

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
MARCH 2, 2009

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, March 2, 2009, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN and STURTZ (Mr. Sturtz left the meeting at 10:43 p.m.) 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 February 16, 2009 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Skala.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

Jeannette Acton – Neighborhood improvement program bidding process.

Ms. Acton was not in attendance.

Alyce Turner – Mid-Missouri Transit Pilot Project.

Alyce Turner, 1204 Fieldcrest, stated she was speaking as an individual, but was also on the Environment and Energy Commission, and this was an issue that was of interest to the Commission in terms of saving energy and the environment. The Mid-Missouri Transit Pilot Project had been entered on the Transform Missouri website today. Last year, the project had been awarded federal transportation funds through the Boone County Community Partnership and OATS in order to start a regional transportation project throughout Boone County with Columbia as the hub, but the \$200,000 was not used in Boone County because they could not find an additional \$100,000 in matching funds. She was asking the Council to seriously consider adding this project to the City's shovel ready list for federal stimulus dollars. She understood there were two major requirements for infrastructure funds. One was for the project to start within 120 days and the other was that they be federally vetted. This project fulfilled both requirements. It could start in about 60 days and had been federally vetted because it had already received federal funds. She provided a map to the Council and noted it would link Boone County's five largest cities. The northern route included Columbia, Hallsville, Centralia and Sturgeon and the southern route included Columbia, Ashland and Jefferson City with a stop at the Columbia Regional Airport. This would run twice a day for five days a week, so it would be available to commuters, the disabled and people with medical appointments in Columbia. She noted it could be easily changed if they wanted to

enlarge the commuter aspect of the service. She felt the savings were obvious due to gas prices for the thousands that commuted to Jefferson City. She wanted the Council to be aware of the project in light of the new opportunities and wanted them to seriously look at the project. Steve Tatlow of the Boone County Community Partnership was available to answer questions. In addition, the website, www.boonecountypartnership.com, had a map and budget information. She commented that there were a lot of opportunities with the federal stimulus dollars and believed being a transportation center would help Columbia remain an economic center.

Ms. Hoppe asked how much money would be needed from the City. Ms. Turner replied the cost was over \$300,000, but \$200,000 in federal money would be renewed, so about \$100,000 would be needed. She noted it did not all need to come from the City of Columbia. They intended to talk to the Boone County Commission as well, and some of the smaller communities had offered some funding, although it was not a lot.

Mr. Skala commented that this was a new idea in the context of the stimulus package, but it was not a new idea in general. He understood the difficulty was not the hub or transportation. It was what happened once they got to Jefferson City. State workers did not just go to one place within the City, so this was dependent upon the transportation networks in place at the various end points. Ms. Turner stated she thought this project was flexible. Written in the proposal was that they would go a half-mile to a mile within any designated point. If a group of people worked in a designated location in downtown Jefferson City, they could get there if it was close in distance to another stop. The idea was to link up to the other transportation hubs, such as Amtrak and JeffTran.

Mr. Skala understood there was a suggestion for this transportation system to be expanded to Kingdom City and other areas and asked if they were to that point. Ms. Turner replied she was talking about Boone County, but was aware that Fulton and Booneville had expressed interest. She thought the point was to start a pilot project, be successful and then expand. She believed this was a win-win for Columbia. She reiterated it was flexible and could be designed as needed. It could even begin with one loop instead of both loops at the same time.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

B46-09 Authorizing construction of a water main serving The Village at Wyndham Ridge, Plat 1 (Phase 1); providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would allow for the construction of about 400 feet of eight-inch water line. The developer would pay for a six-inch line and the City's Water and Light Department would pay for the cost of up-sizing the line. This was in the Mill Creek Manor area, which was off of Scott Boulevard in south Columbia.

Mr. Kahler noted this was the standard in new developments.

Mayor Hindman opened the public hearing.

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

B46-09 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Construction of a sidewalk on the north side of West Broadway, between Stadium Boulevard and Fairview Road.

Item A was read by the Clerk.

Mr. Watkins explained this involved the construction of a sidewalk on the north side of West Broadway at a cost of about \$242,000. The project would be funded with the GetAbout Columbia non-motorized transportation grant. The project was approved by Council at the July 22, 2008 special meeting where they prioritized various projects for the GetAbout program.

Mr. Wade asked if this was a sidewalk or a pedway. Mr. Glascock replied it was a sidewalk. Mr. Wade asked how wide it would be. Mr. Glascock replied six feet.

Mayor Hindman opened the public hearing.

Bill Moyes, 107 Coventry Court, stated he was in favor of the project and had been in contact with Mr. Wade and Mayor Hindman regarding the need for a sidewalk along this section of Broadway. He commented that he had bicycled, walked and driven his car along this section of Broadway for over 40 years. During that time, he had put his life in his hands while bicycling, had trespassed over private property through the grass on the north and south sides of Broadway while walking and had seen pedestrians walking and motorized vehicles driving down Broadway while he was driving his car. He felt this project was over 40 years past due. He stated it was a safety hazard and noted that section of Broadway did not have curbs and gutters. He understood that would not change, but with the way the sidewalks were arranged, it would keep them away from the edge of Broadway, so curbs and gutters would not be an issue. He commented that there was still a stormwater problem on both sides of Broadway due to the lack of curbs and gutters and no stormwater control, but the sidewalk would provide a permanent hard surface to be on so they did not have to be in the street. He urged the Council to make this a high priority with regard to the use of money.

Ian Thomas, 2616 Hillshire Drive, stated he was the Director of the PedNet Coalition and felt this was the perfect project for GetAbout Columbia. It was a short section, but was also a major barrier to bicycle, pedestrian and wheelchair access in that part of the City. The major commercial development there had excellent sidewalks in front of it and this would hook into it. He noted there were no bike lanes or markings and the driving lanes were narrow, so to be safe, cyclists had to take the lane and force traffic to pass them, which was something most cyclists were not confident in doing. He believed this project would increase the bicycle and pedestrian traffic in that part of town.

Lisa Gromer, 5555 Howard Orchard Road, stated she had been a resident of Columbia for 26 years and had raised five children here. She and her husband were business owners in Columbia, and between them, they employed 22 people. She noted she owned the property at 2807 West Broadway, which was known as The Kids Depot and was located in the path of the sidewalk. Over the past 15 years, she had seen the four way

intersection turn into a busy intersection. She agreed progress was good, but felt the area was filled with about all it could handle. She stated she was in favor of sidewalks and safety and used them frequently. She explained that when the right hand turn lane was constructed next to The Kids Depot a couple of years ago, the wooden fence in front of the property was removed so the children could not play outside for about two weeks. In addition, it took a long time for the property to be put back together and the wooden fence was not re-inserted into concrete when it was reinstalled, so it was not sturdy anymore. She noted the buffer that divided the busy street from The Kids Depot was taken away to build the right hand turn lane, so there was loss of safety there. When the work was being done, her driveway had to be closed and they had to pick up and drop off the children on a side street, behind them or on Fairview. In addition, it took a while to get the driveway completed, which was an inconvenience for her and the parents. She explained there were nine parking spaces to allow parents to drop off and pick up the children safely. She and her staff did not park in the lot. She understood some of the driveway spaces might be removed as a result of this improvement and that would cause a loss of income for her. The Division of Health and Senior Services required one parking spot per every ten children. She could currently care for 90 children. If she lost 20 children, her annual income loss would be about \$176,000 and would affect her, her staff and the business. She reiterated she was not opposed to sidewalks, but wanted more information regarding the part of her property that would be taken away and how long the driveway would be consumed by construction.

Mr. Janku understood this involved a construction easement and recommended Ms. Gromer work with staff at that point in regard to her concerns and issues. Ms. Gromer understood there needed to be six feet, which was barely available there. Mr. Glascock explained they were not to the stage of describing easements at this time. An ordinance to acquire easements would come back to the Council at a later date. At that time, they would know the impacts. Mr. Janku commented that as they got closer to the intersection, the setback might be able to be narrowed to work around problems. He suggested Ms. Gromer stay in close communication with the Public Works Department as this project progressed.

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

Mr. Janku stated he was a strong proponent of this and was happy the GetAbout money came along because this was a project that had been on the City's CIP Plan for years. He thought this area would have increased bicycle and pedestrian activity due to the apartments, retail and other businesses. At the interested parties meeting, representatives of the church were very supportive, but were concerned about the mature trees on their property. He understood those could be protected during the construction process.

Mr. Wade stated he drove the street daily and felt this was a long overdue project. It was unsafe and already had pedestrian and bicycle traffic on it. He was pleased to see the project moving forward.

Mr. Skala understood sidewalks were typically five feet and asked if this was an exception due to the roadway or if it was a different kind of sidewalk. Mr. Glascock replied a typical sidewalk had graded slopes behind curbs. The standard was five feet and it was all graded to the same level of the street. This was an unimproved street with ditches on both sides, so there was a slope into a ditch on the sides. Staff felt a little extra width would

accommodate the sidewalk better and allow for better usage. He explained they could look at narrowing the sidewalk to five feet near The Kids Depot because there might be a curb along there. Mr. Skala asked if the six foot sidewalk would endure if the property were to be developed with curb and gutters. Mr. Glascock replied the sidewalk would have to be redone because they would likely not be able to grade it with the sidewalk in place.

Mr. Sturtz asked what provision was being made for a bike path after the sidewalk was constructed. Mr. Glascock replied none to his knowledge.

Mr. Janku stated he personally would have preferred an eight foot pedway due to the potential for bike traffic, but the property owners had concerns regarding trees, etc.

