alcohol. He felt a reason to endorse the policy was to put the responsibility on the organizer of the event. Most licensed individuals would try to ensure this was handled responsibly because they did not want their license and insurance affected.

Mr. Janku made the motion to refer this draft policy to the Parks & Recreation Commission for their review and recommendation. The motion was seconded by Ms. Crayton and approved by voice vote with only Mr. Wade voting no.

(E) Sustainable Farms and Communities (Columbia Farmers' Market) Memorandum of Understanding.

Mr. Watkins explained Council directed staff to negotiate MOUs with the Columbia Youth Basketball Association (CYBA) and Sustainable Farms and Communities. The MOU with CYBA was approved by Council in April. This was the MOU for the Farmers' Market and it paralleled the MOU with CYBA. The premise was that Sustainable Farms would raise \$900,000 for construction of a permanent structure to house the Market. Those funds would then be donated to the City to construct and operate the facility.

Mr. Janku made the motion directing staff to proceed with the preparation of a resolution authorizing the agreement. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(F) Land Acquisition for Corridor Preservation at 3545 North Creasy Springs Road.

Mr. Watkins explained they had been working with the landowners of the property for about a year due to some health concerns involving a failing sewage lagoon. It was apparent to the City and the property owner that some day, they would have to fix the hill on Creasy Springs Road and when that was done, they would run right through this property. They felt it was poor to just buy what was needed or to make them spend \$10,000 - \$12,000 for the sewer lagoon only to take the property in a few years for the road. He noted this was outside the City limits, but thought they would end up having to fix the road. He believed the property owners were amenable to selling the property as long as they purchased the entire piece. The purchase would solve the sewage problem, which impacted the neighbors, and would

provide a corridor for future road construction. He pointed out they had funds set aside for future corridor preservation and felt this was a good opportunity to get ahead of the problem.

Mr. Glascock noted the City and County had a joint conceptual design for Creasy Springs Road with a conceptual roadway through this property.

Ms. Hoppe asked about the estimated cost. Mr. Glascock replied he thought it was about \$200,000. He noted an appraisal had not been done yet.

Ms. Nauser stated she liked the idea of pre-planning as they knew this would eventually come into the City. She wanted to see more money set aside to do things like this. There were many roads that were in poor shape and thought they should get ahead of the issues. Even if they could not build them completely to City standards, she thought they should look to add curbs/gutters or shoulders. She stated she was in full support and wanted to see this trend continue.

Mr. Janku made the motion directing staff to prepare an ordinance to acquire the property. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(G) Land Use and Urban Opportunities Study.

Mr. Watkins stated they had been working with the University for many months on the Sasaki plan. A meeting would be held later in the week to discuss how pieces of the plan might be implemented. In reviewing the records, he understood Council had never really acted on it. They were not asking Council to approve the plan. They were only asking Council to accept it into the record.

Ms. Hoppe made the motion to accept the Sasaki plan. The motion was seconded by Mr. Janku.

Mr. Wade thought they needed to be careful on how they used the word plan. He understood this was a report with recommendations and ideas. It was the City's responsibility to create a viable plan. Mr. Watkins noted it was a plan to plan. Mr. Wade thought the reason they needed to be careful was the possibility of a public misperception that they had the plan. Mr. Janku pointed out the word was actually "study" and thought they should use that.

The motion made by Ms. Hoppe and seconded by Mr. Janku was approved unanimously by voice vote.

APPOINTMENTS TO 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

Greever-Rice, Tracy, 602 Redbud Lane, Ward 4, Term to expire November 1, 2011

DISABILITIES COMMISSION

Mulkey, Carrie, P. O. Box 1664, Ward 2, Term to expire June 15, 2010

Weston, Dovie, 4316 Forum Boulevard, Ward 5, Term to expire June 15, 2010

ENVIRONMENT AND ENERGY COMMISSION

Buffaloe, Barbara, 509 High Street, Ward 6, Term to expire June 1, 2010

Walters, Robert, 2704 Vail Drive, Ward 5, Term to expire June 1, 2010

HOUSING AUTHORITY BOARD

Mendenhall, Richard, 2212 Shepard Boulevard, Ward 6, Term to expire May 31, 2011

BOARD OF MECHANICAL EXAMINERS

Clithero, Philip, 4208 S. Wappel Drive, Ward 4, Term to expire June 17, 2010

PARKS AND RECREATION COMMISSION

Pauls, William, 306 Whitetail Drive, Ward 2, Term to expire May 31, 2010

Jones, Mike, 5304 Sandstone Drive, Ward 3, Term to expire May 31, 2010

PLANNING AND ZONING COMMISSION

Anthony, Helen, 2804 Ashwood Drive, Ward 5, Term to expire May 31, 2012

Barrow, Jeff, 1007 Coats Street, Ward 1, Term to expire May 31, 2012

Peters, Ann, 3808 Berrywood Drive, Ward 3, Term to expire May 31, 2008

BOARD OF PLUMBING EXAMINERS

Glass, Mike, 128 N. Cedar Lake Drive West, Ward 5, Term to expire May 31, 2009

Shanker, Rick, P. O. Box 10202, Ward 6, Term to expire May 31, 2009

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mr. Janku noted an excellent group of people applied for all of the board and commission vacancies and he hoped those that were not chosen would continue to apply.

