

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
DECEMBER 1, 2008

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, December 1, 2008, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ and JANKU 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 November 17, 2008 were approved unanimously by voice vote on a motion by Mr. Wade and a second by Ms. Hoppe.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor Hindman understood R278-08 needed to be moved from the Consent Agenda to New Business. The agenda, to include R278-08 being moved from the Consent Agenda to New Business, was approved unanimously by voice vote on a motion by Mr. Wade and a second by Ms. Nauser.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

Pat Fowler, Project Coordinator – Office of Service-Learning report about Partnerships with City Departments and Organizations.
Jennifer Wachter, Marcus Jordan – Office of Service-Learning report about Partnerships with City Departments and Organizations.

Pat Fowler stated she was the Project Coordinator of the Office for Service Learning for the University of Missouri, which had offices at 205 Lowry Hall, and explained they sought projects where students could serve others by providing volunteer energy to meet community needs. Students were required to work a certain number of hours per week as a class assignment and to reflect upon those experiences with their instructors. She was present tonight in order to provide an update on a project they had been working on for a couple of semesters, which had a new component. The campus name was Weatherization Four Winds Home Repair, but it was a combination of efforts among several community agencies to include Central Missouri Community Action, Boone County Council on Aging and Job Point through their Columbia Builds Youth Housing Development program. She pointed this project started from a conversation she had with Ms. Nauser over a year ago with regard to how students could work in the central City to help improve physical conditions. She then participated in conversations with other members of the Council. She noted they had completed their first semester and wanted to provide the Council those results. She commented that this could not have happened without Job Point's Columbia Builds Youth

program because they gave them the credibility needed so people would let them come into their yards and work on their houses or without the Boone County Council on Aging because they set up each house to be worked on, so they did not have to spend time looking for homes. They were able to go from house to house making repairs.

She noted there were two spreadsheets in the handout provided. The first addressed the seven homes they worked on over 11 work days this semester and included the approximate cost of materials for the Boone County Council on Aging. She understood contractors would bid three times the cost of materials on a job and the estimated column showed the cost had professional staff been hired to do the jobs. The other spreadsheet was a list of the 44 homes the students visited as part of the weatherization project for the inside of homes. They used materials provided by the Columbia Water and Light Department and Central Missouri Community Action.

Jennifer Wachter, a student at the University of Missouri, and Marcus Jordan, a member of the Columbia Builds Youth program for Job Point, presented a slide show and explained the type of work they did, which included the removal of trash and yard debris, the installation of gutter guards, porch repair/construction, the installation of replacement windows, porch covers and deck railing, the wrapping of water heaters, etc. Ms. Wachter explained she came from a middle class suburb and working in the urban area with seniors of limited income was an eye opening experience for her. It was also a great experience in seeing the impact made on the senior citizens and the community. Mr. Jordan stated he was from the First Ward and had been uncertain of working with college students. After working with them, however, he noted they had introduced him to a side of life he had never lived and he had done the same for them. He stated he had enjoyed it.

Ms. Fowler stated they were now interested in evaluating their efforts. From 2006-2008, they had visited the inside of 155 homes. They wanted to work with the City Water and Light Department and Boone Electric Cooperative to determine if they were making an impact. They also wanted to determine if the repairs increased the stability of neighborhoods and helped seniors stay in their homes and live independently longer. She noted they would need the City's help with data analysis. She stated they were also open to suggestions and constructive criticism in order to fine tune the program because their goal was to impact the community. She thanked the City and the agencies they funded to make this possible.

Mayor Hindman thanked her and commented that he felt this was truly a model program. He thought it was good for the citizens of Columbia to know about the work being done by the students at the University.

PUBLIC HEARINGS

(A) Considering approval of a design concept proposed by artist Jane Mudd for the Fire Station No. 7 Percent for Art Project.

Item A was read by the Clerk.

Mr. Watkins explained a public hearing was required for all Percent for Art projects and this involved Fire Station No. 7.

Kip Goodman, 9100 W. Terrapin Hills Road, stated he was the Chair of the Standing Committee on Public Art and a member of the Commission on Cultural Affairs and was

representing the Commission tonight. Per policy, the Standing Committee on Public Art made an initial recommendation on the project design. It was then considered by the Commission with the Commission's recommendation provided to the Council for review. Fire Station No. 7 was designated as a Percent for Art initiative by the Council and was the City's ninth Percent for Art project. He explained they established project guidelines last January and then began a search for an artist. Involving an artist early in the process was key to developing art that would be meaningful to the site and community. In June, the Council confirmed the recommendation of Jane Mudd as the project artist, and in conceiving her design, Ms. Mudd met with all three shifts of Fire Station No. 7, attended a neighborhood association meeting and met with City staff and the architect. Within 60 days of signing the project contract, Ms. Mudd submitted a design concept. City staff then solicited public comment on the design, which was considered by the Standing Committee on Public Art during their review of the proposal. In October, the Committee met with Ms. Mudd regarding the design concept. They also approved the design concept, provided Ms. Mudd would consider the issues raised by the Committee and the public. In November, the Commission considered the Committee's recommendation to approve Ms. Mudd's design and unanimously approved it. The design proposal was now before the Council for final consideration. The process of reviewing this Percent for Art project had been thorough, with the Standing Committee on Public Art logging over 75 hours in considering the design for this project. As with all other Percent for Art projects the Committee had been expanded to include additional project specific members. In this case, it was expanded to include two members of the neighborhood served by the new station and two representatives of the Columbia Fire Department. The Committee and Commission had been mindful of selecting art with the broadest appeal and suitability to the site. They were confident in Ms. Mudd's ability to see this project through to a successful completion and felt her design would be a unique, appealing and inviting addition to south Columbia.

Mr. Sturtz asked if the bronze depicted on the City's website was a draft or the final design. Mr. Goodman replied it was a draft. He understood the artist would consider public comment as well as the thoughts of the Standing Committee on Public Art when preparing the final bronze relief. Ms. Hunter explained they were approving a concept and not every detail. The Committee provided Ms. Mudd input on the overall concept, which included a fair amount of fine tuning of the imagery on bronze. There were also some logistical issues they felt needed to be addressed, such as stormwater, utility easements, etc., which were a stipulation of the recommendation. She noted it was common for there to be some fine tuning, but there would not be major changes. The approval was for a general design concept.

Ms. Hoppe asked if the stones would remain perpendicular. She commented that it appeared to have a feel of a cemetery plot. She suggested the stones be placed at an angle instead. Mr. Goodman replied this issue had been discussed with the artist. Ms. Hunter understood they would be moved out further to ensure someone in a wheelchair could go all of the way around without backing out. She was not sure they would be angled significantly, but felt them being further out would alleviate some of the concern. She noted they were also

adding a sidewalk area to address concerns with accessibility, so people could get closer if they wanted to view it. She stated they would share this additional input with Ms. Mudd.

Mayor Hindman opened the public hearing.

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

Mr. Skala stated he was resisting the temptation to impose his aesthetic sense on art projects in the City and felt the Committee's unanimous recommendation should be taken into consideration.

Ms. Nauser commented that she was very excited to be at the point of approving the Percent for Art project because it meant the fire station was nearing completion. She felt art was in the eye of the beholder, so she would not comment on it.

Ms. Nauser made a motion to approve the recommendation of the Commission on Cultural Affairs to accept the artist's design concept for the Fire Station No. 7 Percent for Art project. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

B339-08 Rezoning three tracts located northeast and southeast of the Providence Road/Green Meadows Road intersection from A-1 and O-P to C-P; changing the uses allowed on C-P zoned property located adjacent to the rezoned property on the north side of East Green Meadows Road, west of Carter Lane; setting forth a condition for approval.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a request to do several things. It would rezone three small tracts of land located northeast and southeast of the Providence Road and Green Meadows Road intersection. The first tract was about 1.4 acres and would be rezoned from A-1 to C-P. Tract B was about three-quarters of an acre and would be rezoned from A-1 to C-P as well. Tract C was about 0.18 acre and would be rezoned from O-P to C-P. The request also involved making the allowed uses on these properties the same as the adjacent C-P properties. The Planning and Zoning Commission recommended approval of the proposed rezoning of all three tracts with a statement of intent allowing C-3 uses. He noted there was a list of exclusions, but those would ensure they would be the same as the uses on the adjacent property.

Mayor Hindman understood the present zoning involved remnants. Mr. Teddy explained staff had determined Tracts A and B were zoned A-1 because that would have been the zoning at the time the roadway was dedicated for public use. MoDOT had now relinquished it as public right-of-way because it was no longer needed for roadway purposes. The applicant had acquired it and was requesting rezoning. He noted the zoning boundary did not automatically shift to the boundary of the public roadway with the City's zoning ordinance. It required an act of rezoning to make it the same zoning as the larger tract.

Mr. Skala understood this was the same circumstance as with the right-of-way at Crosscreek. Mr. Teddy replied it was very similar with regard to Tracts A and B. Tract C was a case of the City roadway project aligning Carter Lane differently than anticipated causing a portion of O-P zoning to be on the other side of the road from the main tract. The idea was to have C-P on the west side of Carter Lane and O-P on the east side of Carter Lane.

Mr. Skala understood a comment was made at the Planning and Zoning Commission meeting regarding a certain percentage of this property falling under the tree ordinance

guidelines and asked for clarification. Mr. Teddy replied it was not directly on the tract. The ordinance rezoning the tract north and east of Carter Lane to O-P had a provision for tree preservation as a screening and buffering measure.

Ms. Hoppe understood Tracts A and B would remain A-1 and green space if this was not approved. If this was approved, they would have to preserve a minimum of 15 percent in green space, as part of their C-P plan, but not any more. Mr. Teddy stated it was hard to envision anything useful being placed there, but there would be development rights that would go with it. He explained Tract B was large enough to create a legal lot, but it could not be anything commercial with the A-1 designation. There would be an odd combination of very low intensity land use between a State highway and future commercial development if that were to happen. Tract A was so small that it would likely not be useful under A-1.

Ms. Hoppe asked if Tract B went up to Providence Road. Mr. Teddy replied there would be some intervening green space there. Ms. Hoppe asked how many feet of green space would be there. Mr. Teddy replied he did not know. Ms. Hoppe asked if they could build up to the edge. Mr. Teddy replied there would be some perimeter setback per the zoning ordinance. He understood these would be combined with larger development tracts. He did not think it would be used as a stand alone lot. He noted they had an approved development plan for the south side of Green Meadows for six buildings, including the existing Academy building. The applicant could bring forward an amendment to add this additional property and could develop it according to that plan. He noted they had not seen a development plan for north of Green Meadows, so that would provide a further opportunity to look at the appropriateness of setbacks, screening and buffering.

Mayor Hindman opened the public hearing.

Dan Brush, an engineer with offices at 506 Nichols Street, explained they had asked for rezoning on three tracts. Tracts A and B were excess right-of-way from Providence Road. He understood if it had not been State highway right-of-way, they would not have needed to be there this evening because it would have automatically become C-P. Tract C was due to the re-alignment of Carter Lane. It isolated an O-P strip and C-P strip with lesser uses from its "mother" tract. They were asking for it all to be combined into one, so it could be developed uniformly. In regard to the question about green space, he believed there was 140 feet of right-of-way left on Providence Road and thought there would be 30-40 feet from the lane to the right-of-way line.