Mayor Hindman commented that Broadway was used by bicyclists, did not have curbs and gutters and was a bit narrow. He thought six feet was the bare minimum for bicycle use.

Mr. Wade stated several people living within a block or so of the south side of Broadway had motorized wheelchairs as their only mode of transportation to Hy-Vee, Wal-Mart, etc. Given the nature of Broadway, he agreed six feet was the minimum the sidewalk should be.

Mr. Janku made a motion directing staff to proceed with the planning of this project. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

(B) Construction of a sidewalk on the east side of Providence Road, between Smiley Lane and Blue Ridge Road.

Item B was read by the Clerk.

Mr. Watkins explained this project involved the construction of a sidewalk along the east side of Providence Road in north Columbia between Smiley and Blue Ridge. The expected cost was \$360,000 and funding for the project would come from the City's non-motorized transportation grant. The project was approved by Council at its July 22, 2008 special meeting.

Mr. Glascock stated this involved a ten foot pedway and noted the Public Works Department would have some issues with mowing and maintenance because there was not a road on one side of the median. In addition, it might have to come out in certain places when the road was built.

Mayor Hindman opened the public hearing.

Joe Becksher, 184 W. Green Meadows, stated he was a strong proponent of expanding the pedway and asked about the funding. He wondered if the GetAbout Columbia money was designated for the pedway or if it was part of an infrastructure improvement. He asked if there was other infrastructure in this expansion that should pick up some of the costs. He noted the road to the north was a scheduled and major expansion. Mr. Janku explained that when the portion of the road that currently existed and the sidewalk on the west side was built by the developer, the City had agreed to eventually build out the additional two lanes and this pedway, so it was a City obligation under a previously executed agreement with the developer. Mr. Becksher understood there was a possibility the sidewalk would have to be reconstructed and asked if there was a clear engineering reason as to why. Mr. Janku thought a portion could be built without putting in a culvert, but when the road was constructed, the culvert would need to be built. For the short term, they were saving money

by taking it the most direct way. He believed most of it would be retained because it was being placed in the City right-of-way and would be setback from where the road would be constructed.

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

Mr. Janku commented that this was an obligation the City undertook as part of a development agreement a number of years ago. It mirrored what was done a couple of weeks ago with Providence on the south side of town. They had addressed the south side of Providence and were now addressing the north end of Providence. He hoped they would eventually be able to address the middle in order to have a corridor from north to south through the center of Columbia.

Mr. Janku made a motion directing staff to proceed with the plans and specifications for this project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(C) Construction of MKT Connector Projects to include the Garth Extension Trail design, Katy Place Trail, MKT Trail access at Forum and Katy Lane and the Wilson's Trail.

Item C was read by the Clerk.

Mr. Watkins explained the Council needed to decide whether to move ahead with the connector projects, and noted funding was probably only available for two or three of the connectors. At the July 2008 meeting, one of the projects was for design only. If they decided to move forward with the construction of the Garth connection, funds would need to be found from another source or they would have to cut back on another project.

Mayor Hindman opened the public hearing.

James Dean Abrams of Wilson's Fitness stated he was commenting on the Wilson's Trail connector. Earlier they had discovered there was a problem going over the Hinkson Creek bridge on Forum Boulevard. One problem was the speed limit, which was 35 mph when descending down the hill and 45 mph at the base of the hill. As a result, vehicular traffic was going 55-60 mph on a general basis, while people were trying to walk, run, scooter or bike across the bridge. The Council gave him the opportunity to provide a solution with this connector at Wilson's Fitness. He noted the original connector showed a connection all of the way into the Lake Woodrail subdivision. The neighborhood, however, decided it did not want the connector to come into the subdivision. On behalf of the Wilson's Fitness ownership, he stated they no longer sought that access either. He explained the business park located across the creek from them had concerns about raising the levee. They wondered if the trail would raise the levee and force them to flood instead of Wilson's. He noted he did not want to see his neighbor flood. He described the revised route for the connector on the overhead map. He reiterated that they recognized the problem on the bridge and stated they had the same focus of getting people out of their cars and physically active as GetAbout Columbia. He stated they were willing to create a safe pathway to the trail, which members of Wilson's Fitness, retail business and the south side of the community could use by descending down Forum Boulevard and taking a right on to their pathways and the trail.

Mr. Skala asked if he was suggesting the Council consider altering the speed limit. Mr. Abrams replied it was a concern.

David Goldstein, 206 E. Ridgely Road, stated he lived in the Grasslands and wanted to address the Garth connector. He explained the hearing in July involved a contentious discussion about the Garth connector due to the different points of view. At that time, he sensed the Council took the position of not dealing with controversial issues because there were limited funds and plenty of projects that were not controversial. He noted the Garth connector was no longer controversial and thanked Mr. Wade and Ms. Nauser for helping the two neighborhoods get together to come up with an alternative plan for which there was consensus. He pointed out not every person agreed, but most in both neighborhoods were in agreement. He hoped the Council would support it.

Ian Thomas, 2616 Hillshire Drive, stated he was the Director of the PedNet Coalition and commented that these projects would do exactly what the GetAbout Columbia funding was supposed to do as it would create relatively short bicycle, pedestrian and wheelchair connections that had a high potential to open up the network and system to large numbers of people. He echoed Mr. Goldstein's thanks to Mr. Wade and Ms. Nauser for working with the residents to find a satisfactory solution for the Garth Extension Trail as he believed it was an important trail connector. He commented that the Katy Place Trail connector, the access of Katy Lane and the Wilson's Trail were also extremely important. He understood there was not enough funding to plan and build all of these trails, and felt that was a shame. He noted the potential of creating mode shift with these four trails per dollar spent was considerably higher than some of the other projects that were approved last July and urged the Council and staff to look at the list of approved projects to determine whether some money could be reallocated from projects that did not have the potential to quickly change mode share to these four projects. With regard to the Wilson's Trail, he stated had the same thought as Mr. Abrams. The bridge and a well signed public pathway through the Wilson's property would be a very important connection. A huge number of people living in southwest Columbia were deterred from riding their bikes into town because of the bridge over Forum and the lack of bicycle safety while on the bridge. He commented that he thought it was ironic people were worried about favoritism toward a single business when they spent most of their time trying to persuade property owners to agree to have a trail near them. If this was clearly marked as public access at both ends where it came off of the trail before the bridge and where it came off of Forum Boulevard through the Wilson's property, he did not think there would be any misunderstandings.

Amy Livesay stated she and her husband owned The Starting Block, which was in the same complex as Wilson's Total Fitness. They saw this as a huge benefit to drivers, pedestrians and cyclists. In talking to friends, they did not care that she was riding her bike on the road, but were concerned they might hit her, so this was a benefit to cyclists, drivers and runners. She noted that when a biker and runner were on the bridge at the same time, it was even more crowded since they were on opposite sides of the road. She stated she saw this connector as a nice gesture on Wilson's part because it would benefit to the whole City.

Marilyn McCreary, 1401 Man-O-War Drive, stated it scared her to cross that bridge on her bike, so she would really to have this bridge to go across. It scared her as a driver, rider and runner to go over the existing bridge.

Carlynn Trout, 510 Edgewood, stated she was in support of the Wilson's Trail. She commented that she had been a member of the facility before Wilson's took it over and always felt there was a disconnect between wanting to exercise but not being able to get there except by car. She stated she would appreciate the Council supporting this as the safety issue would no longer be a problem. In addition, she felt the generosity of the owners was to be applauded.

Barbie Reid, 104 W. Lathrop, asked the Council to approve the new Garth Extension Trail through the SAE property as it had evolved from a collaborative effort involving GetAbout Columbia, the City and the neighbors. She encouraged the City to involve neighbors sooner as it allowed them the opportunity of becoming more involved in the creative aspect of the process and to have some ownership in the process. She thought that would help with the approval of a lot of the GetAbout projects. She hoped the Council would approve the design process for entire new design, but asked that they approve the section from the Grasslands to the MKT at the very least.

John Lory, 602 Edgewood Avenue, stated the process used for the Garth Extension involved a series of three community meetings. The first meeting involved about 50 people and discussion regarding the original trail design created a lot of divisiveness. A committee was appointed and the committee considered eight different ways the trail could pass through the neighborhood. After that process and a second neighborhood meeting, they focused on the SAE connector. The objective was to get 100 percent consensus on where the trail would go through the neighborhood, but they did not obtain that. Some neighbors still preferred not to have a trail, but the majority was excited about this route. He thought everyone in the neighborhood agreed that if there was going to be a trail, this particular route was superior. He hoped the Council would build this particular route, and noted he looked forward to the trail because he would walk it everyday to work.

Catie Terry, 508 South Garth, stated she was in opposition of the Garth Extension Trail. She appreciated the neighbors working with them, but it was on her corner, and as a person directly involved, she remained opposed to the idea. She believed they already lived in a neighborhood that was well connected. Work was still going on at the corner of Stewart of Providence and that would provide a way to get on the trail. There was also one at Lakeshore, which was non-invasive and did not require trees to be cut down. As much as she appreciated all of the neighborhood input, she stated she was opposed to the trail connector.

Linda Weaver, 17655 N. Route B, Sturgeon, Missouri, asked the Council to remember there were many who lived in the outlying areas that worshiped, worked, socialized, exercised and shopped in Columbia. She stated she was in support of the Wilson's Trail connector due to safety concerns as she envisioned the current situation as an accident waiting to happen.

