

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
MAY 4, 2009

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 4, 2009, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA, WADE and NAUSER were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the special and regular meetings of April 20, 2009 were approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Ms. Nauser.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

Mayor Hindman pointed out tonight's meeting was being streamed live for the first time. He noted this allowed another way for people to view Council meetings. They could participate in person, view the meetings on cable television or view the meetings being streamed on the internet by going to the City's website. He noted this was done because they wanted as many people as possible to have the opportunity to see what their elected Council was doing.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

Amir Ziv – Cottage project.

Mayor Hindman noted he had received an e-mail from Mr. Ziv indicating he would not be able to attend tonight's meeting, but that someone might be present to speak for him. He asked if anyone was present to speak on behalf of Mr. Ziv. No one came forward.

PUBLIC HEARINGS

(A) Voluntary annexation of property located at the western terminus of West Smiley Lane (415 W. Smiley Lane).

Item A was read by the Clerk.

Mr. Watkins explained the purpose of this hearing was for Council to take testimony as to whether or not this particular piece of property should be annexed into the City. It was a 13.9 acre tract of land at the western terminus of West Smiley Lane and owned by William and Beverly Mills. The requested zoning was R-1.

Mr. Sturtz understood annexing land into the City did not have any particular cost associated with it, but along with the annexation would be R-1 zoning, which would likely lead to development costs. The report indicated the City's fiscal impact would be negligible. This seemed odd to him because sewers, water lines, etc. cost a lot of money. Mr. Teddy replied they were talking about the net fiscal cost, and in developing the fiscal note, they looked two years ahead and did not see a subdivision. The only thing the applicant had discussed was the possibility of a two lot division. He noted there was an existing house, which had been accounted for on the lot. Ultimately, there could be a more intensive subdivision of this property under the R-1 zoning that could produce more houses and require the extension of infrastructure. Mr. Sturtz understood the statement was pre-development. Mr. Teddy stated they were looking at the immediate impact of annexing and zoning the property R-1. They anticipated a possible split of the property and understood it was the owner's desire to sell the existing home on the property.

Mayor Hindman opened the public hearing.

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

OLD BUSINESS

B62-09A Voluntary annexation of property located southwest of State Route WW and Elk Park Drive; establishing permanent C-P, O-P and PUD-9 zoning; setting forth conditions for approval.

The bill was given third reading by the Clerk.

Mr. Watkins explained this was the voluntary annexation of about 37.5 acres on the southwest corner of State Route WW and Elk Park Drive, and along with the voluntary annexation was a request for three zonings. The Council had considered this about a month ago, but had concerns with some of the zoning. He noted an amendment sheet and supplemental information dealing with the statement of intent had been provided in the packet.

Mr. Teddy stated the revised statement of intent, dated April 28, 2009, was provided by the applicant in response to concerns expressed by the Council. Freestanding residential uses had been eliminated from tract one, which was proposed to be zoned C-P, so the only way residential would be a part of that tract was if there were accessory apartments as part of a mixed use commercial and residential development. The same thing applied to tract two. The applicant had removed the possibility of any single-family or multi-family housing other than units in a mixed use development on that tract as well. With regard to tract three, the statement of intent reflected the PUD-9, lowered the density to 223 maximum units and lowered the number of parking spaces required by about 130. It also stated the dwellings were to consist of cottage-type villas, which was defined as two-family dwellings that had special design criteria and a townhouse that the ordinance defined as a three or more family residence. In addition, there was a cap of 10 percent on the number villas, which meant about 22 could be two-family units. There was further representation indicating there would be a common area with maintenance as part of the planned development.

Mr. Sturtz asked for an explanation of the difference between a villa and a duplex. Mr. Teddy replied that there were now standards in the zoning ordinance requiring anything

called a villa to have certain materials on the exterior, such as brick, stone or fiber cement-type siding. They were generally materials that were more durable and permanent in nature. There was also some restriction on the amount of protrusion for a front loaded garage, so the street view was not dominated by wide garage doors. He explained the “villa” term now required this kind of detail in a plan submittal. He noted there was some flexibility for the developers to request certain modifications of the roof line or materials, but it was a starting point and indicated these were higher quality units that were generally designed, but not required, for owner occupancy.

Ron Shy, 5600 S. Highway KK, stated he was representing the owner of the tract and offered to answer any questions.

Mr. Wade noted the statement of intent included cottage homes as a possibility and asked if he could explain what they might do. Mr. Shy replied it was a new and untried concept in Columbia, and he thought it might be in the first phase of this development on part of the tract to determine the market.

Mr. Wade commented that with the way the original statement of intent had been written, it was highly susceptible to becoming a rental and a degenerated slum rental in spite of good intentions, due to the level of density and its location. He thanked the developers for providing the possibility of a real cottage development and the shift toward the new definitions of villas and townhouses in effort to distinguish low quality duplex developments from quality developments designed for single-family owned housing. He was comfortable with the revised statement of intent as it now had the potential of being a quality development at this location.

Mr. Sturtz noted he attended a National League of Cities Conference a couple of weeks ago and all of the talk in development involved developing around transportation. In looking at projects like this, he thought they needed to realize this was well past the eastern edge of the City’s public transportation. It was not something for which they could blame the developer, but was a vote indicating they would take growth management planning seriously in the future.

Mr. Skala commented that he would later request a draft ordinance for cottage developments and hoped the development community would help in the effort. He noted it was becoming a hot item along with transit-oriented developments.

Mr. Wade made the motion to amend B62-09A per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B62-09A, as amended, was read with the vote recorded as follows: VOTING YES: HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B85-09 Amending Chapter 22 of the City Code as it relates to special pickup fees of unlawfully placed material.

The bill was given third reading by the Clerk.

Mr. Watkins explained they had determined they could only charge the cost for the special pickup, which was about \$50. As a result, they were proposing to raise the trash out early fee from \$25 to \$50.

Mr. Wade understood they would be eliminating the change in the second pick up because \$50 was all they could charge at any time. Mr. Watkins stated that was correct.

Ms. Hoppe understood the utility holder would be billed if there was only one utility holder at the residence. She wondered how it would be billed if there was more than one utility holder. Mr. Boeckmann explained the charge was placed on the utility bill just like any other charge. Ms. Hoppe noted there was more than one utility user or person being billed at some houses and asked if they went into the bags to determine who to bill in those situations. Mr. Watkins understood some old houses in East Campus had been converted into two or three units with the trash being placed in front of the house and she was wondering how they knew which unit would be charged. Mr. Boeckmann stated he was not sure how that was handled administratively. Mr. Glascock stated he thought they would go through the trash to determine who would be billed.

