

**MINUTES**  
**CITY COUNCIL MEETING – COLUMBIA, MISSOURI**  
**SEPTEMBER 2, 2008**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Tuesday, September 2, 2008, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU and SKALA 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 August 18, 2008 were approved unanimously by voice vote on a motion by Mr. Wade and a second by Mr. Janku.

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

At her request, Mr. Janku made the motion that Ms. Nauser be allowed to abstain from voting on R202-08. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote. Ms. Nauser noted on the Disclosure of Interest form that she had conflict of interest due to her husband's business.

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

**SPECIAL ITEMS**

None.

**SCHEDULED PUBLIC COMMENT**

**Jeannette Acton – Street renovations on Hunt Ave.**

Jeannette Acton, 704 Hunt Avenue, provided a handout to the Council and stated she was appearing before the Council as a voice for the residents of Hunt Avenue. She commented that their neighborhood was a rare example of a neighborhood of America's past. Most of the neighbors knew each other, spoke to each other and looked out for one another. She stated they had all received letters from the City and found them threatening. In addition, they had each received low quality drawings of what was planned for their own personal property, but not what would be done to the street as a whole. After speaking with most of the residents on the street, she became alarmed. She then acquired the actual blueprints and her concern deepened. As a community, they felt the project the City had planned for Hunt Avenue was misguided and a waste of grant money. Some had signed the agreement, but had done so under duress because they could not afford a lawyer and the City threatened condemnation. She noted she included letters from some of those citizens in the handout and pointed out some were too frightened to come forward. She explained the citizens of Hunt Avenue had come up with an alternate plan that would benefit both Hunt Avenue and West Worley. They felt their plan would save valuable resources while

improving the lives and safety of the handicapped and children in the area. She commented that they did not feel they needed a sidewalk. Most of the people that traveled their street were the actual residents of Hunt Avenue or those that lived in close proximity. In addition, the majority of the homes were built very close to the street. She thought the City would be acquiring an average of nine feet for the sidewalk. The front yard of one of the resident's property would be almost cut in half. She noted the handout included pictures of that property with the measurements of what the City planned to seize marked. She felt it would be an extreme detriment to the curbside appeal of her home and would lower the value of her home. If this plan went forward, she believed the City should pay her home and help her acquire another. She commented that most of the mature trees would need to be removed in order to construct a sidewalk that would not go completely down the street. She stated the handout included a small portion of the blueprint showing the trees that would need to be removed. She felt removal of the trees would further diminish the curbside appeal of the neighborhood as these trees provided a large portion of the ambiance of the neighborhood, and would be difficult if not impossible to replace. She provided the Council information regarding the importance of mature trees and the value they added to the community as well.

**Mary Hussman – Tasers.**

Mary Hussman, 5306 Rice Road, stated she had thought a report from the Police Department would be discussed tonight, but now understood it would not. She noted she would comment on the report that was submitted to the Council two weeks ago instead. She commented that she did not believe that report answered the questions of the public, which were whether tasers were safe, when and under what circumstances had they been and would they be used, and who held officers accountable if they were misused. The report did not contain any commitment to tighter or additional regulations. The potential for injury, death and liability tied to taser use remained high, especially since vulnerable populations could be tased. Columbia had no ban on tasing children, no limit on how many times an individual could be tased or how many officers could tase an individual at the same time. In addition, the report had no cost-benefit information or analysis to assist the Council and others in determining whether tasers actually saved money or to what degree they increased liability. The report was also silent on the subject of widely accepted advantages of community policing and the need for more training in tried and true conflict resolution and de-escalation techniques. Across the country, there had been hundreds of documented cases of people of little or no threat to an officer being tased because they were too slow to cooperate or because they were physically unable to do what they were told after being tased. She commented that many people had been tased in situations that could have easily been handled without tasing. She believed Columbia's loose, conflicting and subjective regulations and guidelines with no consequences for taser abuse confused the public and threatened to result in hasty high risk deployment in situations where a gun would never be used. While current regulations on paper might seem restrictive, the reality was that there were ways to get around the regulations. An officer just needed to give a reason because judgment was to be left open for them to weigh the nature and seriousness of the situation. She felt subjective regulations invited abuse and could easily escalate into taser overuse as a weapon of control

and punishment. Although the policy was flawed, she believed it could be fixed tonight by Council passing the resolution they had requested. It would require that tasers only be used in situations of imminent danger to the public or police, a public task force consisting of concerned citizens be created to study, evaluate and provide recommendations to the Council and no taser training to occur until after the recommendations were made. She submitted a petition with over 450 names and asked the Council to act tonight.

**Brenda Procter – Tasers.**

Brenda Procter, 903 W. Stewart Road, provided a handout and stated she wanted to speak to the issue of arming 40 additional police officers with tasers. She commented that she appreciated the protection of the police officers and understood they had a difficult job. Part of her concern was for the officers that were trained internally with curriculum from TASER International as the company was not in a position to be totally objective since it profited from taser sales and officer training. She understood Chief Dresner asserted that tasers prevented the use of force officer injuries, which was evidenced by the numbers that showed there had been only one officer injury in 2008 as compared to 26 in 2003. She questioned how use of force injury was defined, how they knew tasers were wholly or partially responsible for any reduction in injuries, whether there had been a sound statistical analysis of the numbers with consideration to other potential factors associated with the reduction, etc. If they were to accept those numbers at face value, she wondered how cost-effective it was to arm 40 additional officers with tasers to reduce one injury to zero injuries. She understood Chief Dresner indicated tasers were used to “stop a fight before it starts.” She stated she was not sure how they predicted a fight and thought innocent people were potentially being tased without the benefit of due process since the police officer was operating as judge and jury in situations of no imminent threat. She asked if it was worth limiting civil liberties to reduce officer injuries from one to zero. She also asked if people who were only suspected of or expected to commit a crime should potentially pay for that suspicion or expectation through a serious injury or potential loss of life. She believed these and other questions should be considered by a task force of ordinary citizens and asked the Council to delay the arming of additional officers until then.

**Edward Berg – Tasers.**

Ed Berg, 1215 S. Fairview, stated he was speaking in regard to the report that was filed by the Police Department and felt the first part of that report was a PR piece that had been put together to obtain the support of the community. He commented that they were here to discuss whether tasers should be increased in number. He understood the Council requested there be a comparison of taser rules and regulations with other cities, which was the second part of the report. He felt the report was meaningless because before they could compare the taser rules in Columbia with those that existed in another city, they had to know the rules and what was being followed by the police. As far as he could tell, there was no check by the Police Department as to officers using tasers in compliance with the regulations they had in effect. If they were not using it in compliance with the regulations, he believed it was meaningless for them to do a study to see how their rules compared with others. He felt

there was lack of oversight by the Police Department and the Council. In a democratic system, police officers were granted the right to use force, and citizens expected government oversight by an independent citizens group to determine whether it was being used properly. He did not believe that existed. If it did exist, it could be used to find out if compliance was taking place. Unfortunately, there was no data on a computer to determine this. If they wanted to find out if there was compliance, they had to go through each file separately. He commented that the rules and regulations on the use of tasers in Columbia were conflicting. There were specific requirements as to the use, but the rules also included a statement reading “The officer believes based upon specific and stated facts that the attempt to subdue the person using lesser force options are likely to be ineffective or the officer believes based upon specific and stated facts that it would be extremely dangerous for the officer to come within close proximity of the person.” This meant they could ignore the beginning restrictions. This was shown throughout the regulations. One paragraph would indicate they were restricted, but another paragraph would say the officer could decide, so there was no compliance or oversight.

**Sue Davis – Swimming Areas Availability and Safety Issues.**

Sue Davis, 2209 Creasy Springs Road, stated she loved the Twin Lakes swimming area and used to love the Stephens Lake swimming area when it was private and they had to pay to go there. If Twin Lakes and the Lake of the Woods swimming pool were closed, the only community swimming left would be at Oakland and Stephens. According to the Parks and Recreation Master Plan, Stephens Lake was designated for lower income people. That left Oakland for all of the rest. She commented that most parents would not take their children to Stephens Lake because there were no lifeguards and because it had an atmosphere of anything goes. She noted she had been there several times since Stephens Lake was redesigned, and in those times, she had observed nudity, alcohol, smoking, dogs in the lake and dangerous swimming practices with the park ranger and police having to be called. It was hardly a family atmosphere. She commented that statistics showed drowning increased when there were no lifeguards around and that lifeguards not only saved lives and prevented drowning, but also monitored behavior, in and out of the water. This provided safety for all and prevented accidents. In addition, if there were an accident, they would take care of it. She pointed out all of this had been present at Twin Lakes where there was a family atmosphere. One day this summer, there was a 2-3 year old little girl that had left her family at Pirates Cove to go over to the lake. It was okay because the lifeguards were watching her. She wondered what would have happened if that had occurred at Stephens Lake. From a monetary point of view, she believed the City stood to lose more money than it would save by closing Twin Lakes. She thought they should compare the revenue generated by Twin Lakes and Lake of the Woods despite a very wet summer with the revenue generated by the Stephens Lake swimming area. Closing Twin Lakes, which was a million dollar project, and handing patrons over to a private swimming club would be a loss of revenue for the City. She understood the cost of a family membership at Wilsons for the summer was \$500-600. She suggested Twin Lakes be available as a packaged deal with membership because the revenue would far exceed maintenance and would pay the costs

needed to keep Pirates Cove functioning. She stated that if her comments did not make an impact, she would beseech the Council to bring the closings to a public ballot so citizens could have a say.

**PUBLIC HEARINGS**

- B245-08**     Adopting the FY 2009 Budget for the Special Business District.
- B246-08**     Adopting the FY 2009 Budget.
- B258-08**     Amending Chapters 5 and 11 of the City Code as they relate to Public Health and Human Services Department fees.
- B259-08**     Amending Chapter 17 of the City Code relating to Parks and Recreation fees.
- B260-08**     Amending Chapters 13 and 22 of the City Code to increase sewage service utility rates.
- B261-08**     Amending Chapter 14 of the City Code to increase parking fees for unmetered off-street facilities.
- B262-08**     Amending Chapter 22 of the City Code relating to transportation fares.
- B263-08**     Amending Chapter 22 of the City Code to increase commercial service solid waste utility rates.
- B264-08**     Amending Chapter 22 of the City Code to increase wastewater connection fees.
- B265-08**     Amending Chapter 27 of the City Code to increase electric rates.
- B266-08**     Amending Chapter 27 of the City Code to increase water connection fees.
- B267-08**     Amending Chapter 27 of the City Code to increase water rates.

Bills B245-08 and B246-08 were given third reading and bills B258-08, B259-08, B260-08, B261-08, B262-08, B263-08, B264-08, B265-08, B266-08 and B267-08 were given second reading by the Clerk.