Mardy Eimers, 2605 Pine Tree Lane, stated he was in support of the bridge across the creek at Wilson's Fitness Center. He explained he ran 2-3 times per week and when he ran

from the Wilson's side, which was the south side, across the bridge, there was a lot of congestion with cars turning left, right and flying down the road from the south and north. It was a scary situation and noted he ran across the bridge fast due to safety concerns. He encouraged the Council to consider building the bridge and pointed out that when on the bridge, there was no escape because there was no where to go if someone spaced out for a little bit. He thought this connector would be good for runners, bicyclists and families.

Larry Samuel, 3204 Shoreside Drive, stated he was the Chairman of the Lake Woodrail Homeowners Association and noted they discussed the trail connector to Lake Woodrail at a homeowners association meeting. He explained a lot of issues had come up to include parking and the steepness of the trail and the homeowners association was opposed to the building of the trail from the bottom of the hill to their subdivision. The vote was about 4-1 against it. He noted many of their members belonged to Wilson's and would encourage a trail at Wilson's. They just did not want it to go into their subdivision due to parking, the lake, etc. He stated they were open to a sidewalk being built from Crestwood down the hill on the east side to Wilson's instead of having to walk the road down the hill to get to there. He understood it would be possible to build a wide sidewalk on the east side of the road to where the trailhead would start at Wilson's. This would allow people to get down the hill, whether they were on their bikes or walking. He noted it was perilous to walk to and from the fitness center now. Mayor Hindman asked if he could describe the route. Mr. Samuel described the route using the map on the overhead.

Mark Adams, 2600 Westbrook Way, stated he was a resident of Lake Woodrail and recognized the fact there were problems on the bridge. He applauded the proposal described tonight by Mr. Abrams with regard to a low water bridge. He commented that the previous route was anticipated to go through a residential lot he owned next to his home. He explained he had owned the lot for several years and had planned to build a future home on it when the residential environment allowed. This fall he was suddenly notified by the Lake Woodrail Homeowners Association that GetAbout Columbia had targeted the dam and his lot for a potential trail extension. After the Association voted to oppose the trail through their neighborhood, he had been assured the idea was not going forward and would be removed from future consideration, so he was astonished to see the dam and his lot presented as an option. In addition, terms such as condemnation and eminent domain were mentioned in relation to his lot and he thought those terms were reserved for issues of vital public interest. He did not see a nice trail-end extension as a vital public interest. He commented that two years ago they had almost moved to another area, but because of the neighborhood's privacy, they decided to build on the residential lot in question instead. He asked the Council to follow the sentiment of those most affected and disallow the trail extension into their neighborhood. He applauded the idea of a low water bridge to Wilson's as potentially viable and wanted to be assured the sentiment was understood in the literature received that the other option was not being considered for liability, safety and privacy issues.

Don Corwin, 515 Dustin Drive, commented that he used the Wilson's facility and the trailhead to the Katy Trail and understood all four trailheads could not be completed. As a result, he thought he Council needed to determine which ones would have the greatest impact on the greatest amount of people. In looking at the south side of Columbia, there was

a Providence access across the Hinkson Creek, a Forum Road access across the Hinkson Creek, a Rock Quarry Road access across the Hinkson Creek and Scott Boulevard, but there were two miles of distance between each one. If they wanted to reduce the carbon footprint, which was part of the focus of this federal money, he thought they needed to look at pedestrian, bike and other non-motorized means of accessing the Katy Trail, the University, downtown, business areas, schools, etc. He saw a perfect marriage of public and private funding and cooperation in building the Wilson's bridge without interfering with the Lake Woodrail neighborhood if they went with the proposal introduced tonight. He believed it should be a priority over other projects that might provide access from an apartment complex to the trail or be more recreational. He felt the focus needed to be on accessibility, the reduction of the carbon footprint and a better use for the people affected on the south side of Columbia.

Tom Brinker, 4904 Kirk Hill Road, stated he was a bicycle retailer in Columbia, so he naturally wanted to see all of the projects go through, but if there was a question about the amount of money they had and where to spend the money most appropriately, he thought they should consider safety issues first. His biggest concern involved the bridge near Wilson's Total Fitness as he could share some harrowing experiences in crossing that bridge.

Steve Kullman, 205 S. Garth, stated he was excited because he had seen the entire plan and noted he viewed this as a network. He hoped the Council stayed focused on a complete network to include connectors. He noted experts had been hired to study and design the problem and asked the Council to follow their advice in building a complete system.

Betty Pauley, 1108 LaRail Drive, stated she was a resident of the Lake Woodrail Homeowners Association and wanted speak on behalf of those who did not agree with the Association's opposition to the connector from the Lake Woodrail neighborhood to the Wilson's Fitness Center and from Wilson's to the Katy Trail. The immediate neighborhood surrounding Lake Woodrail and the feeder streets of Burrwood, Oakwood, Lynnwood, Vista View Terrace, Lake Point, North Shore Drive, LaRail Drive, Green Meadows, etc. included 700-800 homes that would be given access to the Katy Trail and Wilson's by a connector from the Lake Woodrail neighborhood to Wilson's and from Wilson's via the connector bridge to the Katy Trail. A lot of those people were members of Wilson's and their cars would not be in the parking lot because they could walk there by the trail. In addition, it would open up access from the Green Meadows area for people to traverse the area and access the trail to the University. She noted she was a real estate broker and had seen the benefits of having access to a trail with regard to property values and resale values. She commented that she was being selfish as she wanted her home to appreciate in value and having access to the Katy Trail would make her home and every other home there much more desirable. She stated she had a home listed in Country Woods and the tag line being used was access to the Katy Trail. She was sad that her neighborhood would be deprived of access to the trail due to a vocal minority. She noted they had the same concerns that were vocalized when the Katy Trail was originally planned. Those arguments were heard over and over again. She asked the Council to not to forget the rest of the people who would be able to access the

trail if they decided to search for alternative routes for a connector from the neighborhood as they wanted access to the trail.

Frankie Minor, 403 S. Garth, commented that the proposed extension would increase foot traffic at his front door. He noted he had worked with the neighbors and thought they had gone through a good process to determine the best possible route. He stated that if the route needed to be built, the proposed Garth Extension was the best possible extension. He explained he was also in charge of University housing as part of his job and some of that housing directly abutted this proposed trail. The residents had been informed and GetAbout Columbia hosted a meeting, but no residents attended. Meetings, however, had been held with the residents where they had voiced concerns about the trail. He commented that although he was personally in favor of the trail, he felt it was his duty to represent his residents as well and they had concerns about access from the trail into their property. He stated they were working with GetAbout Columbia and understood they were willing to adapt and adjust the trail slightly from the sketch to afford a little more privacy.

Joan Mudrick, 1015 Prospect Street, stated she exercised at Females In Training (FIT) and walked everyday. She noted she would love to be able to walk to the trail from where she exercised, so she was in favor of the Wilson's Trail.

Julie Huebert, 301 N. Cedar Lake Drive, stated she worked at the MAC and noted they had a lot of children's programs to include swimming in the summer. If this were to pass, a lot of children would be able to ride their bikes to the MAC for swimming lessons and programs. It would get them out of cars and active.

Phylos Sandison, 1312 Westview Terrace, stated he was surprised they were talking about the trail up the dam by Mark Adams' property because the Woodrail Association voted it down overwhelmingly. He commented that he was a member of Wilson's, rode his bike all of the time and used the Katy Trail, and believed the bridge across the creek was a real necessity. He did not, however, believe the trail up the dam into the neighborhood was a necessity. He understood it was dangerous going down the hill, but the area near the dam was awfully steep as well. He was surprised they were even discussing the trail into the Woodrail Association area.

Kevan Whitsitt stated he was a property owner at Victoria Park, which was on the west side of where the bridge was proposed. The owners of Victoria Park were definitely concerned about levee height and had expressed their concern to Mr. Wilson. They were also concerned that their parking lot would end up being an alternate lot for Wilson's and the trailhead. He explained they had been very good about leaving access to their buildings open, but thought that might be difficult if it was abused. If the bridge was to be built, they had many questions. He stated the proposed ramp was north of his building and noted he had talked to City staff about redesigning it. He was very concerned about the trees and the large berm by the railroad. City staff had confirmed it could be preserved aesthetically. He also wondered if the ramp was necessary if the bridge went through as it would be redundant. He understood an easement would be needed and he noted he was not interested in providing an easement. He suggested the Council view the 8:00 a.m. and 4:30 p.m. traffic because he believed that part of the road needed a turn lane for safety purposes for bikes and cars.

Matt Woods, 1308 Westview Terrace, stated he was opposed to the fourth part of the GetAbout Columbia proposal. He explained he attended the homeowner association meeting and an overwhelming majority was in opposition to this for various reasons. He stated he did not know what was being proposed because there appeared to be three different proposals as to how this would connect to the Lake Woodrail subdivision, and there were different arguments for each one. He commented that all of the other GetAbout Columbia projects were public to public type situations where the beginning and the end was public to public. The ones that were not were the Garth Extension Trail and the Katy Place Trail and those were at the consent of the private owners affected. The distinguishing factor was that the Lake Woodrail Association had voted this down, so there was no consent on their part. He also did not think it would help traffic in Columbia because it would create traffic problems in the cul-de-sac abutting the Adams' property.

Wayne Holden, 2312 Westbrook Way, stated he was in opposition to the Woodrail connection and had sent an e-mail to the Council expressing his opposition. He explained he supported GetAbout Columbia and most things in Columbia even when he did not agree. He felt this was a time for the homeowners in the Woodrail subdivision to be given serious consideration since there was overwhelming opposition. He commented that prior to purchasing the lot he and his wife built their dream house on, they had done their homework. He did not think there was anything being developed around them that would harm their property value, but never imagined the City would install a connector to a trail on the street they lived on. He hoped the Council would take into consideration the fact this would disrupt the privacy and the quiet of a neighborhood that a lot of people had an investment in. He felt it was important for the majority be heard at this time.