Ms. Hoppe asked what would happen if someone called about putting their own trash out early. Mr. Boeckmann replied Public Works would pick up the trash and charge the person for the service. Ms. Hoppe asked if a resident was charged by the minute for extra items put out on the curb. Mr. Glascock replied they did not charge by the minute. They charged by the pickup. Mr. Boeckmann thought she was referring to the provision in the Code for special pickups and explained it was different than this.

Mr. Wade understood that if a person were to put out their trash on the wrong day, they were in violation of City ordinance. If no one called, the trash would stay there until the normal trash day. If someone called and it was picked up early, there was a \$50 fee. He asked if they were subject to a ticket for violating City ordinance as well. Mr. Boeckmann replied yes. He explained in the past there were a lot of complaints in East Campus and the Public Works Department was sending a lot of cases to Municipal Court, which upset a lot of people. In order to address the problem, Council asked staff to come up with something else, which was what they had in place now. Mr. Wade understood the City did not ticket, but could. Mr. Boeckmann replied they could, but he did not believe there had been any prosecutions since this ordinance was passed. Mr. Wade understood they could ticket on a second violation. Mr. Boeckmann explained that if they wanted to cause administrative headaches, they could forget this ordinance and start prosecuting those in violation. They could then charge them extra for the second or third offense, but it would be a tracking nightmare.

Ms. Hoppe made the motion to amend B85-09 per the amendment sheet. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

B85-09, as amended, was read with the vote recorded as follows: VOTING YES: HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B115-09 Accepting funds from the County of Boone from the U.S. Department of Justice 2008 Byrne Justice Assistance Grant to purchase Taser® equipment for the Police Department; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins explained last year's Byrne grant was used to purchase tasers and in an effort to close out that grant, they learned there was a balance of about \$9,100. The grant was written in such a way that the City had to buy tasers or send the money back.

Chief Burton stated the new tasers would comply with the standard agreed upon, which was for them to be brightly colored.

Mr. Skala understood the ultimate goal was to equip all of the patrol officers and a number of supervisory officers, and asked for the number. Chief Burton replied he did not know the top number they needed, but pointed out the tasers were perishable. This would help them continue to build their number so they had enough for everyone that worked the street.

Mr. Sturtz commented that when Chief Burton announced the Police Department would be adopting the PERF standards, he was quoted in the paper as saying the policy changes and officer trainings would begin no later than May 1, and asked if that had started. Chief Burton replied they had just finished the policy and had provided the Coalition with their policy, so they were ready to move forward.

B115-09 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER. 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.

- B105-09** Approving the Final Plat of Broadway Marketplace – Plat 2 located on the north side of Trimble Road, west of Brickton Road; authorizing a performance contract.
- B106-09** Approving the Final Plat of Vine Subdivision Plat 1, a Replat of Part of Lot 20 of Wellington Gordon and M.R. Conley's Subdivision, located on the southeast corner of Vine Street and Charles Street; authorizing a performance contract.
- B107-09** Vacating a portion of alley right-of-way located between Austin Avenue and Business Loop 70.
- B108-09** Vacating a portion of a drainage easement between Lots 13 and 14 within Jenne Hill Subdivision, located on the north side of Jenne Hill Drive, approximately 100 feet west of Jenne Court.
- B109-09** Vacating electric utility easements located on the east side of Tenth Street, north of Park Avenue.
- B110-09** Authorizing reconstruction of the Old Route K Bridge over Hinkson Creek, south of Reactor Park; calling for bids through the Purchasing Division.
- B111-09** Authorizing acquisition of easements relating to reconstruction of the Old Route K Bridge over Hinkson Creek, south of Reactor Park.
- B112-09** Authorizing a cost-share agreement with the County of Boone relating to the installation of water quality features at Fire Station No. 7; appropriating funds.
- B113-09** Accepting conveyances for utility purposes.

- B114-09 Amending Chapter 22 of the City Code to adopt a relocation policy for the relocation of businesses and residences due to redevelopment plans and projects.
- B116-09 Appropriating asset forfeiture funds to be used by the Police Department in a proactive auto theft program (Bait Car Program).
- R91-09 Setting a public hearing: construction of bike lanes and a sidewalk on Range Line Street (Route 763), between Business Loop 70 and Big Bear Boulevard.
- R92-09 Setting a public hearing: construction of Rolling Hills Road from its current terminus at the north end of Old Hawthorne Subdivision northward to Richland Road.
- R93-09 Authorizing an Adopt a Spot agreement.
- R94-09 Authorizing application to the Missouri Department of Natural Resources for Wastewater Economic Recovery funding under the Missouri Clean Water Law for interceptor sewer, relief sewer and sewer extension improvements.
- R95-09 Authorizing an agreement with Engineering Surveys and Services for engineering services relating to the design and construction of the Gans Creek Pump Station and Force Main Project.
- R96-09 Authorizing Amendment #2 to the agreement with The Curators of the University of Missouri for a water treatment analysis project.
- R97-09 Transferring funds from the Office of Cultural Affairs to the Convention and Visitors Bureau.

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

NEW BUSINESS

R98-09 Accepting the terms of a settlement with SERC Reliability Corporation relating to North American Electric Reliability Council (NERC) reliability standards.

The resolution was read by the Clerk.

Mr. Watkins explained that following the big northeast blackout a couple of years ago, there had been 32 standards every electric utility had to meet. The City was audited by SERC and was found to not be in compliance with several of the items. The City had hired a consultant to get through those items. He noted he was told this morning that they were now in compliance with all of the items. In order to put the audit to rest, they were requiring the City to sign an agreement indicating they would be in compliance and were charging the City a fine of \$15,000. He pointed out none of these violations resulted in any outages or unsafe issues, and a substantial amount of them had to do with cyber security issues. He did not believe any involved the construction of new facilities or problems from staff not doing their job.

Mr. Kahler commented that in the past, electric reliability had typically been done on a voluntary basis. As a result of the blackout, the Federal Energy Regulatory Commission

(FERC) and NERC began imposing requirements with fines if the requirements were not met. These new requirements came in very quickly and the City was not in compliance with all of the standards. They were playing catch up and had hired a consultant to help with the process. Unfortunately, there was a small fine associated with some of the items they were not able to meet. He noted they were meeting on a weekly basis and anticipated being in full compliance, but pointed out it took some work. He reiterated the rules and regulations came down quickly and were voluminous. He hoped once they were past this, they could move forward in meeting all of the requirements that FERC, NERC and SERC were imposing. He noted many of the requirements were cyber security issues. He stated they did not anticipate any problems and pointed out they had never affected the bulk reliability of the electric grid. In addition, there had not been any problems resulting in any outages other than the ordinary outages.