Mayor Hindman pointed out an amendment sheet that reflected changes to the budget as discussed by Council had been prepared. He noted the amendment sheet had not been adopted, so those amendments had not been made. He explained a public work session on the budget was scheduled for tomorrow afternoon at 3:00 p.m. They would primarily discuss items on the amendment sheet and any other items they might want to add to the amendment sheet. He noted it was a public process and the public was invited to witness that operation. He pointed out there would not be public comment at the work session tomorrow, so tonight was the time for the public to provide comments.

Mr. Skala noted another opportunity for the public to speak to this issue was at the September 15, 2008, although, at that point, they would likely only tweak it.

Mr. Watkins stated this was the second of three formal public hearings on the budget. The budget was the fiscal plan for the City government over the next year, starting October 1 and going through September. It included the capital and operating budgets. It was the entire financial blueprint for the City. As required by the Charter, the City Manager submitted a proposed budget to the Council. The Council, by Charter, was required to have its budget approved prior to the beginning of the fiscal year. The City Manager’s budget was staff’s best estimate of what they needed to do. He wanted the Council to review staff’s priorities and suggestions and to make the budget their own. He felt this Council was doing that and noted three very lengthy budget work sessions were held late last month. The budget was on the City’s website and they had talked about it at work sessions and with the media. This year’s budget was particularly tight. The understanding was that it was a zero sum gain, so if they added new programs, they had to find revenue within the budget. They were proposing a

number of fee and utility rate increases. Most of the fee increases were to simply keep up with various costs based on policies the Council had passed over the years. Most of the utility rate increases reflected voter approved capital projects. Four of the five percent proposed electric utility rate increase was due to the projected increased cost to purchase power. He stated he believed this was a sound and balanced budget and felt it addressed most of the issues they saw as critical. He explained in 2008, they balanced the budget by slashing equipment replacement. Most of that had been put back in, although the fiscal year 2009 budget did not reflect all of the equipment that was scheduled to be replaced in 2009 because funds were not available to do that. There was a modest pay proposal increase of 25 cents an hour plus the potential of performance pay depending upon individual employee performance.

He explained the amendment sheet was a compilation of the proposals the Council had talked about in terms of changes to the Manager's budget. Reductions included discontinuing membership to the Regional Planning Commission at \$25,000; eliminating the historic preservation revolving fund at \$25,000; reducing street lighting costs by \$100,000; reducing the recreation services operating subsidy from the general fund by \$52,000, which was accomplished by reducing the number of acres fertilized at Nickell and Lake of the Woods golf courses, closing the lake for swimming at Pirates Landing, reducing all outdoor aquatic facility hours by one hour per day and reducing program promotion communication funds; discontinuing membership in Sister Cities International at \$700; reducing the City Manager's miscellaneous contractual account by \$2,700; reducing the Finance Department's printing accounts by \$7,700; reducing annual uniform replacement and business card printing at the Police Department by \$25,800; reducing the Festival of the Arts budget by \$1,100; eliminating large stump grinding in parks by \$7,500; removing port-a-pots at the MKT Forum, MKT Scott, CCRA Nickell and Cosmo-Bethel Park at \$4,000; eliminating support for the Cosmo-Bethel winter trout fishing program at \$2,600; reducing the Public Works safety clean up program temporary help by \$27,800; and reducing the grant writing assistance and match reserve by \$7,250. These proposed reductions totaled \$414,150. Funds were proposed to be reallocated for growth management and the modernization of zoning codes at \$125,000; a sustainability director position for six months at \$60,000; an environmental health specialist to assist with the NRT program at \$60,000; an increase to the C.A.R.E program to the revised 2008 level at \$27,000; the limited restoration of the Paquin Tower recreation program with one full time equivalent recreation specialist at \$61,000; the reopening of the Lake of the Woods pool at \$13,400; an increase in recreation scholarships at \$20,000; the start of a community foundation at \$40,000; and the elimination of the bus fare increase at \$175,000. The additions totaled \$581,400, which left a gap of about \$167,000.

Mr. Skala explained the Council started with the City Manager's budget and felt they needed a reallocation scheme to combine several suggestions from Council members. It included \$125,000 from the reserve fund to a reallocation fund along with energy cost savings of \$100,000, etc. It was also suggested they cut 0.25 percent across the general fund account, which yielded about \$187,500. They reallocated many things that were absolutely essential back into the budget and shifted others around. He noted this was still a moving target as they still had public testimony tonight and a work session tomorrow.

Mayor Hindman opened the public hearing for the budget.

Max Lewis, Paquin Tower, Apt. 609, provided a handout of the list of programs offered by the Parks and Recreation Department to Paquin Tower and explained he was asking the Council to save the program by keeping it in the budget. He stated he had lived at Paquin Tower for over 20 years. He noted Paquin Tower was built in 1973 for persons with disabilities and the elderly. He commented that there were a lot of residents in the back and noted many of them had physical impairments. One of the programs, the elevated garden program, involved money the Council allotted to raise the garden so it was accessible. The residents used it every summer to grow all kinds of fruits and vegetables. The programs listed were things these people would not have because they had no other means. They could not travel miles, get rides or go anywhere else to do their gardening. He noted a gentleman asked him to tell the Council he could not ride the City bus to get to the grocery store as that was another program provided by the Parks and Recreation Department. AARP came to Paquin Tower via Parks and Recreation as well. He reiterated these programs were difficult for residents to obtain other than through the Parks and Recreation Department. He implored the Council to keep the recreation services of Paquin Tower in the budget because it meant everything to them. Without it, their lives were so much less.

Bob Pund, 1521 E. Walnut, stated he had been a resident of Paquin Tower and understood the Council had to make some very difficult decisions. He agreed money was very precious and noted he believed the money was being spent very wisely on this program. It had a tremendous impact on the people who lived at Paquin Tower and others as it was not restricted to those that lived there. He felt it was essential for the people that lived at Paquin because it was their window to the world in many cases. If this program was shut down, their window would be closed. He thought it was essential to keep that window open because he believed it would be shut forever once it closed. He reiterated these services did so much for so many people. It was not just a pottery class. Bus loads of people went to the grocery store at the same time. He commented that he sometimes rode on paratransit buses or took his own van, but it was not efficient because it was only one person going at one time. Without it, many people might not go to the store at all because they might not be able to ride the City bus, did not have assistance or did not feel comfortable. A lot of people took being able to go to the store or a ballgame or being independent for granted. Many people did not have that same independence and without this program they would not have that independence.

Aimee Wehmeier, 3803 Jungle Tree Drive, provided a handout and stated she was in support of maintaining the Paquin Tower recreation program. It was her understanding the program had been around for almost 40 years and that Columbia residents with disabilities participated in activities over 3,500 times on a monthly basis. As a person with a disability and as a director of an agency that served people with disabilities, she wanted to emphasize the importance of accessible recreation for all people. Recreation and physical activity improved everyone's quality of life. She believed this program was a demonstration of the City's commitment to diversity. Limited resources and limited mobility were important factors when considering the impact on people with disabilities. Because many State funded programs had been cut, there were few resources to fill the gap. As a result, many residents

living at Paquin and in the community were anxious about the lack of affordable accessible recreational activities. Currently many participants had individualized needs that were being accommodated by the Paquin recreational program. She understood the current economy and the push to do more with less. However, it was difficult for her to understand a proposal that would eliminate an \$88,000 program without offering an alternative of first reducing funding in order to allow time to create a plan. She was relieved to find out the Council was working toward restoring partial funding. The Services for Independent Living had a tentative preliminary meeting with the Parks and Recreation Department to discuss how they could partner to sustain the program. She stated they were committed to ensuring the health, safety and welfare of people with disabilities, so it made sense to endorse a program that influenced wellness and healthy living.

Sean Spence, 1106-B East Broadway, stated the Paquin Tower Residents Association asked him to play a role in assisting with this situation due to the value of this program to its residents with regard to the need it filled. He commented that he believed the Council had been presented with a false deadline. He did not believe any member of the Council would have asked to cut the \$100,000 for this program, which had been funded for 38 years. He believed the program was offered by the City Manager with the best intentions of trying to balance all needs, but did not think the speed of the decision making process left them with the best result. He stated he thought this was a City that came together to solve problems extremely well when given the opportunity. If the City took the time to solve this problem by seeing what resources the City, Services for Independent Living, the Columbia Housing Authority and private organizations and individuals had, he believed they could create a program that was every bit as good or better than what Paquin currently enjoyed. He and others felt the best way to do this was to allow it to exist in its current state for the next year rather than making a 30 percent cut. He understood they were not talking about restoring 70 percent because that cut had not been made. It was only on the table. They were talking about the Council making the decision to cut a program that had been funded for 38 years by 30 percent. He did not think they would have done it if they were left to their own devices. He asked the Council to give the community time to marshal its resources and create a better program.

Richard Craghead, 1201 Paquin, Apt. 1006, stated there was a saying that a picture was worth 1,000 words, so he brought a couple of paintings that were done in their acrylic painting class. The first one was done by Dana Miller, who was a quadriplegic with limited use of her arms. She had a wrist guard to which she velcroed a paintbrush and painted by moving her arms. The other was done by Sarah Tantie, an immigrant from China who was 99 years old. These two women had to paint at Paquin because they were not able to go out to other areas. They were limited to that location. He noted there were a lot of programs offered to include the Hickman High School special needs class coming to Paquin once a week to do ceramics and interact with the residents. This helped the residents and students in becoming better people. There was also a 100 hat program in which the residents knitted hats to take to various shelters during the Christmas season. It was a way they could give back to the community as much as the community gave to them.

Charles Dudley, Jr., 1201 Paquin Street, Apt. 1514, provided a petition with over 200 signatures of people who wanted to keep the program and noted the two positions the City was considering cutting were needed. Those two employees had a huge wealth of knowledge. One was an office assistant named Rosie, who was also handicapped. She had a lot of knowledge with regard to referrals and the law because she had been through the system all of her life. There was talk of replacing her with a volunteer and he did not feel a volunteer would come close to her wealth of knowledge. The other was a transportation employee named Jim, who was Rosie's husband. He knew the residents and their needs. He did not feel getting rid of him was in the best interest of the City because he was a quality employee.

Helen Sherrod, 301 Hirth Avenue, stated she was a former resident of Paquin Tower and was proud to say it was because of the Parks and Recreation Department being at Paquin Tower for so long that she was no longer as disabled as she used to be. She was to the point she no longer needed to live there and was able to purchase her own home and live on her own. She knew the program that had helped her was still helping other people. She noted she still participated in the program by attending in the ceramics class. She commented that the Parks and Recreation Department did not just have able bodied people as employees, but people that helped the residents better themselves. If it were not for the recreation program she did not know where she would be. She did not think the value of that program should be judged solely in dollars and cents. They had to include the people factor. The majority of the people at Paquin were disabled and could not afford higher priced activities. It was why they were in that building. She stated others came as well. She explained that every year a family from Germany came to visit their Columbia family and participated in the ceramics program at Paquin to make their handmade souvenirs. There were others from around town that came and participated in the program as well. She commented that her Paquin Grandmas helped her appreciate family and the recreation program helped her develop to the point she was employed part time and was able to do things. She stated the recreation program was vitally needed at that facility.