Christy Welliver, 184 W. Green Meadows, stated she had only been on the bridge one time six years ago and would never go on the bridge again because it scared her too badly. She commented that she worked out at Wilson's and would love to see anything that would make the bridge safe again.

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

Ms. Nauser stated the cost shown for the Wilson's Trail was \$693,000 and understood it did not include any of the alternatives. Mr. Glascock replied that was correct. Ms. Nauser noted a proposal shortening it had been brought up and asked if the City had talked to anyone about it. She understood it would not go through the Woodrail property. Mr. Glascock replied they had not talked to anyone. Ms. Nauser asked if they had a cost estimate for the new proposal. Mr. Glascock replied he did not.

Mr. Janku asked if gravel or concrete would be placed on the levee. He was wondering what type of cost would be involved. Mr. Glascock replied they would have to determine whether there would be a detriment to paving it. He thought gravel would probably be preferred. Mr. Janku understood it would probably involve a low cost. Mr. Glascock noted aesthetics were also involved.

Mr. Skala understood the Council had approved \$860,000 in GetAbout Columbia money when they had previously discussed this and \$610,000 had already been committed. The improvements being suggested in the report would cost almost another \$1 million. He asked what it represented and what it meant. Mr. Glascock explained \$610,000 had been

appropriated. The Council approved budget was \$860,000. As projects closed out, they would move the money to the projects identified by Council. He thought they would have \$860,000 when all of that happened. When Council identified the 14 projects, staff understood Garth was not moving forward. The \$860,000 was for Wilson's, Forum and Katy Place. Since then, everything had been worked out with Garth. The issue was that they only had \$860,000 to spend, so the Council needed to decide how to proceed.

Mr. Skala understood the \$860,000 was for the projects minus Garth and adding Garth would cost \$953,000 plus. Mr. Glascock explained the three projects were estimated to be higher than the \$860,000 they first identified. Mr. Skala asked how much more. Mr. Glascock replied about \$1 million. He noted that with regard to Wilson's, going down Forum was not an alternative they looked at. He thought it would be cheaper if they striped the shoulder, etc., but did not know how much cheaper. Mr. Skala understood they already had a cost overrun of several thousands of dollars with the three that they had agreed on, and were now trying to add something on top of it. Mr. Glascock stated that was correct.

Mr. Wade commented that they were finding that there was a major difference in the interpretation of what Council decided. He did not believe the Council decided to move ahead with three projects and put one on hold. He thought they would leave the \$860,000 in the MKT connector and later decide which projects would be taken to construction. He did not believe they decided to go with any of the projects as that decision was being made tonight.

Mayor Hindman commented that due to the misinterpretation, he thought they should just pick amongst these projects in terms of the \$860,000 budget. He anticipated a significant reduction in costs with regard to the new Wilson's Trail proposal because he assumed the cost to go up and down the hill would have been expensive, but understood going across the Hinkson Creek would also be expensive. He suggested they prioritize the projects in hopes to get as much done as possible. He thought the Garth-Grassland connector would be an interconnected system because it would connect neighborhoods, Grant School, the library, etc., and felt that should be put at the top of the list. Mr. Wade and Ms. Nauser were in agreement.

Mayor Hindman commented that the Katy Place connector had the advantage of going up to a fairly high density living area, which was near the trail and presumably offered a lot of modal change. The Wilson's Trail also made a lot of sense. He suggested they put street money toward it as it could reduce the problem with the bridge. With regard to Forum/Katy Lane, he thought the connector on the east side from the trail to Forum was a valuable. He noted they could drop the one from Forum going down to the trail southward because they could use the shoulder and go through the parking lot, which was relatively safe. If someone was going toward town on Forum, they would have to cross Forum. It could be avoided by going through the parking lot and on the trail. In coming home, they could get on Forum and go to the north. That would provide access to Forum from the trail and from Forum to the trail going any direction without having to cross Forum. He thought that would be valuable and not very expensive. He asked if staff knew how much it would cost. Mr. Glascock replied Forum/Katy Lane was \$155,000. Mayor Hindman understood that was for two different connectors. He was suggesting they drop the one on the west side, but keep the one on the

east side as it would allow for a system where they could get people on and off of the trail in any direction without crossing Forum.

Mr. Glascock asked if he was wanting to include Wilson's with the one on the east side because he did not think there would be an advantage if they included the Wilson's Trail because they would have to cross the street to get to it if they were coming from the south. If they were coming from the north, they could go through Wilson's across the new pedestrian bridge. Mr. Janku understood traffic would be getting off at Wilson's further to the south, so there was no real gain at that point. Mayor Hindman noted he was referring to going to the north. They could come up and make a right turn on to Forum. He pointed out it was only a few hundred feet long.

Mr. Janku understood Mayor Hindman was suggesting they delete the west side to reduce the cost. He noted he was also suggesting the Lake Woodrail portion be deleted. Ms. Nauser asked if he was suggesting the \$155,000 be left for the short piece. Mayor Hindman replied the \$155,000 included two pieces. He was suggesting they delete one, which he believed to be the most expensive of the two. He reiterated he was suggesting they drop the one on the west because those people could get on the shoulder and go to the parking lot. People coming from the south could use the Wilson's Trail if they were to do it and people coming from downtown wanting to get to Forum could make a right onto Forum. Mr. Glascock asked where they would be going on Forum. Mayor Hindman replied the area Forum served to the north. Mr. Glascock thought if people were going north, they would go through Katy Place. Mayor Hindman pointed out that with Katy Place, they would have to go into the apartment complex, which was very steep. He did not think it would be a popular route.

Ms. Nauser stated she thought Katy Place needed to remain on the list if they looked at it from an overall perspective due to the new Greenbriar Trail that would connect to the MU Recreational Trail. It also gave people the opportunity to pick up Forum. People would be able to get from Forum all of the way over to Providence by going on the Katy Place connector to the MU Recreational Trail.

Mr. Wade asked if they needed to design the Forum/Katy Lane and the Wilson's Trail together. He wondered if they were interconnected in such a way that they needed to be designed together.

Mayor Hindman stated the easiest one to drop was Katy Lane.

Mr. Wade commented that it was clear the Wilson's Trail had some major benefits, but there were also some major issues in the semi-new design that needed to be resolved. The issue was not only with the Wilson's Trail, it was also with the entire intersection. He noted there might not be a solution with vehicular traffic and the bridge without an expensive new bridge. He thought they needed to address a broader set of design questions for the Wilson's Trail and access. They could shift money within the current project, but as they moved forward with changes in design, he thought it needed to be a top priority. He noted they would not be done with trails and the system when the GetAbout Columbia money was gone.

Mr. Skala pointed out that as painful as it was to make this decision between choices, it was also excruciating to make the original decisions. He noted Mr. Janku and he were

remiss to give up the trail on the north side of town along the COLT Railroad. He stated they had to spend within their means regardless of whether it was something they wanted to do.

Mr. Janku asked if they had been above or below cost estimates as projects had been completed. Mr. Glascock replied the intersection projects bid to date had come in high. Other projects would be bid in April, so they did not know how they would come in. He noted the highway projects were reasonable or under cost. He hoped the sidewalks and pedway projects would be under cost as well. Mr. Janku commented that if they came in under budget and had money, they could come back to some of the projects on the list.

Mr. Janku stated he did not agree with Mayor Hindman as he thought the connector on the west side had a distinct advantage. The Katy Place Trail led into the apartment complex, but to access it from other areas, people had to cross Forum or ride along the side of Forum. If people came from the west side, they would be coming from the subdivision at the top of the hill and could flow down hill into the trail. It allowed people who were not confident cyclists to access the trail without getting on Forum to proceed into town. When coming back to town, they could access their neighborhood through neighborhood streets without touching Forum. He thought it would be better than doing the Katy Place Trail.

Ms. Nauser noted people would come out at a signalized intersection in front of Schnucks, so they could safely cross in front of the retail and go to Katy Place.

Mayor Hindman stated he was an advocate of the Katy Place Trail due to the high concentration of people there who would be inclined to make the modal shift. It would provide a very convenient way to get to the University.

Ms. Nauser noted people had contacted her regarding bus service, so if they could not provide bus service, they could provide the trail.

Mayor Hindman suggested they moved ahead with the Garth-Grasslands Trail, obtain a new estimate for the Wilson's Trail without going up the hill and obtain a break down of the two Forum/Katy Lane trails.

Ms. Nauser commented that Forum Boulevard in front of Wilson's had a multitude of issues to include traffic speed. Since they might have extra funds, she suggested PedNet come up with ways to highlight the area. She thought there could be more bike striping, etc. to let drivers know there were bicyclists and pedestrians in the area. If they could not construct the trail at this time, they could assist with road signs or striping. Ms. Nauser noted she had recently been in a community where the speed limit was painted on the road. She thought they should also look at reducing the speed on the road.

Mr. Skala agreed they should look at the speed and noted it was not a MoDOT responsibility.

Mayor Hindman pointed out they had heard concerns about speed at two different places. One was at the Wilson's bridge and the other place was where Katy Lane came in because people were going down the hill.

Mayor Hindman suggested they proceed with the Garth-Grasslands Trail and work out the others as best as they could.

Ms. Nauser stated she wanted to give Mr. Wade the credit for getting the neighborhoods together. She noted she came in at the tail end. Mr. Wade and his

organization in working with the neighbors was the catalyst for the consensus of the neighborhoods.