Steve Wendling, 3210 S. Providence Road, stated he and his wife owned this property and explained that if Tract B was left as agricultural, it would likely remain as it was now, which was an old rock roadbed. He was not sure of the advantage of leaving it in its present condition. He felt Tract A was so small, it would be more congruent. He explained the intent, if they received rezoning, was for the overhead power lines to be placed underground, which would help traffic coming and going on Grindstone.

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

Ms. Hoppe recalled the terrain and beauty of the land prior to development and stated she wished they would have had standards in place to protect the terrain and beauty of the area while it had been developed. She thought it made sense to rezone these tracts from A-

1 to C-P, and hoped in reviewing the C-P plan, they would think about the kind of appearance they wanted for Providence Road, so they could have some remnant of beauty there.

Mr. Skala stated he thought this made sense given the strength of opinions and recommendations from the Planning and Zoning Commission and understood they would have some prerogative when the plan was brought forward.

B339-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B348-08 Authorizing construction of a water main serving Lots 4301, 4305 and 4307 within McMickle Ridge Subdivision; providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Watkins explained the public improvement involved the standard oversizing of a main where the City paid the cost of oversizing. With this project, the Water and Light Department had determined about 425 feet of this water line needed to be up-sized from six inches to eight inches to allow for future fire flows, etc. The differential cost was about \$2,900.

Mayor Hindman opened the public hearing.

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

B348-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B352-08 Authorizing development of Cascades Park; calling for bids through the Purchasing Division.

The bill was given second reading by the Clerk.

Mr. Watkins explained this involved the development of the Cascades neighborhood park. This 12.7 acre tract was donated by the developers several years ago. It was included in the last parks ballot issue along with a number of other neighborhood parks. The total project cost was expected to be about \$145,000. If Council elected to proceed, construction would begin in late winter as soon as the weather allowed.

Mr. Hood stated the plan represented a typical neighborhood park development project and included a playground, some picnic sites, a half-court basketball court, an open playfield with a baseball back stop and a perimeter trail around the southern portion of the property. The remainder of the property was more or less a natural drainage. There with several small streams and creeks that would be preserved as green space or a greenbelt area. The perimeter trail would connect to the sidewalks along Route K and Sinclair Road. He noted right-a-way had been set aside for the potential relocation of Sinclair Road, which was a stipulation of the donation of the property.

Ms. Hoppe understood a question was raised as to why Old Plank Road could not be moved so it would be aligned with Sinclair Road in order to create more park space. She assumed it was due to the need to acquire right-of-way and easements making it more expensive. Mr. Hood thought there were some terrain features that made it impractical. Mr.

Glascock explained the creek on the south side of Route K interfered with doing that. He noted there was a bridge off of Route K.

Mayor Hindman opened the public hearing.

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

B352-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B353-08 Authorizing development of Smiley Lane Park; calling for bids through the Purchasing Division.

The bill was given second reading by the Clerk.

Mr. Watkins explained this involved the development of a 5.25 acre neighborhood park in north Columbia on Smiley Lane and was included in the parks ballot issue. The total cost for this park development was estimated at about \$145,000. If Council approved the project, construction would begin in late winter.

Mr. Hood stated this represented a typical neighborhood park plan. He noted they had participated in an interested parties meeting with representatives of the neighborhood and had received positive feedback on the proposal to develop the neighborhood park. It would include a small picnic shelter, a playground area, a half-court basketball court, an open play field and a perimeter trail with the east side primarily being a sidewalk along Smiley Lane. He pointed out the plan included a full size cul-de-sac to be constructed at the end of Jackal Drive. Council had asked if it would be possible to downsize the cul-de-sac. He understood it was possible and would likely prohibit parking if it was downsized. If Council wanted to proceed with that option, he suggested staff be given direction to do so because the cul-de-sac as planned met City standards.

Mr. Sturtz understood the gravel trail on the west side was eight feet and asked if that was standard. Mr. Hood replied yes, and noted the normal constructed width was 8-12 feet.

Mr. Skala asked if the normal size cul-de-sac would anticipate parking as he understood there was no other parking facility at this park. Mr. Hood replied traditionally they did not provide off-road parking in neighborhood parks, but the larger cul-de-sac would allow parking around the perimeter of the cul-de-sac.

Mayor Hindman opened the public hearing.

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

Mr. Janku stated he appreciated staff coming up with an alternative for the cul-de-sac. He explained the idea of neighborhood parks involved people walking to them. The reason they did not want parking was so people from the outside would not drive to them creating problems. He did not think the idea of reducing parking was a problem and planned to support the smaller cul-de-sac. He hoped the additional savings could go toward the park. He noted there was a gap in the sidewalk on Smiley immediately east of this park. He understood it was not a Parks and Recreation Department responsibility, but was not sure who was responsible. The park property was bought from the developer on the north side of Smiley. He was not sure if the City, the developer to the south or the developer to the north

was responsible, but believed it needed to be filled in as it was the best and most direct route for those coming from the east. The gap was about 100 or more feet.

Mr. Janku made a motion directing staff to reduce the size of the cul-de-sac to the Public Works and Parks and Recreation Departments' satisfaction and to put those additional funds into the park facilities. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

B353-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(B) Construction of the Providence Road Trail South Project from Green Meadows Road to Rock Bridge Elementary School.

Item B was read by the Clerk.

Mr. Watkins explained this project was the first of the larger trail system that was to be built with the non-motorized grant. The construction cost would be about \$1.2 million. No property acquisition would be required since the City owned all of the right-of-way when it took over the outer road of Providence from MoDOT about a year ago.

Mr. Glascock pointed out and described the location of the project on the overhead. He noted the trail would be ten feet of concrete with five feet of gravel to facilitate runners and bicyclists.

Mayor Hindman asked if they would be authorizing bids tonight. Mr. Glascock explained this was the public hearing and that Council would authorize bids at the next meeting if there were no changes. Mayor Hindman asked what motion was needed tonight. Mr. Glascock replied a motion to proceed was needed. At the next meeting, Council would be asked to authorize staff to bid the project. He pointed out that did not mean he was ready to bid it. Mayor Hindman understood it would not come back to Council after they authorized the project to be bid. Mr. Glascock stated that was correct, since they did not have to acquire any right-of-way. Mr. Janku asked if it would come back to Council once the bids were received. Mr. Glascock replied they would bid it through the Purchasing Agent. Mr. Janku understood staff would decide whether to accept the bid or not. Mayor Hindman understood they would be giving staff the authority to draw up the final plans, which would not come back to Council. The Council was just approving this concept. Mr. Glascock stated that was correct.

Ms. Hoppe asked what would be the connector north to Stadium. Mr. Glascock replied they would try to go from Green Meadows to somewhere along the outer roadway with bike lanes or some type of pedway system down to the new bridge. They would make connections like they did on Broadway to the trail on the Hinkson. They would do that to the trail that ran along the Hinkson to the University. It would be the access up to Stadium. It would actually go through the area near the Mizzou Arena. Ms. Hoppe asked if there would be a connection to Grindstone. Mr. Glascock replied it would have a connection to that trail and those connections would be done with the bridge.

Mr. Janku asked if they had looked for any gaps in sidewalks along that stretch. He did not think the hotel had put in a sidewalk. Mr. Glascock replied there were not a lot of

sidewalks in that area at all. Mr. Janku asked if they had an obligation to put in a sidewalk. Mr. Glascock replied he would have to check. Mr. Janku noted there had been some development through that stretch. He thought they could piggy back on any obligations.

Mr. Skala understood this was a ten foot wide hard surface pedway. Mr. Glascock noted it would have five foot shoulders on each side. Mr. Skala asked if there was any intention for striping. He understood some European models separated the direction of bicycle traffic. Mr. Glascock stated it was not anticipated, but they could look into it. He explained it would be another maintenance issue for Public Works if it were to be striped and did not think any others would be striped.

Mr. Sturtz commented that 15 feet was fairly wide and was not sure how popular it would be in future years. He asked if thought had been given to the sharing of a ten foot wide path and wondered if there had been a demand for running paths along the side. Mr. Glascock replied it was an issue that came up when they discussed paving the Parks and Recreation Department managed trails. The runners wanted a soft surface and gravel was more forgiving than concrete. With regard to imperviousness, it was about the same. Runners felt gravel was better for their knees. Mr. Sturtz understood the thought was that this might be a popular running path. Mr. Glascock stated that was correct.

Mayor Hindman opened the public hearing.

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

Mayor Hindman stated he felt this was a terrific project and was very much for it. He noted that when they started talking about the interconnection of bicycle and pedestrian paths with regard to the new Green Meadows Road, the students at Rock Bridge High School had asked for the trail so they could commute by bike or by walking from the neighborhoods to the school. He understood they had even formed a task force to work on this. He thought it would be a great asset when connected to the new bridge on Providence Road and Greenbriar.

Mr. Skala stated he agreed and noted they were often embarrassed by the traffic and parking situation in that area. He felt this would ameliorate that situation.

Mr. Janku commented that another project that was moving along was the Providence trail on the north side from Smiley to Hickman. There would be a gap in the middle, which had not yet been solved, but they had two ends of the community they could put together.

Mayor Hindman pointed out the student, who was the primary leader pushing for this, lived in Vanderveen and rode his bicycle to Rock Bridge High School everyday, under present conditions.

Ms. Nauser commented that this was one of the first major trail projects in the Fifth Ward and was looking forward to it along with a lot of her constituents.

Ms. Nauser made a motion to move forward with the construction process of the Providence Road Trails South project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

R279-08 Certifying local organizations as community housing development organizations; amending the FY 2008 HOME Action Plan.

The resolution was read by the Clerk.

Mr. Watkins stated this public hearing was required by HUD. Any time they made changes in funding to either the HOME or CDBG programs, they had to follow very specific rules, to include amending the Action Plan since it showed how they would spend the money. He noted HUD required they set aside a particular percentage of HOME funding for community housing development organizations (CHDO's), so every year they went through the process of taking proposals and allocating a certain amount of HOME money to those organizations. This year they were proposing to reallocate about \$247,000. In addition, they were asking Council to recognize and certify a number of CHDO's to include Habitat for Humanity, Job Point, Community Housing Options and Central Missouri Community Action.

Mr. Teddy commented that the Community Development Commission reviewed and provided recommendations based on the four applications received for the CHDO set aside, which was normally 15 percent of the year's allocation of HOME funds. This year, however, the City had more money available because one organization that had reserved CHDO funds in past years ceased to exist. The Commission recommended providing \$75,000 to Job Point to assist in the construction of three houses, \$75,000 to Show-Me Central Habitat for Humanity to assist in the construction of four houses, \$10,000 to Community Housing Options for miscellaneous pre-development costs related to a proposal to develop special needs housing on City-owned property at Vandiver and Oakland Gravel Road and \$42,766 to Central Missouri Community Action (CMCA) to support a transitional housing project on Seventh Street. The total advertised in newly available CHDO funds was \$202,766. This Action Plan amendment would also allow CMCA to retain \$45,218 reserved in the 2003 and 2004 program years for the completion of the transitional housing project and the construction of an affordable house on Haden Drive. The grand total involved in this amendment was \$247,984.