Mr. Janku stated he was approached by a City employee who noted, with respect to the State Highway Department, there was a lot of emphasis placed on trying to notify people to slow down in work zones with signs and increased penalties. He wondered if there was anything the City could do to enhance the safety of City employees in similar situations.

Mr. Janku made a motion directing staff to provide a report regarding steps the City could take to enhance the safety of City employees in work zones. The motion was seconded by Mayor Hindman.

Mr. Wade asked that this report be provided quickly as the construction season was already here and he hoped action could be taken this season.

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

Mr. Janku noted he was contacted by a constituent regarding the use of “jake brakes,” which were on large trucks and made a lot of noise when used. The noise affected residents around I-70 and Highway 63. He was told some communities such as Lawrence, Kansas, prohibited their use. He believed a report describing actions the City could take to enact similar restrictions would be beneficial.

Mayor Hindman believed they would be covered by the City’s noise ordinance. Mr. Janku thought the report could address that. He stated the idea was to make it clear to

people entering the community with signage indicating the use of those devices was prohibited. He agreed it could be covered by the noise ordinance, but felt a warning to individuals driving vehicles in the community would be helpful.

Mr. Janku made the motion directing staff to provide a report regarding actions the City could take to enact prohibitions on the use of “jake brakes.” The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Janku understood there was recent concern involving the use of subprime loans and people losing their homes because they could not make the payment. He was hopeful staff worked with individuals involved in the City’s homeownership assistance program to explain the risks of these subprime loans. He understood the City might not be able to prohibit their involvement in those loans, but was hopeful they would not use those loans.

Mr. Janku stated he wanted a report detailing the locations of vacant industrial zoned land in the City. Mr. Watkins pointed out the zoning was not as critical as its development capability and having water and sewer access. Mr. Janku stated he did not want to overburden staff, but if that information was available, he would like it included in the report. Mr. Watkins noted he and REDI were working on a report with that type of information. They would be glad to finish it and share it with Council. Mr. Janku stated he would appreciate that.

Mr. Janku noted he was contacted by a constituent regarding parking along Clinkscales near its intersection with the I-70 Drive. Some problems were being caused due to a new business. He was not sure if a parking prohibition needed to be enacted or if Public Works could handle the situation administratively. Mr. Glascock stated they would look at the situation.

Mayor Hindman stated he would like staff to make comments on the proposal/petition submitted by the League of Women Voters with respect to climate change. He asked that the comments include things the City could do.

Mayor Hindman made a motion directing staff to provide a report in response to the petition/proposal received in regard to the climate change issue and to include things the City might be able to do.

Ms. Hoppe wanted to discuss this issue at the retreat and was hopeful they would receive the report before the retreat.

Ms. Nauser stated she wanted the report to include estimated costs. Mayor Hindman thought that was appropriate to include.

Ms. Hoppe thought the report should also include benefits.

Mayor Hindman thought if they wanted a report by the retreat, they had to acknowledge the human limitations involved. He noted, in the long run, those factors would be important.

The motion made by Mayor Hindman was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Skala agreed with Mr. Janku's comments regarding the excellent candidates who applied for the board and commission vacancies. He asked those applicants who were not successful to remain active and to try again. He explained, in regard to the Planning & Zoning Commission, the Council, independently, narrowed the list from twenty-one to seven for interviewing. He noted there were all kinds of things that went into the process, such as occupation, recommendations, resumes and interviews.

Mr. Skala noted a constituent contacted him regarding nearby property that had pink ribbons on its trees. They were concerned it was slated for logging. He asked the City Manager to look into it and learned one of the engineering companies was surveying two and one-half inch caliber or larger trees in order to find out what was available on that land. He thanked staff for the quick response.

Mr. Skala noted the costs for off-site improvements were calculated on the basis of street frontage for the agenda item involving Rock Quarry, as was done for an item discussed at a previous Council meeting, and there was not a lot of street frontage associated with the property. He wondered if staff could review the possibility of calculating the costs for off-site improvements by property area instead of street frontage in order to make it more equitable if cost sharing was necessary.