Mayor Hindman made a motion directing staff to move ahead with final design on the Garth-Grasslands Trail and to provide a report as soon as possible showing the breakdown of the others. They could leave out going to the neighborhood above Wilson's. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

(D) Voluntary annexation of property located on the north side of Route K, 100 feet west of Old Village Road (971 West Route K).

Item D was read by the Clerk.

Mr. Watkins explained this was a required public hearing and the Council did not have to take any action tonight.

Mr. Teddy noted it had access to City sewer from recently formed Sewer District No. 159.

Mayor Hindman opened the public hearing.

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

OLD BUSINESS

B41-09 Amending Chapter 14 of the City Code to establish a 10-hour parking zone on the north side of Ash Street, between Orr Street and St. James Street.

The bill was given second reading by the Clerk.

Mr. Watkins explained the building owners had requested the installation of six 10-hour meters on Ash Street. This was due to a loading zone of a previous building tenant that was no longer needed.

Ms. Hoppe asked if the 10-hour parking meter was standard. Mr. Glascock replied it was not for the downtown. Ms. Hoppe asked what the standard was for downtown parking. Mr. Glascock replied he thought it was about two hours because they wanted it to turnover more where businesses were located.

Ms. Hoppe commented that if someone parked there the meter would not be available for other people for another ten hours, but noted she did not have a strong opinion regarding it.

Mr. Skala stated the report indicated some of the business owners suggested one of the advantages for having metered parking was so people could not sit there all day and go someplace else.

Mr. Janku noted there were people who worked downtown that did not have parking permits for the garages or other lots and this would allow them to park all day. He thought this would allow some flexibility.

Mr. Skala asked who suggested ten hours. Mr. Glascock replied staff. He explained they had permit parking adjacent to the transit building and there were no businesses requesting turnover, so they did not look at a shorter term. Mr. Skala asked about the input from the people on Orr Street. Mr. Glascock replied they did not want someone to park and just leave it there. He noted they could look at shorter times.

Mayor Hindman suggested they move forward with this since no one knew if it would be a problem. Mr. Wade agreed and noted if the business owners ask for a more rapid turnover, they could look into changing it.

B41-09 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B47-09 Authorizing Amendment #1 to the agreement with The Curators of the University of Missouri for a water treatment analysis project.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a no cost change order to the agreement with the University of Missouri for water treatment analysis. They recommended a few of the tests be changed. He thought the numbers were about the same and that there was no difference in cost.

B47-09 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B48-09 Amending Chapter 22 of the City Code as it relates to public hearings on public improvement projects.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a suggestion by staff that would allow the City to do a better job in communicating a proposed public improvement. Instead of publishing it seven times in a row as a legal advertisement, it would be published as a block advertisement as was done with CDBG hearings. He pointed out it would save about \$100 in advertising costs per public improvement.

Ms. Hoppe asked if it would be good to also have a press release notifying people. Mr. Watkins replied they could put those on the type of things that were sent out.

Mayor Hindman noted there was publication of the agenda, etc. on the web page and thought they should ensure the notice was placed on the web page as well.

Mr. Janku stated in his neighborhood when people received things like this, they circulated it amongst the neighbors. It was a good way to get the word out.

B48-09 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. 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.

B36-09 Voluntary annexation of property located southwest of the intersection of State Route K and South Hill Creek Road (6591 and 6601 South Hill Creek Road); establishing permanent R-1 zoning.

- B37-09 Rezoning property located between Monroe Street and Ammonette Street, west of North Old 63 (1807 and 1811 Monroe Street) from R-3 and C-3 to C-P; setting forth conditions for approval.
- B38-09 Approving the A. Perry Philips Park, Phase 1 PUD development plan located off Bristol Lake Parkway, east of Billingsly Drive; approving a revised statement of intent; granting a variance from the Subdivision Regulations relating to construction of an alternative sidewalk.
- B39-09 Vacating approximately 300-feet of a public alley located east of Dorsey Street, beneath the Dorsey Street Auditorium on the Stephens College campus.
- B40-09 Calling for bids for construction of the Bear Creek Trail Connections Project at Blue Ridge Road and Python Court.
- B42-09 Authorizing a cooperative agreement with Boone County relating to 2009 revenue sharing funds for the Waco Road intersection with Brown Station Road improvement project; appropriating funds.
- B43-09 Accepting a section of Rock Quarry Road and Capen Park Drive for ownership and maintenance from the Missouri Department of Transportation; authorizing a road relinquishment agreement.
- B44-09 Authorizing a break in limited access agreement with the Missouri Highways and Transportation Commission to allow limited access onto Providence Road (State Route 163) from Buttonwood Drive.
- B45-09 Authorizing the City Manager to apply to the United States Department of Transportation Federal Aviation Administration for airport capital assistance grants.
- B49-09 Accepting a grant from the Missouri Department of Transportation - Highway Safety Division for a DWI enforcement project; appropriating funds.
- R46-09 Setting a public hearing: voluntary annexation of property located on the south side of Heller Road, east of Ewing Industrial Park and west of Rogers Road.
- R47-09 Setting a public hearing: voluntary annexation of property located southwest of State Route WW and Elk Park Drive.
- R48-09 Setting a public hearing: considering the FY 2008 Consolidated Annual Performance Report.
- R49-09 Accepting a donation of a firearms simulator from the Columbia Police Foundation to be used by the Police Department for in-service firearms training at the new police training facility.
- R50-09 Authorizing an agreement with Rope the Ozarks, LLC for sports development funding under the Tourism Development Program.
- R51-09 Authorizing an agreement with Encari, LLC for consulting services to conduct a North American Electric Reliability Council (NERC) Critical Infrastructure Protection (CIP) standards documentation review.

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

NEW BUSINESS

None.

INTRODUCTION AND FIRST READING

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

- B50-09** Voluntary annexation of property located on the north side of Route K, 100 feet west of Old Village Road (971 West Route K); establishing permanent R-1 zoning.
- B51-09** Approving the Final Plat of A. Perry Philips Park located east of the intersection of Gans Road and Bristol Lake Parkway; granting a variance to the Subdivision Regulations.
- B52-09** Approving the Final Plat of Gans Creek Recreation Area located south of Gans Road and west of Gans Creek Road; granting variances to the Subdivision Regulations.
- B53-09** Approving the Final Plat of Bethel Ridge Plat 2, a Replat of Lot 2 Bethel Ridge Plat 1 located on the northeast corner of Bethel Street and Diego Drive.
- B54-09** Authorizing a federal aid program agreement with the Missouri Highways and Transportation Commission relating to construction of the Columbia Terminal Railroad (COLT) bridge over U.S. Highway 63.
- B55-09** Accepting a conveyance for utility purposes.
- B56-09** Calling for bids for construction of the Hinkson Creek Trail between the Grindstone Nature Area and Stephens Lake Park (Phase 1).
- B57-09** Authorizing the acquisition of easements for construction of the Hinkson Creek Trail between the Grindstone Nature Area and Stephens Lake Park (Phase 1).
- B58-09** Appropriating funds for the Parks and Recreation Department C.A.R.E. Gallery program.
- B59-09** Appropriating funds for Share the Light Program.
- B60-09** Authorizing a fire service cooperative agreement with the Boone County Fire Protection District.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Mayor Hindman noted this report was provided for informational purposes.

(B) Tasers.

Chief Dresner explained this was mainly in response to points made by Grass Roots Organizing (GRO) in a December opinion piece in the Tribune. In addition, they wanted to make Council aware of a couple of improper uses of the taser in the fall of 2008. It caused a modification in policy and was in response to the community debate with regard to what were acceptable and unacceptable uses of the taser in Columbia, Missouri. He noted a couple of weeks ago, GRO brought up the City adopting the PERF guidelines as an additional point of

ascertain. This report did not go into much detail about that since they were only aware GRO was going in this direction a couple of weeks ago. He noted PERF was the Police Executive Research Forum and was a law enforcement think-tank. It was a well-respected nationwide authority in terms of police policies and procedures. He understood one thing PERF had that GRO was interested in were guidelines for policy and training. It came out of a two day conference in 2005. There were 52 general guidelines about acceptable taser use. He understood GRO felt this was something the Columbia Police Department should be doing. After doing some research, he thought most of the 52 guidelines were applicable to the City in some way, but some were not. He pointed out they were already doing a majority of what those 52 guidelines involved. He noted about 49 were applicable and they were already doing 33-34. One they did not do was addressed in the body of the report and concerned using two tasers on one person at the same time. He explained it was not something they did routinely. For the casual observer, it seemed excessive, but it did not double the voltage. Point number six indicated a person fleeing should not be the sole justification for police use of a conductive energy device (CED) and severity of the offense and other circumstances should be considered before the officer's use of the CED on a fleeing subject. In the two cases discussed, they realized they had two problems for relatively minor offenses at hand. The City's policy stated they were suppose to take into consideration the underlying offense for which the person was running before it was done and that it had to be weighed against the risk of injury of a fall because the person no longer had control of their body and when running at full speed and hit with a taser, the person would fall like a tree and could be injured. In those two cases they had a problem with officer improper use because of the relatively non-severe underlying offense, but there was also language in the policy stating that if the only reason a person was running was because they were running, it was okay to use the taser and officers were making incorrect judgments based on that. He reiterated the PERF guidelines were pretty much their guidelines. He suggested they approach PERF with their current policy for recommendations if they were in the business of providing feedback.

Mr. Skala understood Chief Dresner was suggesting sending the report and the guidelines and policies in Columbia to PERF. Chief Dresner stated that was correct. Mayor Hindman thought that was a good idea.