Karen Davis stated she lived at Paquin Tower and used the recreation program on a monthly basis. She was looking at the monthly calendar this morning and there were Wii games three times this month. Those were television computer games with bowling and baseball, which were great for eye-hand coordination and socialization. Every morning there was a coffee chat, which was another opportunity to get to know the neighbors. There were outings to restaurants she could not get to without the Parks and Recreation Department. In addition, it would not be fun to go alone. She enjoyed going to restaurants as much as her budget allowed. The restaurants were chosen by vote at the rec-council meetings. She noted a fishing trip, a trip to Amish country and trips to Coopers Landing and the Heritage Festival were planned this month. In addition, there were ceramic classes just about every day. As previously mentioned, the young people with disabilities came from Hickman to take part in it. She explained the ceramics program at Parkade was incorporated into the program at Paquin, so those people now came to Paquin for their ceramics. Since there was no other ceramics program in the Parks and Recreation Department system, it would be a great loss to the community if the program was lost. The Parks and Recreation Department also helped

with community outreach programs, such as the Santa Hotline that residents signed up to participate in. At Easter, little children from several schools came in to have an egg hunt with the Easter bunny. In the fall, model train owners filled the lobby with miniature landscapes full of trains. She stated she tended to stay in her room isolated from her neighbors, so a part of her mental health plan involved getting out and socializing with others and this program gave her many opportunities to do so. She also had the opportunity to learn new crafts and skills. She noted it was heartwarming to go to the Parks and Recreation office knowing she would be greeted with a smile. She commented that they were more than friends, they were family. She asked the Council to save the program, not just for Paquin, but for Columbia, because both would lose if the program was lost.

Orene Henderson, Apt. 613 at Paquin Tower, stated everyone was talking about going to stores, restaurants and other places, which was wonderful because they would otherwise not be able to go to those places. They would have to sit in their rooms with nothing to do. She commented that they were not just handicapped or people with mental disabilities. They were a family. They cared about each other and checked on each other. They helped each other as well. She noted they loved one another, argued like a regular family at times and were there if needed. There were a lot of things they tried to do and wanted to do, but were unable to do. She pointed out they still tried because they wanted to be like everyone else. They wanted to live in peace and be able to do some of the things they used to do, such as go to a movie or go out to eat. The administrator always found the cheapest place for them to eat and the cheapest movies. She asked the Council to give them a chance to be free again and noted they did not have anything else.

Robin Remington, 503 Taylor Street, stated she never had much to do with Paquin per se, but commented that her twin brother fell and hit his head at the age of 19. He had major brain damage and spent almost 40 years in a mental hospital. She felt the unwritten cost of this was the cost of people with great dignity, talent, artistic genius, etc. being trapped in a body that was not allowed to express that genius. These were people who had amazing things to contribute to the community and who gained dignity from that contribution. This program had, to a very large degree, enabled them to make that contribution. The downside of doing things that made them feel inferior, insecure and of no value was that they began to suffer clinical depression and functioned less well than they could, causing them to eventually wind up in mental hospitals when they did not need to be there. At Paquin, they had a loving family they could count on. She thought that family could be publicized much more effectively in order to get more private contributions. Being role models for young disabled people at Hickman allowed them to show the young there was life out there. It was indispensable in terms of the value they brought to the community. She asked the Council to provide a year for them to work their situation out and for additional planning from the City to help them do that.

Phil Steinhaus stated he was the CEO of the Columbia Housing Authority (CHA), whose offices were at 201 Switzler, and thanked the Council for considering the maintenance of this program. He understood they were facing difficult budget decisions with many competing interests as the community continued to grow. He explained the CHA had a long history of working with the City of Columbia in serving low income populations in the

community and residents with disabilities at Paquin Tower. The Parks and Recreation Department program provided many opportunities for socialization, independent living and engaging people in community life. It was a unique program as it was offered in a fully accessible facility and they were glad to offer that facility for the Parks and Recreation Department's use in order to serve the residents and others that lived nearby. He noted it was open to people in the community and in a very accessible location. He stated they were looking forward to working with the City in the coming year to see if they could find other options to continue supporting this program. He believed there were opportunities to develop additional community partnerships and look at volunteer opportunities to would help support the program. He pledged to work with the City in the future in order to keep the program going. He noted HUD did not provide any funding through CHA to provide this type of service to its residents. They strictly provided program housing operation funds in order to maintain the facilities, and those funds could not be used to provide recreational programs for their residents. Since he had been with the CHA, one of their goals was to raise additional funds through their not-for-profit organization in order to provide these types of opportunities for the residents at Paquin Tower, Oak Towers and their family sites. He stated his appreciation for the Council's continued support and hard work on this issue.

Mayor Hindman commented that the Council had discussed restoring a limited recreation program to Paquin Tower in the amount of \$61,000 and asked if it was reasonable to think that amount could be supplemented with other contributions in order to keep the program at its present level. Mr. Steinhaus replied he had not looked at the breakdown of every budget item, but noted the transportation portion of the program was something they could not make up with volunteers. If the \$61,000 would eliminate some of the transportation to grocery stores, etc., which helped people remain living independently, he thought that would be hard to make up with volunteers. He stated the CHA had two vans, which they used to help residents at Oak and Paquin Towers to access medical appointments, shopping and other life necessities, but they were not as large as the Parks and Recreation vehicle, so it would not provide the socialization outing opportunities. He thought they had opportunities to engage in service learning projects. They had some great programs with the nursing school, such as the Walk a Hound Lose a Pound program. He thought there were other opportunities, such as engaging with occupational therapy students or art students, for service learning programs and other activities to expand services to the residents. He noted he personally wanted to see them expand services to residents in Oak Towers and stated the Parks and Recreation Department had previously had a program there for many years as well.

Mr. Janku understood they had vans and asked if they had a vehicle similar in size to the one the Parks and Recreation Department had, if they would be able to operate it with their own funds. Mr. Steinhaus replied they would still have to come up with an operating subsidy to pay for gas, maintenance and drivers. Mr. Janku understood they had vans they currently operated. Mr. Steinhaus stated they did and noted they could probably incorporate it under their current insurance and liability policies. Mayor Hindman asked if they could come up with the drivers. Mr. Steinhaus replied they would certainly work at it. He thought those were good options and stated they were willing participate in discussions on it. In

addition, they were willing to put any resources they had to help leverage the support of these programs on the table.

Mr. Sturtz asked if there was an estimate of how many rides were offered each year from Paquin to different locations by the Parks and Recreation Department. Mr. Steinhaus replied he did not know. Mr. Sturtz noted he received a report from MU, who operated a volunteer organization called Stripes that provided a way to transport students late at night. For about \$40,000 each year, they were able to do about 60,000 rides between the hours of 10:00 p.m. and 2:00 a.m. He wondered if a partnership like that could be done so they could be more efficient. Mr. Steinhaus stated he was open to any suggestions. He understood the Stripes program partnered with a taxi service in town and pointed out providing accessible transportation was more expensive. He explained one of their vans was lift accessible and could transport two persons in wheelchairs. Picking up six students at a bar and taking them home was a lot cheaper than transporting six residents from Paquin to the grocery store and back.

Mr. Skala commented that in his discussions with the people of Paquin, one of the vital responsibilities that the Parks and Recreation Department had assumed was to take the residents to the grocery store so they could buy their groceries and bring them back to Paquin Tower, which was not something they could do by taking advantage of the public transportation system. He asked if that was the type of thing the CHA could take a close look at. They were obviously doing some very laudable things in terms of doctor appointments and vital medical issues. He saw this as a similar issue and wondered if the CHA would be willing to take a close look at it in terms of augmenting what it was they were trying to do for this program to ensure it survived. Mr. Steinhaus stated yes. He noted transportation costs were continuing to increase and the price of gas was hurting everyone's budget. He stated they were willing to look at it, but pointed out it was an expensive service to provide and one that could not be made up with volunteers. He explained they had attempted to get those needs met in other ways. They were looking into the re-establishing food pantries at Paquin and Oak Towers. They also had a couple of office spaces they made available to community agencies, so they could meet with clients there rather than requiring the clients to go out when they needed therapy, counseling sessions or other types of services.

Mr. Wade stated he was very surprised to find out this program was being provided by Parks and Recreation Department rather than it being a normal part of operations. He was further surprised to find there was nothing like it at Oak Towers. He commented that every special needs housing he knew of except for Oak Towers and Paquin included, as part of their management, recreation, social services and the fundamental shopping services needed to meet the basic needs of life. He was surprised the CHA did not view this as their responsibility. He stated he began working with HUD programs in the 1960's and was surprised HUD did not realize special needs housing was not just the physical facility because they had realized it in the past. He noted the Police Department recently sent a letter to the Columbia Public Schools indicating they had been picking up the full cost of something that should be a shared cost and the Schools instant response was that they needed talk about this because it was something that needed to be done. He commented that every conversation he had with the CHA had been defensive versus seeing how this

could be worked out. Mr. Steinhaus' presentation tonight was the first indication he had received that the CHA wanted to come to the table to work out collaboration. He hoped it would be done with a financial interest. He stated there was no question with regard to the need for programming. Every special needs housing understood that was essential for people to live a descent life. He wanted to know where at the table the CHA was. He hoped they had more than just excuses indicating they could not do this. It seemed to be a fundamental service, which only existed because the City of Columbia Parks and Recreation Department and taxpayers had been subsidizing it since 1973. He hoped they could go somewhere with this so the CHA would begin to ask what their responsibility was. Mr. Steinhaus stated he was not sure who he talked to at the CHA. Mr. Wade stated he talked to someone on the Board. Mr. Steinhaus noted he would be more than happy to go over the financial records with them. Mr. Wade stated he was not challenging that. He wanted people to come to the table to work out a solution. Mr. Steinhaus commented that he had been intimating that the CHA should have been providing this all along, but they had not received funding for it. In reviewing the history of the agreements he had found that went back the late 1970's, there was discussion of the desire of the City's Parks and Recreation Department to expand services to better serve persons with disabilities and they saw Paquin Tower and Oak Towers as great opportunities where free space was being made available to them to better serve those residents in the community. He did not believe it was any different than using the free space that was available at the schools and churches to serve various targeted populations throughout the community. They had programs that served youth and targeted those in schools. The programs that served seniors were targeted at senior citizen centers or churches. The CHA was making space available here for programs that would serve persons with disabilities or seniors where there was a high concentration of low income persons with disabilities and senior citizens. This was how it had evolved over time and he thought it was a great partnership. He noted the CHA was formed by the City of Columbia to take care of the housing needs of low income people, but they had never been funded by HUD to provide all of these extra services. Their highest priority was the safety of their residents. They spent half of their capital fund to just meet operating needs. Mr. Wade stated this was part of what surprised him. The special needs housing he knew of considered this a fundamental service to the operation of the facility rather than an extra service. Mr. Steinhaus asked if that was the case in public housing. Mr. Wade replied he did not know about public housing, but it was the case for every other special needs facility he knew. Mr. Steinhaus stated public housing served a special population with very fixed income and they were not able to raise rents to provide additional programs. The HUD operating subsidy was calculated and the CHA was told how much money they would receive to run the program. They paid the difference of whatever was taken in on rent. If they raised rents, HUD would lower its operating subsidy. He noted their hands were tied, which was why they were going the not-for-profit route to raise additional funds through a 501(c)(3) to develop additional support for their program. He understood the Council was faced with difficult decisions and really appreciated the way everyone had given this a lot of thought. He also appreciated their ongoing support. He pointed out they had good collaboration with the City of Columbia and he appreciated all of the support they had received.

