

**MINUTES**  
**CITY COUNCIL MEETING – COLUMBIA, MISSOURI**  
**SEPTEMBER 17, 2007**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, September 17, 2007, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE and HINDMAN were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

The minutes of the regular meeting of September 4, 2007 were approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Skala.

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

Mayor Hindman noted Report L dealing with right of use permits in regard to downtown air space would be added to the agenda. Ms. Hoppe stated she wanted R208-07 and R210-07 moved from the Consent Agenda. Mr. Janku commented that he wanted R209-07 moved from the Consent Agenda. Mayor Hindman understood those would be moved to the New Business section of the agenda.

The agenda, to include the addition of Report L to the Reports section of the agenda, the moving of R208-07, R209-07 and R210-07 to New Business and the Consent Agenda, was approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Crayton.

**SPECIAL ITEMS**

**R211-07     Selecting an artist for the City Hall Expansion, Plaza and Streetscape Percent for Art Project; authorizing a Percent for Art agreement with Howard Meehan.**

The resolution was read by the Clerk.

Nancy Burdick, 12 McBaine Avenue, Chair of the Standing Committee on Public Art and a member of the Cultural Affairs Commission, stated she was speaking as a member of the Cultural Affairs Commission to seek approval of Howard Meehan to be selected as the artist for the City Hall Expansion, Plaza and Streetscape project. The Standing Committee on Public Art made an initial recommendation, which was then considered by the Commission and forwarded on to the Council. This would be the City's eighth Percent for Art project. Their first step as a Committee was to expand the Standing Committee on Public Art to include some project specific members, such as a member of the Public Buildings and Finance Committee, a member of the New Century Fund Board, a representative from the downtown business community and a staff liaison from the City Manager's Office. The general approach was to search for an artist, not a specific work of art, with the intent of involving the artist in the overall design process so they would be able

to propose a work that was truly site and community specific. She noted the search for the artist began with the Standing Committee determining the project should entail a national search, which would include any local or state artist that applied. She explained Jeffrey L. Bruce was commissioned by the City to design the plaza and streetscape, so the Standing Committee worked with Jeffrey L. Bruce to define the goals for the search for the artist. In early June, the Office of Cultural Affairs hosted a project prospectus on the City's website, e-mailed information to more than 4,000 artists and art organizations and mailed hard copies of the prospectus to more than 400 artists. The opportunity was also publicized in the City's Arts Express newsletter and the Missouri Arts Council newsletter and on the Missouri Association of Community Arts Agencies website and the Art Deadline.com website. In addition, press releases were sent out Statewide. She noted 139 applications were received by the July 9, 2007 deadline. Jeffrey L. Bruce and Co. processed the applications and narrowed them down. The Standing Committee reviewed about 30 applications and chose three finalists for interviews. Each artist gave a short presentation of their work and answered a set number of predetermined questions. The Committee then discussed the merits of each artist and voted to recommend Howard Meehan. Mr. Meehan was an accomplished sculptor with public artwork placed throughout the nation. He had a lot of experience in collaborative work on public projects and in working with architects and engineers. His studio was located in New Mexico. The Committee's recommendation was forwarded to the Cultural Affairs Commission, who unanimously voted to accept and forward it to Council for consideration. If Council endorsed the recommendation, a contract would be authorized so Mr. Meehan could begin his design process by visiting Columbia to conduct research and meeting with the community, the Standing Committee, the Cultural Affairs Commission and other groups associated with the project. Once design concept(s) were submitted by Mr. Meehan, the Standing Committee would initiate a review process similar to the process for selecting the artist. Public comment, as always, would be part of this process. She stated this was a very exciting project since this work of art would be in a highly visible location. She was confident Mr. Meehan would be able to create something exciting for the new City building.

Mayor Hindman thanked the Committee and Commission for their hard work.

The vote on R211-07 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

#### **SCHEDULED PUBLIC COMMENT**

##### **Sid Sullivan - Utilize portion of Cosmo Park for the third school.**

Sid Sullivan provided a handout and urged the Council to pass a joint park use resolution for Cosmo Park. He commented that the resolution he was presenting to Council might be different than the one that had been circulated earlier in the day. He stated a recent decision by the School Board to use a Boone County farm several miles east of the City had upset some taxpayers. He noted they had ignored the City adopted land use plan and were promoting urban sprawl and a haphazard development. He felt

they would be wasting taxpayer dollars by expecting the City and County to extend roads and public facilities. He felt having to ride for hours in a school bus to get to the site would adversely affect students. He understood the City had no jurisdiction over the School Board, but thought there were things the City could do. The City could defend the Metro 2020 plan, lobby the State legislature for a mandatory referral law that would require all taxing agencies to bring their plans before a City, County or joint planning commission, offer the Board another site, such as part of Cosmo Park, or have a policy initiative whereby the City would work with the School Board on future joint school/park locations. He commented that the City was responsible for park acquisitions and the School was responsible for the school site land acquisitions and asked why they could not work together. He stated the City's adopted Land Use Plan projected the population to grow to 132,000 by the year 2020 and the accepted standards indicated the ratio of population to school should be 5,000 for each school, which meant there would be six more elementary schools, one more middle school/junior high and two more high schools by 2020. The School Board should not only be planning for the third high school, but also for a fourth if they expected to find a site close to the urbanized population. At the same time, the City would need new parks and fire houses and the Library District would need new branch libraries. There would be the question of where they would find the land and he thought they, as taxing districts, should work together to achieve synergy in this purpose. He commented that if the City's population projections held, they would be repeating this discussion nine more times within the next ten years. He reiterated that he believed the High School Site Selection Committee should consider where it would place the fourth high school when it designated the site for the third high school. He thought population growth patterns showed there was enough of a population on the north side of Columbia for a need for two high schools - one in the northeast and one in the northwest. He stated he had spelled out some of the arguments for the joint use of Cosmo Park in the Missourian article he handed out and noted the site was close to a proposed green way, which was a system that would encourage walking and biking to promote health and to fight obesity. He asked the City to consider a resolution offering a maximum of 20 acres of Cosmo Park to the School Board for consideration as a site for the new school.

Mr. Skala noted an article entitled "City Schools Turn to Joint Use Agreements to Maximize Space and Minimize Cost" was recently in the National League of Cities newspaper and asked if he was familiar with that article. Mr. Sullivan replied he had not read that article, but had reviewed the National Recreation and Park Association publication on park use and joint school/park use. The argument was essentially the same in that there was a savings of public monies by joint use of facilities. Mr. Skala stated they were not entirely joint use situations and many were cooperative efforts.

## **PUBLIC HEARINGS**

**B273-07A     Adopting the FY 2008 Budget for the Special Business District.**

**B306-07     Establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans.**

**B307-07     Amending the Classification Plan and adopting the FY 2008 Pay Plan.**

**B308-07 Amending Chapter 6 of the City Code as it relates to application fees and reinspection fees.**

**B309-07 Amending Chapter 17 of the City Code relating to Parks and Recreation fees.**

**B310-07 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.**

**B289-07 Amending Chapters 13 and 22 of the City Code relating to sanitary sewer utility rates.**

**B311-07 Amending Chapter 22 of the City Code to increase solid waste utility rates.**

**B312-07 Amending Chapter 26 of the City Code to increase the development charge for new construction.**

**B313-07 Amending Chapter 27 of the City Code as it relates to water rates.**

**B314-07 Amending Chapter 27 of the City Code as it relates to electric rates.**

**B274-07 Adopting the FY 2008 Budget.**

The bills were read by the Clerk.

Mayor Hindman understood amendment sheets had been prepared for B313-07 and B274-07.

Ms. Nauser made the motion to amend B313-07 per the amendment sheet. The motion was seconded by Mr. Wade.

Mr. Wade made the motion to amend B311-07 by eliminating the large volume discount from the landfill customer classes rates. Mr. Janku understood that was recommended by the consultant. Mr. Wade agreed. The motion made by Mr. Wade was seconded by Mr. Janku.

In regard to the amendment sheet associated with B274-07, Mr. Wade asked if the items listed under Council Reserve would just put a hold on that money. He wondered if, as they got into the fiscal year, they would be making decisions on whether or not to spend that money for those purposes. Mayor Hindman pointed out that took away discretion from the Council because that money was put on hold. Mr. Wade asked if they had the option of removing things later if they wanted to increase discretion. Mayor Hindman replied they could always remove something. Mr. Skala stated that was his impression. He thought these numbers were place holders, but might change later depending on decisions. Mr. Janku stated he was not sure that was truly the case. He felt this started the train moving down the track. Mr. Skala thought their discussion at the work session included the need for a business plan for the Naturalist Program and more information with regard to the Youth Empowerment Program. He assumed the numbers were subject to change and asked if Mr. Janku was suggesting it was subject to change to a limited degree. Mr. Janku explained if they told an agency they would have \$30,000 with the expectation of working out an agreement, the agency would think that money was there for them and it would be hard, at that point, to say no. Mr. Skala asked if they could condition it on the information they received. Mr. Watkins noted, if the Council amended this, staff would move those funds out of their discretionary fund into another place in the budget. They would not spend it until a contract or business plan was provided and voted on by the Council. They would, however, be reserving it. Ms. Nauser understood if something was removed from the amendment sheet, they would have those funds in the discretionary account and more freedom in the future to spend it on that or other items that might come up. Mr. Janku

explained when Council would indicate \$30,000 was available for a certain item, staff thought it was something they should move to implement as it was a Council decision. In addition, the agency would expect those funds to be appropriated. He thought it would be hard to change that. Mr. Skala agreed, but noted the discussion was contingent upon more information being provided. Mayor Hindman suggested they not include those types of things in the budget. They could ask for a report and still have discretionary funds if they decided they liked it. Mr. Skala stated he was comfortable with that approach as he would be inclined to not put items pending more information in the budget.

Mayor Hindman made the motion to amend the amendment sheet associated with B274-07 by designating \$10,000 of the Council discretionary fund for seed money toward a Roots and Blues Festival for next year. The motion was seconded by Mr. Skala.

Mr. Janku made the motion to amend the amendment sheet associated with B274-07 by changing a title under “Storm Water” from “New Project: Annual Rain Garden Initiative” to “New Project: Annual Water Quality Initiative”. The motion was seconded by Ms. Nauser.

Mayor Hindman opened the public hearing.

Ben Londeree, 2601 Chapel Wood Terrace, provided a handout with some early results of a study on development fees, impact fees, excise taxes, connection fees, exactions, and stormwater detention requirements for 40 Midwest cities. He commented that his data collection was nearly complete with only one piece of information missing from one city. The details were in the appendix of the document provided. The table on pages 3 and 4 was a compilation of the fees, exactions and stormwater detention requirements for a 2,000 square foot single family dwelling. The most common fees were sewer in 24 cities, water in 18 cities, roads in 17 cities and parks in 7 cities. Most of the fees were less than reported in a national study involving 271 cities by Clancy Mullen of Duncan Associates. He noted some of the current survey sites were included in Mullen’s study, but most were in the eastern and western states. The table on page 5 showed the total fees for each community in descending order. He pointed out Columbia was near the bottom and most Midwest cities in the survey had fees of less than the average of the national study. Even if he took the California cities out of the national data, only four of the Midwest community numbers exceeded the national average of \$6,628. He commented that there appeared to be a relationship between the rate of population increase and whether or not a city had development fees. Twenty of the twenty-four cities with a population increase of at least 15 percent in fifteen years had development fees. Of the fourteen cities that did not have development fees, nine had a population change of less than fifteen percent. Most of the survey cities had a rational basis for setting at least some of their fees or exactions. He commented that he was pleased Columbia was considering using equity studies as the basis for setting development fees for water and sewer. He stated he was undecided about the results of the electric study, but was supportive of the idea of a rational basis for it. He thought the data he was presenting would be useful beyond his remarks.

Mr. Skala asked about the difference between the model Columbia had adopted in terms of charging development fees based on the square footage of new development versus a model using traffic generation or load for development fees. Mr. Londeree replied the traffic generation approach worked from the model that those who generated the traffic were paying for the roads. The City looked into this in 2005, but did not adopt it. Of the seventeen communities that had fees for roads, fourteen determined fees from trip generation. Mr. Skala asked if it was based on a user fee model. Mr. Londeree replied yes. He noted Austin, Texas did not do it as a development fee or excise tax, but as a monthly fee for all citizens in that everyone paid something like fifty cents per month.