Mr. Skala commented that the City needed to work closely with the conscience of the community and continue to work at training, policy and oversight, and noted he was satisfied with the understanding that PERF were guidelines, so they had to be tailored to the individual community. He agreed they had a long way to go in terms of community relations, but pointed out a lot of things were progressing in the right way. He noted they had a new police chief, more transparency, a lot of dialogue with GRO and other groups, and internal affairs at the Police Department had been upgraded. Eventually, they would get to some sort of appeals process with a civilian review board. He thought the Police Department was headed in the right direction and was satisfied with the guidelines that had been offered by Police Department thus far with respect to how they viewed things in Columbia. He believed the suggestion to send this to PERF for comment was a good one.

Chief Dresner stated Mr. Skala made great point about the guidelines and community acceptability as it was different for every community. He noted there were areas in Los

Angeles, California where a police officer would pull his gun out every time he stopped a car. Although it was community acceptable in parts of Los Angeles, it was unthinkable here. These were put out for everyone and all would not fit. In addition, some were so small, they were inconsequential.

Mr. Skala made a motion to accept the report. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(C) Lighting of Skate Park at Cosmo Park.

Mr. Watkins explained staff had made a recommendation earlier this year and Council asked for the Parks and Recreation Commission to provide a review and recommendation as well. The Commission was recommending the skate park not be lit at this time.

Mr. Wade thanked the Parks and Recreation Commission for succinctly identifying the issues and laying them out in a clear way.

Mr. Wade made a motion to accept the report. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

(D) Proposed revisions to Chapter 29 of the City Code to distinguish “villas” from “duplexes”.

Mr. Teddy explained this began at the request of Council to see if there was a way to distinguish a two-family residence that had been called a villa from a duplex or other type of attached two-family house. In a few of the zoning cases, particularly PUD cases, developers had gone through a fairly elaborate process of making self-imposed restrictions in order to gain approval of a project. They would include design guidelines, elevations, etc. that went beyond what the ordinance required in the statement of intent. He thought this led to Council asking if a distinction could be made in the ordinance. In working with the Planning and Zoning Commission, staff had put together an annotated version of an ordinance for Council review. He noted it would be ready to go to public hearing to consider testimony after stripping out the footnotes, etc. as those were there to show the examples of design guidelines they had drawn upon. He stated this would only affect the PUD and definition sections of the ordinance. At this time, they were not recommending any mandatory design review or design guidelines. The villa definition would be there in the event an individual requesting PUD approval needed or wanted to put in some kind of design guideline. He noted there was also a category called one-family attached and was distinct from a duplex. It involved two side by side units designed for homeownership that would not necessarily have all of the design guidelines required of them.

Mr. Janku explained he brought this up because some small duplex developments that were integrated into neighborhoods around Columbia did not present many problems, but large duplex developments that were all rental presented problems involving stability, maintenance, etc. over time. In addition, developers were building villas, which were good quality developments, but the zoning process did not distinguish between the two. He asked if other communities had tried to accomplish this distinction or if this design criteria was drawn from areas that tried to put a particular quality standard on developments of this type. He asked if they were trying to distinguish between a rental community and a homeownership

community. Mr. Teddy replied examples could be cited where design guidelines were used to make a two-unit or multi-unit building look like a house through appearance code type guidelines so it was less obvious the two units were distinct housing units.

Mr. Janku asked if any impacted the tendency for homeownership instead of rental units. Mr. Teddy replied, through design, they could create the type of housing that was more commonly designed for homeownership, but could not restrict it with regard to owner occupancy. A lot of times, the aim was to create more of a look of design of a home for homeownership.

Mr. Wade thought they needed to move ahead with this while watching it very carefully. When he was on the Planning and Zoning Commission, some in the development community had discovered there was a resistance to duplexes because they had so many bad developments that were beginning to become slums. As a result, they decided to call it a villa and develop it under PUD zoning. He felt they were still duplexes and wondered why it was not being zoned under R-2 zoning. After an answer with no substance, it became clear there was no way of distinguishing between developments that basically involved poor construction, exploitive housing and slums in the making and developments that were decent developments. This might not solve the problem, but he thought they should try it to find out if it would. Mr. Janku made a motion directing the Planning and Zoning Commission to proceed with holding a public hearing on this issue. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

(E) Community Housing Options – Proposal to Lease City-owned property at Vandiver Drive and Oakland Gravel Road.

Mr. Watkins explained they had received a request from Community Housing Options (CHO), a new housing organization with a mission to develop property that was accessible to the physically disabled, to use City-owned property at the corner of Vandiver and Oakland for a limited number of these units. Per Council direction, they took proposals and received only one from CHO. Staff reviewed the proposal and thought it met the RFP requirements. Staff wanted Council direction and authorization with regard to negotiating an actual lease for the property.

Mr. Janku noted the report referred to using CDBG funds from the American Recovery and Reinvestment Act (ARRA) for the sidewalk and asked how that would be pursued. Mr. Teddy replied the supplemental block grant funds that were coming as part of the ARRA would be a potential source for this and they expected to get those funds this year, so they would have access to the funds before they were needed. Mr. Janku asked who would have access. Mr. Teddy replied CHO. Mr. Janku understood CHO would be receiving the funds and the City would not. Mr. Teddy stated the City could do the Oakland Gravel sidewalk using the same program. If the sidewalk supported this housing development, he thought it could easily be justified as a CDBG project. Mr. Janku asked how the City could make it happen. Mr. Watkins explained this was the additional money they would get from CDBG. He thought it was \$260,000. Mr. Teddy understood the cost of taking the sidewalk all of the way to Blue Ridge would be more than that. Mr. Watkins asked for the dollar amount they would receive. Mr. Teddy replied the City would receive approximately \$237,000. Mr.

Watkins noted they had discussed using the funds for sidewalk repairs in the CDBG eligible area, but it could be used for anything.

Mayor Hindman thought they needed to talk about the projects that might compete for this CDBG money. Mr. Watkins stated that if the Council wanted to use it for sidewalks, a report would be provided at the March 11, 2009 work session. Mr. Skala understood this could be one of the projects. Mr. Watkins replied yes. Mr. Janku understood this would be discussed on March 11. Mr. Watkins noted they could use it for street paving, etc. in the CDBG eligible area, but it had to be spent within 120 days of receiving notice. As a result, they were looking for projects that would require minimal engineering and no right-of-way acquisitions. Mr. Teddy explained they made this reference in the report because it involved accessible housing and put them on the spot to have an accessible transit stop there. They thought they needed to bring it to Council's attention.

Mr. Janku made a motion directing staff to negotiate a development agreement and lease option with CHO while keeping the neighbors informed of the process. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

(F) Trash Out Early – East Campus Area.

Mr. Watkins explained they compiled data from the 2008 calendar year per Council's request. Of the 292 trash out early charges, 61 were from the East Campus area and 231 were outside of that area. He pointed out an inspector was not out watching for this. They operated on complaints.

Ms. Hoppe thanked staff for the report and agreed this was probably the tip of the iceberg because it was complaint driven and some people were tired of calling. She understood staff's suggestion was to raise the rate for the first pick up from \$25 to \$50. Mr. Watkins stated they felt this was reasonable suggestion because it was more along what it actually cost the City. Ms. Hoppe understood the second pick up would cost \$100.

Ms. Hoppe made a motion directing staff to draft an ordinance amending Chapter 22 of the City Code. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Ms. Hoppe noted some people had gotten around this ordinance by not putting the trash out on the curb. They placed it in the yard away from the curb instead, such as at the side of the house. She felt this was a challenging secondary problem.

Mr. Janku stated this had been a problem for years, so he was glad they were increasing the fees as they had not kept up with the cost of inflation. He did not think this should apply if trash day was moved due to a holiday and the person put it out on the regular day. He hoped that would be clear in the ordinance if it was not. He asked if they had thought about having the trash pick up day be Monday for the East Campus area. He thought if people had parties on the weekend and wanted to get rid of their trash, it would address the problem effectively. Ms. Hoppe stated that was a good thought, but wanted to discuss it with the neighborhood association.

(G) Ground Source Heat Pumps – Environment and Energy Commission.

Mr. Watkins explained this was a report involving the Environment and Energy Commission. It was reviewed with the Building Construction Codes Commission as it was part of the code review they would be undertaking later this year.

Mayor Hindman understood this was an informational report. Mr. Watkins stated that was correct.

(H) Graffiti Abatement.

Mr. Watkins explained this was an informational report requested by the Council. He noted the Council had received a copy of the form letter the City sent with regard to graffiti. He hoped they could get more people to report graffiti and better cooperation from private landowners.

Ms. Nauser pointed out the pictures of graffiti she presented in her policy paper in April still remained and it had been about a year. As a result, she did not believe there was a lot of willingness on the part of property owners to remove the unsightly graffiti. She suggested they move forward with discussion through the public process for doing something if people did not remove graffiti in a timely manner. She felt graffiti was a problem and was not conducive to revitalizing and keeping the downtown safe.

Mr. Skala asked if they should take the approach of an incentive or a punitive measure. Ms. Nauser replied she understood they were looking at ways to provide an incentive by providing property owners the materials to remove graffiti at cost, but thought they should have incentives and punitive measures. She believed there needed to be mechanism for punitive measures if graffiti was not removed or assistance was not requested after receiving a letter.

Ms. Nauser noted the report cited the International Property Maintenance Code and asked if they could build off of that. Ms. Messina stated she reviewed the City's ordinances on property maintenance and did not see anything that specifically addressed this issue. If something was found that might apply, she thought Council could consider whether those potential penalties were appropriate. She suggested they looked at model ordinances from other communities as well.