Mr. Skala believed others might be in this situation as well and asked if there had been any comparisons and if there was a range of fines. Mr. Kahler replied they did not share that information, but he understood there were 60-70 other utilities in the same situation. He noted that since they were a medium sized municipality, they could not be compared to Ameren or Associated who had multiple departments that worked on these issues. He stated a lot of this involved paperwork, training, plans, emergency backups, etc., which took time to put together. Unfortunately, they were now able to impose penalties if that information was not readily available.

Ms. Hoppe commented that leadership, training, personnel risk assessment, etc. were on the list of violations and asked for clarification. Mr. Kahler replied with regard to leadership, they were waiting for him to arrive so they could put his name on the top of the list as the person who was responsible. This was not met because there was no one at his position on a permanent basis. With regard to personnel risk assessment, they had to make sure the personnel operating the system had background checks so they did not have a potential problem. He reiterated it was a lot of security, cyber security and training issues. Ms. Hoppe asked if training was more in terms of security as well. Mr. Kahler replied yes.

Mr. Sturtz stated he had visited the NERC website and they had listed the different municipality-owned and private utilities that had penalties. About 60 percent involved a zero dollar penalty, although others were penalized over \$100,000. He noted even ones characterized as having a "high" risk factor had a zero dollar penalty. Mr. Kahler explained there were different categories of utilities. Columbia Water and Light was a balancing authority, transmission operator and transmission owner, so they were like a larger system in that regard as opposed to a municipal system that was a load serving entity. He stated he did not know they shared that information because everything that had been sent to them had been stamped confidential. He noted he could research that and get back to the Council.

Mr. Thornhill asked if he thought they would be able to keep up with it since they were now level with it. He wondered if it was a moving target and asked how often they would be audited. Mr. Kahler replied it would be on-going from here on out. He did not believe the requirements would go away. They would have to continue updating records and keeping up with training, security and cyber issues. Mr. Thornhill asked if he felt they would be able to maintain it now that they were at this point. Mr. Kahler replied yes.

Mr. Wade understood the immediate fiscal impact was the \$15,000 penalty and asked if there was a sense of what the on-going requirements would add to operational costs. Mr. Kahler replied they ran some numbers for the Water and Light Advisory Board and thought it would cost over \$1 million in just keeping current with the FERC and NERC standards. This included the training, certifications, tree trimming, relay testing, etc. It was significant. Mr. Wade noted the City already did some tree trimming and asked how much of the cost was specific to them. Mr. Kahler explained they required tree trimming above and beyond what the City would do on a normal basis.

Mr. Skala noted the on-going cost was substantial, but understood there would be additional costs associated with additional requirements, such as security issues, and asked how much the additional regulations would cost. Mr. Kahler replied they had three employees working full time on this right now, so it was significant.

The vote on R98-09 was recorded as follows: VOTING YES: HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R99-09 Authorizing an agreement with First Chance for Children for an Early Childhood Summit; transferring funds.

The resolution was read by the Clerk.

Mr. Watkins explained this would authorize the City Manager to sign an agreement and transfer \$1,500 from the Council contingency fund for the First Chance for Children Early Childhood Summit. These expenses would cover travel expenses for the keynote speaker.

Mr. Skala asked if this was a similar summit to the one held last year. Mayor Hindman replied yes. Mr. Skala thought that had been an excellent meeting.

Ms. Hoppe asked if they had been provided any results throughout the year of things that were implemented or successes as follow up from that presentation. Mr. Watkins replied he was unaware of any, but could check.

The vote on R99-09 was recorded as follows: VOTING YES: HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

B117-09 Voluntary annexation of property located at the western terminus of West Smiley Lane (415 W. Smiley Lane); establishing permanent R-1 zoning.

B118-09 Rezoning property located on the northwest corner of Oakland Gravel Road and Vandiver Drive from R-1 to PUD-7.

B119-09 Amending the Major Roadway Plan, a part of the 2025 Transportation Plan.

B120-09 Amending Chapter 14 of the City Code to prohibit through truck traffic along a portion of West Boulevard.

B121-09 Amending Chapter 22 of the City Code as it relates to transportation fares.

- B122-09** Authorizing construction of the County House Branch Trail Phase I project from the Twin Lakes Recreation Area to Stadium Boulevard; calling for bids through the Purchasing Division.
- B123-09** Authorizing the acquisition of easements for construction of the County House Branch Trail Phase I project from the Twin Lakes Recreation Area to Stadium Boulevard.
- B124-09** Appropriating funds to be received from the Missouri State CIT Council for crisis intervention team training through the Police Department.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Mayor Hindman noted this was an informational report.

(B) Potential Sewer District on Wilson Avenue and High Street.

Mr. Watkins explained they were seeing more requests for sewer districts as a result of the change in policy made last year. From staff's perspective, this was one more way they could begin to address the I-N-I problem. They were spending millions of dollars every ballot issue for outfall relief sewers and quite a bit of that capacity was going to stormwater. He stated they were looking at how they could eliminate stormwater getting into the sewers and this was really an extension of stormwater elimination. He reiterated it was staff's belief that these were things they should be doing. He noted they would be providing Council the expected cost of these and might need to move some money around. In addition, it was taking longer and longer to get these to the point of actual construction. He believed they had made good progress with some of the back log, but these were being added faster than they were being completed.

Ms. Hoppe asked why there was a gap between 1619 and 1621 Wilson. Mr. Glascock replied he thought it was because they could not get flow from both directions. They had to bring it in from two sides to make it work. Ms. Hoppe understood they would use the gravity. Mr. Glascock stated they would.

Ms. Hoppe noted the property owner of 1627 Wilson was concerned about the impact it would have on her property and the park in terms of trees and asked how wide the swath would be. Mr. Glascock replied the easement was about 18 feet most of the time, but he did not know since this had not yet been designed. He explained the swath might be bigger depending on the depth. Ms. Hoppe asked if it was possible to move it further north toward the end of her property line. Mr. Glascock replied he did not know. It depended on the topography. If they were going up hill, it would have to be deeper and they only had certain sized equipment. Ms. Hoppe understood it might be a possibility. Mr. Glascock stated it might, but he did not know. He explained this was a drawing. It was not where the line was actually going. It was a best guess.

Ms. Hoppe asked if there was specific information on the condition of this particular line in terms of infiltration and stormwater. Mr. Glascock replied they wanted to make these public anytime they could. Private common collectors were notorious for infiltration. This would allow them to maintain it, and currently they could not maintain it. Ms. Hoppe understood he did not know how bad this one was. Mr. Glascock stated he did not.

Ms. Hoppe asked if it was possible to delay this if it was not bad. Mr. Glascock replied that was up to the Council. Mr. Watkins stated it would be very simple to move it to the bottom of the list. He noted these were sewer districts that were proposed by some of the residents. They had a lot of them and unless there was a health problem, they could move it around on the list.

Mr. Wade stated he had attended a lot of interested parties meetings for private collector sewers and would be delighted if any sewer outside of the fourth ward moved down the list because they were 3-5 years away from addressing private collector sewers with problems in the fourth ward. He commented that he would urge people with a private sewer to go to the interested parties meetings. The City had two sewer engineers that could provide all of the information being requested. He stated they worked to get the best location for the sewer given the geography. He explained he told people that this was being done because of a new policy and the sewer districts in which people collaborated with the City were the ones he would give priority. The sewer districts with people that did not want to donate easements would be recommended for the bottom of the list. There were so many miles of sewers that were collapsing and they were fortunate to have this program in place.

Ms. Hoppe asked if there were specific sewer problems discussed or reported with the connection closest to Rock Hill Park. Mr. Glascock replied he was not sure. He noted they had a petition signed by five property owners wanting it.

Ms. Hoppe stated she wanted the report to be held over to the next Council meeting. She noted she would check with the property owners in the meantime.

Mr. Skala asked what they considered to be next in the absence of neighborhood input. He asked if they just considered the physical nature of where to do it or if they also considered the vegetation and trees on top of the topography and the property lines. He wondered if all of this was part of the decision making process. Mr. Glascock pointed out they had not started the design. This was for Council to tell staff whether they wanted to do this or not. If Council wanted them to move forward, they would go back and start the preliminary design and hold a public hearing. At the public hearing, they could explain whether it was an open cut, trenchless, etc. They did not know these things until they got to the design. Mr. Skala understood the line on the paper was conceptual. Mr. Glascock stated that was correct.

Mr. Wade commented that he was unaware of any projects without public input. A petition was submitted and the property owners received a letter announcing a public meeting, which was held before the design was started. In addition, the engineers were in the neighborhood talking to people. There was also another public meeting after the preliminary design was done. Mr. Skala understood, but wondered what the decision tree involved. He suspected it was geographical and technical, and just wanted to ensure public input was part of the decision tree. Mr. Wade stated they were sequencing these in the order in which they received the petition. Mr. Skala stated he understood. He explained he was asking about the decisions within each project once the project was identified to be on the list.

Ms. Hoppe reiterated that she wanted this report to be placed on the next agenda since staff could not provide the information she was requesting at this time.

(C) Potential Sewer District on Maplewood Drive.

Mr. Wade made a motion directing staff to proceed with the project. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(D) Fee Fare/Pre-Paid Fare Transit System.

Mr. Watkins explained the Council had asked staff to look at communities that had pre-pay or free transportation systems. In all cases, the necessary capital and operating expenses were paid via some form of increased taxes or fees by either the student population or the entire community. There were universities where the contracts for bus service involved a student fee that included an allowance for the bus system.

Mr. Sturtz commented that he asked for this report last summer when they were in the middle of some hard decisions and this seemed unreachable since they had to raise \$175,000 just to keep the service as it was, but it did not seem too crazy to him now. He understood they were looking at a \$3.5 million budget for the bus system and they were only getting about 10 percent of that from fares. He noted these towns were not much different from Columbia. From what he read, Chapel Hill/Carrboro went from 3 million to 6 million riders per year in the last nine years. Fayetteville had 1.2 million riders and its population was only 77,000. Columbia had close to 100,000 people with about 670,000 riders a year. Mr. Glascock pointed out Columbia had 2 million riders this year. Mr. Sturtz noted the results were dramatic once a city figured out how to come up with a funding mechanism. He wondered if they could talk to the University and to see if they could free up some money. He understood it was not the end all to what they wanted to do as they wanted to increase service and add routes, but it did not seem like an impossibility.

Ms. Hoppe noted the report indicated the student organization had not requested this and asked if they had been approached. Mr. Glascock explained they talked to the student organization and the university about this every year and they were not willing to raise their fees to what was needed. Ms. Hoppe asked if they had talked to the student organization within the last year. Mr. Glascock replied they had talked to the student organization every year he had been here. Ms. Hoppe asked if the discussion involved free bus passes. Mr. Glascock replied no. He explained it was to put a fee on them so they could ride the bus for free. Ms. Hoppe asked if they had given them a particular estimated fee. Mr. Glascock replied they had not. They had only approached the subject and had never been taken up on it.

Mr. Wade stated it was clear the university towns that made this work had the university participating with regard to its budget. Mr. Sturtz commented that if they had 30,000 students and each of those students paid \$10, it would total \$300,000. He did not think it was too far fetched.

Ms. Hoppe commented that she had recently heard from some young people who were not high school or college students that did not have bus service where they lived, so they could not access jobs. She thought this would be a great opportunity for others as well. She stated she would contact some student organizations herself.

(E) Potential Sewer District on South Bethel Church Road.

Mr. Watkins explained this was a potential sewer district on South Bethel Church Road. This property had been annexed in several phases over the last year or two. It was an area that had been targeted by the Health Department as being in bad shape in terms of its sewers. This was not a private common collector. It was a sewer extension into an area.

Mr. Skala asked if by bad shape he meant there were a lot of on-site facilities. Mr. Glascock replied they were all on-site.

Ms. Nauser understood only two of the eleven property owners were requesting City service and asked if the owners had any other options. Mr. Glascock replied the driving force with this sewer district was the fact they were trying to work with the Health Department in cleaning this up.

Ms. Nauser made a motion directing staff to move forward with this sewer district. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

(F) Department of Conservation Regional Office and Community Conservation Center – Preliminary Plans.

Mr. Watkins noted the Council had previously approved a lease with the Department of Conservation for about 17 acres in the Gans Creek Recreation area for a new Department of Conservation facility. The lease agreement stated they would not be subject to City regulations, although they had agreed to meet the City's stormwater requirements. They had also agreed to share their proposed schematics and plans with the City.

Mr. Hood explained this was the schematic design phase of the facility. They were getting ready to move forward on a more detailed design and this would be an appropriate time to pass on any concerns or comments. These plans had been shared with other City departments and the comments received were attached to the report.

Ms. Hoppe commented that there were some great features and asked Mr. Hood to highlight some of the unique ones. Mr. Hood stated he understood they were using some of the latest techniques with sustainability and green technology. They were also using a lot of different methods to treat water runoff, to include rain gardens, native plantings and a small pond to collect water that would become a fishing pond. They were mixing pervious and impervious parking. They were incorporating a number of those types of practices into the preliminary design. Part of the original concept was that this would be a demonstration facility where citizens could see these different types of techniques being implemented and incorporate them into their own developments.

Ms. Nauser asked if they would gather statistical information on its cost-effectiveness since it was a demonstration project. Mr. Hood replied he did not know, but anticipated they would. Ms. Nauser commented that as they moved forward with sustainability and infrastructure, it would be ideal to have some baseline data to see what worked and did not work.

Mr. Sturtz stated he did not see anything indicating the office building would be LEED and asked if it would. Mr. Hood replied he was not sure and would ask. Mr. Sturtz commented that everything else was exemplary, so he thought that was another area in which they could demonstrate the newest and best practices.

Mr. Skala stated he was glad Mr. Sturtz had mentioned the building. He noted that rather than worrying about this project not conforming to some of the City's standards, he thought they should pay attention to some of these standards in terms of innovative ways of dealing with stormwater runoff as that was an acute problem at the moment. He stated he wanted to see some of the data from this as they might want to incorporate some of it into future policy. Mr. Glascock pointed out they were following the City's stormwater ordinance. Mr. Skala stated he understood everyone had to follow the stormwater ordinance and noted he was talking about some of the innovative BMP's that the City had not implemented.

Mayor Hindman understood this was informational. He commented that it was interesting that while this was exemplary based on the outside, the Council was still thinking of things they might do. He stated he was pleased with the partnership they had been able to work out with the Department of Conservation.

(G) “Down-zoning” Funeral Homes in Simplified C-P.

Mr. Watkins noted Mr. Janku had asked for a report explaining the process of down-zoning prior to leaving the Council. He was specifically interested in the two properties on Texas and Holly that would be used as funeral homes. He noted this report described the process.

Mr. Teddy commented that the term “down-zoning” in this case did not mean a more restrictive zoning. It was an issue that had come up with the Carr-Yager funeral home's occupancy of a former church at Texas and Garth and similar concerns were expressed by the public in the case of the Thomas May funeral home's occupancy of the former Jehovah's Witness Church at Holly and Andy. Both were zoned as simplified planned business districts with a funeral home/mortuary use. It was really the only commercial use allowed. The fact it was nominally a planned business district was a concern to people in the adjacent neighborhoods. One solution would be for the City to initiate rezoning to planned office. The Council had approved a text amendment to the zoning ordinance so funeral homes were now an eligible use in planned office districts. If the Council shared their concern, it would be appropriate to bring these forward. He noted there would be some costs. They had represented to the property owners that these rezonings, if initiated by the City, would not be done with any out of pocket costs to the previous applicants because they had their zoning entitlements. The City would handle the advertising costs, postage and notifications.

Mr. Wade made a motion to have the subject sites rezoned from simplified C-P to simplified O-P using all previously approved C-P development plans and restrictions and to direct the Planning and Zoning Commission to notify the public and hold the required public hearing. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

(H) West Boulevard Elementary Pedestrian Safety.

Mr. Watkins explained they had received a request asking them to take a look at a mid-block crosswalk across Ash Street near Redwood for West Boulevard Elementary and staff had come up with several alternatives.

Mr. Glascock stated one option was to reactivate a bus route and another was to install a sidewalk on the south side of Ash Street to fix the gap. He commented that if they decided to install a crosswalk, he would suggest a crossing guard or an activated flashing signal be provided as well. He noted a crosswalk without one was inherently dangerous because it made children feel safe when they really were not. He pointed out to do nothing was an option as well.

Ms. Nauser asked how big the sidewalk gap was. Mr. Wade thought it was about a block. Ms. Nauser understood there was an option to take money from Gentry Middle School and Smithton Middle School and stated she was inherently opposed to it because there were quite a few children that walked to Gentry. She noted there was a crossing at Nifong that went to Mill Creek Elementary where they had an adult crossing guard. She thought it would be similar to what was needed here as it would be extremely dangerous if there was a crosswalk without an adult crossing guard. She thought fixing the sidewalk gap would be the ultimate goal, but in the interim, a crosswalk with a guard seemed to be most appropriate.

Mayor Hindman commented that he thought it was a misnomer to call this a mid-block crossing. He noted Redwood came into Ash, but Ash ran between West Boulevard and the west side of Again Street Park. It was four or five blocks and there was no crosswalk anywhere. Mr. Glascock explained the definition of the mid-block involved the distance between the two stop signs. Mayor Hindman understood that might be the legal definition, but from a practical point of view, he did not believe it was a mid-block crossing. Even with a sidewalk, people would not walk all of the way up to West Boulevard to cross the street. He suggested they have a crosswalk with a crossing guard or a crosswalk with a sign in the middle of the crosswalk stating “stop for pedestrians”. He noted the statistics he had seen on those indicated they were very effective. He thought it could be a temporary solution. The sign could be put there when school was starting and taken down when the kids were not crossing anymore. It would also be an ordinary crosswalk for the people in those neighborhoods to use the rest of the time. The only other solution would be to go into the Council budget and pick up the cost of the flashing lights. He noted he could provide the information he had indicating how effective those signs were in the middle of a crosswalk. Mr. Sturtz understood the Safe Routes to School National Center recommended mid-block signs and it seemed like a low cost solution if they wanted to do it as an experiment to see how well it worked.

Mr. Wade stated he was uncomfortable with just a crosswalk. It was a four block stretch that was not within the 25 mph speed zone. Fairview School had a mid-block crosswalk in front of the school, but it was in the middle of the 25 mph school zone and they still had a cross guard. They were talking about a crosswalk halfway between the two stop signs in a 30 mph speed zone, so he felt they had an additional safety issue. He thought they needed more than just a crosswalk and felt the school guard might be essential given the distance from the actual school zone itself.

Mayor Hindman stated he thought the cross guard would be good as well, but since they were faced with the fact this was short notice and was not in the budget, he believed they could do a lot even without the school guard. He noted they could also extend the school zone. He felt the neighbors on Ash would be delighted with a 20 mph speed zone.

Mr. Wade understood school was one month from being over so whatever they did would be done this summer. He stated he thought they needed to look at the crosswalk and at the possibility of a school guard. He also liked the idea of a school zone. He noted these were elementary-aged kids.

Ms. Nauser commented that there was a crosswalk with a pedestrian sign by Stephens College in the middle of the street and many of those college students were under the assumption the drivers would slow down or stop. A driver sometimes did not see them until they were already walking in the crosswalk. She stated she would hate for the elementary students to feel it was safe because there was a crosswalk. She thought they should have a crossing guard if they did anything.

Mr. Skala stated he had no objection to the crossing guard if it could be accommodated. He also liked the idea of a sign, but he felt it had to be done in tandem with the 20 mph speed limit. He thought people needed to be sensitized to this when school was in session so they could prepare for the stop sign, crossing guard, etc.

Mr. Sturtz thought this should go along with a plan to put in a sidewalk at some point. He was not sure where it stood with CDBG funds or the CIP, but noted it was an important gap.

Mayor Hindman made a motion directing staff to look into the budget aspects of putting in a crosswalk, an adult crossing guard, and/or the flashing lights and extending the school zone. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(I) A Sustainable Decision Framework for Energy.

Mr. Wade noted this was a policy proposal to the Council from him.

Mayor Hindman commented that he thought it was great that they had policy proposals by members of the Council, but he thought they should be handed out to the Council instead of including it as part of the report system. He felt the report system should include items from staff or a commission. He believed white papers should be provided to the Council outside of the report system.

Mr. Wade explained he had requested this to be a discussion item at the retreat. He hoped everyone would become familiar with it and accept this as his way of handing it out since he had not been sure of how to do it. Mayor Hindman noted there was no real procedure because in the past they had not received white papers. Mr. Skala suggested they take up the issue of how to do these kinds of things at the retreat as well.

Ms. Hoppe asked if they should provide this to the Environment and Energy Commission. Mr. Wade replied he had provided it to many people, but had not provided it to the Environment and Energy Commission as he did not have the right to provide it to any Council commission for comment. If the Council wanted to provide it to a commission for critique, he recommended those decisions be made after the Council discussion at the retreat. Ms. Hoppe stated she would like to be provided input from the Environment and Energy Commission at some point. Mr. Skala thought that procedural discussion might be appropriate to have at the retreat as well.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Eledia Stone, 3411 Hinkson Creek Road, stated she had concerns regarding the work being done at Vandiver, Mexico Gravel and Hinkson Creek Road. She explained there was a mess at her place due to the construction at Hinkson Creek. The items they put into the creek had caused flooding at her place. She provided the Council photographs of the property before and after it had flooded. The contractors had placed three large tubes and a lot of big rock in the creek, which dammed it up. When the rain came, it flooded her out. She noted some of the pictures showed the damage and devastation. They had now taken the tubes out and were digging the gravel out, which was good since it would free up the creek and they were calling for rain again. She asked if they would continue to put the tubes in different places and build gravel and rock to block the creek in other areas while doing the work on the sewer project. She explained she needed help because she was old and not financially able to do it. She wanted to know what the City intended to do to help her with this problem, if anything. She noted it also caused damage to Hinkson Creek Road because the bank was caving into the road. She stated she had never had water in her home and although there was no water in it, there was water under it. She commented that it took five inches of water before she had to worry about getting out of the bottom. She only had four inches of water this time so it was about three feet above the bottom where she lived. She was concerned that this would continue further on up the creek causing her to go through the same thing again. She stated it was her home and she worked hard on it.

Mayor Hindman asked if anyone had contacted her about this. Ms. Stone replied no. She noted she had received a letter from the surveyors on April 29, 2009 when the flood water had hit. Mayor Hindman asked for clarification. Ms. Stone explained the letter indicated she might see some construction going on in the future. Mayor Hindman thought the City needed to get someone out there to talk to her.

Ms. Stone stated her daughters were worried about her safety. She explained knew the creek and knew how much time she had to get out if the water came up, but this had changed everything.

Mayor Hindman commented that the Council could ask the City Manager to send representatives from the City to discuss this situation with her. Ms. Stone stated she would appreciate anything that could be done.

Mr. Skala stated he had talked to Ms. Stone earlier today and noted this was in conjunction with two complaints that were filed with the City Manager's Office this morning. He had intended to talk about it during council comments. He reiterated that this had been referred to the City Manager's Office and was being acted upon.

Mr. Watkins stated someone from his office would be in contact with Ms. Stone. Ms. Stone noted she would not be home until the afternoon. Mr. Watkins stated someone would contact her to come out and take a look at the situation in the afternoon. He asked if he could keep the photographs for a while. Ms. Stone replied he could if she could get them

back. She noted she had never seen anything like this and had lived on the creek for 45 years.

Tabitha Hall, 83 Oak Bend Road, Kaiser, Missouri, stated she was present on behalf of her grandmother, Eledia Stone, and noted she had visited her grandmother last weekend. They saw the construction and were concerned. She had a lot plants and her annuals and the vegetable garden were in for the year. Everything was meticulously cared for on a daily basis. Not only was there a lot of debris from flood waters, but things were broken, totally lost or totally ruined.

Mayor Hindman asked if this was from the flood water. Ms. Hall replied yes.

Ms. Hall stated her grandmother knew how much water she could get and still be safe. She noted the lawnmower was driven up so it was out of what had ever been the normal amount of water that could come in from a flood, and this went above and beyond anything they had ever seen out there. In addition, the storage shed was usually safe and completely organized, but its items were ruined and molding. She stated she wanted to speak to the way her grandmother cared for her property because right now it looked like some one did not care for it at all. A lot of damage had occurred. She commented that they were not sure if they could save the air conditioner and would need it within the next few weeks. She hoped they could work together to find some solutions for the current damage and to ensure it did not occur again.

Sister Sandra Morningstar of the Northern Cherokee Tribe of Missouri stated she was the daughter of Eledia Stone and was representing her two sisters as well. She commented that their concern was for her mother's safety and life. She was meticulous and knew exactly how much rain there could be for her to get out. She was with her daughter when they came down last week. The tubes could not carry the water they knew would come and it was inevitable that they would get dammed up with trees. It was not just water that flowed through the tubes when it involved the creek. She noted they had tried to talk to the crews that were down there. She stated their concern was for her safety first. If the water came up in the night, she would not be able to get out. She could previously always get to the top of the hill. Now she would not be able to get to the top of the hill, and even if she did, there was another floodplain there because of the construction. She understood they might not be able to do anything about this particular problem as a Council and that it might need to be referred to staff. She stated their concern for the immediate was for her mother's safety. They were also concerned for the future because there would be a sewer line and a new bridge through this area. She asked if they could see the plans, so they could understand what would happen. Mayor Hindman stated the plans were public record and he thought they could send the plans out with the person who came to visit them. Ms. Morningstar also wondered where they could report the damages associated with this. She asked if the Council was aware of this. Mayor Hindman stated he knew there had been some flooding, but was not aware of this. Mr. Skala stated he was made aware of it on Saturday morning when Mr. Alspaugh and Ms. Spector contacted him. He noted he had forwarded those e-mails to the City Manager's Office.

Ms. Morningstar asked if they worked with environmental services when they entered creek areas. She understood there was usually a permit and that it might affect water flow or

change water flow. She did not believe those permits extended to threatening lives or property. She asked if this had happened before or if it was a new problem. Mayor Hindman replied this particular situation was a new problem and the staff would look into it. Ms. Morningstar stated she looked forward to hearing from Mr. Watkins.

Mr. Skala commented that this issue was related to the complaint he had received from Mr. Alspaugh regarding the flooding of his farmland and noted Mr. Alspaugh had stated the development agreement indicated the top 18 inches of topsoil on a portion of the land that was subject to the development agreement was supposed to be removed, replaced with fill and covered with riprap. The original soil had been covered with riprap instead, and he was seeking remediation. He wanted to know what the development agreement stated and if this was stipulated in it. In addition, he was provided with about ten pictures of extensively flooded farmland, which might have been a direct result of these large culvert tubes being placed in the creek along with a substantial amount of riprap that effectively made it a dam and caused all of this area to be converted into a lake. Ms. Stone's daughter, Ms. Spector, contacted him later in the afternoon to alert him to the flooding at Ms. Stone's home. He submitted it along with Mr. Alspaugh's complaint to the City Manager's Office and understood the City Manager would take the appropriate action.

Mr. Skala stated he believed this was related to stormwater control and oversight. There had been a situation, although it was not the same situation, with The Links project where a private contractor was probably not doing the right thing, delaying things for a long period of time and moving too much dirt, and that resulted in an untimely death. He noted he was not assigning blame to anyone in particular as there might have been a disregard of signs and so on, but it was the kind of flooding situation that should have been avoided. He pointed out it was rectified once the City provided proper oversight for the construction. In some ways, they had the same situation and remediation going on at the site of the Maguire bridges. He thought they were headed down the right path to ensure the BMP's were inspected and maintained properly even though there would be some difficulties stopping the water without some serious terracing that would cost a lot of money due to the steep man-made slopes. He reiterated he felt this flooding situation was related. He wondered what kind of oversight they could have on a private contractor who was not doing the right thing by the people who lived in the area, and perhaps not doing the right thing in terms of honoring the City's development agreement. He suggested they ask the City Manager's Office for a report that addressed dealing with the kinds of things that went beyond the DNR standards for erosion, recovering the cost of the inspectors and imposing penalties on people not doing the right thing.

Mr. Skala made a motion directing staff to provide a report with recommendations on how to deal with issues beyond the DNR standards for erosion, how to recover the cost of inspectors and the potential of imposing penalties on private contractors who were not do the right thing. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Skala stated he had recently reviewed some information he had brought back from the Partners in Smart Growth meeting he attended in January and there was material about

compact building design, which was one of the principles of Smart Growth. It referenced cottage housing development zoning ordinances and the model it referred to was Whidbey Island, Washington. He commented that along with the discussions they had about Mr. Ziv's potential pilot project, they had talked about the possibility of drafting an ordinance that would address cottage housing developments, but had never formally requested it.

Mr. Skala made a motion directing staff to prepare a draft cottage housing ordinance for Council review. The motion was seconded by Mayor Hindman.

Mr. Thornhill asked if that could be expedited. Mayor Hindman replied he was not sure they could get it done in the time table Mr. Ziv wanted it because it had to go through the Planning and Zoning Commission. He stated they would have to deal with Mr. Ziv's project with a different process. Mr. Thornhill wondered if they could expedite the gathering of information.

Ms. Hoppe asked if the Affordable Housing Task Force had information about cottage housing. Mayor Hindman replied they had highly recommended a cottage ordinance, but he did not recall an actual draft ordinance.

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

Mr. Wade stated he continued to receive complaints involving trucks parked on city streets. He had forwarded the latest one involving College Park to the City Manager's Office. The police had been out there several times, but their hands were tied because City ordinances did not allow action. This one involved a semi-tractor trailer, which at one point had left the engine on for almost a week, so it disturbed those who lived close to it. The truck driver was from Iowa and his girlfriend lived here. He showed up every two to three weeks for a week. There was no ordinance prohibiting the parking of big trucks on College Park Drive. The motor running was a disturbance of the peace and the truck driver had been ticketed, but it was only \$10 municipal charge. The police had spoken to the truck driver, but had been unable to persuade him from parking there. The police had also placed a chalk mark there, but the truck would be moved about six inches the next day, so it was legal.

Mr. Wade felt there were two issues. The people living there needed resolution. It would be easy to add these streets to Section 14-30, which prohibited truck parking, but it would move the truck to another street and was not real resolution. He wanted staff's recommendation on how to address the immediate situation. He wondered if there was a way the police could give the neighbors some relief. He also wanted staff to address what the ordinances should say in terms of trucks parked in residential areas so the police could resolve these kinds of problems.

Mr. Wade made a motion directing staff to provide a report with recommendations on how to provide immediate relief for the residents involved in the particular situation and recommendations on what, if anything, they should do to change the ordinances involving trucks parked in residential areas so the police could resolve these kinds of problems. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Wade commented that in his energy policy proposal, he made reference to a project the TVA completed. The projections indicated they would need additional electrical

generating capacity of 1,400 megawatts, and when they surveyed customers, they found the customers did not want them to build a new coal fired or generating plant. They wanted them to generate capacity through increased energy efficient productivity or energy efficiency. They framed the issue by saying they would create the increased capacity by constructing a new 1,400 megawatt generating capacity power plant built with energy efficiency. It was a new plant they indicated needed to be built together, so they created a community project working with the customers as partners. The 1,400 megawatts represented 4 percent of TVA's total capacity. They intended to have the total capacity through energy efficiency in 2012, which was only 3-4 years from when they started. He thought the notion of engaging the community to build a power plant equivalent to using energy efficiency was intriguing.

Mr. Wade made a motion directing staff to provide report that explained in detail what the TVA did and how it was done. The motion was seconded by Mr. Sturtz.