Mr. Janku noted a couple of meetings ago, they discussed trying to set up a land bank for new affordable housing and asked if any thought had been given to the property Covenant owned being acquired for that purpose since they were no longer in operation. Mr. Teddy replied with regard to the neighborhood stabilization project, there was a technical question as to whether it could be applied to the south side of Sexton because Sexton was the boundary for census tract 9, which the Department of Economic Development established for Columbia. They had inquired as to whether funding could be applied to properties on the south side of those boundary streets, but a definite answer had not been given. The interpretation for now was that it had to be strictly within the census tract. Mr. Janku asked if other funds, such as CDBG or HOME funds, could be used if stabilization funds could not be used. Mr. Teddy replied it was a possibility. He noted none of the activities referenced here would involve that property. Mr. Janku understood they would have to set up the land bank first so they would have a place to put the property if they figured out a way to fund it. Mr. Watkins pointed out they were still waiting for the final HUD allocation with regard to the neighborhood stabilization program. One item proposed involved a land bank. If they could set up the administrative vehicle to do this, it would provide options to land bank housing in other places.

Mr. Skala asked why CMCA came out with such odd funding numbers. Mr. Teddy replied staff informed the Community Development Commission that CMCA had access to

other funding in the form of these older funding reservations, so that was a factor in bringing it down. The other factor was a function of when the Commission made that decision as it was the amount that was left.

Mayor Hindman opened the public hearing.

Homer Page, 503 N. Brookline Drive, stated he was the President of the Board of Community Housing Options and commented that he understood and supported the process the Council had put into place with regard to the land at 1301 Oakland Gravel. He noted they wanted to show the Council they were serious in making progress. He stated they had met with neighbors in the area and provided a summary of the discussion at that meeting. He commented that they also had some preliminary site plan drawings, to include elevations. They had presented two site plan designs to the neighbors in an attempt to obtain input in terms of what would be most compatible with their neighborhood. In addition, they had made a genuine effort to make the proposed buildings consistent with a residential neighborhood. He noted they appreciated the \$10,000 allocated, and although they had asked for and needed \$20,000, they were delighted to have received the amount given.

Mr. Janku stated he concurred with the comments of the neighbors for the need for the sidewalk on Oakland Gravel. He had been trying to find a way to get that done and appreciated them making that point as well. Mr. Page commented that it was very important because many of their clients were wheelchair users, so there was an absolute need for it.

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

Mr. Sturtz asked for clarification regarding the \$10,000 proposed for Community Housing Options due to the contingencies, which included being sponsored by SIL and gaining control of the lot on Oakland Gravel. He asked if they were voting tonight to not to approve it until those contingencies were met. Mr. Lata replied the funds would be budgeted tonight. He explained funds could not be reserved for a CHDO unless they had at least one year's worth of community service or were sponsored by another organization that had a year's worth of community service. As a result, they would need formal sponsorship by another not-for-profit that served the community to be a CHDO. Mr. Sturtz asked if the \$10,000 was being put into an escrow account until they fulfilled the requirements. Mr. Lata replied it would be budgeted by the City. He explained there was no agreement attached to the budget tonight and funds could not be reserved unless an agreement was signed with a CHDO. They would put off signing the agreement until they became a CHDO.

Mr. Janku understood once the stipulations were met, an agreement would be brought to the Council for approval. Mr. Lata stated that was correct. Mr. Janku understood it would still be up to the Council to approve it, but this allowed the money to be available for approval.

Mr. Janku asked if the Commission automatically split the CHDO allocation between whatever CHDO organizations were eligible without analyzing them. Mr. Lata replied in 2000 and 2001, CMCA was the only CHDO. At that time, they were almost given a blank check in terms of the projects they could do. Mr. Janku understood CHDO allocations were required by federal law. Mr. Lata pointed out it was difficult to become a CHDO, so not many organizations had come forward.

Mr. Wade asked for an explanation of a CHDO. Mr. Teddy replied it was a community housing development organization that was recognized by the U. S. Department of Housing

and Urban Development. It was a not-for-profit with one purpose being the production of affordable housing for low and moderate income individuals. In addition, certain criteria had to be met in its organizational structure, there had to be representation of the community served and the community had to be a relatively well defined geographic area. Mr. Wade understood it was basically a designation with a set of criteria an organization had to meet in order to receive this money for projects.

The vote on R279-08 was recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

OLD BUSINESS

B340-08 Amending Chapter 6 of the City Code as it relates to the building code and demolition of structures; amending Chapter 29 of the City Code as it relates to the powers and duties of the Historic Preservation Commission.

The bill was given second reading by the Clerk.

Mr. Watkins commented that the Historic Preservation Commission (HPC) brought its rewrite of the HPC ordinance to Council about a year ago. There were a couple of sections within that ordinance that staff and Council had difficulties with. One had to do with a ten day waiting period on the demolition of certain historic buildings. After working with the HPC, changes were made to the proposed language for Council review.

Mr. Teddy noted the HPC held a public hearing in late October as directed by Council and several speakers testified in favor of the ordinance. At that time, they were not reviewing an ordinance. They were reviewing a policy. Since then, the policy had been reworked into ordinance form and primarily consisted of amendments to the chapter of the City Code that dealt with buildings and building permits and an addition to the zoning ordinance in the section regarding the powers and duties of the HPC clarifying the role of the Commission in reviewing demolition permits. Unless the particular property was within a historic preservation overlay district, there was no right to refuse or deny a building permit if there was not any other defect in the permit. This would be a ten day notice so the Commission could be informed of demolition activity. As part of their mission to provide education and outreach to the community, they might, in some instances, want to contact a permit applicant or note the pending demise of property thought to be a historic resource.

Ms. Hoppe understood Deb Sheals, a historic preservationist, thought there should be yard signs so neighbors would know demolition was being proposed. She understood other cities had that component. She noted there no discussion as to whether it was a good thing or not and why it was not included in the amendment. Mr. Teddy explained staff had prepared a demolition review policy that did not involve a notification sign. It was something the Council and Commission could consider for the future. There were cities that put neighbors on notice when a house was to be torn down with the thought being there was usually some temporary nuisance associated with it due to noise, dust, etc. He believed most permit applicants, as common courtesy, notified adjacent owners they were about to demolish a building. The sign requirement would make it more formal. Ms. Hoppe understood if they decided to do something like that, it would be a separate ordinance. Mr.

Teddy noted it would be a further amendment of the ordinance if they wanted to institutionalize it as a requirement.

Mr. Janku asked if it was the applicant's responsibility to fill out the form and provide notice to the Planning Department so it could be forwarded on to the HPC. Mr. Teddy replied in keeping with their policy on contact to commissions, staff would handle the paperwork and notify the Commission. A form would be included with the demolition permit packet for the applicant to indicate address, owner contact information, identification of the property and whether or not it was 50 years old. Mr. Janku asked where they would find that information. Mr. Teddy replied if an applicant did not know, staff could provide some assistance. There were usually estimated ages of buildings available in the Assessor's database. They had also prepared a map that indicated where properties fifty years and greater in age were, but it could be inaccurate. If there was any doubt, they would pass on the notice along with a notation that the age was unknown. The idea was that the ten day notice would not apply if the applicant could show it was not within the criteria. If it was in an area that had been surveyed, there would be data entered on a property specific basis that could be accessed. A visual inspection could also indicate the probable age of a structure. Mr. Janku asked if staff would double check to ensure nothing was overlooked. Mr. Teddy replied their intent would be to screen demolition permits. A notice would go to the Commission for those that were definitely 50 years or greater in age. For those that were not, they would inform Protective Inspection it was not within the criteria. If they did not know, they would inform the Commission of that as well. Mr. Janku asked if all demolition permit applications would go to their office for screening. Mr. Teddy replied the form would be completed by the applicant and the Planning Department would be notified as the liaison for the HPC. Mr. Janku asked if that was the case even if it was not specified as a historic resource. Mr. Teddy replied yes.

Mr. Skala understood it would be staff's responsibility to give notification to the Chair of the HPC. Mr. Teddy explained the HPC had appointed a liaison for the purpose of receiving these notices. Since they discouraged on-line meetings, the information would not be broadcasted to the entire Commission. It would be the liaison's duty to contact the applicant. Mr. Skala asked if staff would conduct any research to assist the Commission or if it was the liaison's responsibility once they were notified. Mr. Teddy replied he thought the Commission would do what they wanted with the information. He pointed out this process was not intended to trigger a review meeting by the HPC. It was possible for an applicant for demolition to be invited to an HPC meeting, but it would be the applicant's right to simply wait out the ten days and obtain permission. This was something that allowed the Commission to be informed of the amount of demolition activity that was occurring in the community.

Mr. Janku understood staff would prepare a form for the permit applicant to complete and asked if that form could specify the expiration date so it was clear and everyone understood. Mr. Teddy replied the applicant would be given a time for when the form was received, which would start the ten days. Mr. Janku suggested it indicate an ending date, so the HPC knew when the ten day period would be up. Mr. Teddy thought they would state when the permit or form was received, as the form could be received before a permit was submitted, and the end of the ten days.

Brian Treece, 2301 Bluff Pointe, stated he was representing the HPC and noted that under the City's current policy, there was no formal communication between Protective Inspection and the HPC. As a result, it was possible for a demolition permit to be issued for a structure that was protected or considered historically significant. The proposed ordinance simply authorized a ten day waiting period so the HPC could contact the owner to explore alternatives to demolition. This might including advising the owner of preservation, identifying tax credits that might be available, identifying a perspective buyer who might be interested in restoring it for adaptive re-use, moving the structure or with the owner's permission giving someone the opportunity to access the structure to photo-document or salvage any unique architectural features. He pointed out the Council had already granted the HPC the authority to review demolition applications. This only addressed the process of how it would be done. He noted this proposal did not grant them the authority to reject permit applications, nor were they seeking that authority. He commented that this proposed ordinance had been the subject of several public meetings to include at least two Planning and Zoning Commission meetings, two Planning and Zoning Commission work sessions, more than twelve months of meetings by the HPC and a public input session that was advertised and posted for a public hearing. During that meeting, six individuals testified in favor of the ordinance and no one testified in opposition. The plan was also endorsed by the National Trust for Historic Preservation and the Missouri Alliance for Historic Preservation. He noted the City's demolition policy had been a topic of discussion in Columbia for over 100 years. When the University's Academic Hall burned down, there was an attempt to demolish the six remaining columns, and with the benefit of hindsight, he thought they could agree it was good for the City that the state-wide preservation effort to keep those columns prevailed. While they might hear testimony about private property rights, he felt they could agree the City's history belonged to everyone.

Ms. Nauser asked what HPC was doing to pre-identify some of these properties. She wondered if they were actively looking at homes now. Mr. Treece replied yes. He explained they had a technical assistance committee that had gone through an extensive mapping project using the City's GIS Coordinator to identify structures more than 50, 75 and 100 years old. It was primarily a resource available to developers who wanted to identify projects eligible for tax credits. This idea came from St. Louis City where they had maps available for property owners who wanted to capture historic tax credits. Another way was to cross-reference the Assessor's list for date of construction or estimated date of construction. He felt it was important to note there was no current City policy to require Protective Inspection to check that list. It was currently a one page application and if an applicant indicated they had notified the neighbors, disconnected the utilities and evicted the tenants, they could often times walk out at the end of the day with an approved demolition permit. He thought they could agree that was too short. He commented that ten days might be too long or not long enough, but felt there should be a mechanism to create formal communication between Protective Inspection and the Planning Department or the HPC with regard to the age of the structure.