Ms. Nauser made a motion directing staff to look at ways to enforce graffiti removal by property owners and to begin the public process by drafting an ordinance. She thought it could be done with the International Property Maintenance Code or by reviewing ordinances from other communities. In addition, she thought they could provide incentives as well as punitive measures. The motion was seconded by Mayor Hindman.

Ms. Hoppe asked if there was alternative sentencing for cleaning up graffiti within the City. Mayor Hindman noted there was a private property issue involved. He did not they could just go onto someone's property and start removing graffiti. Ms. Hoppe understood an agreement would be needed. She stated it was just a thought as it would be free labor.

Ms. Nauser believed there were many examples that could be reviewed as they developed something for the City. She stated she did not believe it was an overwhelming problem, but felt it was a continuing problem since the graffiti she pointed out a year ago still remained. Mr. Watkins asked if that was in the downtown. Ms. Nauser replied yes.

Mr. Skala noted larger communities had departments that dealt with graffiti abatement. Mr. Watkins stated they eliminated it from the budget last year. Mr. Skala understood.

Mr. Janku asked if they wanted the SBD involved in the process for their ideas. Ms. Nauser replied she understood they had been involved in the process. In addition, a church was trying to do some volunteer work with regard to graffiti. She thought it was time to indicate they were moving forward with a more forceful approach because the community approach was not working.

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

(I) Displaying End-Point Business Names on Transit LED Route Signs.

Mr. Watkins explained this was an information report as there had been some discussion about the signs on the transit buses. Staff conducted an informal survey in order to find out what the riders preferred and the riders did not want any changes.

Ms. Hoppe wondered how the question was asked. She did not think they were asked if they wanted to see businesses pay for having their name on the buses, so the money could be added to improve the bus system. She thought this issue could be dealt with when they dealt with advertising on buses.

(J) New Off-Street Parking Garage.

Mr. Watkins stated they expected the final plans to be ready in March and wanted to provide this to Council for one more review prior to going out for bids. He understood there was some controversy in terms of garage size and having retail on the first floor, so he wanted to provide notice that this would be coming forward later this month.

Mr. Glascock explained a signal would be added to Fifth and Walnut and right turn lanes would be added to Walnut and Sixth to handle the extra traffic generated. If Council accepted this, staff would bid it.

Mayor Hindman made a motion directing staff to prepare a bid call ordinance for the parking garage. The motion was seconded by Mr. Janku.

Mr. Skala pointed out this would not be paid for with tax money. It would be paid for by the people that used the facility. In addition, the retail space would be at a level playing field with the rest of the business district.

Mr. Janku noted the goal of the parking garage was to have levels of parking so surface lots would be eliminated in favor of redevelopment in the downtown.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS

Upon receiving the majority vote of the Council, the following individual was appointed to the following Commission.

PLANNING AND ZONING COMMISSION

Puri, Ray, 3508 Cross Timber Court, Ward 5, Term to expire May 31, 2010

Mayor Hindman made a motion for the Council to interview the Water and Light Advisory Board candidates at the March 16, 2009 pre-Council meeting with the first interview being scheduled for 6:00 p.m. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Catherine Parke, 413 Thilly Avenue, commented that when the Council unanimously accepted federal equipment funds and designated them for purchasing tasers in 2008, they also tacitly confirmed best practice in their use. The tacit confirmation of best practice was not because the Council was in charge of the Police Department, but because any instrument of law enforcement carried with it the responsibility of best practice. She commented that there had been an eight month delay between the time patrol officers were armed with tasers and best practice guidelines were in place as the taser regulations were a work in progress and were not in place in the beginning. She did not think there should be a division between application and best practice. She felt there had been a significant temporal division during which time citizen action groups had to be vigilant, active and insistent with regard to the taser guidelines. This significant temporal division was a serious error.

Don Love, 1623 University Avenue, stated the Coalition was not just GRO and noted he was the Chair of the Missouri Association for Social Welfare Human Rights Task Force and this was something they were interested in. He commented that Chief Dresner cited a study they felt was light on the characteristic of tasers and suggested other studies be reviewed as tasers caused deaths and needed to be treated as something that caused deaths. He agreed with the previous speaker in that good progress was being made with regard to adequate guidelines for their use, but felt it was shame it took so long to do. He stated it was not just the guidelines. It was the way they were applied and the training and supervision of the officer. All of those things needed to be considered and watched as they were put into place. The Coalition would be happy to help in looking at guidelines as they were put into effect and in monitoring the results to ensure the community was served well by the use of tasers.

Ed Berg, 1215 S. Fairview, provided a handout and explained they had done an analysis of the PERF guidelines and the existing guidelines in Columbia. They were recommending the City adopt PERF guidelines. PERF No. 2 stated no more than one officer should activate a taser against a person at a time. He understood Chief Dresner had indicated he thought two officers could do it at the same time and that the voltage, amps, etc. would not be increased. He did not understand how someone who was shot with two independent weapons that discharged 50,000 volts each would not get a shock of 100,000 volts. Included in the handout was a 2008 warning from TASER International, which advised against the repeated and simultaneous tasing of a person. He noted he provided a document with a list of the PERF guidelines which he did not find in the City guidelines. He commented that they had come to the Council on a repeated basis asking they adopt a standard for the use of tasers, to include reaffirming imminent danger as it already existed. He read a portion

of the current regulations, which he felt was an imminent danger standard. Of the 48 cases provided, eight involved suicides and of the remaining 40 cases, 85 percent involved minor offenses and were in violation of the provision he read. They were asking the Council to adopt imminent danger so the officers understood that was the standard of use.

Mayor Hindman understood Chief Dresner had indicated he would send the City's regulations to PERF and thought that was a good step. Mr. Berg commented that a report from UCLA regarding taser law compared 50 different regulations and suggested the City do something similar. He thought PERF was a good starting point, but would recommend reviewing other regulations as well.

Katherine Murrie, 103 Westwood Avenue, presented 300 signatures received in the last five days involving having more regulation, training and oversight for tasers.

Eugene Elkin, 3406 Rangeline Street, Lot 81, stated he received word this week that the former police chief could not get his officers to respond to the seriousness of tasers and had chosen to step down from the post due to subject of tasers. He thought the Council needed to understand the seriousness of this issue. With regard to the 300 signatures collected, no one said they would not sign. He was expecting some to reject the petition and thought that was important. He understood the 50,000 volts could be manipulated to 250,000 volts. In 2006, there was a \$21 million settlement because N26 and X26 were both 70 percent defective. He commented that a spark test was required to be done everyday, so it did not work correctly if it was not sparked daily. He stated he knew of an 18 year old that was constantly digging at his chest due to damage from tasing. He believed it was time for the City to take this seriously.

Chief Dresner noted that if Mr. Elkin was stating Chief Boehm left due to issues involving tasers, it was not true. He pointed out they spark tested tasers everyday as it was required per policy and they were incapable of manipulating voltage. He stated they were incapable of doing anything, but downloading what was available in the software of the device itself. He noted 50,000 was the minimum voltage at which the current would jump an air gap. It was necessary when shooting people with them in the winter so it would penetrate a coat. The voltage that tended to be discharged between the two probes was more like 1,200 volts with amperage of .17 of one ampere, which was considerably less than what one received from a wall socket.

Mary Hussmann, 5306 Rice Road, asked if the taser could be calibrated to ensure it was at 50,000 volts because they had an article that indicated some were not exactly at 50,000 volts every time and had to be sent back to the company for calibration. Chief Dresner replied, as end users, they did not calibrate the device.

Mr. Skala stated there seemed to be a lot of misinformation. He commented that he was an electronics technician in the Marine Corps from 1966-1970 and noted it had nothing to do with voltage. It had everything to do with current. The chance of a lethal current was much greater coming out of a wall socket than an X26 taser. The reason multiple tasers did not increase the voltage by two or any other kind of multiple was because current went to the

ground. Regardless of whether there were two or four taser probes on someone, the current would only flow between the ones that were conducting the best. This was all about Ohm's Law strictly in terms of electricity. He noted he was not saying mistakes could not be made and agreed with GRO and others in that they needed to keep on top of training, policy and oversight, but pointed out all of the injuries prevented were not heard in this argument. He agreed they needed to continue improving community relations and felt everyone needed to come on board to develop the community conscience. In addition, they needed to deal with the crime issues they had. He commented that there was no way to tell if there had ever been a case where a taser was lethal because it was confounded. Underlying causes could not be separated in this type of situation. It was possible, which was why it was considered less lethal. It was not considered non-lethal. He thought they needed to bring this discussion to some sort of resolution and noted they had come a long way since the first time this had been introduced. He stated GRO and other groups had created dialogue and things had improved. He believed they needed to focus on policy, training and oversight and then move on.

Mayor Hindman referred to the report provided by staff and noted several changes had been made due to suggestions provided by GRO and others. In addition, where there was no change, the Police Department provided what seemed like a reasonable defense. He believed the idea of sending the guidelines to PERF was good and hoped they would receive some impartial comments from them. He thought a lot of progress had been made.

Mayor Hindman congratulated Mr. Sturtz with regard to the True False Film Festival. He noted it was a huge economic development and quality of life matter for the City. The other Council members were in agreement.

Mayor Hindman understood funding might become available under the Recovery Law to construct the Historical Society building. It would be a five story building and take up a full block. If they wanted any chance of receiving the money, he thought it was important to be in a position to acquire the property because there was no point in providing money for a building if there was not a place to put it.