Mayor Hindman stated he thought this was a good idea, but noted the City had an issue in that it collected a gross receipts tax, which went to the general revenue fund. If they were successful in building a new plant by not generating electricity or selling electricity, they could reduce the gross receipts tax, which in turn reduced what was in the general revenue fund. He noted they were very careful not to take the profits from the Water and Light system for the general revenue, but they did have the gross receipts tax. He suggested they investigate a way in which they could get a return to the general revenue fund, so they eliminated the disincentive to do what they wanted to do. He understood the Governor of Missouri had asked the legislature or the Public Service Commission to come up with a provision that would allow private utilities to earn a return on demand side reduction. In his opinion, there was a disincentive to do what they wanted until they could find a way to earn a return on conservation.

Mr. Boeckmann pointed out they did not charge a gross receipts tax on electricity. It was a payment in lieu of taxes.

Mayor Hindman made a motion for staff to provide a report indicating what they could do to find a return for the City comparable to the payment in lieu of taxes on the electricity they would have sold because of increased productivity.

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

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

Ms. Nauser thanked the county commission, school board and school administration for a productive joint meeting last week. She thought they had made progress on the youth issues in the community and looked forward to their next joint meeting.

Ms. Hoppe asked if street lights on Old 63, south of Grindstone and north of Bearfield, were on the CIP Plan. Mr. Watkins replied they would be talking about street lights at the next work session. In order to meet the budget requirements, they would discuss eliminating street lights. Ms. Hoppe understood that was for the immediate time and noted she was talking about long term. Mr. Watkins presumed if they turned them off, they would keep them

off. He pointed out street lights were not generally in the CIP, but they could look at it. Ms. Hoppe stated she would raise this at the work session.

Ms. Hoppe noted the round-a-bout on Old 63, north of Bearfield and near the entrance of Bluff Creek Estates, was very small and caused trucks to have problems going around it. She asked if it could be reviewed for an adjustment. In addition, she was told that although there was a yield sign going into the round-a-bout, no one yielded, so the people in the round-a-bout had to stop for those entering. She wondered if there was a different sign that could be put there. She noticed a sign on another round-a-bout within the City that had a diagram. Mr. Watkins asked where the sign was located. Ms. Hoppe stated she did not recall.

Ms. Hoppe made a motion directing staff to provide a report in regard to the round-a-bout issues on Old 63, north of Bearfield and near the Bluff Creek Estates area.

Mayor Hindman thought the round-a-bout worked well. Ms. Hoppe stated she had attended a neighborhood association meeting and those who used it had concerns since it was small. Mr. Thornhill noted it slowed people down. Mayor Hindman agreed. Ms. Hoppe stated she was not asking that they remove the round-a-bout. She was more concerned with signage.

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

Ms. Hoppe stated she wanted staff to look at the possibility of adding a 20 mph flashing light at Lee School on Locust Street in the fall as they had a walk to school program. She explained she attended an East Campus Neighborhood meeting and there were a lot of parents who indicated there was a speeding problem there.

Ms. Nauser asked if there was a priority list for schools. Mayor Hindman understood two were planned and funded now. The earlier report indicated that if they put in another one, it would have to come from one of those two. He thought if they wanted to add it to the list, it would be fine. Ms. Hoppe stated she wanted to put it on the list. Mayor Hindman suggested they do that when they discussed the CIP. Ms. Hoppe understood it could be added to the list without staff input.

Ms. Hoppe stated the Beta fraternity on the north side of Wilson had a continual stream of water running year round, which was causing a 20 foot by 2 foot wide ice patch. Mayor Hindman asked if the water was coming from the Beta house. Ms. Hoppe replied yes. She believed it was drainage coming from the house that went directly onto the street and the sidewalk. She asked staff to look at the situation.

Ms. Hoppe stated the walkable and bikable intersection at Broadway and Old 63 appeared to be done except for the pedestrian lights as they were not working. She wondered how much was left to be done and when the lights would be turned on. Mr. Watkins replied he did not know and would provide Ms. Hoppe a report.

Mr. Sturtz commented that a couple of bicyclists who were excited about the Worley Street bike path had complained about the number of cars parking illegally on Worley. He was not sure if it was an enforcement issue and asked staff to look into it. Mayor Hindman wondered if it was really illegal. He explained they had some bike lanes that were shared with parked cars. Mr. Watkins replied staff would look into it and provide a report to Mr. Sturtz. Mayor Hindman explained it was decided it would be a hassle to take away parking and would better to share, even though it was not perfect.

Mr. Thornhill stated he had e-mailed the City Manager's Office in regard to the sidewalk plan on Leslie Street across from the new Phoenix House. He understood it was on the sidewalk plan as a priority two project. He wondered whether it could be bumped up in priority and had not heard back yet. Mr. Watkins thought a good time for Mr. Thornhill to bring that issue up was at the CIP meeting.

Mayor Hindman noted the Council approved a mixed use development at the intersection of Sexton and Garth, which was to include a small business incubation, a grocery store, some inner-city denser housing, etc. He understood it would not be happening due to financing. Mr. Watkins explained they were caught between the SBA and the EDA as both wanted first position and neither would budge. Mayor Hindman asked if there were any kind of foreclosure funds or anything else they could do to get it going. Mr. Watkins replied the boundary for the CDBG foreclosure funds was on the other side of Sexton. It was a project the staff considered for the \$500,000-\$600,000 in CDBG funds, but it was not within the allowed area.

Mayor Hindman noted Mr. Skala had suggested that he, as Mayor, should sign the mayors national challenge to improve child and family well being. He understood the goal was to ensure every child had the opportunity to learn and grow, a safe neighborhood to call home, a healthy lifestyle and environment, and a financially fit family in which to thrive. They were to set up goals and tell how they would reach the goals. This had been signed by about 100 mayors. He agreed it would be a good thing to sign, and since the Council seemed interested, he thought they might want to sign it publicly. He suggested the Fitness Forum at the ARC tomorrow at around 6:30 or 7:00 p.m. Mr. Boeckmann pointed out that sounded like a Council meeting and would require they post notice and take minutes.

Ms. Nauser asked if it needed to be a formal resolution the Council adopted and the Mayor signed. Mr. Watkins stated they could put on as a resolution at the next meeting.

Mr. Wade asked if a special signing of that resolution could be done at the Early Childhood Education workshop on May 27, 2009. Mayor Hindman thought it was a good idea if that was a time in which they could get the Council members together.

The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Sheela Amin
City Clerk