Alyce Turner, 1204 Fieldcrest, stated she was speaking as an individual and as a member of the Environment and Energy Commission as they were currently studying regional transportation needs. Unmet transportation needs was always serious, but particularly serious with rising transportation costs. In early August, Steve Tatlow of the Boone County Community Partnership addressed the Council during public comment about the Mid-Missouri Transit Pilot Project, which would link the five largest cities in Boone County with the Columbia bus system and terminal. It would also link the Columbia Regional Airport, Amtrak in Jefferson City and JeffTran in Jefferson City, if both loops were established. The northern loop would end in Columbia and a southern loop would start at the Columbia bus station and go to Jefferson City. She commented that she worked for the State of Missouri and there were almost 2,000 people from the City of Columbia who drove 70 miles to Jefferson City everyday. There were 2,000 more people in the County. She explained there was a City bus in the late 1970's and the Greyhound in the 1980's, but in 2008, there was no way to get there. When she broke her left ankle in late June, she began thinking about this and realized how vulnerable people were in getting around this County and to work. She also felt the leadership of Columbia in decreasing the carbon imprint as a community was really important and asked the Council to consider passing some type of support for this project. She suggested they start with the southern loop, which would begin in Columbia, stop in Ashland and go to Jefferson City, by pledging support or looking for funding. She realized these were tight times, but believed this was critical for thousands of people. She noted it would only become more critical because gas prices were going up and people were having a harder time getting to their jobs and other places. She felt this should start with Columbia because they were the leader. She reiterated this was important to a lot of people and would be linked to creating infrastructure that was really needed.

Ms. Turner stated she swam at Stephens Lake and was impressed with how orderly it was this summer.

Mr. Skala understood there had been several attempts at this, but they had not been successful over the years. He also understood one of the sticking points involved Jefferson City because a lot of the State offices were well distributed, so some of this was dependant on an interim step between the terminal at Jefferson City and the places people needed to go. He asked if this discussion had been extended to Jefferson City. Ms. Turner replied she could not get in touch with Mr. Tatlow today, but understood the plan was to have it connect to JeffTran, which at the Jefferson City mall. She did not know if the Jefferson City Council had been approached. She understood he had approached other cities and Centralia and Ashland had made a pledge. They were only pledges and would not be money until funds were raised. She stated she also understood the project could go on-line in 30-60 days if funding was found for either loop. The estimates involved about 15,000 people passing through Columbia to Jefferson City per day and about 10,000 coming from the other direction. She did not know if there had been discussions, but noted she would ask Mr. Tatlow. She stated Columbia was the hub of Boone County and was very important in moving this forward as a pilot project. She thought a resolution of looking for support and funding would help.

Ruth Vickery, 202 Sieville, stated she had been a resident at Paquin Tower from 1999 to last December and was the President of the Association for one year and Secretary of the Recreation Association for several years. She noted she was very active in the recreation program and was on the bus almost every time it left Paquin Tower. She explained her husband, who was diabetic and without any legs, died in April of 2006 and she had taken care of him. She noted they were both very active. She believed these people would have nothing if the City took this program away. They would have to change their lifestyles. She stated she had to change her lifestyle when she moved out of Paquin. She commented that she had been an epileptic since she was four years old and could not drive. She stated she had a Masters degree in Education, had taught school and worked with the handicapped and disabled. She asked the Council to not take their lifestyle away from them.

Beverly Kipper, 811 Hulen, stated she was in support of maintaining the budget for Paquin as it had been for at least another year and until some of the good suggestions that were being explored could be worked out. Paquin had people with massive challenges and very limited resources. She believed the field of therapeutic recreation was well documented as well as the people's experiences here as everyone was talking about the needs they had. She felt providing a year to work out possible alternatives that existed would be much healthier. She commented that this was not a question of belt tightening, but a situation of reducing or taking this away, which would result in a massive change in the ability of these residents to function and be as healthy as they possibly could. She was appalled when she first heard this was being proposed for Paquin because she believed a measure of society was how they treated their least able. This was not the Columbia she loved.

Mike Martin, 206 S. Glenwood, stated he was in support of the Paquin Tower program and congratulated the Council for taking the initiative to set up the reallocation fund. He felt the reallocation fund brought the representatives back to the people. He stated the newspaper editor suggested that by having this fund, the Council was ripping off the insulation that surrounded them and was exposing themselves to contentious special interest groups. He did not agree. He congratulated the Council for taking control of the 0.1-0.3 percent of the City budget. It was enough money to do some good, but not large enough for any real contentious lobbyists to worry about. He believed what they had seen tonight with regard to Paquin Tower was a perfect example of why this was so important. From a representative standpoint, after listening to these people, he stated he would be thinking about increasing the amount of money in that program. He felt the conversation between Mr. Wade and Mr. Steinhaus was a wonderful example of a conversation between a legislator and an executive with regard to the need to solve a problem. He believed this was a conversation that needed to happen 20 years ago. The legislative branch was stepping in and saying they needed a little more control because they were the eyes and ears of the people. He felt the list of priorities the Council set out for the reallocation fund was the perfect example of the priorities people had. He asked the Council to increase the Paquin Tower recreation fund and to work with Mr. Steinhaus in getting more funding to keep it going.

Brian Treece, 2301 Bluff Pointe, stated he was speaking as the Chair of the Historic Preservation Commission (HPC) and explained, in March of this year, the Council approved

new powers and duties for the Commission for the first time in ten years. In addition to those new powers and duties, the Council had assigned the HPC with several new responsibilities for which there was no funding. He explained the City currently owned several historic buildings that were in need of restoration and reuse. The HPC's recommendation and solution to the problem was to create a revolving fund, which was similar to the City's New Century Fund. There was a line item in the proposed budget for seed money for this revolving fund, but it was also one of the items on the list used to create the reallocation fund. The HPC had just finished meeting and had approved his testimony and recommendation to restore this funding for buildings currently in need of restoration and reuse.

Ms. Hoppe asked for specifics on what the Commission would not be able to accomplish this next year without those funds. Mr. Treece replied part of their recommendation to the Council was to do something with some of the most notable properties, such as the Corner Grocery Store. The City currently owned the property, but did not have the funds or the expertise to manage the restoration and reuse of that building. It would continue to deteriorate if immediate attention was not given to it. They had developed an arms-length entity that had a broad-based solution and representation from bankers, architects, realtors and people that knew what they were doing with these types of facilities. Their intent was to have a revolving fund where money was deposited into the revolving fund for reuse and the building was leased out for some type of adaptive reuse where profits were put back into the revolving fund, so they could be used to self-sustain additional historic properties in the City.

Mr. Skala asked for clarification on the amount of the request. Mr. Treece replied the amount requested was \$75,000 and the proposed amount in the budget was \$25,000.

Dick Parker, 215 Sexton Avenue, stated the Integrated Resource Plan created by Burns and McDonnell had just passed through the Power Supply Task Force, but had not made it to the Council yet. One of the main recommendations was to implement the demand side management programs outlined in Appendix E, add staff as necessary to aggressively pursue these programs and work through the existing building stock over the next ten years. In the Water and Light Department's budget request, there were two positions in the Utility Services Division to pursue the existing demand side management programs, not the larger program recommended in Appendix E. Those two positions were not in the budget that reached Council. He felt those two positions needed to be restored. He pointed out they did not come out of the money being discussed in terms of reallocation because they came from the enterprise fund within the Department. He understood demand side management cost money, but typically about half was saved by not having to pay for the energy that was saved. In addition, the money that was spent would be spent in Columbia rather than being shipped out to a place where the power was being generated. He did not think the City should be telling Columbia Water and Light they could not spend this money, which they knew would save the citizens of Columbia money. He asked the Council to put those positions back into the budget.

Mr. Parker stated he also wanted to comment on raising the bus fare. He commented that all transportation systems worked with subsidies from monies that were not directly derived from that transportation system. The cost of streets in Columbia was not covered by

the gas tax they received. The cost of buses was not covered by the fares received and these costs were going up because of the increasing price of fuel. The cost of the airport was not covered by the fees received as well. The difficulty he had was the idea that when there was a shortfall, they would make up part of that difference by increasing the cost of the system that was used by the poorest members of the community. He noted the airport budget had a subsidy of over \$400 per round trip and only \$85 came from City funds. He asked the Council to not charge the poor to support the travel of the richer people in the community.

David Foley, Paquin Tower, understood the Council would not be here unless they wanted to make a difference. He stated Paquin Tower was his springboard for being active in the community and had lived there for 10-12 years. He stated he thought Paquin needed more money than they had now.

Brent Lowenberg, 210 Russell Boulevard, stated he was a former manager of Paquin Tower and had worked in Columbia for 30 years as a case worker with the elderly and disabled. Many of these people, when he first met them, were in their rooms, did not get out, did very little and were depressed. When they had the meal program at Paquin, which they no longer had, people were coming down. They also came down for the mail and recreation. The recreation program gave them something to do. These people could not get out to the greater community like the rest of us could. He thought the City needed to continue full funding and noted it sounded as though there might be other ways to find other funds in the coming year through CHA, Services for Independent Living, Boone County Family Support, etc. He agreed transportation was a big issue and hoped they could keep the bus fare at the same price so it could be accessed. He did not think they would solve the transportation issue immediately and if they made the cuts, the people at Paquin would not get out and have the quality of life they had now. He hoped the City could continue subsidizing it in the same amount because it was a very vulnerable population. He understood they subsidized developers, commercial interests and the airport to a greater extent than they were subsidizing these individuals that had no place else to turn.

Mr. Lowenberg asked the Council to find \$10,000 for utility assistance as well. Until last year, they allocated \$10,000 of general revenues to the Health Department to help low income families, the elderly and the disabled to pay their utility bills. He believed the Cash and Help programs, which consisted of donations, generated about \$2,500 per month per program, but that money was usually spent within a week. There were not enough funds from the State or Federal government to meet all of the needs. The \$10,000 would help a few more people meet some of their needs. He asked the Council to consider some additional money for utility assistance at their next work session and to keep Paquin funded.

There being no further comment, Mayor Hindman continued the public hearing to the September 15, 2008 Council meeting.

**(A) Voluntary annexation of property located on the southeast side of State Route KK, west of Red River Drive.**

Item A was read by the Clerk.