Ms. Nauser asked if in the process of the mapping, they were contacting property owners so they knew of the possible historic significance of their home and the availability of

tax credits so some of the properties would not reach the demolition phase. Mr. Treece replied he thought that would be great, but noted they were a volunteer commission. He pointed out they had advocated repeatedly for a designated staff person and noted the City had a tree preservationist, but not a historic preservationist. He commented that he would be appreciative of that type of outreach, but thought it should come from a City staff person perspective. He noted any other outreach they would do during this waiting period would be a volunteer effort. He explained the application for a demolition permit was a public record, so it was conceivable the HPC could make a daily request to see those applications and nothing would prevent them from contacting the owner, but they did not want it to be a burden or a delay to the property owner or developer. He commented that a lot of times, City policies seemed to be counterintuitive with what they were doing. They heard testimony from the North Central Neighborhood Association that Protective Inspection would tell people they needed to repair their porch or tear it off. He felt a porch being torn off was the first step to the demolition of the entire structure. They then had the broken teeth effect with a historic home beside a vacant lot or surface parking lot, which destroyed the fabric of a neighborhood. He stated they hoped to prevent that situation.

Ms. Hoppe asked if he thought it would be helpful to have the yard signs so adjacent property owners were aware the property would be demolished. She thought an adjacent property owner might be interested in purchasing the property or doing something. Mr. Treece replied he thought it would be very helpful. It was done now for changes in zoning. He noted the City's current application for a demolition permit required the applicant to notify adjacent neighbors, but did nothing to notify other people, such as someone who might drive by it everyday. He thought someone might step in and inquire about what they could do to help.

Don Stamper, 2604 N. Stadium Boulevard, stated he was the Executive Director of the Central Missouri Development Council and commented that their gravest concern with what was proposed was the lack of clarity that existed. He noted they were not opposed to the preservation of historic properties. Their concern was with how it would be done and how conclusions would be reached. They did not care for additional layers of bureaucracy or additional time as it related to properties. He stated there appeared to be a difference between the intention of the ordinance and the work papers of the HPC. The definition of demolition in the ordinance stated it would be the removal of more than 25 percent of the exterior wall or wall(s) facing a public street or the removal of 50 percent of all exterior walls. When looking at the work papers of the HPC, which he liked better, he found some subtle word differences in how it was described. That definition was the removal of more than 25 percent of the walls facing a public street or a street facing elevation if the parcel was land locked or 50 percent of the exterior walls such that they no longer functioned as exterior walls. In their interpretation and review, they understood if it was a designated property or within a district, it had one application, and if it was not within a district, it was a question of whether or not it was a building that was in excess of 50 years of age for which there could be some debate. In addition, he wondered if it would be triggered by the desire to remodel a property versus demolish a property. He commented that the adopted City ordinance allowed for the establishment of by-laws and rules of regulation on behalf of the Commission,

but they had not seen those. He wondered how those stood in relationship to the ordinances. The draft policy painted a little different picture than the actual policy or ordinance that was before them. He asked what would happen if there was not an agreement. He wondered what would happen if a property was designated as historic property and there was disagreement on its remodel, demolition or its moving forward. He wondered if the City would buy that property or if the landowner would not be able to use the property. He commented that there was a possibility of rezoning property that had one of these buildings on it and notice to the HPC would not be triggered until they pulled a demolition permit. He felt there were some flaws within the functional part of the policy. He noted there appeared to be the ability for the HPC to nominate a property, whether or not the property owner wanted it to be nominated, so he had questions regarding how historical significance was defined. He commented that it was not referenced in the building codes. They felt some clarity was needed and more work should be done.

Ms. Hoppe asked if he had received notice of the hearing before the HPC because these issues were not brought up at that meeting. Mr. Stamper replied they had received notice. Ms. Hoppe commented that it would have been helpful for these issues to have been brought up on the front end. Mr. Stamper stated he understood this was a public hearing and they were commenting at this public hearing.

Mr. Wade asked if the Commission had recently approved a set of by-laws. Mr. Treece replied, as far as he knew, the by-laws they operated under were approved in 1998 when the HPC was authorized. He noted the Council approved an expansion of the HPC's roles and duties and some of the concerns Mr. Stamper expressed involved items approved in February, 2008.

Mike Martin, 206 S. Glenwood, stated he believed this ordinance was important because it instituted a time-out period that allowed people to reflect on history and the historic significance of a property they were thinking about demolishing. He commented that he had seen the reflection period transform the way people looked at their property and provided a couple of examples. He reiterated that he believed this kind of time-out period would be helpful and effective in allowing people to re-evaluate the history of their property. He did think it would cause any enormous blocks of civil liberties depending on how it was framed. He commented that Mr. Stamper might have some great points and there might be some issues that needed to be worked out, but he felt it would serve the City well to do this in the end.

Mr. Skala stated he believed clarification was always a good idea, but felt this was more of a disagreement rather than a clarification of those definitions. He agreed with some of the speakers in that this might be a reasonable period at which time people could come together for solutions. At the end of ten days, they could go ahead with the original plan as long as it was reviewed at some level. He commented that there had been some recent situations, such as the one involving the property off of 763, where it would have been nice to have had a ten day waiting period for evaluation. He did not see this as an onerous burden and felt the definitions available in the draft ordinance were derived from the HPC's original work. Although there might be some differences in interpretation, he believed it was a step in the right direction and would support it.

Ms. Hoppe pointed out this did not require the property owner to do anything. It was an opportunity to look for resources and alternatives for historic property.

Ms. Hoppe made a motion to amend B340-08 by adding wording so a yard sign would be required for public notice. She believed that would allow someone who might drive by to be aware of the situation, which might provide for further opportunities and less burden for the HPC in trying to notify people of the demolition and find people who might offer opportunities or alternatives. The motion made by Ms. Hoppe was seconded by Mayor Hindman.

Ms. Nauser commented that she was concerned with adding more bureaucracy and time to a process that was already cumbersome and burdensome at times. She stated it was just notification to bring information. There was no way for anyone to deny demolition based upon any number of factors. She felt opening this up to neighbors and other interested parties who might be driving by would add to the bureaucracy and had the potential of making it a public issue. If someone wanted to demolish a home, she felt that was their right. She did not mind them notifying the owner of some historic significance and allowing people to take photographs and important artifacts, but she did not think this needed to be a larger public process.

Ms. Hoppe noted this would not add anymore time to the process. It would still be within the ten days. She saw it as a notification for opportunity. It was not for hundreds of people protesting in front of the house as that was not the purpose of the ordinance. It was another facet of opportunity and she did not believe putting out a yard sign was bureaucratic.

Mayor Hindman stated he thought they should have a waiting period and did not believe ten days was very long. When someone was tearing down a house for development purposes, they had been thinking about it for a while. The idea of letting the neighborhood and public know during a ten day waiting period was minimal.

Mr. Glascock commented that he would need some specifications regarding the sign, to include the size and what it should say, because the ordinance, if passed, was effective immediately. Ms. Hoppe asked if Public Works would be providing the sign. Mr. Glascock replied that was what he understood from the discussion. Mr. Janku suggested the zoning notice sign as the model. Mr. Glascock asked if they wanted the ending date posted or a statement indicating the house would be demolished in ten days. Mr. Janku suggested it indicate the Planning Department be contacted. Mr. Glascock agreed, but thought Protective Inspection would place the sign on the property since the permit application would be submitted to them. Mr. Janku understood they needed to address whether the applicant or City would be required to post the sign. Ms. Hoppe suggested the size be the same as for a zoning hearing sign. She also suggested it state it was within the ten day period for notice. She did not think it was accurate to say it would be demolished in ten days.

Mayor Hindman wondered if they needed to think through the details of the sign. He also noted Mr. Stamper had raised some interesting questions. He asked if they wanted to postpone this issue to obtain clarification. He commented that he was not aware of any emergency with respect to this ordinance.

Mr. Sturtz stated he was not sure if Mr. Stamper's comments had much validity. He thought there was a very clear definition of a historic structure, which was one of the objections.

Mr. Wade stated he was generally supportive of a sign giving notice, but felt the only thing they would be giving notice about was that the building was in a ten day review period. It was only a review period. It was not a hearing or anything else. They did not have a date of demolition. He commented that he believed the purpose of the Commission's hearing was to have an opportunity to deal with the types of issues Mr. Stamper brought up. He thought Commission did their due diligence and did not see any reason to wait any longer to act on it. He felt there was ample opportunity for those issues to be considered and built into the recommendation of the Commission and believed that was the purpose of commissions.

Mayor Hindman commented that he did not entirely agree because many times people became aware of things when they came before the Council. He did not feel they should ignore comments because they were not made until they were before the Council. He agreed it would have been better if his comments had been made earlier, but did not believe they should be barred.

Mr. Sturtz asked if there was one objective he felt should be researched. Mayor Hindman replied he did not know, because he had heard a bunch of objections. Mr. Sturtz felt the ordinance, as written, seemed moderate and straight forward. Mayor Hindman commented that some questions had been raised and he did not feel this was something that had to be done tonight. If others did not agree, that was fine.

Mr. Janku suggested they have contact information with regard to the notification. Ms. Hoppe thought it could be the HPC. Mr. Janku thought it could be the Planning Department and noted they needed to make those decisions on the signs. Mayor Hindman asked if they could do that tonight. Mr. Wade stated he was not sure they should be designing the sign. Ms. Hoppe agreed and felt they had provided enough direction for staff to develop an appropriate sign.

Mr. Skala commented that he agreed with Mr. Sturtz in that the ordinance appeared to be straightforward. Some issues were raised, but he did not believe it was a matter of clarity. He felt it was a difference of opinion. With respect to the issue of notification, he noted it would not stop anyone from doing anything so he did not think it would add any extra level of bureaucracy. He commented that this Council took pride in allowing a democratic opportunity to its citizens and felt providing time for input for those concerned was the least they could do. He also agreed that they were not in the business of designing signs. He did not see a problem with the way it was right now and was unsure of the justification for tabling it.

Mr. Boeckmann asked if the adding language reading "...the building official shall post notice of the proposed demolition in a conspicuous place facing each street abutting the property on which the structure to be demolished is located. The sign face shall be at least five square feet..." was acceptable.

Ms. Hoppe revised her motion to be to amend B340-08 by adding language reading "...the building official shall post notice of the proposed demolition in a conspicuous place facing each street abutting the property on which the structure to be demolished is located.

The sign face shall be at least five square feet....” The revised motion was seconded by Mayor Hindman and approved by voice vote with only Ms. Nauser voting no.

B340-08, as amended, was given third reading with the vote recorded as follows:

VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B343-08 Amending Chapter 14 of the City Code to prohibit the operation of commercial motor vehicles on Birch Road.

The bill was given second reading by the Clerk.

Mr. Watkins explained the Council directed staff to prepare an ordinance to prohibit commercial vehicles from using Birch Road between Burnam and Bingham at its October 6, 2008 meeting. This ordinance would codify that request.

Mr. Glascock commented that depending on what they did with the Rollins Road extension, they might come to Council to remove this restriction from this road because commercial vehicles would have to use it, but at this point it was fine.

Sally Malloy, 101 Bingham, stated she represented the houses abutting Birch Road and noted no one actually lived on Birch Road. There were two on the end by Burnam and two driveways that accessed it. She commented that Burnam and Bingham were 24 feet wide and Birch Road was only 16 feet wide. It was originally a dirt walking path and was paved about 15 years ago. She noted that commercial vehicles attempting to turn the corner, either in or out of Birch Road, drove over their property, and they had done everything they could think of to stop them. The First Student Bus Company had been very cooperative, but others had not. She stated commercial vehicles could drive on Burnam or Bingham to access other streets, but were using Birch as a cut through and destroying property. She stated they had no intention of stopping local cars of people living or visiting the area or emergency vehicles. In addition, they were aware it might be revisited with the Providence/Rollins situation. She asked the Council to consider passing it.