Ms. Hoppe commented that he had a lot of results from a lot of cities and asked how long he had been working on this and how he was able to get that kind of response. Mr. Londeree replied he started this project in April and started with websites. He collected all of the information he could and sent it to either the Mayor or City Manager, depending on who was the Chief Administrator, asking them to check his data. After about a month, he resent it because he had only received a few responses. After several weeks, he knew he had to try another approach and spent hours on the telephone talking to planning directors, public works directors, utility companies, etc. to get this information. He commented that he had most of the information he needed from Evanston, Illinois except for their other exactions. He noted he had not had the chance to do a lot of statistical work. He pointed out there was a relationship between population growth and development fees, but he was not sure if it was a significant relationship as he had not had a chance to review that.

Mr. Wade asked if he would be willing to add a couple communities to this report. He thought data from Sioux Falls, South Dakota and Fort Collins, Colorado would be especially valuable. Mr. Londeree replied he would. Ms. Hoppe asked if he would add Ann Arbor, Michigan as well.

Mayor Hindman thanked Mr. Londeree as this represented a tremendous amount of work. He thought it would be useful in their discussions on finding ways to finance infrastructure and roads. Mr. Londeree stated he would love to have a chance to mention some of the idiosyncrasies in the data to include how he got information from the appendix into the table in order to make valid comparisons. Ms. Hoppe suggested he send them an e-mail if there was anything else he wanted to point out. Mr. Londeree stated he would entertain e-mails or phone calls from them as well, if they had questions.

Terry Woodruff of Woodruff Swietzer, 515 Cherry Street, stated he wanted to voice support for the Roots and Blues and BBQ Festival. He noted they did not know how the community would support the Festival, but preliminary numbers showed somewhere between 65,000-75,000 people participated. He noted the BBQ contest was sanctioned by the Kansas City BBQ Society, who indicated this was their largest first year BBQ competition in history. Last year, a preliminary economic impact study had been done by the University, which estimated 25,000-35,000 people would be in attendance and \$5-\$7 million in revenue would be generated. He pointed out those numbers had almost doubled. This past year, the Festival was a generous gift by the Boone County National

Bank in celebration of their 150<sup>th</sup> anniversary. The organizing committee was trying to find a way to continue the Festival in coming years. They were asking for support from the Council and the City to accomplish that.

Mr. Skala asked how much the Festival cost. Mr. Woodruff replied it was in the neighborhood of \$500,000.

Ms. Hoppe asked how much money came to the Convention and Visitors Bureau in terms of hotel taxes. Mr. Woodruff replied he understood all hotels were sold out for the weekend. They were having the economic study revisited by the University and were assuming 1/3 of the people were from the area, 1/3 were from within the State and 1/3 were from outside the State. They were trying to determine the amount of new money that was brought into the area. Ms. Hoppe thought that could be used seed money for the next Festival.

William Young, 4300 Christian Fellowship, asked if the CDBG budget was included in the budget they were voting on tonight. Mr. Janku replied it was.

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

Mr. Skala understood the Naturalist Program was pending a business plan, the increase for Youth Empowerment was pending a report and the Small Group Design and Facilitation Leadership Training was pending information, so he suggested those be removed from the Reserve Allocated Fund pending additional information.

Mr. Skala made the motion to amend the amendment sheet associated with B274-07 by removing the Naturalist Program, the increase to Youth Empowerment and the Small Group Design and Facilitation Leadership Training from the Council Reserve Allocated portion of the amendment sheet. The motion was seconded by Mr. Janku.

Mr. Janku commented that he was not pursuing additional funding for C.A.R.E., which was a jobs program for students run by the Parks and Recreation Department and hoped they would have funds in reserve for the spring. He also hoped they had discretionary funds available at some point to address other needs.

Ms. Nauser asked what the Options Care Program was. Mr. Hood replied it was a program to try to encourage high risk youth in danger of dropping out of school to stay in school and get their GED's while also assisting them in getting work experience.

Ms. Hoppe commented that she might want to ask for a reimbursement from the Convention and Visitors Bureau for the Roots and Blues Festival in the future and asked if that was possible or if they should remove that now. Mayor Hindman thought that would be a transfer of funds and could be brought up at any time. Mr. Watkins agreed and stated he suspected an application would be submitted to the Tourism Development Fund for additional funding. Ms. Hoppe asked if they could get the money back into the discretionary fund at a later date. Mayor Hindman replied they could if they decided to do so.

B273-07A was read with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B306-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B307-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B308-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B309-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B310-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B289-07 was read with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: CRAYTON. Bill declared enacted, reading as follows:

Mayor Hindman noted a motion was on the table in regard to B311-07. Mr. Wade explained that currently the City land dump in their customer rate classes, had large volume discounts and the consultant recommended they be eliminated. Most of those discounts were for solid waste being brought in from other communities. He thought they should pay their share for the landfill.

Mr. Janku suggested they table the bill in order to develop language to amend the bill. Mr. Boeckmann noted this bill was effective for the first cycle billed in October. He suggested the take this up with a separate bill.

Mr. Watkins stated this was a suggestion by the rate consultant and he believed it had little practical effect today. It was put into effect when they were dealing with the City of Boonville to provide an incentive to use the City's landfill. He noted they were no longer using the landfill. He asked if there were others receiving that discount. Mr. Glascock replied there were, but they were normally people outside the City that brought their refuse here. He explained this was part of the collection ordinance and the change being requested would need to be made to the landfill fee ordinance. Mr. Wade asked if they created a new ordinance, if they could do it so it would be effective November 1, 2007. Mr. Watkins replied yes.

Mr. Wade withdrew his motion. Mr. Janku was agreeable.

Ms. Crayton stated she could not vote for an increase on some of the utilities. She commented that there were no provisions to assist with these increases. She felt the



increases would be a hardship on some and thought the \$1.00 some paid on their utility bill should be increased to \$2.00. Mayor Hindman understood she wanted to fund the utility assistance program more fully. Mr. Skala thought that was a good idea. Mayor Hindman agreed and suggested she bring that up at the end of the meeting.

B311-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: CRAYTON. Bill declared enacted, reading as follows:

B312-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

Mr. Watkins stated the proposed amendment would spread the fire charge based on meter size versus a flat rate.

The motion made by Ms. Nauser and seconded by Mr. Wade to amend B313-07 per the amendment sheet was approved by voice vote with only Ms. Crayton voting no.

B313-07, as amended, was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: CRAYTON. Bill declared enacted, reading as follows:

B314-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: CRAYTON. Bill declared enacted, reading as follows:

Mayor Hindman understood the amendment sheet on the overhead included the changes discussed earlier. Mr. Boeckmann noted motions amending the amendment sheet associated with B274-07 had been made, but not been voted on yet. He thought if they all recognized they were on the amendment sheet shown on the overhead, they could proceed. Mayor Hindman understood all of the previous motions were being withdrawn. The Council was agreeable.

Mr. Skala made the motion to amend B274-07 per the amendment sheet shown on the overhead. (That amendment sheet was the same as the one included in the Council packet except that only Interpreting Services for Study Circle & Let's Talk Columbia - \$4,000; Increase Options Care Program - \$10,000; Roots and Blues Festival Seed Money - \$10,000 were proposed to be funded under the Council Reserve Allocated section and the "New Project: Annual Rain Garden Initiative" title was changed to the "New Project: Annual Water Quality Initiative" under the Storm Water section.) The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Wade made the motion to add the Naturalist Program at \$7,500 back on the Council Reserve Allocated list. The motion was seconded by Ms. Nauser.

Mr. Wade stated this was a new program that was beginning to emerge nationally due to the book titled "The Last Child Left in the Woods". The program emerging in St. Louis was serving almost entirely inter-city low income children. It was not focused as a suburban white middle class program. He understood they were in a tight budget year, so

nothing new had been added to the budget and everything was being kept exactly as it was. Even though it was a tight budget year, he believed this was vitally important and a new emphasis that needed to be added. He thought Columbia being a community of 100,000 without a naturalist on staff was almost embarrassing. There were lots of natural areas and he thought this would expand the people served by the Parks and Recreation Department. He commented that \$7,500 from Council Reserve was a small amount. It was seed money to put a plan together and to send a message to the Parks and Recreation Department to do something beyond what they were currently doing. Their share of the money to do this would need to come internally or they would need to find external money. He stated he would not support approving the expenditure of the \$7,500 unless the program was at least a 50 percent partnership with the Missouri Department of Conservation (MDC) whose own programming emphasis was moving away from bricks and mortar and toward community conservation.

Ms. Hoppe stated she thought this was great idea and agreed they needed to emphasize teaching young people about the natural environment, but wondered if the \$7,500 was needed now to get a commitment from MDC. Mr. Wade replied no. He thought it was needed to send a message to the Parks and Recreation Department that this was something new they expected them to move toward. He commented that it was the only thing in the entire budget that represented anything new. He also thought it needed to be there to let MDC know they were serious. He pointed out two conditions would have to be met before he would support the commitment of the money. One had to do with programming in that it had to be a quality program and the other was a partnership with MDC.

Mr. Skala supported Mr. Wade's effort in trying to get a naturalist on staff, but did not believe leaving it out now precluded them from adding it later. He agreed there were not a lot of new things, but there were a few. He commented it was a tight budget year and felt they could not spend a lot of money because it was the citizen's money. He stated he would rather err on the side of making this known and requiring a business plan to determine the details as this was a three year \$50,000 commitment. He understood these funds might come from other sources and wanted to know what those sources were. He noted he did not think it was necessary to put a figure in the discretionary funds in order to send a message indicating they were serious about this. He thought the best message to send to people indicating they were serious was by obtaining more information and creating a business plan to fund it. He believed for most of these issues, they just needed a little more information to ensure they knew what the numbers should be. He noted there was only \$75,000 and they had already committed half of that. He thought they needed to be cautious and ensure they had information to support it in order to convince the community it was needed as it was their money.

Mr. Wade stated his experience with the University and tight budgets taught him that good intentions were wonderful, but if it was not in the budget, it was not real.

Ms. Nauser stated she was supportive of moving toward something like a naturalist and thought there was an opportunity in the future to implement new programming or a

new philosophy with the future park in south Columbia that would abut Rock Bridge State Park. She commented that they were not precluding it from being funded. They were just not earmarking it now. She stated they had discretion through the rest of the year and might decide to move forward after they had the business plan. She noted this was not a vote against the program. They just wanted more information to make an educated decision.

Mayor Hindman stated he approved of the idea and thought they had an incredible opportunity with the discussions going on with MDC. In addition, he understood the Department of Natural Resources wanted a naturalist in visitor centers. The thing that worried him was starting a program without having a handle on how it would be budgeted. If they started the program, they would be committed to it. They would not know what other Parks and Recreation activities would be affected until they received more reports. He reiterated that he liked this, but did not believe it was an ideal time to start a new program with the tight budget. He was hopeful they would find a way to do this, but felt it would be a mistake to proceed without additional information.

Mr. Janku stated he would be on the radio tomorrow at 9:00 a.m. and if someone asked him about the new program created and what it would cost, he would not be able to answer those questions. He thought they needed more information to sell it to the community.

Ms. Hoppe commented that they might find other funds if they had a matching grant rather than having to use Council funds.

Mayor Hindman stated they could ask the Parks and Recreation Department to come up with a business plan, possible sources of funding, the long term outlook, etc.

The motion made by Mr. Wade and seconded by Ms. Nauser was defeated by voice vote with only Mr. Wade voting in favor of the motion.

Mr. Janku commended the City Manager for putting together a very good budget in a tight budget year. He noted some of the items in the budget from the start included three new police officers, some new fire personnel to open a new fire station and an increase in funding for street maintenance, so some things would be accomplished during the tight budget year. He commented that they were being fiscally responsible. He was hopeful the economy would turn around, so they could address the other issues brought up.

Mr. Skala stated he appreciated what it took for staff to put this together. He commented that when he was running for Council, some of his campaign issues coincided with the survey results and involved police protection, infrastructure and parks. He was still worried about police protection, but it was a tenuous budget season and tax revenues were not increasing as much as they wanted. He thought they might want to look at sales taxes versus other types of user fees. He stated infrastructure was a constant problem and they had included \$150,000 or so towards maintenance in areas that were already established. He noted a lot of things had been accomplished this budget season and that they had preserved their prerogatives with regard to the Council's \$75,000. With such a limited amount of money for a City this size, he felt they really needed to have all of the information as that was the proper and prudent approach.