Mr. Watkins explained this public hearing was required by State law. No vote was expected this evening. The request was for the voluntary annexation of about 3.65 acres, south of the present City limits. The applicant requested R-1 zoning, which was a one family dwelling district. The site was currently zoned Boone County A-2, agricultural district, and was not equivalent to R-1 zoning. It had a 2.5 acre minimum lot size for single family residential development. He understood the reason for annexation was the ability to hook onto the City sewer system, which was adjacent.

Mayor Hindman opened the public hearing.

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

## **OLD BUSINESS**

### **B222-08 Amending Chapter 27 of the City Code as it relates to water service line tap fees for sprinkler systems.**

Mayor Hindman noted this item was withdrawn per staff request.

### **B250-08 Authorizing an agreement with Black & Veatch Corporation for engineering services relating to final design and bid phase services for the Columbia Regional Wastewater Treatment Facility; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would allow the City Manager to execute an agreement with Black and Veatch for engineering services for the final design of the Columbia Regional Wastewater Treatment facility improvements. These were the improvements the voters approved earlier this year in the wastewater ballot issue. The total not to exceed amount of this agreement for engineering services was \$3,580,000. He pointed out this ordinance would also appropriate funds from the sewer utility for these services.

Mayor Hindman asked if there was any issue left with regard to the trihalomethanes they had found in the water that would affect this design. Mr. Glascock replied they had talked with the University and he thought that had been cleared up. Mayor Hindman understood it was okay to design it at this point. Mr. Glascock stated that was correct.

B250-08 was given third reading with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

### **B252-08 Amending Chapter 14 of the City Code to prohibit parking along a section of Clinkscales Road.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was an issue the Council had brought forward through a report and now as an ordinance. This would prohibit parking at all times along the west side of Clinkscales Road from I-70 Drive Southwest to Patsy Lane to solve a traffic congestion problem that had become fairly large. Mr. Glascock pointed out it also involved the first couple hundred feet on the east side as well.

Mr. Janku stated he had been contacted by constituents a number of times about the problem at this intersection. It was troublesome because people were trying to make the turn on and off of I-70 Drive, which was a relatively busy street. They did not need the congestion

at that point, particularly with school buses that were trying to access the junior high school down the street.

B252-08 was given third reading with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B255-08 Authorizing an agreement with Boone Hospital Center for William Street improvements.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a development agreement between the City and Boone Hospital Center. The City would use about \$614,000 to match over \$1.5 million of Boone Hospital Center money for improvements on William Street. Staff felt if they were going to underground the utilities in that area, now was the time since it would be torn up. They believed the sidewalks were a reasonable City addition to the project and that it was also reasonable for the City to address the intersection improvements to William and Broadway. He noted the improvements were not expected to come to fruition until the fall of 2010, so it would allow for about two years for planning. These funds were included in the CIP for fiscal year 2010.

Mayor Hindman asked if it would be charged to the undergrounding fund. Mr. Watkins replied they were proposing in the CIP that the money come from the electric utility for the undergrounding. He thought it would be about \$300,000. The balance would come from street and sidewalk accounts.

Tom Schnieder, an attorney with offices at 11 N. Seventh Street, stated he represented the Board of Trustees of Boone County Hospital and noted they previously made a fairly detailed powerpoint presentation concerning the details of the reconstruction of the streetscape in question. They wanted to partner with the City of Columbia in connection with the streetscape, which was part of the overall \$125 million Hospital expansion. They believed this would be a tremendous addition of the East Campus area. He noted this involved building a seven story LEED certified patient tower consisting of 128 private rooms as well as the new parking structure across the street, which would house more than 950 spaces.

Tom Brooks-Pilling of Parsons Brinckerhoff with offices at 1831 Chestnut, St. Louis, Missouri, provided a powerpoint presentation and described the area this project affected. He stated the new parking garage was under construction and showed where the new patient tower was located as well as the current patient drop off area. He explained the specific improvements they were asking the City to assist with included the development and implementation of a new intersection configuration at East Broadway to provide a dedicated right turn lane, dedicated through lane heading north, dedicated left turn lane and through lanes for southbound traffic on William Street. As they moved south, they were constructing a new eight foot wide pedestrian lane on the west side of William Street. On the east side of William Street, there would be a five foot sidewalk. Those would both be separated from William Street by four and one half foot and five foot wide buffer strip with landscaping. There would be a round-a-bout at the intersection of William and Bass that would provide

traffic calming and help direct people into the parking structure entrance, into the hospital entrance or on through to Anthony. This development included undergrounding utilities along the full length of William Street as well as the first 200 feet west of William on Bass. The elements included new site lighting, which was not City standard lighting. It would be lighting that was purchased, paid for and operated by the Hospital. There would also be some architectural and street elements. He noted this project involved a high degree of landscaping, which would help create an interesting and beautiful corridor. A new pedestrian bridge would be constructed to connect the parking garage to the new patient tower.

Mr. Skala thought the lights looked fantastic, but asked about the scale of those lights. He understood they were 24 foot standards. He commented that there was always a trade off between traffic and pedestrian scale. He stated he would personally be happier with something less than 20 feet and noted they had to take into consideration there were residential neighborhoods in this area. He understood the Hospital would be willing to consider a lesser scale and stated he would encourage them to do so. Mr. Brooks-Pilling stated they would be happy to explore it.

Ms. Hoppe asked what type of trees they were looking at planting for the road landscaping. Mr. Brooks-Pilling replied Harry Lauder's Walking Sticks, Barton Junipers, Red Oaks, Homestead Smooth Leaf Elms and Fringe Trees.

Ms. Hoppe commended Boone Hospital on their plan, which she believed was well thought out, and for their communications with the neighborhoods. She understood the East Campus Neighborhood thought this was a great addition to the area.

Mr. Skala understood the Hospital would contribute \$1.5 million to this public-private partnership and the City would contribute about \$600,000. Mr. Watkins stated that was correct. Mr. Skala stated that was the kind of public-private partnership he appreciated. He thought this was an example of the ideal support. He commented that they usually had to ask for additional support and these ratios made sense with regard to a public-private partnership. He stated he was happy to support the project.

Mr. Boeckmann pointed out there was a difference between the numbers on the sidewalk widths, landscaping widths, etc. within the presentation compared to what was included in the packet. He did not think it was necessary to amend it. He just wanted to point it out. The six foot wide sidewalk was now a five foot sidewalk because there was not enough space to fit everything in. In addition, the five foot landscape buffer would be four and one half feet instead. Mayor Hindman agreed it was mentioned in the presentation.

B255-08 was given third reading with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. 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.

**B247-08**     **Approving the Final Plat of Academy Village Plat 1 located on the southeast corner of Green Meadows Road and Providence Outer Roadway.**

- B248-08**     Approving the Final Plat of Concorde Office & Industrial Plaza Plat 14-B, a Replat of Lot 29, Concorde Office & Industrial Plaza Plat 14 and Lot 28B, Concorde Office & Industrial Plaza Plat 14-A located on the north and east sides of Maquire Boulevard; authorizing a performance contract.
  
- B249-08**     Calling for bids for construction of the Rutledge Drive/Weymeyer Drive storm water management project.
  
- B251-08**     Authorizing an agreement with Engineering Surveys and Services for engineering services relating to City contracted sewer district projects.
  
- B253-08**     Accepting conveyances for sidewalk, storm sewer, underground and temporary construction purposes.
  
- B254-08**     Accepting conveyances for utility purposes.
  
- B256-08**     Accepting a grant from the Mid-Missouri Solid Waste Management District for a seasonal beverage container recycling project; appropriating funds.
  
- B257-08**     Appropriating Share the Light Program funds for the purchase of volunteer uniforms and equipment for the Police Department.
  
- B268-08**     Authorizing an intergovernmental cooperation agreement with Rock Bridge Center Transportation Development District and TKG Rock Bridge, L.L.C.
  
- R196-08**     Authorizing an agreement with the Missouri Department of Health and Senior Services for the LPHA teen outreach program.
  
- R197-08**     Authorizing an agreement with Commerce Bank, N.A. for the subordination of a CDBG loan for property located at 2101 Vandiver Drive.
  
- R198-08**     Expressing support for the second phase of the Bethel Ridge housing development for senior citizens.

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

**NEW BUSINESS**

- R199-08**     Authorizing a Certified Local Government Historic Preservation Grant application to the Missouri Department of Natural Resources for assistance in developing education and outreach materials.

The resolution was read by the Clerk.

Mr. Watkins explained this would provide authorization to apply for some State historic preservation grants, which was something they generally did every year. Due to the funding cycle at the State, the Council would be authorizing staff to make an application based upon money in the fiscal year 2009 budget. Matching funds for this grant application were within the fiscal year 2009 budget. If for some reason the Council saw fit to cut those matching funds, they would withdraw the grant application. The deadline was such that they needed to proceed now.

Mr. Teddy explained the purpose of the resolution was to authorize the application as well as commit to the local match. Another requirement of the application was the Historic

Preservation Commission endorsement of the application, which he believed had been done at their meeting tonight. Staff had submitted a pre-application to the State Historic Preservation Office on behalf of the Historic Preservation Commission. They prescreened the project submittal and deemed it was an eligible activity, but did not indicate the odds on the City's chances for funding.

Mr. Skala understood there was a deadline to submit the application, but there was not a deadline to withdraw it if something changed. Mr. Teddy stated he did not think there was a deadline for withdrawal. Mr. Watkins thought they had up to the point of signing the grant contract.

Mr. Janku asked if this was impacted by what was on the reallocation list. Mr. Teddy replied this was included in the Commission's main budget proposal.

Mr. Janku commented that the St. Louis Post Dispatch had an article about St. Charles providing I-Pod tours of their historic main street area. This involved brochures and a separate video. He suggested they look at funding something like the I-Pod tour through the grant or the tourism fund.

The vote on R199-08 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R200-08 Authorizing a public infrastructure development cost allocation agreement with Boone County relating to road improvements on Scott Boulevard from the Rollins Road and Smith Drive intersection south to Brookview Terrace.**

The resolution was read by the Clerk.

Mr. Watkins explained this was an agreement between the City and Boone County for them to pay their share of the Scott Boulevard improvements. He understood the County's contribution would be \$642,600.

The vote on R200-08 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R201-08 Authorizing a Demonstration of Energy-Efficient Developments (DEED) grant agreement with American Public Power Association relating to the solar one utility program.**

The resolution was read by the Clerk.

Mr. Watkins explained this authorized staff to enter into a grant agreement with American Public Power Association to help with research to develop the business model for solar one. The intent of the grant was to conduct marketing research to determine customer participation from two levels, customers interested in solar production and customers interested in purchasing the solar output of commercial systems. He noted, currently, the technology for photovoltaic systems was very expensive in terms of output and the proposal with the solar one utility was to get people to voluntarily buy a small block of solar power at a higher rate than would normally be charged by the utility to offset the cost. This grant would help develop a specific business model.