George Wagner stated he lived on the corner of Burnam and Birch and when he moved there 16 years ago, Birch was a gravel road and the cars that traveled it turned up a lot of dust. The four property owners that abutted Birch Road had petitioned the City to pave the road and the City agreed, but asked those four residents to pay for the road, which they did. They now wanted to ensure the road lasted as long as possible and those commercial vehicles were causing it to deteriorate. He stated they did not want to pay for the road again.

B343-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B344-08 Amending Chapter 14 of the City Code to prohibit parking along sections of Burnam Road.

The bill was given second reading by the Clerk.

Mr. Watkins explained they had a request from Council to bring forth an ordinance that would prohibit parking along both sides of Burnam Road from Providence Road to Birch Road. Currently various segments of Burnam Road had various parking restrictions. This would unify it across the entire length of Burnam Road.

John Ott, 212 Bingham Road, stated he was representing the Grasslands Neighborhood Association and asked for the Council's assistance with a major problem in their neighborhood. They were trying to reclaim their neighborhood. He commented that their enjoyment and quality of life of being in a neighborhood next to campus was being jeopardized. They had enjoyed their connection to the University and the downtown area for over 80 years. They had also enjoyed the fact they had R-2 and R-3 houses in the neighborhood and the diversity it brought with it. He noted he had lived there for ten years and over the last five years, they had seen a major change in the atmosphere in the neighborhood. They were not sure of the exact cause. It might relate to the fact they had a dry campus or because they had a 30,000 student enrollment. He commented that a lot of abuses were occurring. More people were being permitted to live in the R-2 and R-3 houses than ordinances allowed, which meant there were more cars than the houses and properties had been intended for and those cars dumped into the streets. In addition, they used to have investors and developers that did not abuse the zoning. Now other developers had moved in and put more people in them than was allowable, so they had more cars in the neighborhood than it was designed for. He noted they were also becoming a commercial parking lot. Two fraternities were selling parking spaces. An administrative person at one of the fraternities told him they were selling parking spaces in their lot for a good price to people across the street and putting their guys out on the street. He commented that they had gotten along with the fraternities and loved the fact they were nearby. It was part of the tradition of living in the Grasslands, but this was a major change. He noted they had photos of the signs advertising parking at their facility. He pointed out there was trash and noise that went along with it as well. In addition, people were crossing Providence Road at all times of day. He stated an overwhelming number of people on the street signed and supported the petition routed in the summer. In addition, about 60-70 people attended a neighborhood meeting held in October and overwhelmingly voted to restrict parking. He commented that there might be a better idea, such as permitting or a separate parking lot for Greeks away from residential neighborhoods, but he believed they needed relief now. People were targeting their neighborhood as an investment at the residents' expense, and it was not something that was happening five years ago. He asked the Council to help by approving their suggested solution to the problem.

Mr. Sturtz asked if Mr. Ott saw permit parking as preferable to no parking. Mr. Ott replied he was not sure because he was unsure of how permit parking worked. He assumed there was management and a cost involved. He understood it had been talked about for a long time and East Campus was dealing with the same problem. He stated TCU had a parking lot about a mile away and students did not typically use their cars all week. In addition, they had a shuttle that went to the parking lot. It was worked out between the University and Greek community. He commented that they were losing good tenants who respected their quality of life because other people were getting away with things that they did not appreciate. He did not think a lot could be done because it was an enforcement issue and was expensive. He noted the neighbors were doing everything they could by reporting the situation.

Mr. Wade asked where the cars would go if parking was eliminated on Burnam without other ways to address parking. Mr. Ott replied many of the cars would end up back in the fraternity house lots. He was not sure of the ones currently parked in the fraternity house lots. He assumed those were Greek sorority and fraternity cars. He understood there was paid parking at the Mizzou Arena. He pointed out it was a University issue. At one time, freshman could not have cars. He understood that had changed and thought it should be looked at again. He hoped the solution did not require them to change the way they lived in their neighborhood.

Ms. Hoppe stated part of the problem was that there were more tenants in the houses than were legal and they parked their cars in the street, so having residential permit tags for registered tenants would eliminate some of the cars. Mr. Ott agreed that might be a partial solution, but was not sure of how it would work with fraternities and sororities. He did not believe his neighborhood would be against permits, but thought it would take a long time due to the research, etc. that would need to be done. He noted they were looking for immediate relief. If there was a good idea down the road, he thought they would be inclined to participate. Ms. Hoppe pointed out the Council had asked staff for a report regarding the different types of residential permit processes because it was a problem that was not unique to this area. Mr. Ott commented that they had no parking in parts of the neighborhood now and it seemed to work. It was extremely simple because there was no cost involved and it did not need to be managed.

Mr. Skala asked if he was suggesting there was enough off-site or driveway parking for the legitimate residents who lived there given the fact there was a normal amount of residents for each of the dwellings. Mr. Ott replied yes. If inhabited per zoning, there were enough spots for the number of people who lived in the units. Mr. Skala understood their inclination to ask for support to create a no parking zone would work in conjunction with a paradigm shift until there was some kind of permitting process.

Richard Burns, 117 W. Burnam, stated he lived west of the problem because the problem was really between Providence Road and Birch. He commented that he had grown up in the neighborhood, moved away and returned to live there again. He had seen a lot of change and there was much more congestion and crowding because of the tenants that Mr. Ott mentioned and the building that went down on Clarkson Road. If they eliminated the parking between Birch and Providence, they would also eliminate some of the traffic, and for him it was primarily a safety issue. Two of his three children walked along that road and one was in the walking school bus program. If they removed parking, they would cut down on traffic and it would be a bigger road. He noted there were no sidewalks on either side of the road for people to walk.

George Wagner stated he lived at the corner of Burnam and Birch and agreed the situation had become progressively worse over the years. He had lived there for sixteen years, and until the last three years, the students would park down to Clarkson. Today they come down to Burnam and once in a while went further than Burnam. He felt in a couple more years, they would be down to Mr. Burns' house. In addition, the people who parked there threw trash out of their cars. Every week he took two grocery sacks and walked from Birch Avenue to Providence Road to gather up trash. A couple weeks ago, one boy put his

trash in a City garbage bag and set it beside his car before driving away. It sat there for a couple of days before he took it home and put it out with the rest of the trash. He noted that was the nuisance aspect of students parking there. With regard to safety, he invited the Council to visit at 5:30 p.m. on a week-night because cars would be parked from Providence Road to Clarkson or a little farther and there would be two-way traffic traveling on that part of Burnam Road along with pedestrians walking on both sides of the street since there were no sidewalks.

Jackie Verdun, 211 Bingham Road, stated her mother-in-law lived in a duplex at 300 Burnam and they spent a lot of time there. The trash was unbelievable everyday of the week. Safety was an issue because they did not drive cautiously. Almost all of the houses and duplexes on Burnam had a circle drive and had enough room for their own guests, and in talking to the people living there, they would prefer not to have parking on the street. If they ever had more guests than usual, they could use the neighbor's drive. She stated her husband was also a landlord on that street and did not want the kids to have a lot of friends over. Each had a parking spot and that was all that was needed. She commented that instead of going down the street to turn around, they used her mother-in-law's circle drive, and due to safety concerns for her children, they blocked off the circle drive with a concrete block, so in the future, if they used permit parking, that was still something to keep in mind.

Mike Martin, 206 S. Glenwood, stated he did not live in the neighborhood, but visited the area a lot, and believed the Grasslands had become one of the most dangerous parts of the City with respect to traffic. As the University expanded with more new dormitories and as the games were more crowded due to the team winning, they pushed people to outlying areas like the Grasslands. These neighbors were now pushing back. There was permit-only parking all around the University, so there was nowhere to park except the streets. The University could do a lot to eliminate this by putting things in student pamphlets to include telling students not to park in residential neighborhoods and by providing some options for student parking. He commented that the University was a mixed blessing. It was a wonderful source of prosperity, but it was also a lumbering elephant that had the tendency to step all over the town. He hoped the Council would listen to these people.

Elizabeth Cogswell, 112 W. Burnam, stated she supported this request even though it might push parking into her block. She believed the fraternity would be less able to sell parking in their lot and park their cars on the street if this ordinance were passed. She hoped as part of the whole PedNet initiative and in trying to make this a pedestrian friendly community, the City would work with the University in re-establishing remote parking lots where students would be required to park. She commented that she did not mind game traffic, although there were certainly some dangers. She was more concerned with the day after day parking of students. If they had to park more remotely, it would get their cars and a lot of the traffic off of the streets downtown and would save energy. She did not think students needed to come and go as much as they did. She also did not think the neighborhoods around the University should be the solution to growth at the University. She noted there were 69 percent more applications this year than last year. It would only grow more, so something needed to be done.

Jim Reid, 200 W. Burnam, agreed something needed to be done, but was not sure this was the answer. By removing this parking, he believed it would move cars further down Burnam where there was no restriction. He was also against restricting parking on Burnam because visitors would not be able to park. He commented that there was the argument they could ignore the no parking sign, but wondered who should be allowed to ignore it and what would happen if they did. He noted there were several senior citizens that lived further down who had written letters objecting to it.

Mayor Hindman asked if he had any ideas on how to solve the problem. Mr. Reid replied they had heard a number of ideas on how to solve the problem. He did not think they could ask the President of the University to build 16 more parking garages. Remote parking lots were a good idea and understood the University had one before the Mizzou Arena was built. He noted the Livestock Center had parking now and buses ran from the Center into campus. Whether or not more of those lots could be developed was between the University and the City. It was up to the University as to whether they would restrict students to parking in outlying parking lots. He was not sure of the solution, but did not think no parking on the street was the best solution because it would push the problem to someone else.

Brian Struchtemeyer, 7 Burnam Road, stated he appreciated the concerns for more long term solutions, but felt Mr. Ott was right in that this was a temporary solution. He believed the nature of the neighborhood would change fundamentally when the Rollins extension came through with a stoplight. He thought Dr. Burns was correct in that one of the primary issues they were concerned with as a neighborhood was pedestrian traffic and the amount of jaywalking at Providence onto Burnam Road, especially at night. It was a free for all at the intersection right now. The fact they could park there facilitated jaywalking. He agreed this was not a permanent solution, but believed it was a very good interim solution until the Rollins extension was completed. As a neighborhood, they would then need to continue this dialogue with the Council. He asked the Council to pass this ordinance.

Ms. Nauser stated this was an issue that had been going on for quite some time and the majority of people she had spoken with were in favor of the no parking restrictions on Burnam. Traffic and safety were the key factors. Many students crossed Providence Road trying to get to the University. This was a hazard for the students and anyone traveling Providence Road. With there being no sidewalks on Burnam, the students were walking down the street, which blocked traffic. The residents were tired of the trash and the disruption to their daily lives of students pulling into their driveways and coming up and down their street at all times of the day. She understood students had removed the no parking signs at times as well. She noted there was always a risk that it would not solve the problem and would push the problem into other areas of the community. She hoped it would send a message causing the University to start looking at some of the parking shortages due to outgrowth. She noted they had same issue with Rock Bridge High School and believed not everyone had the right to drive. She thought it might be time to restrict vehicles for the freshman class. She thought this also provided the opportunity to begin looking at alternative transportation and shuttle services in cooperation with University. She did not think residential neighborhoods needed to be turned into parking lots just because the University

was growing. She asked the Council to support the no parking on Burnam as a temporary solution while they looked at future alternatives.