Mr. Skala made a motion directing staff to provide a report in regard to the possibility of calculating the off-site improvement amount by area versus street frontage in order to make it more equitable. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Wade stated he agreed the Planning & Zoning candidates were excellent and he hoped that quality of applicants would continue in the future for all boards and commissions as it was important to the democratic process.

Mr. Wade noted, as follow up to Mr. Janku's comments regarding industrial land, the City had not been actively involved in industrial parks and he thought they needed to decide what the nature of their involvement would be and what the character of the parks would be. He suspected they might be looking at two different parks with different characteristics and a different level of City involvement and was something they would have to address. He was not asking for a report, but thought the conversation regarding this issue would need to begin in the near future if they were going to provide the kind of leadership he thought they should be providing.

Ms. Nauser stated she understood many cities had policies that were not conducive to inviting businesses into the community. She thought Columbia's zoning policies needed to be reviewed and pointed out the Sasaki study indicated some of the City's zoning policies were antiquated with respect to downtown. She assumed if the downtown policies were antiquated, many of their other zoning policies were behind the times as well. She noted she would not be asking for a report either, but thought they needed to start looking at their economic policies to bring more people to town.

Ms. Hoppe asked if the City had a listing of vacant commercial land and if not, she wondered how difficult it would be to develop. She understood the public in general was raising the issue of how much vacant land the City had and what could be done to encourage people to locate in existing structures near existing infrastructure. Mr. Watkins stated the City did not have a list, but staff could pull it together as long as it was not needed right away. He noted they could look at databases to pull that information. He assumed the same situation applied to commercial as it did industrial in that the difficulty was determining what was available, had utilities and was accessible. He stated they could prepare the map, but someone needed to go look at the lots to determine whether they were usable. Ms. Hoppe thought that was a good first step. Mr. Skala commented that the initial screening could be simple and could just indicate whether something appeared to have potential or not.

Mr. Wade stated he thought they had some areas of stale industrial zoning, which was irrelevant for economic development and more likely an impediment to the land use it should be. If they wanted to address the issue of stale industrial zoning, they would need to decide what to do with it or whether to ignore it.

Ms. Hoppe made the motion directing staff to provide a listing of vacant commercial property. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Hoppe noted the road near the Crossroads Church was destroyed due to the truck use during the development of the Church. She understood the developer paid for the repair of the road, but that there was not a policy requiring that. Since this was the beginning of the construction season, she wanted a policy drafted for Council review that would address developer payment of the overuse of roads in a short period of time. She noted the City already had trouble with the upkeep of streets and did not have money to repair roads damaged due to overuse in a short time frame.

Ms. Hoppe made the motion directing staff to draft a policy for Council review.

Mr. Janku suggested this be a report versus an ordinance as they would need to understand who this would apply to. Mr. Skala thought an example was The Links development. He agreed a report would be useful.

Ms. Hoppe adjusted her motion by directing staff to provide a detailed report with recommendations in regard to a potential policy involving payment for the overuse of streets within a short period of time. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Ms. Crayton asked if staff could walk the areas and provide a list of houses in the First Ward that had problems. She noted they had an issue with absentee landlords, blighted areas and lack of maintenance. She pointed out some of the homes had tall grass that needed to be mowed. She stated many involved the same individuals and felt they needed to maintain their properties. She wanted a map/list of the chronic problems.

Ms. Nauser noted the City published restaurant violations and information was published in regard to money borrowed by individuals. She suggested they put people's names in the paper when they received citations in order to curtail this problem. If ordinances did not encourage people to do it, she thought public shame might work.

Mr. Janku understood Jefferson City was working on an ordinance to deal with absentee landlords and thought they could learn something from that.

Mr. Skala thought Ms. Nauser's suggestion was a good idea, but noted some of these people might not live in Missouri, so they would not see their names. Ms. Nauser pointed out this was the age of "google."

Ms. Crayton made the motion directing staff to provide a list of the houses with problems by address and a map identifying those houses so they could see the areas with the most issues. She noted she would like the information to be available for the retreat. Mr. Watkins stated they were working on that for the retreat already.

Mr. Wade asked if the citations were public. Mayor Hindman replied he believed they were, but someone had to publish them. Mr. Watkins noted the Council approved an abatement facility and staff used that for weeds.

The motion made by Ms. Crayton directing staff to provide a list of houses with problems by address and by map was seconded by Ms. Hoppe and approved unanimously by voice vote.

The meeting adjourned at 9:37 p.m.

Respectfully submitted,

Sheela Amin
City Clerk