Ms. Hoppe asked how long they would be investing in this before the business owned the solar equipment. Mr. Kahler replied he was not aware of a time frame. Mr. Watkins thought with the model they were looking at right now, the business always owned the photovoltaic array because they could take advantage of some very significant tax incentives that were not good for the City. The City essentially entered into a purchase agreement to buy the power. Ms. Hoppe understood it could be unlimited in terms of being renewed. Mr. Watkins stated that was correct.

The vote on R201-08 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R202-08      Consenting to the issuance of a state license for the sale of intoxicating liquor at the *Kea International Market* located at 705 Vandiver Drive.**

The resolution was read by the Clerk.

Mr. Watkins explained State law required Council approval whenever a liquor license was being requested within 100 feet of a church. This request was within 100 feet of the Step of Faith Ministries. It was in a plaza located on the north side of Vandiver Drive. He noted staff had no objections.

Ms. Fleming pointed out notices were sent out and the Business License Office had not received any written indication there was a problem.

Robert Thornton, 2421 Quail Drive, Apt. A, stated he was present on behalf of his Church, which had approximately 25-40 youth. He provided photographs of the location and explained this business would be within 30 feet of the Church and the hours were similar to those of the Church. On Sunday, it was open all day long. He noted the Church had activities inside and outside. He explained they worked with younger and older people. They worked with the youth in the Bear Creek area because they were the closest, but they also had children from other areas. He noted they had moved to this facility because they had outgrown the Columbia Jaycees building. They remodeled and moved and now had more children. If they had known this business would try to get a liquor license, they would not have moved into this new facility. They were concerned with trucks unloading liquor and people carrying out cases of alcohol without sacks. They were trying to turn children away from this type of atmosphere and lifestyle and were investing in the youth of the City because they loved the City and the youth. He believed crime was high due to alcohol and drugs, so they were letting the youth know the dangers of it. He explained they were trying to show the youth the importance of morals. He reiterated his main concern was with the youth. Even when going to Break Time, one would see people getting something to drink, people using profanity and people who were half dressed. They had women and children attending the Church and wanted them to have positive role models. He understood the business owner left, but noted they stayed because they had concerns. He believed if they could instill the right morals in children, it would help with crime in the City and would help children to stay out of jail and prison. He reiterated most crimes involved people drinking or using drugs.

Mr. Janku asked when the Church moved to that location. Mr. Thornton replied they moved there in May of 2008. They had been there eight years without a license and once the

Church moved in, they were asking for a liquor license. Mr. Janku asked if there was a store next door to them with a liquor license. Mr. Thornton replied that was beyond his control because they were there before the Church moved in. There was another place across the street, Italian Village, which served food and drinks, and that was also beyond his control because they were there before the Church. He stated that if the business in question already had a liquor license, they never would have moved to that location.

Mr. Skala asked if these establishments that had a liquor license sold liquor by the drink or sold packaged liquor. Mr. Thornton replied he talked to one individual next to the Kea Market, who indicated they had sales with food. He stated he had not seen anyone bring liquor out of the establishments since he had been there. The reason was because those other places were not usually operating when he was there. This place would be open while they were there. It was open seven days a week and all day on Sunday.

Mr. Wade asked how many storefronts were in the complex. Mr. Thornton replied he had not counted, but assumed there were 10-12. He noted there was a gymnastic facility about 75-80 feet from this business.

Constance Thornton, 2421 Quail Drive, Apt. A, explained they also picked up some children from Claudell. Their goal was to reach at least 100 children by the end of the year and to keep them in the program. They taught them about God, college, goals, careers, etc., and tried to instill some type of dream in them. She believed part of the problem with the youth of today was that they did not have a dream. She stated they invested a lot into children as they were very important to them.

Mr. Janku stated he was somewhat familiar with the shopping center and was familiar with the store, Natasha's, which had been there selling beer and liquor. He understood Kea was an international store that sold grocery items. He did not think it was the type of store that would cause much of a problem in terms of clientele and the type of liquor that would be sold. There was already a store next door selling these types of products.

Ms. Hoppe stated it sounded like the ministry was focused mainly toward youth and believed that was an important consideration with regard to its proximity to Kea.

Mr. Sturtz commented that he hoped if the Church was instilling good morals in these kids, they would be immune to such a temptation, especially when there were temptations all around being near Rangeline and Vandiver. He stated he was sympathetic to their concern, but did not see how he could vote against it.

Mr. Skala asked if this one was much closer to the Church than the other one that had been there for a while. He asked if there was a significant difference. Mr. Sturtz replied he thought they were within 50 feet of each other. Mr. Janku stated it was a strip mall.

The vote on R202-08 was recorded as follows: VOTING YES: WADE, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSTAIN: NAUSER. 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.

- B269-08 Approving the Linkside at Old Hawthorne PUD Development Plan located on the west side of Old Hawthorne Drive East, north of State Route WW; approving a revised statement of intent; allowing a reduction in the required perimeter setback.
- B270-08 Approving the Final Plat of Stonecrest, Plat No. 8-A, a Replat of Lot 281 Stonecrest Plat 8, located on the north side of Gillespie Bridge Road, approximately 1,500 feet west of Scott Boulevard; granting a variance to the Subdivision Regulations as it relates to direct driveway access on Gillespie Bridge Road.
- B271-08 Approving the Final Plat of Highland Circle Plat 5, a Replat of part of Highlands Circle and Highlands Circle Plat 4 located on the southwest corner of Highlands Court and Bentpath Drive; authorizing a performance contract.
- B272-08 Authorizing an annexation agreement with Gallup Properties, LLC.
- B273-08 Authorizing the acquisition of property to construct the Scott Boulevard Phase I reconstruction project, from Rollins Road to Brookview Terrace.
- B274-08 Appropriating special fuel tax rebate funds for the Land-Grissum Expansion project.
- B275-08 Accepting conveyances for utility purposes.
- B276-08 Amending Chapter 22 of the City Code to prohibit unauthorized removal of refuse and recyclable material placed near the street for collection by the city.
- B277-08 Establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans.
- B278-08 Amending the Classification Plan and adopting the FY 2009 Pay Plan.
- B279-08 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.
- B280-08 Amending Chapter 27 of the City Code to establish energy efficiency and solar rebate programs.

## REPORTS AND PETITIONS

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

Mayor Hindman explained this report was provided for informational purposes.

### (B) Transfer of CIP Funds in Stormwater Utility.

Mr. Glascock explained the CH2MHill report provided a few months ago identified some issues with the stormwater utility. During the budget process, the Finance Director identified some additional issues with funding all of the CIP projects. They were recommending transferring funds out of the first four projects listed to the four projects at the end of the report so those could be completed. The four projects listed at the end of the report were the most complete and could be moved forward. Those projects dealt with house flooding, etc. The others were in preliminary stages.

Mr. Janku asked for clarification on what the Council needed to do. Mr. Glascock replied if the Council was okay with the transfer, they would bring back the transfer of funds for these projects. Mayor Hindman understood they did not need to act tonight. Mr.

Glascock stated they did not. He just wanted to get a sense of whether the Council was agreeable. Mr. Watkins pointed out they were de-funding projects and using that money to complete other projects they felt were further along and had higher priorities.

**(C) Adjustment to School Speed Zone – Smiley Lane.**

Mr. Glascock explained they were looking at applying for a grant through the Safe Routes to School Program administered by MoDOT to put flashing speed limit signs up on Smiley Lane near Lange Middle School. He noted the report was for informational purposes only.

**(D) Eastland Hills Subdivision – Upland Creek Road Calming.**

Mr. Glascock explained this was a traffic calming project on the east side of the Lake of the Woods area, south of I-70. The cost to put in the proposed speed humps was \$7,000.

Mr. Skala noted he had asked for this report. He explained this was one of the first constituent issues he had faced when coming onto the Council. He understood the residents thought these were already approved and they were just waiting for them to be installed. Based upon this report, he understood this was a re-evaluation as to whether or not they were even necessary. Mr. Glascock replied he was not sure this was a re-evaluation. These items took time. He noted they had an issue because their speeds were 38-47 mph. Mr. Skala asked if this would be put on the list as an improvement. Mr. Glascock replied that if they wanted to do this, it would cost \$7,000 and would be funded by the transportation sales tax. A public hearing would be needed to spend the money. Mr. Skala stated he would like to pursue it.

Mr. Skala made the motion to proceed with bringing this project forward. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

**(E) Parks and Recreation Commission FY09 Budget.**

Mayor Hindman understood this report included the Commission's recommendation with respect to the budget. They supported the proposal to close the Lake of the Woods swimming pool for the 2009 season, but were opposed to the proposal of cutting the Paquin Tower recreation program. He noted the report was provided for informational purposes.

**(F) TIF Commission – Explore Redevelopment in the Downtown Area.**

Mayor Hindman explained the statute called for the Mayor to make appointments subject to consent of the City Council. He provided a list of people he would appoint subject to the consent of the Council. He had discussed this with all of them and they had agreed to serve. He and the City Clerk drew names from a cup to determine the terms each would serve. He noted the Boone County Commission had made their appointments. The Columbia Public Schools, Special Business District, Columbia Public Library, etc. had not made appointments. He thought they would need to make those appointments before the Commission could meet. Mr. Watkins thought with the appointments by the City and the County, they would have a quorum and could meet.

Ms. Hoppe asked if the City would contact the Columbia Public Schools and other entities. Mayor Hindman replied they had already contacted them and asked them to make their appointments. Mr. Watkins stated he thought the Special Business District had met and that they might have come up with an appointment, but the City had not received notification. He spoke with Dr. Ritter last week and they had committed to put that high on their radar. Mayor Hindman noted there were jurisdictional issues as to who would make the appointment with regard to the others, so it was more complicated.

Mr. Janku made a motion to approve the appointment of the six individuals proposed by Mayor Hindman to the TIF Commission. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

None.

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

Jeannette Acton, 704 Hunt Avenue, explained the residents of Hunt Avenue wanted their street repaired, but did not want it to be widened because they did not want it to become a major thoroughfare. It was not one now, except for Dominos, and occasionally they did make a call to Dominos asking them to slow down. They also wanted the sewer to be fixed and the addition of curb and gutter. They did not want to add a sidewalk or have the trees removed. They wanted fair compensation. They also wanted to see the repair and completion of both sidewalks on West Worley because they were in horrible disrepair. She understood people had fallen from their wheelchairs being tipped over due to the conditions. Some bus drivers had anonymously told her they had not been able to pick up a handicapped person in a wheelchair because of some of the conditions of the curbs causing the ramps not to work. She noted two severely handicapped people lived on her street and they would much rather see West Worley improved because it was a main thoroughfare to the ARC, the grocery store, the mall, work, the bus route, schools, etc. She thought a wonderful use for the block grant would be to fix the main thoroughfare for those people. She asked the Council to not forget about the kids and the handicapped that used the main thoroughfare because they lived on a small street that was used only by the people who lived in close proximity.