Mayor Hindman made a motion directing staff to prepare an ordinance calling for the acquisition of the property in question so the first reading would happen at the next Council meeting and the public hearing could be held at the April 6, 2009 Council meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman stated he thought they should look into the Mid-Missouri Transit Pilot Project. He was not sure there were funds for it, but believed it might be worth looking into.

Mr. Janku commented that he would like to see a business plan. He had been commuting to Jefferson City for over 30 years, so he believed he had a familiarity with the issues that might arise in its operation. He thought the business plan should include the number of buses, projected ridership, revenues, etc. He noted it had been tried years ago and did not work out.

Mr. Skala understood there was a problem once it got to Jefferson City because employees worked all over the City, so there needed to be a distribution system there. Mr. Janku agreed a transit center downtown that would get people to locations outside of the downtown would be necessary. Mr. Skala thought that should be part of the business plan as well because it needed to be addressed.

Mr. Janku noted part of challenge was the extended commute time due to other stops. Instead of a 35-40 minute commute, it would be an hour or more. He thought it would be difficult to put together a plan.

Ms. Hoppe pointed out times changed and what did not work 10-15 years ago might work now.

Mayor Hindman noted things were more spread out in Jefferson City now than they ever were and suggested it just be looked into.

Mayor Hindman made a motion directing staff to review and provide comment regarding the Mid-Missouri Transit Pilot Project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Janku stated he received an e-mail from a constituent regarding safety issues at the Edenton and Brown School Road intersection. They wanted to know about the possibility of a 4-way stop. He understood warrants were necessary to justify it.

Mr. Janku made a motion directing staff to provide a report regarding a possible 4-way stop at the intersection of Edenton and Brown School Road, and if a 4-way stop was not warranted, he asked them to review the possibility of improved signage. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Mr. Janku noted he received Lee Summit's foreclosure tracking ordinance and suggested staff evaluate it to determine if it would be appropriate for Columbia. He understood Lee Summit required foreclosed properties to be registered with the City so they could be tracked to ensure they were kept up in terms of maintenance.

Mr. Janku made a motion directing staff to evaluate Lee Summit's foreclosure tracking ordinance in order to determine if it would be appropriate for Columbia. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku commented that Mayor Hindman had frequently brought up the issue of receivership, but staff had indicated the current laws were difficult to utilize. The Kansas City Star had an article regarding legislation at the General Assembly that might make it a more realistic alternative.

Mr. Janku made a motion directing staff to review the legislation at the General Assembly involving receivership to determine if it was something the City should support or if the City had suggestions for improvement. The motion was seconded by Mayor Hindman.

Mr. Watkins asked what the bill number was. Mr. Janku replied he did not know, but would provide the article to him.

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

Mr. Janku noted they looked at the concept of design-build a while back, but did not think it would work in Columbia. The General Assembly was in the process of enacting a law to facilitate design-build, largely in response to a stimulus act that required a speedy response. He wondered if it was something they needed to look into.

Mayor Hindman asked if there was any problem with doing design-build under City ordinances. Mr. Boeckmann replied the City had actually done a few things already. Mayor Hindman understood the City had the legal right to do it. Mr. Boeckmann stated it depended on how they did it.

Mr. Watkins pointed out the Police Training Facility was a design-build.

Mayor Hindman asked if staff review was necessary. Mr. Boeckmann thought they should look at it since it might apply to the City. Mr. Janku explained the legislation dealt with State procedures. He thought they could look at it and apply it to Columbia. He did not realize the City had already been doing it.

Mr. Janku stated a while back he had suggested consideration be given to the C.A.R.E. Gallery being involved in projects involving graffiti on utility boxes similar to what David Spear did downtown. He thought the utilities involved could provide the paint and other materials. He asked that this be passed on to the C.A.R.E. people to decide if it was appropriate. He thought it might be an effective way to use the C.A.R.E. Gallery to spruce up downtown.

Mr. Janku noted the Council provided C.A.R.E. additional funding from their discretionary account last year at this time. He thought it would be a tough summer for youth employment and suggested they consider providing additional funding again. He wanted a report regarding what could be done in that area and if any discretionary funds would be available. They could make a decision after receiving the report.

Mayor Hindman understood there was a summer jobs program under the Recovery Act and some discussion of using it to expand C.A.R.E. He asked if that was correct. Mr. Watkins explained staff's analysis was that it was for slightly older youth. The City's program involved 14-16 year olds. This was 16-20 years old, but they were exploring whether there was money.

Mr. Janku made a motion directing staff to provide a report regarding the C.A.R.E. program needs and whether any discretionary funds were available if they wanted to provide it to the program. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Skala appreciated Mayor Hindman suggesting they move in some direction and provide an opportunity to the public to comment on the Historical Society issue. He understood there would be independent appraisals coming from the landowners and Historical Society in terms of the value of the property. He hoped negotiations were successful, so no further action was necessary. He noted the City, the University, the landowners, the Historical Society, etc. all had an interest in this. He saw this as an ideal economic development. It was something needed that fit into the plan for downtown Columbia. There was a sense of urgency due to the stimulus funds. He thought it was

important to move this further down the road to give the impression of having a vested interest to the State legislators. He hoped this would be resolved by the negotiators and a fair and reasonable price was agreed upon.

Mr. Skala suggested the Council only receive the latest materials as part of the Council packet instead of the entire packet, which included items previously received. He thought the information received in the introductory section could be tagged so they could pull it out of the old packet and put it into the new packet. He felt avoiding duplication would save paper.

Mayor Hindman thought that was a great idea and noted he always saved the introduction and first reading portion so he could read it prior to the next meeting, but found the items were scattered all over the place. They could not just insert it so it was in the correct order, so it was more complicated than it appeared. He noted it would be great if it were on cd, but if they did that, they would have to have computers available.

Mr. Skala thought it could be color-coated. Mayor Hindman noted some of it was under old business while other portions were under consent, etc.

Mr. Janku noted they could not print a packet and require it be reviewed on-line. Mr. Skala stated he did not have a problem with viewing it on-line.

Ms. Nauser pointed out she read it on-line and just printed the portions she felt she needed for discussion at the meetings. Mayor Hindman thought that would be good if they were supplied ink and paper. Ms. Nauser noted she was provided paper.

Mr. Wade noted that in order to be cost-effective, they might create expense above what they were already spending.

Ms. Hoppe commented that she used the computer all day, so it was a relief to not look at it on the computer at times.

Mr. Wade stated that during conversations with people around Garth Avenue, Thilly, Westmount, etc. regarding the trail, neighborhood concern involving three safety issues in the area of Stewart and Garth came up. More children went through that intersection than the Broadway and Garth intersection, but the guard was at Broadway and Garth. He understood there used to be a guard at Stewart and Garth, but that was no longer the case, and it was not a safe intersection. A second issue involved travel from the intersection to Grant School. A sidewalk, which appeared to be three feet wide and crumbling, was located only on the east side. He believed there would be an accident on the sidewalk. In addition, from the intersection of Stewart and Garth to Providence was a long block with a lot of pedestrian and bicycle traffic. He felt that was an accident waiting to happen as well. They wanted something done to address the safety issues.

Mr. Wade made a motion directing staff to provide a report indicating the kinds of changes that were possible with associated costs so it could be included in the CIP. He noted a charrette regarding safety at Grant School would be done and hoped the question of the intersection and sidewalk was a part of it. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Hoppe understood the Council received an e-mail regarding a mother and her son who were threatened in a hostile manner on Broadway by a vehicle. She noted she had heard about many other incidents as well. She understood the City did not have an ordinance to penalize cars that were threatening pedestrians and bicyclists when there was not an actual injury.

Ms. Hoppe made a motion directing staff to draft an ordinance, and noted she had a sample ordinance from South Carolina, which made it a misdemeanor for anyone to harass, taunt or maliciously throw an object in the direction of a bicyclist or pedestrian. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Janku asked if ordinances dealing with assault could be used in these situations. Chief Dresner replied terms such as harassment were subjective, but third degree assault involved rearing back a hand and saying they would punch someone without actually doing it. Someone throwing something at someone would be a third degree assault anyway. He stated taunting was a different creature.

Ms. Hoppe commented that she did not think this incident involved any throwing, but the car did get close to the bicyclist and stopped in front of the bicyclist. An officer indicated that although the car was used in a threatening manner, nothing else could be done despite the fact traffic laws were broken.

Mr. Skala noted it was like road rage. Mr. Janku agreed and thought it would be interesting to know if it was a violation of an existing ordinance. If it was, he thought education might be needed.

Mr. Boeckmann stated staff would either draft an ordinance or explain why one might not be needed.

Ms. Hoppe commented that when they decided to raise bus rates, the community indicated a need for improved bus service. She understood the Public Works Department was working on improving bus service so it was available to more areas, but noted they did not have a citizen advisory group for the bus system. She stated there were a lot of people with good ideas in terms of how they could improve bus service and there was a real need to improve service. She noted there was a bus opportunity in the Lemone area due to traffic. In addition, evening students did not have a way to get to classes without a vehicle. She believed there was interest in forming a citizen advisory group to start the process of making recommendations with regard to the bus system so Columbia was a full service City in terms of its bus system.

Ms. Hoppe made a motion directing staff to prepare legislation establishing a citizen advisory commission to be appointed by the Council regarding the bus system. The motion was seconded by Mr. Skala.

Mr. Janku asked if she had specifics regarding a mission statement or the number of members. Ms. Hoppe replied she did not have details with regard to the numbers. She suggested something comparable to other commissions. She did not think they wanted any more than 7-9 members. Mr. Janku suggested they require ward distribution so it was a City-wide representation.

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

The meeting adjourned at 11:17 p.m.

Respectfully submitted,

Sheela Amin

City Clerk