Ms. Crayton understood the City did not have the money, but was hopeful someone in the community, such as a business or civic group, would help the Mid-Missouri High Steppers. She stated everyone enjoyed their performances and noted it took a lot for uniforms and to move the children. She felt this was a type of program that helped kids stay off of the streets and thought it needed to be funded. Ms. Nauser stated she had been advocating the setting of Council goals and felt those goals, whether it be more police protection, affordable housing, etc., should be reflected in the budget. She thought those goals should be set as a collective body and that they should work toward accomplishing those goals. She explained if it was their goal to add five police officers, they should work toward how they would implement that in next year's budget and it could involve making some hard decisions if they had another tight budget. She wanted them to move toward more accountability with what they set as goals and to accomplish them through the budget in the coming year. She preferred working on a few major projects rather than a lot of smaller projects and wanted to work toward getting those projects into next year's budget.

Ms. Hoppe stated she refrained from bring up an amendment she had because it looked like they might be able to obtain funding from another source and noted that was her thinking on some of these other amendments discussed. In terms of the tight budget, she commented that they had to meet the basics first and thought they had done that well. She agreed they needed to set goals and try to achieve them. They also needed to look at how they could get more funds equitably. If there was something they needed to do in terms of infrastructure cost so they could equitably fund basic needs, she thought they should look at that as one of their collective goals.

Mr. Janku commented that in reference to the gentlemen that asked about CDBG funding, the City Manager's recommendation would go into effect.

Mayor Hindman congratulated the staff and commented that going through the budget process was a great learning experience in that one found out how much of the budget was needed for personnel and other basic needs and that the Council had discretion for about \$75,000 out of a \$360,000,000 budget. He stated they were all on the Council because they had ideas they wanted implemented and it hurt when they were unable to do things they thought were progressive for the City. He commented that he refrained from pushing something he really wanted due to the tight budget.

B274-07, as amended, was read with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B293-07 Authorizing an agreement with the Boone County Regional Sewer District relating to sanitary sewer service for property located in Sugar Tree Hills Subdivision, Spring Park Subdivision and Arrowhead Lake Estates/University Estates Subdivisions.**

The bill was given second reading by the Clerk.

Mr. Watkins noted the City was continuing to work with the Boone County Regional Sewer District (BCRSD) in an attempt to improve wastewater treatment problems that

came into streams and creeks flowing through the City of Columbia. He pointed out they had done a phenomenal job in cleaning up the Grindstone Creek over the years. They brought opportunities, such as this, where they could work jointly to the Council as they arose. He explained this was a public hearing because an 80 acre sewer extension was needed to clean up the wastewater treatment plants that did not work and the lagoons flowing into creeks. The cost was about \$155,000 and would come from the sanitary sewer fund. The interconnection agreement would allow the BCRSD to interconnect the Spring Park Subdivision and the Arrowhead Lake Estates/University Estates area in addition to extending the interceptor sewer to eliminate the Sugar Tree Hills Subdivision plant.

Ms. Hoppe asked for the difference in cost between a 100-120 acres point and an 80 acre point. Mr. Glascock replied he thought it would reduce it by ten percent. Ms. Hoppe understood if it was about 10 percent for 100 acres, it would be about 20 percent for 120 acres. Mr. Glascock stated as a rough estimate that could be possible.

Mr. Janku asked how the City would receive revenue from these customers. Mr. Glascock replied he thought since they were outside the City, the rate was about one and one-half times the normal rate. He stated the City did not receive any connection fees, but got the customer in twenty years.

Ms. Hoppe stated she was interested in the cleaning up the creeks, but was also interested in saving money in the process.

Mr. Skala noted 10 or 20 percent of a big number was a big number. Mr. Watkins stated it would be about \$20,000. Mayor Hindman commented that it did not make a lineal difference. Ms. Hoppe understood and noted that many of these came before them, so they had to consider the cumulative costs.

Mayor Hindman opened the public hearing.

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

B293-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B298-07     Authorizing construction of water mains serving Wyndham Ridge, Plat 1; providing for payment of differential costs.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this was a differential cost public hearing on a water line of about 2,400 feet. The City would get the 2,400 fee for a total cost of about \$22,700 due to the differential cost policy where the City paid for oversizing the lines because they believed at a future point in time, they would need a twelve inch versus an eight inch line.

Ms. Nauser asked if this was the first property in that area where the developer had to put in the twelve inch over an eight inch. Mr. Windsor replied no and added there had been others. Ms. Nauser understood this was a perpetual cycle in that once someone put it in, the City continued to pay the differential rather than paying the differential for only the first person. Mr. Windsor stated that was correct and noted their goal was to have the system looped, so they wanted a system that would meet the needs of not only existing

customers, but new customers. If they just went with what would be needed for that area, the smaller ones would be sufficient. They, however, wanted to ensure the system was large enough to cover all of the system and to ultimately loop the system. Ms. Nauser understood and agreed with that philosophy, but did not agree with the perpetual differential payment into the unknown future. Once the twelve inch was decided over the eight inch, they would pay the differential for subsequent developments that attached into that loop.

Ms. Hoppe understood some communities recouped those costs. Mr. Windsor replied he imagined there were some that did, but noted there were also some who did not pay anything and did not have the larger system put in to meet future needs. This policy was developed to try to meet system needs going forward. Mayor Hindman asked if it was recouped by rate payers. Mr. Windsor replied part of the rate everyone paid was related to infrastructure. Mr. Skala thought some of it might be covered by connection fees as well. He commented that it seemed reasonable to think they could recover the cost of the differential payment eventually from future developments connecting to the system. Mr. Watkins noted there were a number of cities that paid for oversizing lines. He commented that another issue was having to come back and spend a couple hundred thousand dollars extending a water line to fix a fire flow problem, like they had to do at Grant School. He wondered how they would recover that cost. If the system had been built and sized properly, they could have saved some money. He noted they were seeing the same problem with the Korean Church. That was a situation in which they inherited a system that was not properly sized. He stated they had to determine how they would ensure proper sizing and this system worked for a number of communities as it allowed the oversizing to be accomplished cheaply. Ms. Nauser agreed it was a good policy because they were looking into the future. She understood why they would pay the differential cost for the first development, but did not agree with the perpetual payment of different costs to subsequent developments. Mr. Wade noted they would soon be talking about infrastructure revenue and thought this conversation should be a part of that work session.

Mayor Hindman opened the public hearing.

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

B298-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B304-07     Authorizing development of Auburn Hills Park; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a public hearing on the development of a 12.25 acre neighborhood park in north Columbia. The proposed project cost was \$135,000 and would be funded from the parks sales tax and force account labor. If Council agreed to move forward, construction would begin this fall.

Mr. Hood noted they had met with the neighborhood and interested parties and had received numerous comments. He believed the plan they were presenting was supported

by the neighborhood with respect to the recreation facilities. The only item of concern for the neighborhood was the possible alignment of the intersection of Derby Ridge Drive and Harvester Road. This plan would allow the park to be developed with either road option.

Mr. Wade asked when they would anticipate making a decision on the road option. Mr. Watkins replied that would be development driven. Mr. Janku stated he planned to bring that issue up after the public hearing.

Mayor Hindman opened the public hearing.

Matt Smith, 1308 Carolina Drive, stated he was President of the Auburn Hills Homeowners Association and noted they had met with the Parks and Recreation Department. The Association, as a whole, supported the north road plan as it would affect the park. He explained that when they originally bought their home in this subdivision, the park was one of the largest selling factors. He commented that his decision was made almost solely upon having the park there. He noted the north road plan allowed the best access to the park and the southeastern road plan would devastate the trees and stream. Mr. Janku pointed the blue route was the west option.

Ms. Hoppe stated the west route appeared to preserve most of the trees. Mr. Janku stated that was not true. Mr. Smith explained that until one was actually able to walk the area, it was hard to tell how substantial of an impact that route would have on the trees.

Mr. Wade asked if he could comment on the geography for the east route. Mr. Smith stated it would be difficult for him to comment on how many trees would have to be taken out for the northeast option.

Doug Wheeler, 1515 Tidewater, stated he was a member of the Planning and Zoning Commission and noted the original roadway plan showed the eastern option, so most of the homeowners were under the impression that road option would occur. In regard to the roadway network, he thought it was important to remember Derby Ridge would be a collector running north and south through this area from the outer road on 63 and 763. It would be a collector street between Prathersville Road and Brown School Road. As a result, he did not think it was a question of whether Derby Ridge would be extended, but when it would be extended. He thought it made more sense for Harvester to come in from the west and intersect on the north side of the park. He commented that the extension of Harvester over to Roger Wilson Road would probably not be required given the majority of property it was going through was County owned and was where the Sheriff's Department was located. In addition, there were soccer fields out there. He did not believe they would need a route all of the way to Roger Wilson Road. Also, the property to north would have to be serviced at some point. He believed this east alignment made more long term sense. It would also allow the neighborhood to not be divided by the park.

Mr. Janku asked if Mr. Wheeler's could comment on Harvester Road and how it could be a shortcut for traffic trying to reach Brown School Road. Mr. Wheeler replied the roadway plan, at this point, showed a lighted stop at Harvester Road with Harvester continuing across 763 to the west and somewhere south of the Sheriff's Department on Roger Wilson Road. A concern of the neighborhood was that they would now be

providing a cut-through street for those trying to avoid traffic at the Brown School Road/763 intersection. The west route would put a cut-through street between their neighborhood and the park.

Ron Bates, 1611 Tidewater, stated he had been to several meetings regarding this proposed plan and was concerned with the west road coming down behind Tidewater. He noted they had young children in the neighborhood, who would have to cross Harvester Road, and this posed safety concerns. He thought going out on the east side made more sense because Derby Ridge was bound to be going north and south. He noted he also liked sitting on his deck and enjoying the scenery, which would be damaged significantly by having a road coming through there. He understood there would be no parking area for the park except for the street, so the congestion caused by the west route was also a concern to him as it might affect his property value. He stated he was in support of the east route.

Mr. Janku understood he resided 1611 Tidewater, which was the side of the street that would back up to the road. Mr. Bates stated that was correct.

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

Mr. Janku explained the houses followed the dotted line and would back up to the west road option. In addition, the road would go directly over the creek. He showed a real estate flyer for a house at 1519 Tidewater and pointed out the tall trees behind the house. He noted the west option would go through a very large tree area, especially near the oxbow of the creek. It would be an incredible devastation to the natural area of the park to put the road through there. He provided excerpts from the minutes of June, 2005 when CATSO was proposing to move the alignment south and pointed out the Council amended the ordinance so the alignment change was not in effect and would be deferred until the park was planned. This was why he was discussing it.

Mr. Skala understood they were not here to decide the road alignment. They were only deciding on whether the park could proceed. He stated he visited the site and saw problems with the west route where the road would traverse the creek. It was a large creek, so the bridge would have to be big. In addition, there were large trees on that side of the property. He noted he was uncomfortable because he did not have the details as to why CATSO changed the alignment. He assumed it was done because it would be a more direct route.

Mr. Janku stated he thought it was appropriate to decide the road issue now. When the subdivision was developed, the road was planned to be to the north. Now, the road would potentially be adjacent to their back yards. They purchased their property thinking a park would be adjacent to them, but now it would potentially be a road and because it would be a road connecting 763 and Brown School Road, it could be a high volume road with cut-through traffic. He noted they were also ready to develop the Cow Branch Trail and if it was developed this year, they would need to know whether a box culvert was necessary or not. He believed it was timely to make this decision. He agreed the west route might be cheaper, but for the benefit of the park users and to preserve a natural area, he thought the east option was appropriate.



Mr. Skala asked if CATSO's only motivation was it being cheaper. Mr. Glascock replied he believed the reason for the change was because CATSO did not believe it could be extended across the County owned property. This option would not go across County property.

Mr. Wade stated he agreed with Mr. Janku and was ready to proceed with discussing the road choice. He commented that the realignment of Harvester Road down the west side did not make sense to him. It was about a third longer and had more of an impact on a lot more land. Harvester Road being extended over to Roger Wilson was much better located as a crossroad. Harvester Road, as CATSO had it, basically came down Brown School Road and, in terms of road structure, did not make sense. The County not allowing them to build the road through there was a separate problem. The east option was far better in regard to the location of the road. He believed it was also cheaper and more direct.

Mr. Skala asked if this was worth talking to the County about. Mr. Watkins stated staff did not have a preference one way or the other. Their concern was that the blue route or the west option would likely be built by a developer and the yellow route or east option would likely be built by the City. He thought that was the tipping point with CATSO. In regard to park planning, he thought their preference was the east route. He stated he was a little concerned with trying to make a street decision as part of a park plan. He reiterated staff did not have any real problems because either alignment would work. In addition, there were some advantages to going up the east side due to future school locations being discussed. He noted that road would not be built for a while.

Ms. Hoppe stated she agreed with Mr. Wade and Mr. Janku and understood the east route would impact the existing neighbors the least.