Mr. Skala stated his appreciation for the Police Department and commented that he believed the Interim Chief was doing a great job. The area of town he lived in had a reputation for burglaries, robberies, etc. over the past couple of years. He relayed that to the Police Department and there had been an enhanced police presence there. Unfortunately, it had chased some of those people to the southwest. He noted he received reports from several constituents who were appreciative. He understood some patrol officers had left notes with suggestions and tips with regard to what they could do to be a safer community. He hoped they were well on their way to improving the relationship between the Police Department and the community at-large.

Chief Dresner thanked Mr. Skala for his comments and pointed out some of the people they might have chased from his area to the southwest might have been nabbed this

weekend. As soon as they started receiving information about those beats being hit, they put the bait car out and three people opened the door to it, alerting the police. They were all caught in a compromising position.

Mr. Wade stated he passed out information regarding a motion he wanted to make concerning traffic issues in the Chapel Hill extension area. He wanted to provide the detail to those that would be writing the report, but did not want to read it all to the Council.

Mayor Hindman suggested he provide a brief summary of what he wanted.

Mr. Wade explained there had been a growing set of issues with traffic in the Stonecrest Neighborhood since the opening of the Chapel Hill extension and the movement of people off of Gillespie Bridge Road. There were issues with regard to the speed the Chapel Hill extension enticed people to drive, cut through traffic, etc. It was an unsafe situation as a major road had cut the neighborhood in half. He was asking for a report to gather data and provide suggestions on what they could do to help the situation.

Mayor Hindman asked if the speeding was on Chapel Hill itself. Mr. Wade replied it was on the Chapel Hill extension. He explained Gillespie Bridge Road became the Chapel Hill extension with 50-55 mph traffic on the two lane and four lane portions. There were also some site distance problems at Limestone, which was a cross street. People just had a lot of questions and concerns, which they communicated to him. He tried to put it into one document so staff had the full set of information.

Mr. Wade made a motion directing staff to provide a report with data and suggestions with regard to the concerns in the area of the Chapel Hill extension and the Stonecrest Neighborhood. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Nauser asked for the status of the issue of dirt piles as she was repeatedly receiving phone calls. She wanted to know where it was in the process and whether there were problems or issues. She commented that she would normally e-mail the City Manager, but she was continuing to have calls on dirt piles, nuisance, weed and other property related ordinances. She recalled them talking about looking at ways to address the issue of repeat offenders. She understood it was in the works and wanted to know the status, so the people asking would know it was being worked on.

Ms. Nauser made the motion for a status report regarding dirt piles, nuisance, weed and other property related ordinances. The motion was seconded by Ms. Hoppe.

Ms. Hoppe noted the dirt pile in the Sixth Ward was still about the same.

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

Ms. Nauser stated she had been looking at some of the events coming up with regard to the Visioning process and asked if staff could reference items in the Visioning document they were meeting when they brought ordinances and issues up to the Council, so the public would know they were addressing some of those items. She thought that would go a long way with community dialogue. Mayor Hindman thought that was a good idea.

Ms. Nauser made a motion directing staff to reference the Visioning document when bringing forth ordinances and other issues when relevant, so the public knew they were addressing it. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Skala noted some of the budget discussions they were having with regard to growth management planning was taken out of the Visioning report.

Ms. Hoppe commented that they had an unfortunate drowning at Stephens Lake due to someone jumping off of the bridge by the island. A friend of hers was there when it happened and she mentioned the emergency phones were far from the island. One was by the end of the dam and the other was on the other side of the swimming area near the parking lot.

Ms. Hoppe made a motion directing staff to look into putting in another emergency phone close to the island or on the island. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Hoppe stated she had previously raised the issue of having an ordinance and policy for street repair when there was development and redevelopment in the area causing the streets to be destroyed or deteriorated, so they could shift the burden of paying for the repair of those streets to those that were creating the problem instead of the City.

Ms. Hoppe made a motion directing staff to prepare an ordinance so they had a policy for streets close to the area of development or redevelopment to be repaired to the condition they were in prior to the development. She was sure other cities had similar ordinances and asked staff to let her know if she needed to provide examples.

Mr. Boeckmann asked if she knew of any cities with such ordinances. Ms. Hoppe replied she would look. She could not image there were not any.

Mayor Hindman thought they had received a report on this issue and recalled the report indicating there were serious difficulties in showing what had happened and who was responsible. He did not believe there was any harm in having an ordinance prepared so it could be debated.

Ms. Hoppe thought they had an individual development where that was required.

The motion made by Ms. Hoppe was seconded by Mr. Skala.

Mr. Skala suggested they look to see if there were examples of it in other cities. If they prepared an ordinance, they could probably work out details if it was workable. If not, they did not have to approve it.

Ms. Nauser stated she recalled the report, but did not recall much discussion on the issue. She was not sure they should move forward with the drafting of an ordinance. Mayor Hindman asked if she wanted it sent to a work session instead. Ms. Nauser replied she would. She felt that would give them time to find out if it was being done in other communities. She felt there were a lot of other issues involved. They would need to know the condition of the street beforehand, the amount of traffic on it, etc. She thought one of the examples involved the transferring of dirt for a City project. Mayor Hindman suggested it be taken up at a work session. Ms. Hoppe was agreeable and suggested sample ordinances be available at the work session.

Ms. Hoppe revised her motion to add this issue of the payment for street repair due to development and redevelopment to the work session list and for staff to provide some sample ordinances at that time. The revised motion was seconded by Mr. Skala.

Mayor Hindman stated he thought it should be taken up at a work session because preparing an ordinance might be difficult for staff to accomplish.

Mr. Wade suggested the prior report be retrieved and re-circulated as well.

The motion made by Ms. Hoppe and seconded by Mr. Skala to add this issue of payment for street repair due to development and redevelopment to the work session list and for staff to provide some sample ordinances at that time was approved unanimously by voice vote.

Ms. Hoppe noted Mr. Parker had raised the issue of two positions being budgeted for the Water and Light Department to address demand side management and asked for clarification. Mr. Watkins explained the Water and Light Department had requested two positions. He saw fit to not include them until they had gotten through the IRP. He did not know if two was the number or exactly what kind of skill would be needed. He understood the Water and Light Advisory Board had reviewed and recommended approval of the IRP and it would be coming to the Council as a report to accept at the next Council meeting. They would then be able to put it out publicly for comments. He noted they would have a work session in October, provided they could agree on a date, and depending on how much time the Council needed to get through everything, they should approve the Plan and complete an implementation plan as well.

Mr. Janku understood they could amend the budget. Mr. Watkins stated he expected a budget amendment. Mayor Hindman understood it would be an operating expense. Mr. Sturtz understood it could happen mid-year.

Ms. Hoppe noted they had speakers on tasers again and asked where they were in the process in terms of a policy. Mayor Hindman thought they were waiting for a report. Mr. Skala agreed and explained they were waiting for a report on the incident at I-70. He assumed they would also have discussion over the report that was generated by the Police Department comparing the International Association of Police Chiefs' guidelines and the responses from the Police Department. Mr. Skala asked if that would be scheduled for a work session. Mr. Watkins stated that was what he thought they would do. He noted there were a number of items that were high on the Council's priority list. Mr. Skala felt there was a bit of urgency on this because people were being trained on taser usage this and next month.

Mr. Watkins asked Chief Dresner if he had a feel for when the report would be ready regarding the I-70 incident. Chief Dresner replied it was largely finished. They were planning to put it out on a CD so they could include some video, still photos and a small powerpoint presentation. He explained the content was largely finished, but it needed to go through the Law Department with respect to the officers' names, the personnel actions, etc. due to the closed nature of that. He thought they might be able to release it in within the next couple weeks. Mr. Watkins asked how long the report would take with the audio-visual presentation. Chief Dresner explained that was not causing the big delay. The multimedia portion was a very small part. Mr. Watkins asked how long it would take for Council to review the report.

Chief Dresner replied in terms of length, it was about 15-20 pages of typed material in addition to a powerpoint. He was not sure they needed to present it as such. They would present it in any form the Council preferred. They felt they could get it out quicker if they provided a media release with an attached CD. Mr. Watkins thought they could probably do that at the pre-Council meeting on September 15, 2008, if the budget was pretty well under control, or they could aim for the first Council meeting in October. He noted there were no other work sessions scheduled for September.

Mr. Skala understood training would be taking place for the officers who needed training and asked if the plan was to immediately arm those officers that passed the course with tasers or if they would wait until the Council reviewed this report. Chief Dresner replied their plan, barring Council intervention, was to proceed with training with the first session being held tomorrow and those officers who were slated to be issued tasers upon successful completion of the training would be receiving them.

Ms. Hoppe understood they would try to have a work session in October. Mr. Watkins stated he was hoping to have at least two Council work sessions in October in addition to the two Council meetings because they would also have the Police Oversight Committee report and the IRP. They were also ready to go on three or four other things that had been delayed due to the budget.

Ms. Hoppe stated she thought Mr. Watkins had indicated the tasers issue could be discussed at the next Council meeting. Mr. Watkins thought they could do that only if the Council had the budget under control. Mr. Janku stated he would hate to be precluded from talking about the budget at the next pre-Council meeting. Ms. Nauser commented that she would prefer to discuss it at a work session with all of the facts. Mr. Janku pointed out they would not have much time for discussion at a pre-Council meeting anyway.

Mr. Sturtz noted Jeanette Acton, who was representing a fair amount of people on Hunt Avenue, brought up issues with regard to the Hunt Avenue sewer and sidewalk project. He thought they needed a report regarding not going forward with the acquisition on the west side for the sidewalk as that was the most controversial aspect of the plan. He understood it would be pretty messy at this point because they had already held the public hearing and approved the project. He noted the people along Hunt Avenue were genuinely upset about it and felt he needed to represent their concerns.

Mr. Watkins stated he was not sure a report would be appropriate because they were already acquiring easements according to the plan Council approved. They would have to vacate all of those, give the money back and start all over again. Mr. Sturtz asked if they had already entered into agreements. Mr. Watkins replied he thought they had acquired almost one-third of what was needed, but he was not sure if they were on the west side or not. Since they were under some difficult spend down timelines with HUD, if the Council wanted to reopen discussion on the design of the project, he suggested they cease what they were doing now and put that project back into the hopper to be looked at some time in the future, so they could find another place to spend the money. He was suggesting they just eliminate this project if they were not happy with the design.

Mr. Sturtz stated he had not found anyone along the street that was in support of elements of the project. He thought it would put them in a tricky position to push forward a project that was not popular for the people it was serving. Mr. Watkins understood they only needed a motion to eliminate the project.

Mr. Sturtz asked how Ms. Acton would feel if the project was canceled altogether. Ms. Acton replied they would like the sewer system to be improved as it was bad. They did not feel the street needed to be widened. She thought the money should be spent on West Worley because it would help many people. Mayor Hindman thought the sidewalks on West Worley were being funded. Ms. Acton understood only portions were.