Mr. Wade stated he was having a great deal of difficulty with this. He believed Mr. Ott's analysis was correct, except for the fact it would not solve the problem. The notion that it started to change about five years ago was correct. He noted this was not just a problem for the Grasslands and believed those cars would go elsewhere. A street a year had been added from Garth going west and they had the same issues as described on Burnam. It was at least to Westmount. They were discovering how far people would walk to avoid spending \$35-\$40 on parking. He understood parking was available in the University parking garages and in the lots with shuttles, but it cost \$35-\$40 per month, while City street parking was free. He believed passing this would solve the problem for one group of people, but would move the problem to another group of people. He felt they needed a policy that dealt with the question of parking. It was not just an issue caused by student. University employees were causing the problem as well. He did not believe this was a solution to the problem because it just moved the problem. He did not have a solution, but did not think they should create more no parking areas because those cars would remain on the street in a different location.

Mr. Skala stated he was offended by the trash and public safety issues caused by this abuse. As a short term solution, he suggested they institute the no parking zone until such time as they could get a permitting process in place. He understood the Council had asked for a staff report regarding a permitting process, which he thought would solve the problem for the residents and their guests because they could get hang tags or whatever else was required to legally park on the street. Unfortunately, they needed time to get the system in place. The comment that they had talked about this for a long time with regard to East Campus made it a more compelling argument to do something about this situation.

Mayor Hindman thought everyone recognized the weaknesses in establishing no parking areas, but it was an attempt of the neighborhood to deal with the problem. He felt the real issue involved other things. They had ordinances to deal with some of those problems, but they did not appear to be very effective. One issue dealt with the number of people that could live in a unit and they had an ordinance restricting the number of people living in a unit, but it was very difficult to enforce, and caused part of the problem since each person had their own car. They were trying to resolve that issue indirectly by making it more difficult to have that many cars in the neighborhood causing it to be more difficult to rent to too many people. Another issue that had been raised was the fact there was a commercial business of leasing parking spaces in the area. He was unsure of how the City's ordinances addressed that issue. He commented that he had mixed emotions regarding whether or not this would work. He was inclined to do it, but thought they should try to address some of the other problems as well. Permitting was a possibility, but it still did not get to the other fundamental issues that might be causing the problem.

Mr. Sturtz stated he believed this was a piecemeal solution that would have a lot of unintended consequences. He felt it was counter-productive to push this through knowing it would not solve the problem. He was not sure how much time would be needed to institute permit parking, but did not think it would take a year.

Mayor Hindman noted permit parking had its difficulties. In talking to other campus communities, he understood they were running into some interesting issues.

Mr. Janku understood part of the problem involved turnover in student housing. He thought it was a challenge in East Campus due to the high turnover.

Ms. Hoppe suggested there be options, so a street or neighborhood could choose an option. She commented that she had been to a lot of universities and university towns and almost all of them had this problem and had instituted some type of residential permitting process, no parking process or a combination because it was unfair for the neighborhoods. She did not think they should do nothing because it was not a perfect solution as that was not a solution either. She thought they should go ahead with the no parking because she believed there would be a point from where people would not be willing to walk. She agreed they needed to address some of the underlying causes and meet with the University in trying to come to a mutual resolution. She commented that while attending the University, she parked her car and biked to campus because it was faster. She thought they should promote the modal shift.

Mr. Janku commented that if a commercial business was being operated in a residentially zoned area, it was a zoning violation and should be prohibited if proven. Mayor Hindman understood proof was the problem. Mr. Janku thought someone had indicated they had pictures of the lot being advertised. He noted they had removed parking on narrow streets due to safety and could justify removing parking from one side of the street on a permanent basis. He thought the issue here was removing parking on both sides, which was essentially prohibiting parking.

Mr. Skala commented that with the permitting process, they could limit the number of permits to residents at a level at which those residences were constructed to support. Mr. Janku felt the issue was if they moved out, but still parked there since they had a permit.

Mr. Wade stated promoting healthy living would simply move people further west. He thought Thilly or Lathrop would be the extreme, but it moved onto Westmount. The problem with the commercial issue was that it would not solve anything. They would just trade cars, so there would be no net gain. As parking was eliminated around the University, it was being moved to other streets. He stated he had hard time with a piecemeal solution in one place that would make it just as bad or worse somewhere else since they did not have a policy on how to deal with the situation of on-street parking in unsafe situations.

Ms. Nauser understood the migration issue, but pointed out these people were willing to have no parking on their street, which restricted their access and availability for parking in an attempt to deal with the problem. She hoped it would be the catalyst in getting individuals or stakeholders to discuss this problem and come up with a more workable solution. She believed it would be a while before a workable solution was arrived at because there were so many different options. In the interim, she believed these people deserved some relief from traffic, trash, and lack of sidewalks.

B344-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, NAUSER, HOPPE, HINDMAN, JANKU. VOTING NO: WADE, STURTZ. Bill declared enacted, reading as follows:

B347-08 Authorizing acquisition of easements for construction of the Clear Creek Pump Station Force Main improvement project.

The bill was given second reading by the Clerk.

Mr. Watkins stated this sewer project was included in the last sewer ballot issue and Council had recently authorized staff to acquire right-of-way for the actual force main. Staff waited until the County had finished its study on the extension of Gans Road to Providence before trying to site the actual pump station. They had now determined the preferred location of the pump station based upon the County's study and needed to acquire property for the pump station in addition to what had already been authorized. The estimated cost for the entire project was \$4 million. Financing had been obtained through the Missouri Department of Natural Resources State Revolving Loan Fund, which would lower the cost of the project. This proposal for a permanent utility easement, road access easement, the pump station and temporary construction easements impacted one property owner.

Ms. Hoppe asked if there were any sensitive natural geographic features in the way, such as something that would be on the natural resources inventory. Mr. Glascock pointed to an area on the overhead, which the County felt it was quite scenic and was one reason they preferred the red alignment.

B347-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B350-08 Approving a loan from the Electric Utility to the Railroad Utility for the replacement of the Columbia Terminal Railroad (COLT) highway-rail crossing surface at U.S. Highway 63; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would authorize a loan from the electric utility to the COLT Railroad if they elected to go that route for the repair of the actual crossing. He pointed out they would not do this if they determined they would receive federal funding on the railroad structure across Highway 63. They wanted to go ahead and get the loan authorized. He noted Mayor Hindman had asked if this would impact their chances for federal funding, and he did not think it would.

Mr. Skala understood this was just a prudent contingency move. Mr. Watkins stated yes. Mayor Hindman noted it was a project that was in great demand and needed.

B350-08 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B354-08 Adopting the City of Columbia 2009 Medical Plan and 2009 Dental Plan; establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was an administrative action done every year. They had already set and budgeted insurance rates for employees. He noted the City provided insurance for the employee, but family coverage was paid by the employee. They also

allowed retirees to receive coverage and were setting those rates as well. He pointed out they were not providing coverage for retirees. They only allowed them an option for insurance.

Mr. Skala made a motion to amend B354-08 per the amendment sheet. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

B354-08, as amended, was given third reading with the vote recorded as follows:

VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. 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.

- B341-08 Vacating a utility easement located north of Willow Way, west of the Conley Road Wal-Mart.
- B342-08 Vacating a sewer easement located at the south terminus of Norma Court within U-Tell Subdivision; accepting a conveyance for utility purposes.
- B345-08 Authorizing a development agreement with Alfy Corp. relating to the extension of Providence Road, from Vandiver Drive north to Blue Ridge Road.
- B346-08 Appropriating funds relating to the Brown School Road reconstruction project, from Route 763 to Providence Road.
- B349-08 Appropriating funds for FY 2009 Water Capital Improvement Projects.
- B351-08 Accepting conveyances for utility purposes.
- R264-08 Setting a public hearing: voluntary annexation of property located on the south side of Richland Road, along both sides of Rolling Hills Road, extended.
- R265-08 Setting a public hearing: considering applications for FY 2009 Public Communications Program funding.
- R266-08 Authorizing an Adopt A Spot agreement with Integrity Home Care.
- R267-08 Accepting a grant from The Missouri Foundation for Health for the 2008 Eliminating Tobacco-Related Disparities – Assessment and Planning Program; authorizing a grant agreement.
- R268-08 Authorizing agreements with various home health care agencies for homemaker/personal care and respite care services.
- R269-08 Authorizing agreements with various social service agencies.
- R270-08 Authorizing agreements for Sports Development Funding under the Tourism Development Program.
- R271-08 Authorizing a Contract of Obligation with the Missouri Department of Natural Resources for financial assurance for proper closure and post-closure activities at Columbia's landfill.
- R272-08 Authorizing the City Manager to make FY 2009 Certifications and Assurances for Federal Transit Administration assistance programs.

- R273-08 Authorizing an agreement with TREKK Design Group, Inc. for engineering services relating to sanitary sewer manhole inspections and rehabilitation recommendations.
- R274-08 Authorizing an agreement with HDR Engineering, Inc. for engineering services relating to design of the Hominy Trail Phase I Project, from Green Valley Drive to Woodridge Drive.
- R275-08 Authorizing an agreement with HDR Engineering, Inc. for engineering services relating to design of the Hominy Trail Phase II Project, from Woodridge Drive to Clark Lane.
- R276-08 Authorizing the City Manager to apply for a Land and Water Conservation Fund grant from the Missouri Department of Natural Resources relating to development of the Stephens Lake Park aquatic gardens.
- R277-08 Approving the by-laws of the Chapel Hill Lake Neighborhood Association and recognizing it as the official neighborhood organization for the area described in the by-laws of the Association.

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

NEW BUSINESS

R278-08 Authorizing a housing site demolition and re-use agreement of participation with Brian N. Treece and Arthouse Properties, Inc. for property located at 500 N. Garth Avenue (Shotgun House).

The resolution was read by the Clerk.

Mr. Watkins explained this was an agreement they had been working on with Brian Treece in order to preserve the Shotgun House located at 500 N. Garth. Staff was proposing to use some CDBG money. They had determined it had met the requirements for demolition, but Mr. Treece stepped forward and worked out an agreement whereby they would move and donate it to the Boone County Historical Society. He understood the agreement had some minor problems, which was why it was removed from the consent agenda.

Mr. Teddy explained they had suggested changes. At the request of the applicant, they would make the promissory note an exhibit to the agreement. The promissory note made it clear that as long as the activity of moving of the Shotgun House from 500 N. Garth to the Boone Junction Historical Village was completed within one year, the applicants would be eligible for forgiveness of the loan which would pay for the cost of moving the house and incidental related expenses to include repairing the sewer line. The other change would add a phrase in Section 2(d) of agreement indicating that absent delays not of the owner's making, the work would commence within 120 days and would be completed within 210 days. He noted those time limits were standard. In a conventional NRT dilapidated building removal, the house was torn down and this clause was there to ensure the blighting influence of the dilapidated house would be removed in a timely manner. The applicants were concerned they might not be able to commence within 120 days because there were a number of events that had to happen to make the move complete. In a normal demolition situation, an applicant would have a little more control over events. Staff felt the agreement

provided the dual benefit that was intended under the program. Instead of removing the blighting influence by tearing down the structure, it would be saved and moved into an area where it could be cared for and interpreted as a historic resource.

Mr. Skala made the motion to amend R278-08 by adding the promissory note as an exhibit and by adding a phrase to Section 2(d) of the agreement indicating that absent delays not of the owner's making, the work would commence within 120 days and would be completed within 210 days. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Brian Treece, 2301 Bluff Pointe, commented that it was about twelve months ago that he asked Mike Martin if he wanted to buy the Shotgun House, and together they had gone through this process. He thanked staff for assisting them. He stated he affirmed the agreement from the owner's perspective.

The vote on R278-08, as amended, was recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU. 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.

- B355-08** **Vacating a portion of a utility easement located within Bluff Creek Office Park Plat 4D.**
- B356-08** **Vacating sewer and utility easements located at the southwest corner of the Scott Boulevard and the MKT Trail intersection.**
- B357-08** **Vacating excess cul-de-sac right-of-way at the southern terminus of Crow Court, generally located northwest of the Providence Road and Blue Ridge Road intersection.**
- B358-08** **Vacating utility, sanitary sewer and drainage easements located at the northwest corner of Providence Road and Blue Ridge Road.**
- B359-08** **Vacating a water utility easement located southwest of the Worley Street and Stadium Boulevard intersection, within Biscayne Heights Subdivision.**
- B360-08** **Authorizing construction of the Providence Road Trail South Project from Green Meadows Road to Rock Bridge Elementary School; calling for bids through the Purchasing Division.**
- B361-08** **Authorizing acquisition of additional easements for construction of Mexico Gravel Road from the Vandiver Drive Connection to the intersection with Ballenger Lane/Route PP.**
- B362-08** **Amending Chapter 22 of the City Code as it relates to deferred tax bills for sanitary sewer projects.**
- B363-08** **Amending Chapter 14 of the City Code to establish an all-way stop at the intersection of Derby Ridge Drive and Smiley Lane.**
- B364-08** **Accepting conveyances for utility purposes.**
- B365-08** **Appropriating additional funds relating to the Walton Building remodeling project.**

- B366-08** Appropriating funds to reflect “in-kind” donations of vaccine from the Missouri Department of Health and Senior Services to the Health Department.
- B367-08** Appropriating funds from The Missouri Foundation for Health grant relating to the 2008 Eliminating Tobacco-Related Disparities – Assessment and Planning Program.
- B368-08** Appropriating funds for Share the Light Program.
- B369-08** Approving a petition requesting the formation of the North 763 Community Improvement District consisting primarily of property within Auburn Hills Subdivision located on the east side of Highway 763 immediately north of Brown School Road.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Mayor Hindman noted this report was provided for informational purposes.

(B) Requests for Tenant Rent Reduction at Columbia Regional Airport.

Mr. Watkins explained they received a request from three tenants asking for consideration of rent reduction at the airport because for a period of about two months they had no air service. After much discussion, the Airport Advisory Board sent it on to the Council. Mr. Glascock noted the Board recommended approval. Mr. Watkins stated staff had mixed feelings, but could support it.

Mr. Janku stated he was supportive. He thought it was fair since they saw a decline in business through no fault of their own. He commented that the other side of the coin was that when business picked up, the City might look at increasing the rent.

Mr. Skala stated he agreed. He did not think they wanted to do anything that would jeopardize the success with the airport and saw this as an incentive to keep good tenants.

Mr. Wade commented that if the situation was continuing, he would be supportive. He felt things had turned around, so it was probably balancing out. As a result, he tended to not support the reduction in rent. He stated there had been hard times and good times, and he did not see them offering to pay more now that it was booming.

Ms. Nauser stated she agreed with Mr. Wade.

Mayor Hindman commented that he tended to agree, except for the couple months they had absolutely no service. He felt they should share the pain to some degree, although it was of no fault of the City's either. He thought people operated those businesses with the reasonable assumption they would have an operating passenger airport. He asked how long of a period of reduction would be given. Mr. Glascock replied the reduction was just for the time there was no commercial air service. Mayor Hindman stated he was agreeable to that.

Mr. Sturtz noted it did not add up to much and was a goodwill gesture. Mr. Watkins stated that was how the staff saw it as well.

Mr. Janku made a motion directing staff to authorize the reduction of rent and commission as submitted. The motion was seconded by Mr. Skala and approved by voice vote with only Mr. Wade and Ms. Nauser voting no.

(C) Nifong and Bearfield – Traffic Concern.

Mr. Watkins explained the Council had asked them to look at the traffic situation. They studied it and had recommendations in terms of both speed limits and a stop sign.

Ms. Hoppe made a motion directing staff to prepare an ordinance modifying section 14-223 of the Code to restrict the speed on Bearfield Road to 35 mph and section 14-63 of the Code to include the intersection of Bearfield Road and Nifong Boulevard as an all-way stop. The motion was seconded by Mr. Janku.

Mr. Wade stated Bearfield Road was a narrow and hilly road, so he was surprised by the 35 mph speed as he thought it was dangerous. Mr. Glascock explained the portion the City maintained and had full control over was from Bearfield Meadows on in, which was a wider 38 foot street.

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

(D) Update on the Southeast Regional Park Planning Process (Philips Lake Park and Gans Creek Recreation Area Master Plans).

Mayor Hindman understood this was an informational report.

Mr. Wade asked what the size of the creek buffer and natural preservation area would be if it was defined to only meet the City's buffer and stormwater laws. Mr. Hood replied he thought it would be substantially less, but without doing some calculations, he could not provide an accurate acreage. Mr. Wade felt it was protecting a relatively small part from development. Mr. Hood pointed out Option 2 protected a larger area than Option 1. Mr. Wade noted it also changed the use to far less intrusive uses.

(E) Wireless Internet in Parks.

Mr. Watkins explained the Council requested staff look at providing wireless internet capabilities at Flat Branch Park and Stephens Lake Park. Staff had provided costs associated with a particular provider where the City might get a discount. He noted they needed Council direction at this time.

Mr. Janku asked if it was at two different points for Flat Branch. Mr. Hood replied a part of the Fourth Street map had been cut off and there should be a wireless station on the northern end of the Fourth Street section. They would need one station in the Fourth Street section and another in the section south of Locust Street.

Mr. Janku understood the City's portion would come from the park sales tax. Mr. Hood replied they were suggesting, if they decided to proceed, that they use annual park improvement money, which was funded through the park sales tax ballot issue.

Mr. Janku stated he was in support of doing it at Flat Branch. Someone else had suggested Stephens.

Mr. Skala noted he had brought up Stephens and understood there would be four potential stations there. He wondered if that was necessary. He stated there was a potential to put one at the Riechmann Pavilion, but pointed out it could also be incorporated into some of the fees for use of the Pavilion. He understood the point of this was to have a hot spot available at Stephens Park. He thought it made sense to do it in an area where there was a

shelter or something similar since, at this point, there was no amphitheater. He thought they could pare it back.

Mr. Janku suggested they pare it back to one site at Stephens.

Ms. Hoppe commented that it would make sense to have it at the amphitheater at Stephens. Since the service would be provided for free, she suggested the Parks and Recreation Department put it in with the funding already in place because it would be a nice addition. She understood people were interested in funding benches and thought there might be an opportunity for people to fund wireless service at the amphitheater. She wanted a public spot as well as the Riechmann Pavilion.

Mr. Skala stated he was suggesting they not put it in at Riechmann unless they could incorporate it into fees. At this stage, he was just thinking about a public place, such as the amphitheater or the shelter area. Since there was no amphitheater, he did not think it would be an appropriate place at this time. Ms. Hoppe understood the amphitheater would be in place soon. Mr. Hood stated construction would begin in late winter or early spring, but it might be the end of summer before it was completed.

Ms. Hoppe thought it might be a good feature for the Gordon Shelter. If cost was the concern, she suggested they increase the shelter rental fee so it would pay for itself. She suggested a naming opportunity as well.

Mayor Hindman asked Ms. Hoppe for clarification regarding what she wanted. Ms. Hoppe replied she wanted to keep three wireless spots at Stephens Lake Park. Mr. Wade asked how it would pay for itself. Ms. Hoppe replied they could increase the rental fees for Gordon Shelter, which was where the wireless would be available. They could also look for a naming opportunity. She thought people would be interested in sponsoring it like they did benches.

Mr. Wade pointed out people did not rent a shelter to have access to wireless. The use of the wireless at the shelter would be by individuals who came along and sat there when the shelter was not being rented. Mr. Janku thought the signal would go further than the physical building as well, so people in the shelter and people in the vicinity would have access.

Mr. Skala thought it would be handy if it was next to the parking lot because he often ate lunch at the park and noted it would be nice to be able to access the internet.

Mr. Wade asked for clarification with regard to the one time capital investment versus the on-going annual cost. He wanted to know what they were adding to annual operating budget. Mr. Hood replied with the way the proposal was structured, the one time capital cost was the \$7,280 to put in the four stations at Stephens and the two stations at Flat Branch. The monthly service charge was \$100 per station, which was what iZones indicated it would waive for their sponsorship. They would be donating all of the monthly operational charges the City would normally have to pay. He felt that was the factor that made allowed this idea to be considered. Mr. Wade understood iZones' return was that they would receive advertising at each of the sites. Mr. Hood stated that was correct.

Mr. Janku made a motion directing staff to proceed with full coverage installation of wireless at Flat Branch Park and wireless installation at the Riechmann Pavilion and Gordon Shelter at Stephens Lake Park with the idea of adjusting rates at the Pavilion and Shelter so

they could then look at increasing it to other areas of Stephens Lake Park. The motion was seconded by Mr. Sturtz.

Ms. Nauser asked if it would affect the agreement if they reduced the number of sites. Mr. Hood replied he did not think it would. It would reduce the City's capital costs. He understood they would continue waiving the cost of the four stations instead of the six stations. He noted he would talk to them, but his understanding was that they would be willing to accept less than the six stations.

Mr. Skala understood there was a capital cost for the equipment itself and asked if they had a place to put it. Mr. Hood replied the equipment would be housed in a metal box that was similar to an electrical box, which was independent of facilities at the park.

Ms. Hoppe made a motion to amend Mr. Janku's motion, which was seconded by Mr. Sturtz, so that it included a third wireless site at the amphitheater at Stephens Lake Park. The motion was seconded by Mr. Skala. Mr. Janku stated he would accept Ms. Hoppe's motion as a friendly amendment to his motion. Mr. Sturtz was agreeable.

Mr. Janku revised his motion to direct staff to proceed with full coverage installation of wireless at Flat Branch Park and wireless installation at the Riechmann Pavilion, Gordon Shelter and the amphitheater at Stephens Lake Park with the idea of adjusting rates at the Pavilion and Shelter so they could then look at increasing it to other areas of Stephens Lake Park. The revised motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

(F) Department of Conservation Land Use Agreement.

Mayor Hindman understood this report was provided for informational purposes and that there would be a presentation at the next work session.

Mr. Wade asked if there had been an estimate of the added annual maintenance cost the Parks and Recreation Department would accrue for the maintenance of the buildings on the Department of Conservation site as there were substantial buildings there. Mr. Hood replied he did not have a maintenance estimate, but would provide one at the work session. Mr. Wade felt there was a potential for substantial maintenance costs associated with those buildings. Mr. Hood agreed there would be a maintenance cost associated with those buildings, but noted they wanted to create a satellite operations center and if they had to build it, there would be a substantial capital investment plus on-going maintenance costs. He reiterated he would try to provide an estimate for the work session. Mr. Watkins stated he thought they could argue it might save money. Currently, all of the parks management equipment was located in one place at Cosmo Park.

(G) Vehicles, Motor Homes, and Boats in Yards.

Mayor Hindman understood this report was essentially saying things were adequate, but he had his doubts. He felt this was similar to the Grasslands situation in that these were symptomatic of issues in neighborhoods for which he was unsure of an answer. He thought they needed to think about it some more. He noted a lot of the newer neighborhoods had covenants, deed restrictions, etc., so they were protected, but they had other neighborhoods without these restrictions that were still valuable neighborhoods and if they wanted to protect

them, it would be up to the City to do so. He stated he was willing to accept this report, but was not willing to say this was something they could walk away from. He thought they needed to work this out.

Mr. Skala stated this was another nuisance issue and agreed it was time to think this through further even though they did not have an answer at this time because it would remain a nuisance.

Mr. Wade stated he agreed and noted he had participated in substantial discussions with his constituents on this issue. This was important for neighborhoods that were at a point of transition where they were working hard to maintain the stability and quality of the neighborhood. They needed the tools to maintain a stable neighborhood and thought they should continue looking for solutions.

Ms. Nauser commented that she had received numerous complaints regarding construction equipment. She understood that as long as there was a valid building permit, it could stay there. She felt there were loopholes in the system that were detrimental to neighborhoods. She did not think people should have to look at vacant land with construction equipment. She did not want this issue to be set aside.

Ms. Browning commented that many of the problems were due to zoning restrictions and model ordinances in other communities were zoning related. As they were looking at a comprehensive review of the zoning ordinances, she suggested they address these issues and provide protection to future neighborhoods. Mayor Hindman thought they needed to do that so it would stop the bleeding, but noted they had many neighborhoods now that needed a tool. He did not believe it was right for people to have the value of their property ruined by people who did not care.

(H) Statue of Liberty replica.

Ms. Hoppe commented that she appreciated the Commission reviewing it and noted she would honor their recommendation.

Mr. Wade stated he preferred accepting the recommendation of the Standing Committee on Public Art versus the Commission on Cultural Affairs. He understood the Statue of Liberty was a replica and not a real work of art, but felt it was symbolic. He wanted consideration to be given to placing it in City Hall as opposed to the Gentry Building because of the symbolism it carried, which he understood was the Standing Committee on Public Art's recommendation.

Ms. Hoppe noted she had forgotten there was a difference and agreed with Mr. Wade.

Mr. Janku pointed out this statue was in a public outdoor plaza in Jefferson City and did not seem to be deteriorating, so he was not convinced it could not be in an exterior location. He would be glad to consider the Standing Committee's recommendation, but believed another option was to see if there might be an interested group that would adopt and maintain it in a more public location. He understood it was given to the community for public display. He was not sure how they would incorporate it into the design at the new City Hall because the public art had already been selected for the Plaza and the building itself might not have the space.

Mr. Sturtz commented that the idea of the statue was noble and great, but the execution was ordinary. He noted there were thousands of them, so it did not seem that special. He thought it looked great where it was currently located. Mr. Wade stated they might decide that, but he was not ready to accept the recommendation that its current location be the permanent place.

Mr. Janku suggested they request proposals to determine if others had any ideas.

Mayor Hindman understood if they did not do anything it would remain where it was located.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mayor Hindman understood the building codes would be coming up for review and re-enactment with new changes.

Mayor Hindman made a motion directing staff to provide a report indicating how the review of the building codes would be approached to include the Building Construction Codes Commission meeting with the Environment and Energy Commission and other commissions with an interest in building codes. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman commented that in this day and age of difficult times and due to people's interest in organic foods, he had been approached by several people regarding the ability to have chickens. The City ordinances prohibited it at this time.

Mayor Hindman made a motion directing staff to provide a report regarding the possibility of allowing people to raise chickens within the City limits. The motion was seconded by Mr. Janku.

Mr. Janku stated he did not think City ordinances prohibited it, but some restrictions made it very difficult. He understood Mayor Hindman was talking about chickens and not roosters. Mayor Hindman stated he was not insisting they not have roosters.

Ms. Nauser pointed out all new subdivisions with covenants and restrictions would not be allowed to have any type of livestock. Mayor Hindman commented those neighborhoods would have to meet and decide to have those restrictions revised.

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

Mr. Skala understood the Environment and Energy Commission wrote a letter to the Council in April regarding the possibility of the City's arborist completing a preliminary urban forest plan. They felt it would provide valuable guidance to future modifications to land disturbance ordinances as it related to tree preservation. He understood land disturbance and tree preservation issues would be discussed at work sessions after the first of the year. If this was already part of the plan, they did not have to take any action. He only wanted to encourage staff to look at this and provide information on this when they provided other information after the first of the year.

Mr. Skala commented that the Planning and Zoning Commission was almost done with its work on the sub-area plan around the new high school site. They had previously talked about a potential sub-area plan for the Old 63 corridor when the long-term acute care facility proposal came to Council. He understood Ms. Hoppe planned to bring up the potential for a sub-area plan on the extension of Stadium as well. It would soon be important because there was a large tract of land coming to the Council for annexation contingent upon rezoning that would impact that corridor. He was suggesting the Old 63 corridor sub-area plan as something they might want to refer to the Planning and Zoning Commission as well.

Mr. Skala made a motion directing the Planning and Zoning Commission to provide a report with regard to sub-area plans for the Old 63 corridor and the Stadium corridor.

Ms. Hoppe noted they were receiving piecemeal annexation and rezoning requests involving the area near the Stadium extension, south from I-70, without a plan in place. She stated she had spoken with some members of the Planning and Zoning Commission and understood they would be done with the high school sub-area plan soon and were ready to take on new projects. She felt this might be an appropriate project.

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

Mr. Wade stated he was working on some briefing papers on the potential of the development of an urban forestry plan and a revision to the current tree preservation ordinances in order to build some real natural preservation areas based upon the natural resources inventory. He hoped this was some work the City's arborist could do in the winter when he might not have as much tree work. He wanted outside funding possibilities to be identified as well in case they decided to pursue a community urban forest replant. He wanted this added to the comments Mr. Skala made earlier. He asked if a motion was necessary. Mr. Skala replied he understood this was on the agenda and would be part of the package looked at with regard to land disturbance and tree preservation issues.

Ms. Nauser noted some constituents were asking her for a status on the red light cameras, so she was requesting an update. Mr. Watkins stated they had originally anticipated having a red light camera at Worley installed today, but were having significant problems with the vendor. Staff would continue to have discussions with them, but might recommend going out for proposals again. They hoped to have one more discussion, but were not sure it would be effective. He explained they would try to bring back a recommendation to the Council at the next meeting or the first meeting in January.

Mr. Janku asked if they had spoken to other communities that had used this vendor. Mr. Watkins understood Springfield had used them. Mr. Janku asked if they were having troubles. Mr. Watkins replied he was not sure. Mr. Janku thought it might be helpful to know if they were having problems as well.

Ms. Hoppe commented that she wanted staff to look at the need for a painted crosswalk at the corner of Hitt and Cherry, which was near the new Uprise, Ragtag and Ninth Street Video. There was a lot of traffic on Hitt Street turning onto Cherry Street and a lot of

pedestrians. She thought a painted crosswalk and curb cut might be necessary on the east side of Hitt Street for pedestrians, wheelchair users and bicyclists.

Ms. Hoppe made a motion directing staff to provide a report regarding the need for a painted crosswalk and curb cut at Hitt and Cherry. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Hoppe suggested GetAbout Columbia and staff look at replacing a car parking space on Walnut, just east of Ernie's and the Diamond Jewelry store, with bike parking. There was a lot of development going on there with John Ott and Orr Street Studios. There was an isolated parking area on the street that blocked the entrance and exit to two driveways, so it seemed to be a good spot for on-street bicycle parking similar to what was in front of Kaldi's on Ninth Street.

Ms. Hoppe made a motion directing staff to provide a report regarding replacing a car parking space on Walnut, just east of Ernie's and the Diamond Jewelry store, with bike parking. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Hoppe commented that she was at Albert-Oakland Park recently and there were some exercise stations installed in the 1970's that were broken, falling apart and dangerous.

Ms. Hoppe made a motion directing staff to provide a report regarding the removal, replacement or repair of the exercise stations at Albert Oakland Park. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Sturtz commented that he had been contacted regarding lighting at the skateboard area at Cosmo Park. In the winter months with the sun going down early, there were a lot of wasted hours. He understood it was a popular place and was still being used, which was dangerous in the dark.

Mr. Sturtz made a motion directing staff to provide a report regarding effectively lighting the skateboard area at Cosmo Park. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Janku made a motion directing staff to provide a report regarding the sidewalk connection on the south side of Smiley as previously discussed. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku commented that a sidewalk on the Business Loop from The Terrace retirement complex to the entrance of Cosmo Park had been funded a long time ago. He was not sure this was what the residents of The Terrace wanted. He thought they preferred a crossing to get to the bus stop on the other side of the street and for some reason it was not supported by Public Works.

Mr. Janku wanted staff to provide options and indicated that if money could be saved, they fund the Oakland Gravel sidewalk mentioned by the Community Housing Options people to help provide access for the disabled to their facility.

Mayor Hindman asked for clarification regarding the sidewalk that had been funded but not built. Mr. Janku replied The Terrace on Business Loop 70 was across the street from

a bus stop. His constituents wanted to cross the street to get to the bus stop, but the report Council received years ago indicated a crosswalk would not work and suggested a sidewalk be built all of the way down to the Cosmo Park entrance, so they could cross the street there. It was not really what they wanted because they still had to cross the street. He wanted staff to re-evaluate whether a street crossing was feasible and if it was not, he was suggesting they build the sidewalk or re-allocate the money to another project that was more needed or desirable. He mentioned Oakland Gravel because of the discussion earlier this evening.

Mr. Janku made a motion directing staff to provide a report re-evaluating the feasibility of a street crossing for the residents of The Terrace, and if it was not feasible to provide options for the use of the money to include going ahead and building the sidewalk or re-allocating the money to another project that might be needed or more desirable. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Janku stated he received an e-mail from a constituent who was willing to help convince the State if the City did not succeed, with regard to the jake-brake issue.

Mr. Janku made a motion directing staff to provide a report regarding the status of the jake-brake issue. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Janku understood the water ballot issue included a project on Business Loop 70 involving a main from Jackson to Jefferson. They were also undergrounding utilities and constructing a sidewalk on that same stretch. He hoped they could coordinate those projects so they would all be done at once. Mr. Watkins stated that was his expectation.

Mr. Janku understood it would take potentially three weeks for people to get coupons with the new trash bag policy. Mr. Watkins pointed out staff was working on that issue because it was a problem. He believed they should get a coupon or bag immediately. Mr. Janku commented that if someone signed up for utilities on-line, there should be a way for them to get an on-line coupon. Mr. Watkins thought the difficulty was that the coupons had a barcode and the City did not print the coupons. Mr. Janku did not think people in East Campus could wait three weeks for trash bags. Mr. Watkins agreed.

The meeting adjourned at 11:26 p.m.

Respectfully submitted,

Sheela Amin

City Clerk