Ms. Nauser asked what classification Derby Ridge was. Mr. Glascock replied it was a major collector and would extend to Prathersville at some point. Ms. Nauser understood there would be no off-street parking for the park. Mr. Hood replied that was correct and explained they, typically, did not provide off-street parking in any of the neighborhood parks because they were designed to serve the immediate area and were considered "walk to" parks. He agreed a few people would drive, but noted they usually did not have a large outside of the neighborhood traffic problem at those parks. Ms. Nauser asked if they were located on major roadways such as Derby Ridge. Mr. Hood replied some were.

Mr. Skala stated he was inclined to support what the neighbors wanted, but, procedurally, he saw this as a problem because they were supposed to be dealing with the park, not the road. He thought it would nice to have additional information from CATSO.

Mr. Janku made the motion to amend B304-07 by adding a new Section 3 reading "the Council finds and determines that the 'east road option' as described in the report dated August 10, 2007, is the preferred option and that planning and development of the Auburn Hills Park and the Cow Branch Trail be consistent with that option" and renumbering the following sections. The motion was seconded by Ms. Hoppe.

Mr. Wade understood this meant, at some point, they would be asking CATSO to put this alignment on the plan and to take the west option off. Mr. Glascock replied he

believed they would refer it to the technical committee, who would bring it forward to change the plan. Mr. Wade asked if this would trigger that. Mr. Teddy replied he thought they could take it off the City's version of the Major Roadway Plan and ask CATSO to look at changing it on the CATSO plan. Mr. Wade asked if this amendment would trigger that. Mr. Watkins replied it would because he would ask for it to be done.

Mr. Janku stated he was surprised the CATSO map had the west option because he thought the amendment adopted by the Council in June, 2005 explicitly said they would not change the alignment until the park issue came up.

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

B304-07, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**(A) Proposed non-motorized intersection improvements at Forum Boulevard and Stadium Boulevard.**

Item A was read by the Clerk.

Mayor Hindman stated he was very interested in this, but thought it needed to be continued to the next meeting.

Mayor Hindman made the motion to table Item A to the October 1, 2007 Council meeting. The motion was seconded by Mr. Skala.

Mr. Wade noted Mr. Linder had contacted him and asked for this to be tabled to the second meeting in October due to everyone's schedule. Mayor Hindman asked if that would cause a problem. Mr. Glascock replied no.

Mayor Hindman revised his motion to table Item A to the October 15, 2007 Council meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**(B) Voluntary annexation of property located on the northeast side of Masonic Drive, west of Oakland Gravel Road.**

Item B was read by the Clerk.

Mr. Watkins stated this was a required public hearing for the voluntary annexation of about 50 acres subject to a 2002 annexation agreement whereby they were allowed to connect to the City sewer in exchange for annexing into the City when they became contiguous. He noted there had been some discussions about the requested zoning since they were different from the County zoning. The Planning and Zoning Commission considered it earlier in the year and provided them time to work out some details. It was recently brought back to the Planning and Zoning Commission and the Commission was recommending approval.

Mayor Hindman opened the public hearing.

Brent Stewart, 4603 John Garry Drive, stated he was an attorney and the head of the Scottish Rite and was available for questions.

Mr. Wade stated they had done a marvelous job within the last six months.

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

## **OLD BUSINESS**

### **B292-07      Changing the name of "Arctic Char Lane" to "Waterfall Drive".**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a request to a change street name and would impact two unbuilt lots. He noted Public Safety/Joint Communications was opposed to Waterfall Drive because there were thirteen streets in Boone County with “water” some place in their name. He commented that there was not a street that sounded like “waterfall”, so staff did not have a problem with the name change.

Mr. Teddy stated he thought this satisfied the subdivision regulation standard in that the street name did not duplicate or sound like another existing name. This was a very small dead end street with a possibility of being extended in the future and homes would eventually be addressed off of it.

Mr. Wade stated he believed there were eight streets in Columbia and seven streets in Boone County that started with “water”, but none were close to “waterfall”. He noted he was comfortable with staff’s recommendation.

B292-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

### **B294-07      Authorizing an agreement with the Missouri Highways and Transportation Commission for the Route 763 reconstruction project from Big Bear Boulevard to Prathersville Road.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this agreement would move them substantially forward on 763. The project consisted of widening the existing 763 to four lanes and would include a raised median. It would start near the intersection of Big Bear Boulevard and extend about 2.8 miles past the intersection of Prathersville Road. The project also included sidewalks, storm drainage structures, traffic signals and the relocation of utilities in the right-of-way. The total construction cost was estimated to be about \$15.4 million and the total cost of the project, to include design, utility relocation, etc. was about \$20 million. He explained MoDOT would initially pay \$16.7 million and the City would be required to advance \$2.9 million until 2010, at which time, the City would be paid back, so this would cost the City interest. In addition, there were about \$1.25 million in utility relocations that the City would need to pay for. He noted they were still in discussions with the County and expected them to make a payment to this even though most of the actual costs would be paid back.

Mr. Glascock noted the project was scheduled for letting in November.

Mr. Janku stated he appreciated the work done by staff, the current and previous City Manager, and the Mayor for this quality road in Columbia.

Mr. Watkins pointed out 763 would remain a MoDOT street. The City would not take it over.

B294-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B295-07 Authorizing an agreement with Boone County relating to a geomorphic stream assessment and training grant; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Watkins explained they would be working on a geomorphic stream assessment for parts of Clear and Gans Creeks. The assessment and training would cost a little over \$34,000. They would receive reimbursement for a little over \$20,000. The balance would be split between Public Works and Parks and Recreation. He noted part of the stream that would be studied was in an area the City owned as of Friday with Gans Creek going through the Crane property.

B295-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B299-07 Authorizing an agreement with Utility Service Co., Inc. for maintenance of water storage reservoirs and tanks.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this contract was for a five year maintenance plan and would look at all of the City's reservoirs, tanks, etc. In the past, maintenance on these had been hit and miss. The cost was \$1,250,000, but when split over five years, it was reasonable.

Mr. Wade asked if the water storage maintenance would now become a part of the operating cost as enterprise rather than a bond issue. Mr. Watkins replied yes. Mr. Wade stated he thought that was exactly where it should be.

Mr. Janku stated he agreed they needed to keep on top of this and recalled the Walnut Street tower had mold on it a few years ago. He understood it took about \$300,000 to correct that problem. In addition, it was an eyesore.

B299-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B305-07 Repealing Chapter 10 of the City Code relating to franchise regulations; enacting a new Chapter 10 of the City Code relating to regulation of video service providers.**

The bill was given second reading by the Clerk.

Mr. Watkins explained earlier this year, the State legislature approved the 2007 Video Services Provider Act, which took the ability to enact franchises for video services away from the City and provided it to the Public Service Commission. The City, however, was allowed to increase the provider fee from three percent of gross revenues to five percent and the Council had asked for legislation to do that. It would provide about \$300,000 per year in additional income assuming they saw the same kind of revenue they had in the past. He pointed out the County already levied a five percent tax as did most

Missouri cities. If Council elected to pursue this, by State law, the City had to give providers a three month notice, so no revenue increase would be received until late December. This would provide time to determine the best way to allocate the additional revenues.

Christine Gardner, 112 Anderson Avenue, President of the Board of CAT, stated they had some concerns when reading the memo associated with this bill. She commented that they would like for CAT to be involved in the process of budgeting the revenue from the provider fees. CAT had been in operation for three years at the request of the City and had tried to provide a service to the public in difficult circumstances. She recommended bringing Sue Buske back for a limited session at a nominal cost to work through some of these issues. She felt Ms. Buske had the expertise and funding structures for PEG operations, the respect of all parties and an acquired knowledge of the community with regard to PEG issues.

Mr. Skala understood they were dealing with the percentage in terms of the fee and asked if it would be appropriate to discuss bridge funding for CAT now or at the end of the meeting. Mr. Wade stated he intended to make a motion for \$15,000 of bridge funding at the end of the meeting.

Ms. Hoppe asked if they had a target date for allocation of this revenue. Mayor Hindman replied he thought it would be at the end of the year when the money started coming in. Ms. Hoppe clarified she was wondering when they would discuss how to use the funds. Mr. Watkins thought that would need to be added to the list for a work session. Ms. Hoppe stated she wanted to know what other communities did in terms of using the funds.

Ms. Nauser asked if the fee revenue chart on page three was at a three percent level. Ms. Messina replied yes.

Mr. Wade assumed the question of bringing in Ms. Buske would be discussed at an early work session. Mr. Watkins replied they could add it to an early work session.

Ms. Nauser asked if they were trying to recoup some of the franchise fees owed by Mediacom. Mr. Boeckmann replied they were. Mayor Hindman stated it was in the courts, so it might be a while before they had a decision.

Ms. Nauser stated she was concerned with the increase and noted there were rate increases with all of the other utilities. She felt they had to have electric and water utilities, but thought cable was a luxury. She could not agree to another potential rate increase for 2008. She would consider it for the future, but not for this year.

B305-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, HOPPE, HINDMAN. VOTING NO: NAUSER. Bill declared enacted, reading as follows:

**B315-07 Authorizing intergovernmental cooperation agreements with the Columbia Mall Transportation Development District, Stadium Drive Corridor Transportation Development District A and the Shoppes at Stadium Transportation Development District relating to the Route 740 (Stadium Boulevard) improvement project.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would authorize three intergovernmental cooperation agreements. He noted two were in place now, but required amendments. They included the standard language for TDD's and would create a revenue stream to match MoDOT grant funding to widen Stadium between I-70 and Broadway, improve a number of intersections, interconnect local streets and improve the capacity at the Stadium interchange. Revenues would be derived by using a ½ cent existing TDD sales tax for about 10-12 years, which was how long they thought it would take to amortize the \$19,000,000 project. This was a result of several years of discussions and negotiations between many major retailers and developers in the Stadium corridor, MoDOT and the City in regard to how traffic congestion in the area could be addressed. The agreements were written by the City's bond counsel. This project would allow them to put a band-aid on the Stadium, Bernadette, Fairview and Worley intersections until they had the opportunity to address the issue of a new interchange on I-70. Anything they did to increase capacity on Stadium was a band-aid, but would make a big difference. He thought MoDOT was paying a good piece of its share, but a substantial amount of local money would go toward the project. The City had secured a low interest loan from MoDOT to fund the TDD portions. The project would be staggered for a period of years to match the cash flow. The grant would be available in 2011 and the project would move forward at that time. He noted this project had not yet been designed. They only had schematics. He stated they would be bringing plans to Council and holding public hearings in the future as required by MoDOT. He pointed out this project would likely not happen without the intergovernmental agreements with the TDD's.

Mayor Hindman asked who would be doing the planning. Mr. Watkins replied the City and MoDOT. He noted the TDD's were only a revenue source.

Ms. Nauser understood there would also be a MoDOT grant. Mr. Watkins stated yes and noted it was an \$8.9 million grant. Ms. Nauser asked if the total scope of the project would cost \$27 million. Mr. Watkins replied no. The \$19 million included the grant.

Mr. Janku noted the next bill dealt with the engineering company they would hire to design the project. Mr. Watkins stated that was correct.

Mr. Wade understood the project would be phased due to the flow of revenue. Mr. Watkins stated that was correct. Mr. Wade asked if this would seem as though it was under construction forever. Mr. Watkins replied there would be construction in that area forever, but they would only tear Stadium up once. The object was to minimize the hassle, but there would be some. Mr. Glascock noted they would stagger this through the peak seasons of Christmas and Thanksgiving, so no construction work would be going on during those times.

Marjorie Lewis, an attorney with offices at 601 E. Broadway, stated she was available to answer questions on behalf of the Columbia Mall TDD.

Mr. Skala commented that he was not a huge fan of TDD's, although he agreed they did provide traffic relief. He explained he did not like them due to the lack of local control. He noted this was a judicial proceeding to grant the TDD and pre-empted the City's prerogatives in regard to new road infrastructure. When a TDD was created in

association with a large commercial development, those resources tended to go there and the City gravitated toward those resources to establish public/private partnerships. In reality, it was all public money because it was sales tax. He thought the ½ cent sales tax should be posted in areas the TDD's were in effect. He stated he would support this with those reservations.

Ms. Nauser made the motion to amend B315-07 per the amendment sheet. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

B315-07, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B316-07      Authorizing an agreement with Cook, Flatt & Strobel Engineers, P.A. for engineering services relating to the Route 740 (Stadium Boulevard) improvement project; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this would authorize a contract with the engineering firm of Cook, Flatt & Strobel. They had been working with the City for about two years and had created the schematics on the Stadium Road project. They were also instrumental in getting the State grant and loan funds and putting together the cash flows. The scope of the services included a preliminary road design, a final design, detailed plans and specifications for the roadway and some construction phase services. He noted they would also be conducting meetings with stakeholders and interested parties for the project. The total cost of the engineering contract was \$1,769,000 and would be paid for from the MoDOT grant and loans and the revenue stream approved by the previous bill.

B316-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. 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.

**B290-07      Approving the Final Plat of Spring Creek Plat 4 located on the north side of Vawter School Road, east of Scott Boulevard.**

**B291-07      Approving the Final Plat of Wyndham Ridge, Plat No. 1 located on the west side of State Route KK, east of Scott Boulevard; authorizing a performance contract.**

**B296-07      Approving a waiver of claim and indemnity agreement with Bedford Walk Homeowners Association to allow construction of a bridge with abutments for a walking trail in utility, drainage and private walkway easements located on Lot 260 of Bedford Walk Plat 1 and Lot 193 of Bedford Walk Plat 4.**

**B297-07      Accepting conveyances for sewer, utility, drainage, street and sidewalk purposes.**

**B300-07      Accepting conveyances for utility purposes.**

- B301-07     Appropriating federal forfeiture funds for the purchase of Simunition® safety equipment for the Police Department.**
- B302-07     Appropriating funds for the acquisition of furnishings for Phase I of the City Hall project.**
- B303-07     Appropriating funds for the City Hall Percent for Art project.**
- R202-07     Authorizing an agreement with the Missouri Department of Health and Senior Services for Regional Public Health Emergency Planning and Preparedness.**
- R203-07     Authorizing an agreement with the Missouri Highways and Transportation Commission for transportation planning services.**
- R204-07     Authorizing a memorandum of understanding with Wisconsin Energy Conservation Corporation relating to home performance with ENERGY STAR training and certification program.**
- R205-07     Authorizing a "Change a Light, Change the World" Midwest Regional Campaign agreement with Midwest Energy Efficiency Alliance relating to the Compact Fluorescent Light Program.**
- R206-07     Authorizing a memorandum of understanding with the Missouri Department of Conservation relating to the development and operation of a conservation education center and office.**
- R207-07     Authorizing an agreement with the Missouri Highways and Transportation Commission relating to installation and maintenance responsibilities of a traffic signal located at the intersection of Chapel Hill Road and Scott Boulevard.**

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

## **NEW BUSINESS**

**R208-07     Authorizing an agreement with Access Engineering, LLC for engineering services relating to the Bluff Dale and New Haven/South Farm feasibility studies project and the design of the Garth Avenue to Gans Road bikeway.**

The resolution was read by the Clerk.

Mr. Watkins explained this would authorize a contract with Access Engineering for about \$100,000. It would provide professional services for feasibility studies and the preliminary engineering for the Garth to Gans Bikeway. He pointed out the Non-Motorized Master Plan was broken into nine major bikeway projects and this would get a couple of those started with preliminary plans and engineering. This also included the assessment of the Bluff Dale, Rollins and Stadium trail connection where it crossed Hinkson Creek. Mr. Glascock stated it was a feasibility study to determine whether it was feasible to cross at that location. He noted they were also looking at the South Farm area as they went toward the development at Gans.

Ms. Hoppe understood this section had been expanded to go up Old 63 to New Haven to South Farm due to strong local and University interest. Mr. Glascock stated this



had always been labeled as number four and had not been expanded. They were just including all of it in the feasibility study. As South Farm grew into an area of economic development, they were looking at how that might attach to the University.

Mayor Hindman asked if this was the alignment that would go through the new park. Mr. Glascock replied yes. He explained there was interest from some of the property owners to develop to not only South Farm, but the University.

Ms. Hoppe stated the two neighborhood associations that abutted this were concerned. Those were the East Campus Neighborhood Association by Rock Hill Road and the Hinkson Valley Creek Neighborhood Association. She commented that it was not clear whether the neighborhood associations would be consulted by the engineers. The contract indicated eight hours for meeting with private property owners. She asked for clarification. Mr. Glascock replied a feasibility study would determine whether it could actually be built, so that would be the first thing done. They would not meet with the neighbors then. Once they found out it was feasible, they would start the public improvement process to include interested parties meetings and notification to the neighborhoods. Ms. Hoppe asked if that was part of the engineering services contract. Mr. Glascock replied yes. Ms. Hoppe asked if that would be part of the Public Works session. Mr. Glascock stated the Council would be the first to know whether it was feasible. They would then obtain direction from Council on whether to proceed or not. If Council determined it was a project they wanted to pursue, it would go through the public process. Ms. Hoppe asked if they would come up with options of feasibility when they determined whether it was feasible. Mr. Glascock assumed more than one option would be provided. Ms. Hoppe understood this contract would include them meeting with the neighborhood associations at some point once they determined it was feasible. Mr. Glascock stated only if the Council directed them to do so. If it was not feasible, there was no reason to meet. If it was feasible, they would bring it back to Council for approval. If approved, staff would start meeting with the public.

Mr. Wade noted Attachment F of the contract indicated the engineers would meet with the private property owners directly affected by the proposed trail. He asked if that should also include the Hinkson Creek Valley Neighborhood Association as well. Mr. Glascock replied if feasibility was determined, they would meet with whomever the Council wanted them to meet with. Mr. Wade asked if that should be in the contract.

Mr. Skala commented that he understood Mr. Glascock as stating the feasibility did not have public involvement. Once the project was feasible and Council decided to proceed, staff would then involve the public. Mr. Glascock stated that was correct. He explained if it was not feasible to build, there was no need to spend money meeting with the public.

Mr. Watkins thought the confusion was with the definition of feasibility. To an engineer, feasibility was whether they could physically build it. The second issue on feasibility was whether it was politically feasible and something the community wanted to do. He noted Mr. Glascock was proposing they do the engineering feasibility and if they

thought it would work, they would come to Council to begin the process of determining whether it was politically feasible.

Mr. Wade suggested they amend Attachment F of the contract to read "...the private property owners directly affected by this pedway, including the Hinkson Creek Valley Neighborhood Association residents..." This would ensure there was no question it was not just the property owners that adjoined the trail. Ms. Hoppe suggested they add the East Campus Neighborhood Association to it also.

Ms. Nauser wondered if that would muddy the process because the associations would be providing input in regard to what they wanted or did not want rather than discussing whether the property owners would provide the right-of-way for it. Mr. Wade stated it already specified meeting with some of the property owners. He wanted to make clear who those property owners should be. Ms. Nauser thought the property owners would be the ones who would have the trail go through their property versus just members of the neighborhood associations.

Ms. Hoppe asked, if the trail went through private property, if the engineers would meet with those private property owners in determining if it was physically feasible. Mr. Glascock explained there was a property owner that wanted this trail and wanted to be involved. They would meet with that property owner since he had expressed an interest in having the trail.

Mr. Skala stated he was comfortable with bringing people in as soon as possible as soon as it was determined it was possible. Mr. Glascock noted that was done with all of their public improvement processes. Mr. Watkins pointed out they had to have something to present.

Mr. Wade made a motion to amend Attachment F of the contract where it indicated the engineers would meet with the private property owners directly affected by the proposed trail by adding the clause ", including the Hinkson Creek Valley Neighborhood Association residents." He stated he saw the East Campus Association coming in after the feasibility but the Hinkson Creek Valley connected to the initial feasibility set of questions. The motion made by Mr. Wade was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Skala explained under normal circumstances he would vote for neighborhood association involvement, but felt it made sense that there needed to be something to have them involved in for this situation.

The vote on R208-07, as amended, was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R209-07     Authorizing an agreement with Transystems Corporation for engineering services for design of a bikeway from Twin Lakes Park to Vanderveen Subdivision.**

The resolution was read by the Clerk.

Mr. Watkins explained this was an agreement for another area of the Non-Motorized Master Plan, but was different from the previous agreement in that they were moving

toward actual design services for certain pieces. It would include about seven miles of a shared use path connected by three miles of City-designed on-street bikeways. He noted the bikeway would connect with the MKT/Twin Lakes Park to a new pedestrian bridge crossing I-70 and would go through Cosmo Park and the Bear Creek Trail to the Vanderveen neighborhood. Mr. Glascock commented that there would be a lot of different alignments as this came forward. In addition, they would see gravel trails, paved trails, etc. He asked them to be prepared for different ideas as they proceeded.

Mr. Janku stated he shared the same concerns as Ms. Hoppe had about the previous item in that he did not notice any prescribed meetings or involvement of people early in the process. He was also concerned with the dual surface demonstration, which involved hard asphalt. He believed things might move more smoothly if the people who expressed concerns were involved early in the process. He wanted to include something like Attachment F in the previous agreement to this agreement. He commented that the Forum and Stadium intersection design had been delayed six weeks because the adjoining property owners had not had a chance to look at it. Mr. Glascock pointed out that was not true. They had met with the adjoining property owners. They did not like the answers and were now trying to hold up the process. He stated the public improvement process started before they developed a design and Public Works would meet with interested parties. He explained they would have to talk to people during the design since this covered so much of the City. He noted they would have four or five alternatives as part of the environmental impact study due to the funding source. The federal process had to be followed for this project just as it would for a road and that included public involvement. Mr. Janku stated he wanted something in the document indicating that. Mr. Glascock commented that it was in the National Environmental Protection Act (NEPA) document. Mr. Janku asked when he thought interested parties meetings would begin. Mr. Glascock replied he thought they would begin next month if this resolution was adopted tonight. Mr. Janku asked what the process would be and what he could tell concerned citizens. Mr. Glascock replied he thought they would provide flyers to neighborhoods associations, people along the route, etc., similar to what they did with an EIS for a street project. They would put ads in the paper. Mr. Janku understood they would be holding interested parties meetings before drawing up plans. Mr. Glascock replied yes and noted the 35 member panel associated with the PedNet project would also be involved.

Mr. Skala asked if this was the same or different from the previous issue in terms of feasibility. Mr. Glascock replied this was different because they were designing something here. They were not doing a feasibility study. They were providing alternate alignments in this case. He noted they also thought there might be more public acceptance of this route than the one for Old 63.

Mr. Janku stated he wanted to make sure they had a product that would move forward and thought that could be accomplished by including public involvement early in the process. Mr. Glascock stated that was what they were trying to do.

Mr. Watkins asked if staff could provide Council an estimated timeline on when initial meetings might be held. Mr. Glascock replied yes and noted he would also provide a list of who they planned to contact. Mr. Watkins suggested they provide that information for all three of these projects.

The vote on R209-07 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R210-07 Authorizing an agreement with HNTB Corporation for engineering services relating to the Old Highway 63 (Garth Avenue to Gans Road) pedway improvement project.**

The resolution was read by the Clerk.

Mr. Watkins stated this also involved the non-motorized pednet project and was the Garth to Gans bikeway along Old 63. This would include a design for widening the sidewalk from Stadium to north of Grindstone Parkway as well as sidewalks on the Hinkson and Grindstone Creek bridges. It would also include the design of a round-a-bout at the intersection of Shepard and Old Highway 63.

Ms. Hoppe noted she had requested the City look into a way to get pedestrians across Old 63 because it was very dangerous. Shepard Boulevard School was in the area, so there were kids on the west side of Old 63 that needed to get to the east side to go to school. She was also concerned about getting residents on the east side of Old 63 to the pedway on the west side without having to go to Broadway. She agreed a round-a-bout might be the best solution, but wanted the engineers to look at another pedestrian option, such as a pedestrian triggered light, as many were concerned with a round-a-bout since they were not sure how it would work. She wanted to provide the neighborhoods at least two options for discussion.

Mr. Glascock pointed out the issue with the light was that it needed to meet the signal warrants because a pedestrian head could not be located where they crossed without a stop light for the vehicles. He stated he did not believe this location would meet the required warrants, which was why they were suggesting the round-a-bout at that location, but noted they would look at it.

Ms. Hoppe stated she wanted to have a meeting for staff to talk with the Shepard Boulevard people. Mr. Glascock noted this project would start with a public process since it was a design contract.

Mr. Janku commented that a pedestrian refuge was placed at Rogers in front of Columbia College instead of a light and he thought that was working well. Mr. Glascock stated that was something they would look into. Mr. Janku thought a round-a-bout was similar in that it slowed the traffic. Ms. Hoppe was agreeable to that being an option they reviewed. She just wanted a couple options to provide to the neighborhood.

Mr. Janku asked if anyone had looked at a pedway on the south side of Nifong from Bearfield to Nifong Park in regard to the Garth to Gans route. He stated he was suggesting that due to the Park and the apartments that would soon be built at that location. By putting a pedway along that stretch, they would connect to Nifong Park, which would eventually connect to the Crane property and the Philips tract. He thought there

could be bike lanes on Bearfield since it was a wide street. It would be an alternative to having to use Grindstone to go east.

The vote on R210-07 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R212-07 Authorizing an agreement with Jacobs Engineering Group, Inc. for engineering services for the Long Range Water System Study.**

The resolution was read by the Clerk.

Mr. Watkins stated this would authorize a study to look at the 20-year raw water supply needs. He understood there was a second piece to this that would look at their long range distribution system needs. Mr. Windsor stated it was part of this, but this was primarily for the 5-year plan in terms of improving the system and what they would need to bring back as a ballot issue.

The vote on R212-07 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R213-07 Approving the Preliminary Plat of Chapel Mills Estates located on the northeast corner of Chapel Hill Road and Mills Drive.**

The resolution was read by the Clerk.

Mr. Watkins stated this was a proposed preliminary plat at the northeast corner of Chapel Hill Road and Mills Drive and would create twenty-five R-1 zoned lots and three O-P zoned lots. One of those lots would be used for open space. The Planning and Zoning Commission recommended approval of the proposed preliminary plat.

Mr. Teddy stated there was a brief discussion during the recent rezoning of portions of this tract regarding a request for a stubbed street to the east. Staff concluded the cul-de-sac was sufficient. They did not have detailed knowledge of how that property might develop. In addition, the grade was challenging at that location and would not be a particularly leveled street stub if it was put in. He noted there were also alternatives for getting access from the surveyed tract adjacent to the east.

The vote on R213-07 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN. 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.

**B317-07 Voluntary annexation of property located on the northeast side of Masonic Drive, west of Oakland Gravel Road; establishing permanent O-P and C-P zoning.**

- B318-07**     Approving the Final Plat of Arbor Ridge located on the north side of Waco Road, extended, west of Brown Station Road; authorizing a performance contract.
- B319-07**     Approving the Final Plat of Discovery Church Plat 1 located on the northwest corner of Mexico Gravel Road and U.S. Highway 63; authorizing a performance contract.
- B320-07**     Authorizing a development agreement with Fairway Meadows Corporation relating to development of Deerfield Ridge Subdivision Plat 2 and improvements to the Cascades Pump Station.
- B321-07**     Amending Chapter 14 of the City Code to prohibit parking along a section of Big Bear Boulevard.
- B322-07**     Amending Chapter 14 of the City Code to set the speed limit along State Farm Parkway.
- B323-07**     Appropriating funds relating to the Gans Road interchange project.
- B324-07**     Confirming the contract with T-N-T Excavating, Inc. for construction of the Bear Creek Outfall Sewer Extension project.
- B325-07**     Authorizing acquisition of easements for construction of the Providence Road improvement project, from Vandiver Drive northward to Blue Ridge Road.
- B326-07**     Accepting conveyances for temporary construction, street and sewer purposes.
- B327-07**     Accepting a donation from Jim and Billie Silvey for the purchase and training of a patrol canine for the Police Department; appropriating funds.
- B328-07**     Amending Chapter 22 of the City Code as it relates to wastewater connection fees.
- B329-07**     Amending Chapter 27 of the City Code as it relates to water connection fees.

## **REPORTS AND PETITIONS**

### **(A)     Intra-departmental Transfer of Funds.**

Report accepted.

### **(B)     Request by A Civil Group to vacate right-of-way for Hillcrest Road, and a half-width right-of-way for unimproved College Park Drive.**

Mr. Watkins explained this was a street vacation that went no where and staff concurred that it made sense to vacate the half-width.

Mr. Teddy pointed out the subject tract on the overhead and noted they had a subdivision plat under review. It appeared to be a single lot subdivision in anticipation of development. Part of that request was to vacate Hillcrest Road. Currently, it was an asphalt pavement that served a couple of existing dwelling structures, which, he understood, would be removed with the ensuing development. The remaining College Park right-of-way was on the east boundary. He noted it was only a half-width now and the other half-width was vacated to make way for the new Madison Park Subdivision. He stated staff was comfortable with the vacation, but wanted to make Council aware of it

before moving forward with plat review. They thought it would be difficult to extend Hillcrest Road all of the way north and across County House Branch to Stoney Brook Place.

Mayor Hindman asked if the City was compensated when vacating rights-of-way to make them available for development. Mr. Teddy replied he did not think State law provided for that.

Mr. Skala asked if this was planned zoning if there might be some justification for taking that into consideration when the plan came through in terms of off-site improvements. Mr. Boeckmann replied that it would probably depend on where it came from and if the City paid for it when it was dedicated.

Mr. Janku asked if there were any potential trail connections in this area. Mayor Hindman replied the County House Branch Trail would be going along County House Branch. He thought this development would include access to that. Mr. Wade assumed that would be an issue for when the plat came in. He stated he was familiar with the area and did not believe it made sense for Hillcrest to remain a road as it was a road that did not go anywhere. The last thing they wanted to do was to force it over the County Branch.

Mayor Hindman understood the development to the east was relatively new. Mr. Wade stated houses were still under construction. Mayor Hindman noted it was a beautiful piece of property with beautiful trees, but when they got through with it, there was nothing left. He felt that was a disgrace as did others. He thought they might be headed for the same situation in this instance since it was open zoning. Mr. Skala suggested they discuss the land disturbance issue at a work session as he thought that was really important.

Mr. Wade made a motion directing staff to prepare an ordinance for the vacation of Hillcrest. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

**(C) Receiverships.**

Mr. Watkins stated Council requested a report as to whether it was feasible under Missouri law to use the receivership technique to deal with vacant and abandoned housing and thought Mr. Boeckmann's conclusion was that it was.

Mr. Janku noted properties in the First and Second Wards that had been vacant for a while and were deteriorating. He thought those were situations where this would be appropriate.

Mayor Hindman thought there were two situations in which this could be applied and believed one was more workable than the other. He stated he did not know what the next step was, but wanted to move forward to see if they could come up with a workable method of having this available.

Mr. Wade stated he thought there were two questions and one had been answered in that this was possible. The second question was whether they should proceed. He thought they could always find houses for this, but was not sure they wanted to establish

this as a policy path. He suggested it be discussed at a work session to give more consideration to the positive and negative implications.

Mr. Skala noted the report indicated it would take an enormous amount work and cooperation among several City departments, etc., which begged the question of whether it was worth the investment.

Mayor Hindman agreed they should put it on the list as work session topic.

Ms. Crayton wondered when people who owned these houses would step up and do what they were suppose to do. She noted it was the same people over and over. She thought they needed to do something. Mr. Janku thought threatening to exercise this power might move someone to put the property up for sale. Mayor Hindman stated the great thing about it was that it did get the job done.

Ms. Nauser wondered if their current ordinances were strong enough or if they should be made to be stronger. Mayor Hindman understood that was one of the things this would do. Ms. Nauser thought they should look at what they currently had and determine if what they currently had was strong enough. She wondered if they could just use more enforcement.

**(D) City Commission Conflicts of Interest.**

Mr. Watkins stated this was an issue the Council had debated before. The provision pertained to the three commissions that made funding recommendations and the only large employer impacted was the Columbia School District. If Council thought this was a problem, he suggested they direct staff to prepare legislation to exempt Columbia School District employees from the conflict of interest provisions or treat each school or school district department as a separate agency for the purpose of determining a conflict.

Mayor Hindman stated he thought they should make each school a separate unit.

Mayor Hindman made a motion directing staff to prepare legislation allowing them to handle the school districts similarly to how they handled the University by treating each school as a separate agency. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

**(E) Growth Management Planning in the Urban Fringe.**

Mr. Watkins explained Council had asked them to bring back a report from May of 2004 in regard to growth management. The report, at that time, was not considered strongly by the City. Staff was recommending this be further discussed at a work session.

Mr. Skala stated it had taken a long time to get to the issue of growth management planning. He did not think it was anything anyone needed to be afraid of. He thought it could benefit a lot of the stakeholders. He was happy to see it was scheduled for a work session.

Mr. Wade stated he did not think the work session on this topic needed to wait until the Visioning Report was final. He thought they had substantial information, which would allow them to begin to address this question. He believed some additional information might be useful for the work session. If they decided to do a growth management planning



study, they would need to consider using outside expertise and he thought it would be useful to have a sense of who was doing what and how much it would cost. He noted the report discussed the next steps in its last paragraph and indicated one part of the next step was to bring all existing plans together. He thought they might need more information on what the next steps would entail.

Mr. Skala stated he believed one of the first steps was to get this in front of the public so they would understand it and not just react to it.

Mr. Janku commented that one piece of information he would find helpful was an understanding what the zoning was outside of the City limits, including what plats had been approved even if they were undeveloped.

**(F) Eliminating Duplicate Hearings on Zoning Matters.**

Mr. Watkins stated this report was in response to a Council directive to review a specific proposal for reducing or eliminating the duplication of public hearing processes through zoning applications. The proposal would create a consent agenda track for rezoning and planned development plan ordinances in which the Planning and Zoning Commission recommended approval unanimously or with two or fewer dissenting votes.

Mr. Skala believed, generally speaking, Planning and Zoning Commission decisions were either unanimous or split down the middle. There were not that many decisions that were 9 to 1 or 7 to 2. He thought it was perfectly legitimate to suggest unanimous decisions would take this route, but wondered if decisions with one or two descending votes should go the same route.

Mr. Janku pointed out they recently had a unanimous recommendation from the Planning and Zoning Commission on the mobile home rezonings, but the Council held numerous public hearings on the issue prior to voting. Mr. Skala thought issues like that could be pulled off the consent agenda.

Ms. Nauser asked if this was part of the planning and zoning process changes scheduled for a work session for November and December and wondered asked if they could discuss these ideas in more depth at that time. Mayor Hindman agreed they could.

Mr. Wade stated he liked alternative #1, which set the criteria to be the affirmative vote of a super majority. He noted they could wait, but he preferred they move ahead by having the Planning and Zoning Commission create a draft ordinance. He pointed out this was one of several issues in the process and procedures discussion and would have to be dealt with separately. He noted there were two sets of numbers. He stated he preferred moving forward with a draft ordinance and possibly having it ready by the work session. Mr. Skala stated he did not have a problem with that.

Mr. Janku stated he had some concerns and noted there were times when people did not attend the Planning and Zoning Commission meeting, but showed up for a Council meeting.

Mr. Wade made the motion directing the Planning and Zoning Commission to prepare a draft ordinance as specified in this report for Items 1, 2 and 3 with the alternative on what makes it eligible for the track and to have it ready for the work session when they

addressed the process and procedures report. Mr. Watkins was not sure they would be able to have the draft ready by the time Council discussed it, but did think they could get it started.

The motion made by Mr. Wade was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Wade commented that item #2 under the second set of numbers talked about continuing the status quo with rezoning cases, but eliminating the hearing requirement entirely for development plans. He thought that was a separate question with quite different considerations and believed it needed to be considered separately when they looked at the implementation of the process of procedures report.

**(G) Sign appearance incentives; retaining wall signs.**

Mr. Watkins stated this was a report requested by the Council showing some incentives that could potentially be used. He suggested this be discussed at a work session.

Mr. Janku asked if they could separate the retaining wall signs from the incentives and refer it to the Planning and Zoning Commission since it was less complex. He felt there was currently a gap in the ordinances regarding retaining wall signs.

Mr. Janku made the motion to refer the retaining wall sign issue to the Planning and Zoning Commission for their review. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman asked if they needed to direct the Planning and Zoning Commission to review the sign regulation ordinance as well. Mr. Janku replied he thought they could discuss that issue during a work session.

**(H) Street Lighting Fixture Alternatives Forum Boulevard.**

Mr. Watkins stated this was a street lighting project that was on hold pending Council direction. This report outlined the various fixtures currently used.

Mr. Windsor stated from a safety standpoint, lighting was something they believed was necessary on a major street. This report provided recommendations on what could be done to minimize back lighting at a reasonable cost.

Mr. Skala stated they had made great strides with the lighting ordinance, but wished they would have included language indicating full cut off fixtures would be required for not only for residential and parking lot lighting, but also for street lighting. He understood there was a necessity to distribute some of the light and that they still had an inventory of lights, but thought it was really important to maximize the use of full cut off fixtures in terms of traffic safety. He stated he thought full cut off fixtures would satisfy most of the residents in the area.

Mayor Hindman stated he drove out to the Airport at night and it appeared as though they had full cut off fixtures on that road. He thought they really looked good and made a huge difference.

Mr. Janku thought full cut off fixtures were referred to in the report. Mr. Skala replied they were. He noted, with the exception of convenience stores and gas stations, the lighting ordinance required up to full cut off fixtures, so semi cut off or full cut off lights could be used. He commented that every application received by the Council since the lighting ordinance was passed had been specified with semi cut off lenses because people wanted that distribution of light in parking lots. They did not realize it produced a lot of lot of glare. He did not think they wanted that for street light safety.

Mayor Hindman stated there was a good article in the New Yorker. Mr. Skala noted he saw it and agreed.

Mr. Wade stated, in regard to the Forum report, he agreed with using full cut off fixtures, but was somewhat dissatisfied because he did not believe it added anything to the prior report. He understood the compulsion to safety, but was uncomfortable with continuing to approach the question as if it was strictly an engineering question with general formula answers. There was nothing to allow them to do anything different, specifically with the setting. He noted all streets were not the same. There was nothing that took into account the nature of that section as a boulevard with nice landscaping in the median, the residential nature of the section or the history of lighting for that stretch. He pointed out there were already 35 foot poles at the intersections of the side streets on that section of Forum with the exception of one intersection. He suggested allowing decorative lighting along the median that might not meet the same level of lighting as was proposed by the technical formulas, but would still provide adequate lighting for safety while being aesthetically pleasing. He did not believe they needed to light that section of Forum to the daylight standards used in the commercial sections. He noted another issue was that there was still no intention to have any neighborhood discussion. He thought it would help to provide the homeowners an opportunity to gain an understanding of the lighting options. He commented that they might be congenial to 35 foot poles with full cut off fixtures.

Mr. Wade stated the same comments applied to the Chapel Hill lighting report and noted he was glad to see a meeting was planned for it. He hoped they could find a way to be more creative in areas that had landscaped medians as boulevards and were entirely residential. Mayor Hindman noted they had an equity issue with that.

Mr. Skala stated he was confident that if they brought the neighbors together and proposed some of these changes with full cut off fixtures, they would be happy.

Mr. Wade commented that one of the reasons he was pushing this was because it appeared they would have an increased number of streets with medians through residential areas that were either collectors or minor arterials and he hoped what they created as street lighting in those would add to visual pleasantness and safety, simultaneously.

Ms. Nauser stated she concurred with Mr. Wade. She noted they already spent more on the roads that were considered boulevard for aesthetic purposes with trees and landscaped medians. She did not think decorative light fixtures would be that huge in the whole scheme of things. She stated she had lived in that area for over ten years and had never noticed the lack of lighting.

Ms. Nauser wondered if they could have a joint meeting if Mr. Wade was already planning to have a meeting with his constituents on the Chapel Hill issue. She stated several people had contacted her in regard to this, but it had not been a massive outcry.

Mr. Skala asked what more decorative meant as those types of lights were on shorter standards, had less of a cut off, were lower in luminosity and provided more glare at a lower scale. Some of these poles, even at 25-35 feet tall, were less noxious, if they had the full cut off feature, than most of other lights in town because most of the other lights were grandfathered in and had a point source and glare source that was not very attractive.

Mayor Hindman noted there was a display of lighting fixtures at a Missouri Municipal League Conference he recently attended and thought Mr. Skala had a point. He commented that the lights for downtown were attractive, but put out some glare. He asked the lighting people about it because they indicated they were cut off lights. They took the lid off and showed him the device that made it a cut off light, but the light shined straight down and came through this glass. They met the cut off requirement, but were not putting out the kind of light wanted. He noted it was a complicated issue.

Mr. Wade stated he did not know where this would end up, but wanted to be sure they were doing the best in terms of safety and aesthetics, especially on boulevards.

Mr. Watkins suggested this be discussed at the next pre-Council meeting, so Mr. Dasho could explain what they were doing and if the Council had suggestions or ideas, they could have a dialogue.

Mayor Hindman suggested they look at the lighting of the commercial area by Nifong and Forum and the road to the Airport because he believed it was amazingly more pleasant. Ms. Nauser agreed the light fixtures at Walgreens were not intrusive. She did not know if it was a perception issue due to the number of light poles there. Mr. Skala noted they were lower.

Ms. Nauser asked if the light poles on the other end of Forum toward the Bedford Walk Subdivision, past Nifong, were taller. Mr. Windsor replied he was not sure.

Mr. Watkins stated they would continue to keep Forum lighting issue on hold until after they had a discussion.

**(I) Street Lighting Fixture Alternatives Chapel Hill.**

Mayor Hindman stated he thought this report had been covered with the previous discussion.

**(J) Closure of Clark Lane for the Construction of a new Box Culvert.**

Mr. Watkins stated they received a request to temporarily close Clark Lane for sixty calendar days for the construction of a three cell box culvert. Staff was uncomfortable with authorizing a closure for such a long period of time on that street. The owner was requesting Council to consideration. Staff's recommendation was not to allow it. They believed there were other alternatives, although they were more expensive. They felt there was too much traffic on that road to close it for that length of time.

Brian Harrington, an engineer with Allstate Consultants, 3312 LeMone Industrial Boulevard, stated The Links asked him to request this of Council. He explained that during the PUD process, The Links agreed to build a City trail of which the north side was basically complete. The south side was still under construction. They also agreed to fund some of the intersection improvements on both ends of Clark Lane at St. Charles and Ballenger Lane. He understood there was a letter of credit on file for those, pending the City's design of that roadway and those intersections. He explained the boxed culvert would provide for the City's design of the Clark Lane expansion and provide a means for the City's trail and their golf cart path to pass under Clark Lane. It was essentially separating some modes of transportation while providing the creek crossing for the roadway. Since the zoning process, the box culvert had grown as a result of FEMA regulations. When they did the original analysis, they looked at what was done when I-70 was built, which was a triple 8 x 8 box culvert. He noted that was built at the same time the FEMA regulations were coming into effect, so the FEMA analysis was not done in that location. When they completed their analysis, the culvert was still a three cell box culvert, but two cells were 13 x 15 and one cell was 11 x 15. This was a substantially larger structure. He noted they were continuing on with that, but when factoring in not being able to close the road for construction, it added to the cost. He noted that was the issue from the development perspective. From the Council and the public perspective, the big issue was safety and they felt it would be a safer construction project if they could keep through-traffic off during construction. He commented that they would be demolishing an existing bridge and forming concrete and working on this major structure next to traffic complicated construction and extended the amount of time it would take. They believed there was a reasonable trade off in that if the road closure was allowed, the construction time and inconvenience to the public would be for a shorter duration. He noted both Ballenger Lane and Clark Lane had been closed in recent years for construction projects and there were adequate detour routes. In addition, fire stations were located on both ends, so the emergency services would be covered.

Mr. Skala stated when this development was first discussed he understood the project would be phased in, but it appeared that it had been built out. He asked how many cars the development generated on Clark Lane at this point. Mr. Harrington replied he did not know how many units were currently occupied, but understood they had occupancy certificates for a big portion of them. Mr. Skala noted that would be several hundred. Mr. Harrington stated that was correct.

Mr. Skala stated he agreed with staff's recommendation.

Mayor Hindman asked if they needed to make a motion indicating they agreed with staff. Mr. Glascock replied no. He explained they just wanted Council to know what staff's recommendation was and to direct staff to proceed if they disagreed.

**(K) Alley Access to Downtown Businesses.**

Mr. Watkins explained they currently had a building permit pending for a new business whose only public access would be on a downtown alley. At this time, staff was

refusing to provide the building permit because they did not want to finesse the Council's decision on whether or not they wanted to name and use alleys as a sole access. In addition, staff had some concerns, particularly, in terms of emergency response, traffic, garbage collection, utility maintenance, etc. He noted the Planning and Zoning Commission would be considering naming alleys later this month and that would come before the Council on October 15, 2007. If they named the alleys, they would need to figure out a way to address it and that would be the last piece that was needed for the building permit. He stated he thought there was some issue as to whether or not staff should be told to go ahead and provide the building permit. He preferred not to do that because Council had not made up their mind that this was something they wanted.

Mayor Hindman stated he was in favor of making the alleys at least pedestrian and bicycle streets and addressing them. He commented that he had seen this done in many places and believed it added a lot to the downtown. He thought they had some of that already and noted there had been businesses on the alley by the Wabash Station, which had did not believe had another access. He felt it was a step forward for downtown to utilize alleys with the hope they would become more attractive once businesses were started. He noted he also wanted pedestrian crossings at the mid-block where alleys were located.

Mr. Janku commented that there were businesses in alleys in Jefferson City. He stated he recognized problems did exist and did not think all alleys needed to be used commercially. It might not be appropriate for some at this time for a variety of reasons. He wondered if they needed to create a policy or designate certain alleys as commercial. He agreed it was a positive thing as he had seen it in a number of other communities.

Mr. Wade stated he agreed, but wondered if they should slow the naming down and put a more ambitious focus on it. He noted they had already passed a motion giving the Historic Preservation Commission some responsibility with alley names. He commented that St. Thomas had alleys with no car traffic. They only allowed pedestrian and bike traffic. Each block had its own separate name. This allowed them to use the naming of the alleys as a way to recognize people in history who had made significant contributions, but did not have a street or building named after them. He thought the Historic Preservation Commission could develop short write ups to place on alley walls. He believed it made the downtown more walking-friendly and created a better ambiance. He thought they had the opportunity to do that here and suggested referring that to the Historic Preservation Commission.

Mayor Hindman stated he thought all of that was fine, but noted they had someone that wanted a building permit right now. If they were inclined to say these should be streets even with a limited purpose for walking and bicycling, he believed they should proceed.

Mr. Skala stated thought they could consider some of the uses as this went along, but saw no downfall in suggesting they use these spaces because they would improve the alleys when used.

Mr. Janku asked if they needed to have regulations in place to address some of the issues. He thought it would be beneficial to the property owner because they would be advised of restrictions in advance before spending too much time and money.

Ms. Hoppe believed they needed to have a plan for the street before letting people start businesses there. She commented that she had recently visited England where they had lots of gorgeous alleys in terms of garbage containers that had enclosures and flowerbeds around it.

Mr. Watkins stated the question was whether they should wait to go through the process they were discussing before issuing the building permit or if Council wanted staff to issue the building permit now and allow things to be worked out afterward.

Mr. Janku wondered if they could issue the building permit and condition the certificate of occupancy. Mr. Watkins commented that once they provided the building permit, it was difficult. Mr. Janku asked if they could figure out what those conditions might be. He stated he wanted to move forward, but also wanted to address legitimate issues. Mr. Skala noted they could make the alleys a planned zoning district.

Mayor Hindman made a motion directing staff to issue the building permit. He noted that they should also provide fair warning in that when the Council came up with regulations regarding the alleys, they would be subject to them, so the use of the alley was at their own risk. Mr. Skala asked if they could do that. Mr. Boeckmann stated the issuance of a building permit was administrative, so if they met all of the requirements, a building permit should be issued. If they did not want to issue the permit, there had to be some ordinance stating why they could not get it. In addition, if there was an ordinance they were not meeting, the Council could not by motion direct staff to provide the permit anyway. Mr. Watkins explained they did not meet the requirement that stated they had a unique address because this particular building did not have access onto Broadway. Mr. Glascock questioned how they would dispatch public safety to this place since it would not have an address.

Mr. Skala stated he wanted to move this forward, but also wanted to be sure everyone moved this process forward with their eyes open.

Mr. Watkins stated his thought was to try to bring something to the Council on October 15, 2007 when they would be receiving the name recommendations from the Planning and Zoning Commission. Mr. Skala stated he would be more comfortable with that.

Mayor Hindman noted they could temporarily name it and change the names later. Mr. Wade commented that they could also name one block. Mayor Hindman withdrew his previous motion and noted if they ran into problems with naming the alleys, he hoped they could come up with a temporary address.

**(L) Right-of-Use Permits.**

Mr. Glascock explained they had received requests from two developers to have an extension into the public right-of-way above the street at the second or third floor level. The one on Ninth Street, involving the stop work order, would hang about four feet over the

sidewalk. He noted staff was seeking direction regarding whether this would be allowed in the downtown area. They wanted to know whether Council wanted these to be considered variances they would make a decision on or if they thought this was something staff should proceed with as allowable. He pointed out he believed this was only the beginning for these types of requests and with this being the first one, he wanted Council direction so he understood what their expectations were.

Mayor Hindman thought attractive balconies might be acceptable, but did not believe they wanted to allow anyone to be able to intrude out on the public right-of-way without standards.

Mr. Skala thought this might be more appropriate for the Board of Adjustment as they did not have much information and did not know what it would look like. He asked if that was problematic. Mr. Glascock replied it was problematic because the building code allowed projections into the right-of-way. He explained he had taken the stance that this was a right-of-use issue in that he had the air space above the street and sidewalk and a right-of-use permit would come before the Council. If Council felt he was wrong in his interpretation, they would allow them to proceed. He only wanted the Council to have a say before moving forward.

Mr. Skala asked if it was Council's prerogative to determine whether this was a variance that could be allowed. Mayor Hindman understood they had to determine how they wanted to handle the right-of-use issue. Mr. Janku stated they could change it in the future, but they had this to deal with right now. Mr. Glascock agreed and noted they could change the building code at a later date. At this time, he had determined it to be a right-of-use issue and had brought it to Council for direction.

Mayor Hindman explained he received a call from the attorney for the builder and their position was that they received a building permit for the improvement, to include the protrusion, and the City was now saying it was a right-of-use issue. They had invested in this based on having received the building permit and being in compliance with the building code. He commented that the City's position was to look out for the community's welfare and thought, in this case, due to its history, they could state they were not setting a precedent because they could decide not to allow future building permits to be issued without the caveat of a right-of-use permit.

Ms. Nauser asked if it was allowable per the building code and if they had never discussed air space right-of-way before, why this was an issue. Mr. Skala thought they might want to set it up as a variance request before the Council to hear the particular points of view and make a decision. They could then decide where to go from there. Ms. Nauser stated she was not sure she agreed with the variance situation. She believed they should just have a policy allowing it or not allowing it. She felt variances were too subjective. She thought they would want criteria and a policy indicating whether it was allowed or not.

Mayor Hindman understood building codes were designed for safety and to determine if one could safely go out into the air space. Whether it ought to be allowed was



a different policy question. Unfortunately, with the way this situation developed, they received a building permit without anyone saying anything about the right-of-use issue.

Mr. Wade asked why it should not be built. Mr. Watkins wondered if they allowed this one, if they would also allow one that was twelve feet over the right-of-way. He asked about a situation where it was just a big party with people throwing drinks on the sidewalks. He stated, in some cases, a tasteful balcony would make sense, but in other cases, it might be inappropriate. He noted the placement of trees or street lights could be impacted as well. He thought they needed to determine how it fit with the overall downtown plan. Ms. Nauser thought a policy would address that issue.

Mr. Janku asked if the one on Broadway had been approved. Mr. Glascock replied they had not come in for a building permit yet.

Ms. Hoppe felt allowing this one would set a precedent. She thought they needed a plan for the downtown and also wanted the Special Business District to weigh in on the subject. She noted there were a lot of issues as indicated by Mr. Watkins and did not think they could let this go forward. She was glad it was coming to them before being completely built. Ms. Nauser thought it had been built. Mr. Glascock stated they told them to stop with only the structure there, but they went ahead and poured the floor. He then proceeded with the stop work order. He noted it could be cut off since it did not have a structural impact. Ms. Hoppe believed this was a legitimate right-of-use issue to be raised. Ms. Nauser noted the City process could take a while. Mr. Skala stated he agreed they needed a plan and that this was precedent setting. He did not think it would be fair to allow one of these, but not others.

Mr. Watkins stated he thought he was hearing from Council that this was a staff issue, so it would stop at staff. He also understood Council wanted ideas in regard to the potential of a right-of-use permit. Mr. Boeckmann suggested they amend the building code or adopt an ordinance indicating a right-of-use permit was necessary. Ms. Nauser asked how that would affect this person who was operating with a building permit under the current building code. Mr. Skala asked if the building code was totally objective. He thought some of it was subject to some interpretation.

Mr. Janku stated he would bring up the building code issue later because he felt it needed to be addressed in the future regardless of what was decided with this case. He wanted a procedure to be in place for the future and wanted to ensure no one could argue they had this right as well.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Upon receiving the majority vote of the Council, the following individuals were appointed to the following Boards and Commissions.

### **CONVENTION AND VISITORS ADVISORY BOARD**

Carlson, Sherry, 2712 Greenbriar Drive, Ward 5, Term to expire September 30, 2009

Cristal, Scott, 10650 W. Kings Lane, County, Term to expire September 30, 2009

Gilbert, Linda, 3805 Ivanhoe Boulevard, Ward 2, Term to expire September 30, 2009

McDonald, Robert, 1301 Strathmore Drive, Ward 5, Term to expire September 30, 2009

Schultz, Thomas, 1311 Troon Drive, Ward 5, Term to expire September 30, 2009

**INTERNET CITIZENS ADVISORY GROUP**

Hargis, Anna, 4735 Roemer Road, County, Term to expire October 15, 2010

Nielsen, Glenn, 1901 E. Walnut Street, #12, Ward 3, Term to expire October 15, 2010

**NEW CENTURY FUND BOARD**

Paulsell, Mary, 721 Columbine Court, Ward 5, Term to expire September 30, 2010

**PERSONNEL ADVISORY BOARD**

Duncan, Khesha, 3800 Saddlebrook Place, #207, Ward 2, Term to expire September 30, 2010

Tarwater, Douglas, 1701 Oak Cliff Place, Ward 4, Term to expire September 30, 2010

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Mr. Janku understood there had been some concern since the development of the Supercenter in regard to safety and traffic flow at the intersection of Fairview and Ash. He understood some ideas included stop signs, stop lights or a traffic circle.

Mr. Janku made a motion directing staff to provide a safety and traffic flow evaluation for the intersection of Fairview and Ash. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Mr. Janku asked if they needed to refer the building code issue discussed earlier to the Building Construction Codes Commission for their recommendation or if an ordinance could be drafted for Council review. Mr. Boeckmann replied it was up to Council. He did not think there was an ordinance requirement indicating it had to be sent to them.

Mr. Skala understood they could adopt an ordinance regarding the right-of-use versus amending the building code. Mr. Janku thought they might want to ask for a report providing options. Mr. Boeckmann stated if Council told them what they wanted, staff could determine where in the Code to put it.

Mr. Janku suggested, in the short term, they have a procedure indicating the need to come to Council for approval. In the long term, he thought they wanted standards in place. Since they could not come up with standards at this time, he thought, they wanted to say, in the interim, it was not permissible unless approval was received by Council. Mr. Watkins asked if he wanted this for just C-2 zoned areas. Mayor Hindman asked what the advantage of that would be versus making it a City-wide requirement. Mr. Boeckmann replied the issue was overhang and thought there were setback requirements for other areas. Mr. Watkins stated C-2 might be the only zoning classification that would allow it.

Mr. Wade understood they had two questions before them. One was immediate and involved requiring a right-of-use permit. He thought staff could move forward with a draft ordinance in regard to that issue. The other involved standards and criteria for a long range policy. He asked if it would be appropriate to ask the Building Construction Codes Commission to provide a report on that. Mr. Watkins pointed out the Building Construction Codes Commission might address it from a safety standpoint and believed the Council

might want a different take on the issue. Mr. Wade agreed it might be a different take, but thought the Commission would be able to provide information he was interested in having as he was uncertain as to how to proceed.

Mr. Janku made a motion to direct staff to prepare an ordinance requiring a right-of-use permit for this situation. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Janku suggested they consider moving the Consent Agenda to the beginning of the agenda even before Public Hearings.

Ms. Crayton asked staff to look into the extra dollar issue she brought up during the budget discussion that could be paid voluntarily with utility bills. If that could not be done, she wanted to know what other means there were for assisting people with their utility bills.

Ms. Hoppe stated she had previously inquired about Moon Valley Road because it was not paved. It was a gravel road that created a lot of dust. She understood there were 8.6 miles of roads in Columbia in a similar shape, but ordinances against parking lots being gravel.

Ms. Hoppe made a motion directing staff to provide a list of the 8.6 miles of unpaved, unimproved roads in the City and for this to be discussed at a work session. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Hoppe understood the School Board committee would be meeting tomorrow and that Mr. Teddy would participate on that Committee on behalf of the City. She stated she wanted the Council to provide Mr. Teddy direction on factors they thought were important since he would be a voting member of the decision-making process in regard to where the high school would be located. She thought they needed to look at infrastructure costs, present population needs, the Metro 2020 Plan, etc. Mr. Boeckmann noted, per the Charter, Council was not supposed to give direction to staff. Ms. Hoppe asked if they could prepare a resolution expressing their concerns.

Mayor Hindman stated this was an interesting issue and everything Ms. Hoppe mentioned was of a significant concern, even though it was not in the City. He also thought there was a fundamental concern in that nothing was more important in the City than the schools. He believed the concerns about infrastructure and planning were extremely important, but felt they also wanted to ensure they would have the best possible school system for the kids. Ms. Hoppe thought transportation was a factor in regard to the amount of time the kids spent on the bus. Mayor Hindman agreed that was an issue, but noted other issues were where the district lines were and where the populations would go. He noted it was complicated. Ms. Hoppe stated walkability, exercise and fitting in with City goals were also factors. Mayor Hindman stated his primary goal was for a good education. Mr. Skala noted some of these things went hand in hand and had an affect on whether they received a good education or not. Mayor Hindman thought it was fair to let them know they were concerned about all of these issues, but believed they should also let them know that they were ultimately most interested in the kids and providing the best possible

education to them. Ms. Hoppe pointed out she was not implying any of the factors should contradict a good education.

Ms. Hoppe asked if they should pursue a resolution. Mr. Wade thought a resolution would be appropriate if it was legal. Mr. Boeckmann asked if they wanted the resolution for the next meeting. Ms. Hoppe replied she thought it needed to be done tonight. Mr. Boeckmann stated he could not prepare a resolution now. Mr. Skala stated they were providing their opinions even if they could not do a resolution.

Ms. Hoppe understood the residential speed limit was 30 mph and felt that was too fast. She thought it should be a maximum of 20-25 mph. She noted Colorado Springs had signs posted outside the City indicating the speed limit was 25 miles per hour unless otherwise posted, so they did not spend a lot of money erecting 25 mph signs. She stated she would like to pursue an ordinance establishing a 25 mph speed limit for Columbia, unless otherwise posted. She noted she had not found anyone who was against this in her discussions.

Ms. Nauser stated she did not believe changing the speed limit from 30 mph to 25 mph would deter anyone from speeding. Ms. Hoppe replied she felt if a sign indicated 30 mph, people felt they could legitimately go 30 mph. She thought most people would follow the posted limit. She did not understand why they would want a speed limit that was not safe.

Mr. Skala stated he thought a 25 mph speed limit in a residential area was appropriate. Mayor Hindman stated he agreed and suggested they ask for a report on the issue.

Ms. Nauser stated she thought the only way it would work was if there was enforcement of the speed limit. Mr. Wade commented that he was not sure that was true. He thought people's perception of 30 mph was that they were speeding. The reports from staff indicated everyone was within 5 miles of the speed limit and that no speed control devices were justified since they were operating at 30 mph, which was the legal speed. People in the neighborhoods, however, felt that speed was too high in regard to safety when there were a lot of kids. He thought they should look at 25 mph speed limits.

Ms. Hoppe made a motion directing staff to provide a report regarding a change in the residential speed limit from 30 mph to 25 mph. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Wade made the motion to provide \$15,000 from the FY07 Council Discretionary Fund for bridge funding for CAT-3 and for the City Manager to execute a contract in order for that to be done. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Wade asked for the status of adjustments on the zoning ordinances to allow high tech companies in commercial developments. He felt there was a need for that to move quickly as the first step in beginning to put into place the piece for Columbia to be more competitive in that area of economic development.

Mr. Wade stated, as of today, he had a Fourth Ward informational list serve. There were only three or four people allowed to put items on the list serve and they would keep messages to two to three. He wanted to ensure he received notification of all of the public process meetings with Parks and Recreation, Public Works, Water and Light, etc. so he could include them on the list serve. He thought he would do about two to three reports a month.

Mr. Skala thanked Mr. Watkins and staff in regard to the budget process. At one of the work sessions, he mentioned small decreases for some of the large departments to assist some of the smaller departments and was persuaded not to pursue that at this time. He noted he was thinking about that for the next budget year. He thought they could get a lot for that money if that was done.

Mr. Skala stated he would hold office hours on September 22, 2007 from 8:30-10:30 a.m. at the coffee shop.

Mr. Skala noted he started a show titled "Counterpoint" and the taping of the first show was completed on September 11, 2007. He noted he had a panel that talked about the idea of intergovernmental cooperation and used the school site selection process as an example of some of the things that went right and wrong. It was broadcasted last Thursday and last night. He thought it would be showing on CAT-TV during this month. He stated they would be doing this once a month and the next topic would involve the Visioning process.

The meeting adjourned at 12:34 a.m.

Respectfully submitted,

Sheela Amin  
City Clerk