Mr. Janku thought they should request a report as it would help. They could include the issue of what they had funded on West Worley and what needed to be funded. Mr. Watkins explained that if they did not get the money spent, it would be taken from next year's allocation. Mr. Janku understood it was a very serious. Mr. Sturtz assumed there were projects cued up and ready to go. Mr. Watkins stated most were on their way. He explained he was not saying there was no other possibility, but he was concerned about a month or two delay in making a decision to not do the project.

Mr. Janku suggested a resolution be prepared for the next Council meeting agenda indicating they would not want to move forward with this project. Ms. Nauser thought that would open up the whole process again for debate.

Mr. Wade thought they needed to make a decision. The design work had been done for a different street than was being requested here. Their request was to basically do the street at its present width, fix the sewer and add curb and gutters. It was a totally new design. They did not have the time to do a new design with the money they had. He felt the decision they had to make was to either do Hunt Avenue as designed or to not do Hunt Avenue at all. He did not see the option of doing everything except for the sidewalk on a narrower street.

Mr. Skala stated he agreed and the only other option, if they decided to not do it, would be to put it back on the list and shift the money to something they could spend it on. They did not have the ability to change the design.

Mr. Janku agreed and noted they had certain standards and there were certain engineering issues. Ms. Nauser pointed out they had already made some concessions with regard to street standards.

Mr. Watkins asked Mr. Glascock to provide an update as to the status of this project. Mr. Glascock explained they had easement authorization from the Council and those were described, so any changes made would require them to vacate or re-describe easements and bring them back to Council for approval. They would also have to have a public hearing if they were changing the project again. He understood about 35 percent of the easements had been purchased. Even if they took the sidewalk off, he would have to go by the easements described or bring them back to Council.

Ms. Nauser asked if "purchased" meant that money had exchanged hands. Mr. Glascock replied he believed so. He questioned what they wanted him to do with the easements if they decided not to go forward with the project. He wondered if they would

want him to keep them for the future or if they would want him to sell them back to the property owners. He noted he might not get the same money for them.

Mr. Wade thought most of the tree removal issues had been eliminated with the new design. Mr. Glascock stated they were not eliminating all of them. They were missing the majority of them by narrowing the street to 24 feet. The trees were one of the reasons the street was narrowed. They would take a few with this design.

Mr. Janku thought a report would be helpful. He understood the issue of spending down the money, but it would only be a two week delay. He wanted to know how many easements had been purchased, how much they had paid, the issues of the two public hearings held to redesign the street and what they could do quickly if they decided not to move forward with this project. He wondered what their options were.

Ms. Nauser pointed out they had already gone through this process. She thought they had held three public hearings to provide opportunities for people to speak. She agreed with Mr. Wade in that they needed to make a decision tonight. It was not fair to the people who had agreed to the project. Revisiting the issue after it had gone through the proper channels and work had started was also not a good way to do things, especially when they were under time frames for spending the money. They would have to make the tough decision tonight.

Ms. Hoppe stated she was concerned as to whether they could design a project in a short period of time in order to use the money. She was interested in a report so they could decide whether to go ahead or not.

Mr. Janku stated he was personally not interested in redesigning the project. There were a lot of factors and they had tried to accommodate interests as well as they could.

Mr. Skala did not think the issue was redesigning the project. He thought it was whether staff had something on-going that they could spend the bulk of that money on. If there was not anything in the pipeline, they would either lose the money or have to go ahead with the project.

Mr. Wade stated he did not think they wanted to invest anymore money into this project. They should either do this project or invest the money someplace else and they could make that decision tonight. Mr. Janku asked where else they could spend the money. That was the information they did not have. Ms. Nauser asked if the money had to be used on an infrastructure project because they had other projects within the CDBG areas that were not funded. Mayor Hindman pointed out that if it required engineering, they could not move forward due to the time constraints. Mr. Wade stated he understood from Mr. Watkins' comments that there were projects beginning to move in the pipeline and this money could be shifted to those. Mr. Watkins stated did not know if there were. He would have to look into it.

Mayor Hindman commented that the idea of using CDBG money in making infrastructure improvements was that these were improvements that were good for the neighborhood in the sense that they believed proper streets and sidewalks were a benefit to a neighborhood. In addition, these were neighborhoods that would not get these types of improvements without the aid of CDBG money. It was also good for the community to have these neighborhoods brought up to current standards. He believed they had a situation where they chose Hunt Avenue based upon those principles. He thought Hunt Avenue had asked for these improvements, but noted he could be wrong about that. He pointed out it had

been designed with some innovation. He recalled staff had made it wider with the idea of having innovative and green method for stormwater control. Some of the neighbors objected to it because it would require the removal of more trees and would result in a wider road than they wanted. As a result, they redesigned the project thinking it was the proper thing to do for that area of town and for the benefit of the community as a whole. They reduced the number of trees that would be taken out and reduced the size of the street below street standard level. After all of those hearings and the redesign, there was now an objection from a neighbor who was claiming to represent a significant part of the neighborhood. It caused a difficult situation and he believed they had to decide whether their principle of whether this was the right thing to do for the community and neighborhood was correct again. He thought it was fine if they had made a mistake, but if they had not made a mistake, he felt they should move ahead with it.

Mr. Sturtz thought this might suggest a new process for CDBG projects was needed in that they should ask the neighbors for feedback. Mayor Hindman noted they had two public hearings on it and had received some feedback. Mr. Janku pointed out an interested parties meeting was held as well. They also changed the design in response to the neighbors. He noted there were mixed feelings amongst the neighbors, but the Council made an effort to try to accommodate the different interests. Mayor Hindman stated it was very unusual for them to redesign an approved project. Mr. Wade noted there were two interested parties meetings and two or three public hearings. In addition, notification was provided to everyone on the street.

Mr. Skala asked how much money they had spent on design. Mr. Glascock replied he thought the redesign was just under \$10,000, so he guessed the entire design was somewhere in the \$30,000-\$40,000 range. Ms. Nauser asked how many easements they had acquired. Mr. Glascock replied about 35 percent.

Mr. Janku felt if they were going to do the street, they needed to do it right. This area along I-70 Drive had the potential to redevelop, so there could be all kinds of traffic going up and down. This street was not just for the current residents. In the future, there could be young families living there who wanted to get their kids to school.

Mr. Skala agreed they could either deal with it now or wait two weeks to find out if there was anything else in the queue. If there was not anything else, it would be an easier decision to make.

Mayor Hindman stated he thought the question was whether it was in the best interest of the community and the neighborhood to proceed.

Mr. Sturtz made a motion directing staff to provide a report as to whether there were other projects the CDBG funds could be used for if they decided to reverse their earlier decision regarding the Hunt Avenue project. The motion was seconded by Ms. Hoppe and defeated by voice vote with only Mr. Sturtz and Ms. Hoppe voting in favor of it.

Mr. Sturtz made a motion to reverse their earlier decision to move forward with the project on Hunt Avenue. The motion died due to the lack of a second.

Mayor Hindman understood the project would move forward as previously approved.

Mr. Sturtz noted he introduced the idea of moving toward collaboration with the University of Missouri for a free transit system at the last work session. He thought a report showing what other cities such as Chapel Hill and Fayetteville had done to create this type of system was appropriate

Mr. Sturtz made a motion directing staff to provide a report indicating what other cities, such as Chapel Hill and Fayetteville, had done to create a free transit system. The motion was seconded by Ms. Hoppe and approved by voice vote with only Ms. Nauser voting no.

Mr. Janku stated they had been taking about a potential ballot issue regarding the stormwater utility and recalled a list of projects identified for the previous stormwater utility increase. He wanted a report showing what they had done with the money to include maps showing locations of those projects. He also wanted the report to include items other than infrastructure, such as programs and education.

Mr. Janku made a motion directing staff to provide a report showing the use of the stormwater utility funds to include the projects with locator maps and other non-infrastructure programs, such as education. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku noted they had a number of street projects moving forward, such as Scott Boulevard, Providence Road, Brown School Road, Mexico Gravel Road, Clark Lane, etc. and wanted to ensure they were all consistent in how they were including trees. He understood the design for Scott Boulevard showed trees going in on both sides. He wanted all of the street projects treated the same.

Mr. Janku made a motion directing staff to ensure they were consistent with the use of trees for all of the street projects. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mayor Hindman commented that he was still very interested in recovering City costs in connection with people who routinely violated the weed ordinance, the property condition ordinances and the NRT, and he wanted a report showing what they could do to recover costs.

Mayor Hindman made a motion directing staff to provide a report on what the City could do to recover costs associated with routinely violating the weed ordinances, property condition ordinances and the NRT. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman pointed out he meant for this to include the cost of administration and everything else. He wanted all costs associated with it included.

Mayor Hindman understood the City's sign ordinances included a provision that there not be signs on overpasses, such as the one near Boone Hospital. The University had constructed a couple of those bridges and had put a big "M" on them. He thought it was attractive and identified it as the University. He noted Stephens College had some bridges over Broadway and the Boone Hospital Center had a bridge over Broadway. Mr. Janku recalled they were specifically prohibited from having a sign when the bridge was authorized.

Mayor Hindman pointed out they would be constructing another bridge over William Street. He thought it would be appropriate for them to be able to place a logo, similar to the University's "M", on the bridge. Ms. Hoppe asked if it would be that big. Mayor Hindman thought that could be discussed. He noted he was a big supporter of the sign ordinance, but thought a logo for whoever put up a bridge was acceptable. It was a form of identification for the institution.

Mr. Skala thought they had discussed this when they talked about beautifying some of the entrances to the City and thought there was a complication involving MoDOT. He recalled suggestions of the City logo being put on some of the bridges. Mayor Hindman stated these were not within MoDOT's jurisdiction.

Mr. Wade understood the University did not have to follow the guideline. Mayor Hindman stated that was correct. Mr. Wade asked if the Hospital could just ask for a variance if they wanted to put their logo on a bridge. He thought it would simpler to do that because that would not require a change in the ordinances.

Mr. Skala asked if College was a MoDOT maintained street. Mayor Hindman thought that might affect the Stephens College bridge. He noted Mr. Janku brought up an interesting point in that when the City authorized the Boone Hospital overpass over Broadway, one of the conditions was that they could not put that on the bridge. Mr. Janku pointed out they violated the condition by putting banners on it. Mayor Hindman thought there was something to be said for allowing an attractive logo. He noted there might not be an ordinance against it.

Mayor Hindman made a motion directing staff to provide a report with regard to allowing attractive identifying logos on bridges and overpasses. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mayor Hindman commented that with regard to undergrounding, if there was a new customer that was building a plant and wanted to underground utilities, the City would probably cooperate by providing the infrastructure. He was not sure it should be charged to their regular undergrounding account. He noted he was just pointing it out as it was something that needed to be decided down the road.

Mr. Wade asked for an e-mail to be sent out ahead of time, if possible, if someone on the Council was planning on requesting an item be removed from the Consent Agenda, so they were all informed prior to the pre-Council meeting.

The meeting adjourned at 11:07 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk