

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
FEBRUARY 15, 2010

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, February 15, 2010, in the new Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL and SKALA were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of February 1, 2010 were approved unanimously by voice vote on a motion by Ms. Hoppe and a second by Mr. Skala.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Upon his request, Mayor Hindman made a motion that Mr. Sturtz be allowed to abstain from voting on R26-10 due to a conflict of interest. Mr. Sturtz noted on the Disclosure of Interest form that he was a contractor who worked for Ragtag Programming for Film and Media Arts. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Upon his request, Mr. Skala made a motion that Mayor Hindman be allowed to abstain from voting on the appointments to the Public Transportation Advisory Commission due to a conflict of interest. Mayor Hindman noted on the Disclosure of Interest form that his son-in-law was an applicant. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

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

SPECIAL ITEMS

Recognition of Marie Hunter for receiving the Missouri Arts Council's 2010 Missouri Arts Award for Leadership in the Arts.

Mayor Hindman noted Ms. Hunter had recently been recognized by the Missouri Arts Council as a premier leader for the arts in the public sector and congratulated her.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

(A) Considering Addendum No. 2 to the 2004 Wastewater Systems Facilities Planning Report on Wastewater Collection and Treatment.

Item A was read by the Clerk.

Mr. Watkins provided a staff report and noted this change would add collector sewers to include the Hominy Branch Outfall Relief Sewer, the North Grindstone Outfall Extension Phases 2 and 3 and the Upper Hinkson Creek Outfall Extension Phase 1. Mr. Glascock explained the public hearing was necessary for MDNR funding.

Mayor Hindman opened the public hearing.

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

Ms. Hoppe understood there was not an immediate cost to the plan, but asked if there was an estimated cost for implementation. Mr. Glascock replied there were estimated costs, but he had not included those costs in the memo since this was a hearing to only include the projects in the Facilities Plan. Mr. Watkins pointed out these projects would come to Council as part of the public improvement process prior to them moving forward.

Ms. Hoppe understood there had been a form and criteria for 100-acre sewer extensions and asked how this would comply with that process. Mr. Watkins replied he did not believe they had gotten that far, with the exception of the one project that was moving along for the North Grindstone Outfall Extension Phase 2. He thought they could provide information regarding how it would fit in terms of the criteria and understood it had enough points to be recommended for funding.

Ms. Hoppe understood there were environmental assessments and communication from DNR regarding issues with the Indiana bat, the gray bat, etc., and asked what would be done. Mr. Glascock replied each project would follow the criteria required for the Endangered Species Act and Cultural Resources Act.

Mayor Hindman asked if consideration had been given to trails. Mr. Glascock replied consideration had not been given within this document, but would be given during the design as had been done with the Hominy Branch.

Mr. Wade made a motion directing staff to proceed with the SRF funding request process. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

R33-10 Certifying local organizations as community housing development organizations; amending the FY 2009 HOME Action Plan.

The resolution was read by the Clerk.

Mr. Watkins and Mr. Lata provided a staff report. The Community Development Commission recommended an allocation of \$20,000 to Job Point, \$18,500 to Habitat for Humanity, \$5,000 to Community Housing Options, and \$55,000 for Central Missouri Community Action (CMCA). Agreements with the Community Housing Options and Job Point were a part of this legislation as well since they had met the CHDO requirements.

Mayor Hindman opened the public hearing.

Darin Pries, 4803 Chilton Court, stated he was the Executive Director of CMCA and thanked the Council for considering an amendment to HOME Action Plan that includes a portion of the funding for CMCA's transitional housing for homeless youth. He noted they had adopted the North Central Neighborhood's recommended design standards, which were above the City's requirements. He commented that there had initially been concerns by residents with regard to how they would operate the program. CMCA did not have the expertise, but the Rainbow House did, and they were interested in partnering with them. He

noted they were negotiating with the Job Point YouthBuild program to help build the facility itself. Comments had been made indicating they were bringing homeless youth to the area. He explained there were homeless youth in the neighborhood already and CMCA was only trying to create a positive option for them.

Jan Stock, the Executive Director of Rainbow House, stated the Rainbow House has had a transitional living program for two years, and of the 34 youth that had been served by various programs, 17 had been residents and had acquired their GED or had graduated from high school. In addition, 11 had gained employment while there. She explained the program was voluntary, but while residents were there, they had to follow the prescribed program.

Mr. Skala asked for clarification regarding the mentoring program. Ms. Stock replied that the mentors came from the community and were trained through the Rainbow House.

Dan Cullimore, 715 Lyons Street, stated he was the construction manager for the Columbia Builds Youth program and noted it assisted young men and women with challenging backgrounds by helping them acquire GEDs and construction trade skills. Since the program's inception seven years ago, CMCA had been a partner in the effort, and the potential impact of this CMCA project on the students and the community was tremendous.

John Clark, 403 N. Ninth Street, stated his support for the CMCA project, but felt that no money should be released until it qualified as a CHDO and there was an operation plan with funding. He believed many concerns stemmed from many projects developing with a lack of funding or capacity later on. He commented that there was a need for this service and encouraged Council to ensure this project was a top priority for CMCA. He noted he also had concerns with the CMCA planning process and believed more people needed to be involved.

Jeff Adams, 914 N. Seventh Street, noted the CMCA project would be built right outside the window of his home of 37 years and did not believe this was the right location for the project. It would be in a residential neighborhood and hold twelve people in a five unit building. He thought it would affect the neighborhood aesthetics and reiterated he believed it was not the appropriate location for the facility.

Linda Rootes, 402 North Eighth Street, stated she was the President of North Central Columbia Neighborhood Association and the Association Board of Directors had not taken a formal position on the CMCA project. She understood the concerns of the Board had been mainly addressed. She noted she was also an active member of the Wilkes Boulevard United Methodist Church, which was a block away, and the Church was very interested in homeless youth having a place to live as they would prefer having a facility in the neighborhood instead of homeless youth in the streets in the neighborhood. The facility would be located across from Hickman High School, so there were no residences on the west side of the street. The east side of the street had two single-family homes belonging to the Assembly of God Church and their representatives favored the project.

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

Mr. Sturtz stated he had attended the last North Central Columbia Neighborhood Association meeting and felt the attendees approved of the project. He believed the density was appropriate and noted he was in favor of the project as the programs would benefit the homeless youth in the community.

Mr. Skala noted there were several projects, but in terms of the transitional housing for youth project, he liked the proactive approach of keeping kids off of the streets and out of dysfunctional housing.

Ms. Nauser commented that she believed this was a wonderful opportunity since prevention and providing opportunities to youth were the keys to youth crime problems. It was better for society to help children at the beginning rather than incarcerating them later.

Ms. Hoppe stated she agreed with a previous speaker in that prevention in the long term was cheaper than penalizing someone down the road. She believed there was a great need for this project in the community.

Mr. Thornhill asked if there were any consequences in terms of funding if the CMCA was not able to meet timelines. Mr. Lata replied they had about a year, and if they were not prepared then, the funding might have to be reallocated.

Mayor Hindman did not believe many Columbia residents realized there was a homeless youth population in the community, and although the Rainbow House did wonderful work, this was something better.

Mr. Wade noted this resolution involved four projects and all of them addressed serious housing needs.

The vote on R33-10 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

OLD BUSINESS

B10-10 Rezoning property located on the southeast corner of John Garry Drive and East Southampton Drive (20 East Southampton Drive) from O-1 to C-P; setting forth conditions for approval.

The bill was given third reading by the Clerk.

Mr. Watkins provided a staff report and noted the Planning and Zoning Commission had been concerned about the possibility of a drive-up facility. Since this was open zoning, there was never a zoning based plan completed. There was a site plan for the use of Public Works, but it was not binding in terms of zoning. Staff did not believe there would be an issue with traffic backing up onto Southampton. If Council decided to allow the drive-thru, staff was recommending the 2004 plan be used for traffic purposes.

Mayor Hindman understood the property was currently zoned O-1 and a drive-thru could not be built under that zoning. Mr. Zenner replied that a drive-thru could be considered an accessory to a primary O-1 use, such as a bank or pharmacy. Mayor Hindman noted this rezoning request meant it would probably be used for something other than a bank or pharmacy. Mr. Zenner stated that was correct as the applicant wanted commercial use of the property. The C-1 uses would encapsulate the O-1 uses as well as residential development. Since the project had not been issued an occupancy permit, they did not know what the end uses might be.

Mr. Thornhill asked if there were any exclusions of use for this site. Mr. Zenner replied the packaged sale of alcohol was excluded from the proposal.

Mr. Zenner commented that depending on the use, a mid-block crosswalk on Southampton might be necessary for the safety of students due to its proximity to a high school. Mayor Hindman asked when the negotiation for the crosswalk would take place. Mr. Zenner replied it would likely be discussed when the applicant provided a plan. Mayor Hindman understood the applicant would only need to provide a plan if he intended to change the configuration of the driveway. Mr. Zenner replied if Council allowed the drive-thru use, the site plan would have to be modified, and the staff recommendation was to bring it to the 2004 plan since it had a more consistent layout for circulation. A full site plan would not be required.

Cullen Cline, 814 E. Broadway, stated he represented the property owner, Garry and Gayle Lewis. He understood a mid-block crosswalk was already in place, but if there were additional requirements for a crosswalk, his clients would be happy to address those.

Garry Lewis stated he and his wife would do whatever was needed for the project. The development was part of a planned neighborhood, which they were completing one piece at a time.

Greg Ahrens, 1504 Sylan Lane, commented that he did not believe there was a crosswalk for at least half-mile, so it left little opportunity for someone in a wheelchair to get across the street to shop or get on the bus. He thought crosswalk and curb cuts were needed at the T-intersections.

Jennifer Welsh, 39 North Cedar Lake Drive W, stated she worked for Garry Lewis and noted there was a crosswalk with a sign and flashing lights at the corner of East Southampton and Executive Drive.

Ms. Nauser stated she felt the drive-thru was appropriate, and since the building was not very large, she did not believe it would accommodate a fast food facility or create too much traffic.

Ms. Nauser made a motion to amend B10-10 by adding “and drive-up facilities” to Section 1 of the ordinance so it would read “...permitted uses in Districts R-1, O-1 and C-1 and drive-up facilities....” The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Nauser made a motion to amend B10-10 by adding a third condition to Section 3 indicating the site improvements would conform to the plan approved in 2004 for the existing permitted O-1 development. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Mr. Wade understood that the existing crosswalk accommodated students parking off-site, but did not address the other concerns raised by staff and Mr. Ahrens. He suggested that be reviewed.

The vote on B10-10, as amended, was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B22-10 Amending Chapter 22 of the City Code as it relates to sewer rates and charges.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and noted the changes would clear up a number of inconsistencies between the rate ordinance and the billing process.

Mayor Hindman noted this item had been discussed at the open pre-Council meeting held earlier in the evening.

Mr. Skala asked if they had looked at other communities. Mr. Glascock replied they looked at other communities as part of the cost of service study done several years ago. Mr. Skala asked how many communities that involved. Mr. Glascock replied he did not recall.

Paul Love, 100 Sondra, stated he was concerned with providing special pricing for government customers. He had contacted Rolla, Ames, Kansas City and University City and understood none of those communities offered special pricing for their Universities. If he recalled correctly, the original estimate involving the University was \$1.2 million and a deal was reached for the University to pay \$600,000 in 10 years, which he felt was unconscionable. He understood staff felt the sewer usage was hard to determine since the University provided its own water, but he believed the ordinance addressed that situation by suggesting a meter be placed at the point where the water was being generated. He felt the ordinance had been circumvented by the negotiation of a special rate without Council approval. He thought everyone should be billed fairly.

Mr. Boeckmann noted the agreement with the University required them to pay more than was required by the ordinance.

John Clark, 403 N. Ninth, suggested the Council reject this ordinance and ask staff to rethink the standards of fair, equitable and administrable. He thought this might be fair to the current billing staff, but did not believe it was fair to the users or to those without water meters. He noted he also objected to the idea of allowing staff to negotiate agreements.

Mark Stevenson, 3204 Crestwood Lane, suggested the Council table this item. The old billing system, like the current system, had been unfair for many years. He believed this needed further thought and discussion as it would affect thousands of citizens and the City budget. The members of the Columbia Apartment Association and their tenants paid many of these bills, and they had formed a committee to study the issue and provide recommendations. He felt being fair was more important than being quick.

Sid Sullivan, 2980 Maple Bluff Drive, commented that the City Charter provided the opportunity for Council to set the policy and a weakness of this ordinance was that the Council had not truly developed a policy in terms of what would be fair and equitable. He understood there were 64,000 potential rate users with 50,000 users currently being charged the base rate, and this would reduce the number of users to 43,000. This meant the 43,000 users were subsidizing the 50,000 or 64,000 possible users in a revenue neutral situation. He thought the Council needed more time to develop policy and to obtain more information regarding a rate study done a couple years ago.

Mayor Hindman noted there were no meters on sewers, so all sewer charges were calculated indirectly. This could be done with a base rate or by an indirect usage calculation. He thought the Council wanted to know more with regard to what other cities were doing, and suggested this issue be tabled in order to obtain that information.

Mr. Skala understood part of the difficulty in determining this rate structure was due to the definitions on which the rate structure was based. If that was the case, he thought they

needed to address some of the definitions before adjusting the rate structure. He agreed they needed to look at the solutions implemented by other cities in order to provide equity.

Mr. Wade stated he had the same concerns regarding equity and agreed they needed to review other options. He did not believe this ordinance addressed the issues.

Mr. Wade made a motion to table B22-10 to the May 17, 2010 Council meeting. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

B23-10 Amending Chapter 2 of the City Code to establish the Storm Water Advisory Commission.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Ms. Hoppe commented that she hoped the Storm Water Advisory Commission would help balance the desire for in-fill and redevelopment in the Central City with the storm water requirements. She did not want the storm water requirements to deter people from reinvesting in the Central City. Mr. Skala agreed.

B23-10 was given third reading with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B33-10 Amending Chapter 27 of the City Code relating to water rates at Columbia Regional Airport.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and noted the City paid Consolidated Public Water Supply District No. 1 for the water, and billed the customers at the Airport at the same rate as the District charged. This would accommodate the rate increase of the District.

Ms. Hoppe understood the charge would increase for smaller users and would decrease for larger users and asked for an explanation. Mr. Schmitz replied he thought it was based on the total CFF as the base charges had increased, but consumption had not.

B33-10 was given third reading with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B34-10 Authorizing agreements with Ameren Energy Generating Company and Ameren Energy Marketing Company relating to the purchase of a twenty-five percent (25%) share of the Columbia Energy Center; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and noted this was subject to a number of regulatory reviews, even with Council approval. As a result, it would be months before the final contracts could be executed.

Ms. Nauser asked for clarification regarding why there was a retained earnings account for the electric utility. Mr. Watkins replied retained earnings were kept for emergencies, such as ice storms and other situations where transformers, lines, poles, etc. would need to be repaired. The City was self-insured with stop-gap coverage, but funds would be needed to make purchases immediately.

Mr. Watkins pointed out the City would pay cash for this because in order to issue revenue bonds, they would have to go to the vote of the people and the time frame made that difficult. The next units, if they elected to proceed, would probably be included a future electric ballot issue.

Mr. Skala understood this fund had also been suggested for use for investment purposes in terms of shovel-ready sites. Mr. Watkins stated that was correct and noted the goal was that the sale of the ground would make up for the cost, although there were no guarantees.

Mayor Hindman commented that he wanted to ensure there was enough cash on hand to finance demand side programs. Mr. Watkins stated that was a topic for the February 22 work session. He thought they would be asking Council for a larger loan cap for these programs.

Mr. Sturtz asked for clarification regarding how the purchase of additional capacity through the turbine would allow for a more aggressive purchase of renewables in the future. Mr. Schmitz replied the City's marketing agent, who was The Energy Authority, would take bids on renewable energy, and the local capacity would be used to support that energy. Mr. Sturtz understood this was a way to show agencies the City had back up power even though the intent was to not to have to use the turbines. Mr. Schmitz stated that was correct.

B34-10 was given third reading with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B39-10 Amending Chapter 16 of the City Code as it relates to noise and noise in the downtown area.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Tom Atkinson, 402 Kinloch Court, stated he was representing a group of the restaurant and bar owners in the downtown area and was the majority owner of Shiloh Bar and Grill, and explained the current noise ordinance did not work in a mixed use area. The 50 foot noise level after 11:00 p.m. was not a fair business environment as numerous bars and restaurants were in violation of the current ordinance. The proposed ordinance, while not perfect, recognized the needs of downtown establishments in the hospitality business. It redefined the downtown area with regard to the application of the noise ordinance. The 2:00 a.m. time was established to allow time for patrons to leave the area as establishments closed at 1:30 a.m. Although 300 feet seemed like a far distance, it really was not when considering the noise of 200 people. He understood the challenge was to find an acceptable balance between the residents' needs and the commercial viability of the hospitality industry in the downtown, but did not believe the current approach worked as most crowded establishments in the downtown could be in violation of the noise ordinance on any given night if their front doors were open. The ordinance was violated on every home football game, by emergency response vehicles, parades and other outside gatherings. The downtown needed a different approach and he believed this draft ordinance was an excellent start.

Mr. Sturtz asked how many complaints had been filed against downtown restaurants and bars in the past year other than against Shiloh. Mr. Atkinson replied he was not aware of any.

Mr. Skala asked why he thought the SBD had come to a different conclusion than his stakeholder group. Mr. Atkinson replied he was not sure.

Mr. Skala asked if the passage of this ordinance would allow Shiloh to remove the wooden barrier it currently had in place. Mr. Atkinson replied the wooden barrier was installed to determine if they could solve the problem by constructing something, and since they did not think it would, they formed a group of stakeholders to assist with drafting a new ordinance.

Mr. Wade asked for clarification regarding the process of how input from groups other than the downtown bar and restaurant owners was solicited. Mr. Atkinson replied that he and Don Stamper contacted the other groups and held four meetings. Mr. Wade understood most of the input came from other restaurant and bar owners. Mr. Atkinson stated that was correct.

Mayor Hindman asked if the issue was mostly seasonal when patios were open. Mr. Atkinson replied yes. Mayor Hindman understood it was not an issue when the music was indoors. Mr. Atkinson stated that was correct based on his experience.

Mr. Thornhill understood a business could be in violation without music if a large number of people were on the patio. Mr. Atkinson stated that was correct and noted his establishment had been in violation twice without music.

Ms. Hoppe wondered if the wall constructed at Shiloh had put the business in compliance with the current noise ordinance and asked if they had received any complaints since the construction of the wall. Mr. Atkinson replied they had not.

Ms. Nauser asked if the proposed ordinance was aimed at addressing a single problem. Mr. Atkinson replied it was a specific problem for him at this time, but in talking to the other stakeholders, they agreed it could be a problem for them in the future if a residence was located nearby.

Paul Love, 100 Sondra, commented that if the City wanted more infill development and combined communities, residents would be closer to businesses, bars, restaurants and other establishments, and the 50 foot noise ordinance could be violated by slamming a car door. He felt the issue needed to be reviewed for not only the downtown, but for other areas in the community with businesses and residents in the same area.

Bob Gerding, 101 S. Fifth Street, stated his residence was 320 feet from the Shiloh parking lot. He noted the City and the downtown needed bars and restaurants in order to thrive, and noise should be expected as part of downtown living. Through living downtown, he understood bar patrons needed to scream at the top of their lungs at 1:30 a.m. and that bar owners could not control their patrons, but he still had some concerns with the proposed ordinance. One concern involved the process of how this ordinance got to this point as he felt the Special Business District should have been more involved as it was put in place to work with downtown issues. Another concern involved the fact they were being held hostage to the plywood wall. If the Council wanted to get rid of the plywood wall, he suggested an ordinance be passed prohibiting plywood walls. He was also concerned about the statement

indicating sounds escaping from the opening of exterior doors would not be an ordinance violation because a situation where a bar opened its door when it had a band indoors would be exempt from the noise ordinance. He suggested more research be done as this was a complicated issue and asked the Council not to adopt the proposed ordinance.

Ms. Nauser asked if he had any suggestions for improving the proposed ordinance. Mr. Gerding replied he thought the 300 foot distance was acceptable, if it was allowed up to 11:00 p.m., but having an outside band past 11:00 p.m. was not.

Tom Rippetto, 23 N. Ninth Street, stated he was a resident, property owner and previous small business owner of the downtown, and intended to open another business in the downtown in the future, so he believed he had an understanding of all of these perspectives. The City had determined it was desirable to develop a mixed-use downtown area where businesses and residents coexisted, but the proposed sound ordinance did not take into account the needs and rights of the residents that lived downtown for peace and quiet in the same way it did for the residents who lived outside the downtown area. The proposed ordinance clearly favored businesses with regard to the time and range of allowable noise limits and sent a confusing message regarding building a strong residential component in the downtown. He provided a handout of his statement.

Mary Wilkerson, Chair of the Special Business District (SBD), commented that the SBD's feeling regarding this ordinance had been previously provided. She pointed out the SBD did not vote in favor or against the proposed ordinance, and that as an organization, they recognized the current ordinance needed to be adjusted. She stated they would like to be part of a process of obtaining more input for a new ordinance.

Mayor Hindman asked to what extent the SBD had been involved in the process. Ms. Wilkerson replied they participated in a couple meetings with the bar owners' organization and had shared their thoughts with them at those meetings.

Mr. Thornhill commented that it appeared as though the SBD had been involved and asked for clarification. Ms. Wilkerson replied their concern was that not all of the constituents were involved in the process. The residents had not been provided an opportunity to participate in the process. Mr. Thornhill asked whose responsibility it was to ensure resident involvement. Ms. Wilkerson replied that had the City asked, they would have been happy to assist.

Mr. Boeckmann noted he had sent multiple drafts to the SBD Executive Director and thought they would provide input. Ms. Wilkerson stated they discussed the issue with residents, which was why they did not recommend voting in favor of it. She felt the residents needed an opportunity to participate. She commented that this was not their ordinance. The SBD was only asked to react to what they were given.

Mr. Boeckmann asked if the SBD could provide helpful suggestions in reshaping the ordinance if given more time. Ms. Wilkerson replied the SBD had made recommendations based on discussions with the people the City asked them to talk with.

Mayor Hindman asked what recommendations were made. Ms. Wilkerson replied they were outlined in the paperwork previously provided.

Ms. Nauser understood there was a consensus indicating the 300 feet was acceptable, but the hours needed to be reconsidered. The issues listed in the letter from the

SBD seemed to try to fine tune the proposed ordinance and City staff had responded to all of those issues. Ms. Wilkerson stated she felt the ordinance needed to be fine tuned and that additional time should be taken for research to make the ordinance better.

Ms. Hoppe understood the SBD letter indicated outside research had been conducted. Ms. Wilkerson stated that was correct, but noted she believed more research involving similar communities with more in-fill development needed to be done. She explained the SBD was looking into the concept of a hospitality zone and how that would impact the ability to create more noise during set times.

Ms. Hoppe noted item six in the SBD letter, which suggested a review of the outcomes of the ordinance carefully to ensure the needs of all downtown residents were addressed, had not been responded to by City staff. She understood Ms. Wilkerson was asking for a larger stakeholders' process. Ms. Wilkerson stated that was correct.

Mr. Sturtz asked Ms. Wilkerson if the residents she had spoken with had viewpoints similar to Mr. Gerding or Mr. Rippetto. Ms. Wilkerson replied she thought the opinions were diverse as all residents had different expectations.

Mr. Skala asked Ms. Wilkerson for her thoughts as to why the SBD came to a different conclusion than Mr. Atkinson. Ms. Wilkerson replied she believed it was because the SBD spoke with more residents.

Ms. Nauser asked how many residents lived in the downtown area. Ms. Wilkerson replied about 300. Ms. Nauser asked if residents living in the downtown believed they could still enjoy the same residential noise benefits as those in the suburbs. Ms. Wilkerson replied she felt that was unrealistic as there were differences in an urban versus suburban environment, and most of the residents she spoke with agreed.

Ms. Nauser asked if residents were complaining to the SBD about noise. Ms. Wilkerson replied no. She explained that with regard to noise, the police only acted on complaints, and there were not many complaints.

Rick Rother, 411 E. Broadway, commented that the proposed noise levels exceeded OSHA regulations and standards, and created health and safety risks to patrons, employees and neighbors. He asked who would be accountable for the harm caused by hearing loss and the future harm caused by the passing of this ordinance. The ordinance did not address the worse case scenario of multiple places making this level of noise day and night, and the ordinance would be unenforceable since it would be difficult to determine which business within the 300 feet the noise was coming from. He noted he was not contacted and he was the person that had made the complaint involving Shiloh. He commented that very few of the people in support of the ordinance were property owners, and most of the downtown property owners objected to the passage of the proposed ordinance because the ability to develop properties for a business or residence would be severely hindered. He suggested the Council vote against the proposed ordinance.

David Brodsky, 903 West Ash, stated he agreed the noise ordinance needed to be revised to fit the particular circumstances in the downtown. When he lived in the downtown, noise was present and disruptive, but anyone living downtown should expect this inconvenience to a reasonable degree. He believed the downtown needed a unique solution and did not feel the proposed ordinance provided for that. He thought there were better

solutions, but those had not been allowed to come to the forefront due to the flawed process driven largely by one special interest group. He asked the Council to vote against the proposed ordinance and to direct the SBD to develop the necessary revisions in an open and inclusive manner.

Mike McClung, 515 East Cherry, stated that he had spoken with 28 of his downtown residential tenants and they all understood downtown living meant more noise. In addition, they felt it was unrealistic for the same noise ordinance to apply to both the downtown and the suburbs. They were all in support of the proposed ordinance. He noted he resided in the downtown and was willing to deal with some inconveniences involving noise for the benefits of living downtown. He pointed out he was kept up at night by street sweepers, trash trucks, glass recycling bins and other utility items, and not bar noise.

Don Stamper, 2502 Hollyhock Drive, stated he had helped with this for about a year and the driving force was a request by the Council to provide thoughts on what modifications might be needed to the existing noise ordinance. He and Mr. Atkinson got a group of stakeholders together to provide feedback to City staff. He understood the City prosecutor had met with other stakeholders, to include those with complaints, in order to solicit information. The number of complaints was difficult to track, but the number of violations was not. The police generally asked an offender to lower the noise level and this resulted in less violations. The 50 foot rule was not only an issue with outside music as some were affected by inside music as well. The wall at Shiloh was a tool to manage the noise issue under the current ordinance. The 300 feet in the proposed ordinance was the distance of a City block, and he believed it was a reasonable distance. He also felt more work could be done on this ordinance in the future, but there was a need to address the situation in the meantime.

Carrie Gartner, 11 S. Tenth Street, stated she was the Director of the SBD and wanted to clarify that the SBD did not want to hamstring any business in the downtown, but they also wanted their residents to get enough sleep to function during the day. When the SBD was given an assignment by Council, they tried to bring a lot of voices into the equation in order to provide a good solution and allow the people involved to be more comfortable with the solution. She felt many more voices needed to be heard on this issue and more research needed to be done in terms of other communities facing the same issue. This did not happen. The SBD was provided a fully formed ordinance and was asked to comment on it. They were not involved in the beginning of the process, so they were not sure this solution was the best solution.

Mayor Hindman understood the SBD was inviting Council to direct them to further investigate the issue. Ms. Gartner stated that was correct.

Ms. Nauser asked when the SBD first received a draft copy of the ordinance. Ms. Gartner replied it had been about one year. Ms. Nauser asked if the SBD had researched other communities for solutions during that year. Ms. Gartner replied they had not because that direction had not been given to the SBD. They were only asked to comment. They were not given the lead in drafting the ordinance. Ms. Nauser understood the SBD's issue was the lack of involvement from the beginning. Ms. Gartner stated she felt the process as a whole needed to be more inclusive.

Mr. Thornhill asked why the SBD did not make itself a part of the process since it was an important issue to its members. Ms. Gartner replied they were approached by Mr. Stamper and had held meetings, formed a committee and provided feedback. Midway through that process, City staff became involved. They had been working on it, but were not the lead party, so the process was not what they traditionally followed. They had been asked to comment on someone else's ordinance.

Ms. Hoppe understood the concern of the SBD was not just the process, but the potential results of what could come from a different process. Ms. Gartner agreed.

Mayor Hindman stated he would like to know what other similar cities had done. He wondered if they should send it to the SBD or set up a different stakeholders group.

Mr. Skala agreed they needed to look at solutions in other communities and evaluate them. He also agreed there might be an adversarial relationship between the owners and business people, and thought a stakeholders group might need to be formed to evaluate solutions from other communities to come up with the best solution possible.

Mr. Wade stated he did not support the proposed ordinance. He was not confident in an ordinance primarily crafted for one particular set of users. He thought more research and broad-based participation needed to be done. This appeared to be an ordinance stimulated by one particular situation and he was not sure it provided what was needed for the long term.

Mr. Sturtz commented that he thought there was a consensus to put together a stakeholders group. He felt there had been good discussion, but it was not sufficient for them to move ahead tonight.

Ms. Hoppe commented that if they wanted this to be a mixed-use area, the aim was to have businesses function well with the minimal amount of noise needed so the residential aspect of downtown flourished as well. She noted the SBD was already in place and was comprised of the necessary stakeholders. She thought they had the experience in the process required and did not believe the formation of another group was necessary. Mr. Wade agreed and noted the SBD was a City board.

Ms. Nauser stated that when moving into a downtown district, residents had to expect a higher degree of noise. There was a problem with the current ordinance, and from the information she received, some other communities were researched. She noted she was willing to move forward with this ordinance on a temporary basis to determine if it would resolve some of the problems they had. The 50 foot limit was unreasonable in the downtown, and if reviewing entertainment districts and etc., it would be a long time before a new ordinance was drafted.

Mr. Thornhill agreed with Ms. Nauser. He believed the current ordinance was outdated and it was unreasonable to expect the same noise levels in the downtown as was expected in a suburb. He thought they would be better served by adopting and amending this ordinance on their way to finding a better solution.

Mr. Wade stated he did not believe they had a major problem with the current ordinance as there had only been one complaint.

Mr. Thornhill commented that he did not believe increasing the distance to 300 feet would encourage people to make more noise.

Ms. Nauser made a motion to table B39-10 to the April 19, 2010 Council meeting. The motion was seconded by Mr. Thornhill and approved by voice vote with Mr. Skala, Mr. Wade and Ms. Hoppe voting no.

Mr. Wade made a motion directing the SBD to address the issues involved with the noise ordinance and to provide recommendations for changes. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

CONSENT AGENDA

The following bills were given second reading and the resolutions were read by the Clerk.

- B20-10 Approving the Final Plat of Ridgeway Cottages Plat 1, a Replat of Lots 36 and 37, Smithton Addition; granting variances from the Subdivision Regulations; setting forth a condition for approval.
- B21-10 Vacating utility easements located on Lots 1 and 2 within Howe Business Park; accepting a conveyance for electric utility purposes.
- B24-10 Authorizing construction of Sewer District No. 163 (Ballenger Lane and Aztec Boulevard); calling for bids through the Purchasing Division.
- B25-10 Authorizing the acquisition of easements for construction of Sewer District No. 163 (Ballenger Lane and Aztec Boulevard).
- B26-10 Authorizing construction of the North Grindstone Outfall Extension Sewer – Phase II; calling for bids through the Purchasing Division.
- B27-10 Authorizing the acquisition of easements for the North Grindstone Outfall Extension Sewer – Phase II.
- B28-10 Authorizing construction of a sidewalk along the north side of Walnut Street between William Street and Old Highway 63; calling for bids through the Purchasing Division.
- B29-10 Authorizing the acquisition of easements for construction of a sidewalk along the north side of Walnut Street between William Street and Old Highway 63.
- B30-10 Authorizing a right of use permit with the County of Boone for placement and maintenance of a pedestrian ramp with a handrail within a portion of right-of-way located at 613 Ash Street.
- B31-10 Accepting conveyances for utility, sewer, access to storm water facilities and scenic conservation bikeway/walkway purposes.
- B32-10 Accepting Stormwater Management/BMP Facilities Covenants.
- B35-10 Authorizing an agreement with the Columbia School District for a playground improvement project at Derby Ridge Elementary School.
- B36-10 Appropriating fire equipment sale proceed funds.
- B37-10 Accepting a donation from the Columbia Cosmopolitan Luncheon Club for the purchase and training of a canine for the Police Department; appropriating donated and asset forfeiture funds.
- B38-10 Amending Chapter 2 of the City Code as it relates to notice of public meetings.

- B40-10** Authorizing the Police Chief and Fire Chief to execute a memorandum of understanding with the Federal Bureau of Investigation and a number of Missouri agencies for a multi-jurisdictional response to improvised explosive devices.

- R19-10** Setting a public hearing: replacement of a water main along Business Loop 70, between Jackson Street and Jefferson Street.

- R20-10** Setting a public hearing: considering an amendment to the FY 2008 Action Plan to expand the target area for the Neighborhood Stabilization Act Program.

- R21-10** Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for the WIC Supplemental Food Program.

- R22-10** Authorizing an agreement with University of Central Missouri to provide health clinic experience for nursing students.

- R23-10** Authorizing an agreement with Boone County for public health services.

- R24-10** Authorizing an agreement with Boone County for animal control services.

- R25-10** Accepting a donation of kitchenette equipment and a medical training device from Associated Electric Cooperative, Inc. to be used by the Fire Department at the Columbia Fire Training Academy.

- R26-10** Authorizing agreements with the 2010 Missouri Roundup Committee and Ragtag Programming for Film & Media Arts for tourism development funds.

- R27-10** Authorizing an agreement with Grove Construction, LLC for removal and replacement of sidewalk along a portion of North Tenth Street (203 North Tenth Street).

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ (except for R26-10 on which he abstained), THORNHILL, SKALA. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

- R28-10** Authorizing an agreement with Vangel for professional consulting services for the promotion of energy efficiency outreach programs.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz asked why this had not been sent out to a larger group of people. Mr. Schmitz replied the Purchasing Division handled this, and they had used their pre-approved vendor list. Staff had selected Vangel as they had done good work for the Water and Light Department before.

Mr. Thornhill asked how rates were guaranteed to be competitive if people were required to be on a pre-approved list. Mr. Schmitz replied he understood it was part of the review process. He noted selection was not always based on the low bid as they needed to ensure the best product. He understood the vendor list was updated once a year for the entire City. The pre-approved list was a City-wide pre-approved list.

Ms. Hoppe understood four print ads and four radio ads were being created and this fee did not include the cost of running the ads. Mr. Watkins stated that was correct.

Mr. Wade noted companies could ask to be added to the pre-approved list.

Mr. Skala asked if the process of getting on the preferred vendor list had anything to do with the size of the contract. Mr. Schmitz replied it did not, and pointed out it was not a preferred list. It was a pre-approved list. Mr. Skala asked about the steps for getting on the pre-approved list. Mr. Schmitz replied the Purchasing Division evaluated companies. He understood companies completed a form and the Purchasing Division checked their certification, insurance, liability and etc. Proposals were then sent to companies on the list.

The vote on R28-10 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R29-10 Conditionally authorizing an agreement with Ameren Energy Fuels and Services Company pertaining to SO2 and NOX ozone annual and seasonal allowance purchase and sale.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted the City was well under the SO2 limits, but would need help with NOX limits due to new regulations. The Water and Light Department had proposed trading the excess SO2 allowances for some NOX allowances to allow the City to meet its needs at current rates. Mr. Schmitz commented that the SO2 allowances were based on fuel burning in the 1980's, and since then, the City had gone to low sulfur coal, which had allowed them to accrue the allowances. The NOX allowances were based on the type of equipment the City had, and this was the first year the City has had to comply with the NOX limit.

Mr. Watkins asked if staff was looking at the impact of the City switching to bio-fuels. Mr. Schmitz replied a consultant was studying the process. He noted that if a large capital investment were made for equipment in the future, the NOX allowances would go down.

Mr. Skala asked for an explanation regarding the advantage of bartering rather than purchasing what was necessary. Mr. Schmitz replied the SO2 allowances would continue to accrue until they were sold as the City would not use them. In addition, the market had stabilized so they felt it was better to exchange SO2 for NOX than to try and play the SO2 market.

Mayor Hindman asked how the equipment made the City exceed the NOX limits. Mr. Schmitz replied it was the style of boilers they had as they did not have some scrubbers and air handling equipment. He noted they were reviewing what might need to be done to change emissions. The advantage of the current boilers was that they were designed to burn wood, biomass and etc., but they were not clean with regard to NOX.

The vote on R29-10 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R30-10 Amendment No. 1 to the supplemental agreement with Vangel for consulting services for Phase II of the promotion and education of the Non-Motorized Transportation Pilot Program.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Upon his request, Mr. Skala made a motion that Mayor Hindman be allowed to abstain from voting on R30-10 due to a conflict of interest. Mayor Hindman noted on the Disclosure of Interest form that his son-in-law was the Executive Director of a subcontract group. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

The vote on R30-10 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. ABSTAINING: HINDMAN. Resolution declared adopted, reading as follows:

R31-10 Authorizing Supplemental Agreement No. 1 with HNTB Corporation for engineering services relating to Phase II of the Old Highway 63 pedway improvement project.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted this was the non-motorized funded portions of the trail.

Ms. Hoppe asked if the bridge across Hinkson from Moon Valley to Old 63 would be a low water bridge or a high water bridge. Mr. Glascock replied he believed it would be a high water bridge.

Ms. Hoppe asked for clarification on borings and tree removal. Mr. Glascock replied he thought the boring might have referred to boring in front of the house as that was discussed when the project started. It was no longer going to be done. Ms. Hoppe understood the present contract called for borings as well. Mr. Glascock explained that if it was for the bridge, he thought they might be talking about the borings needed for soil testing to determine the type of foundation needed.

Ms. Hoppe asked to be notified of the project meetings, to include the kick-off meeting and location walk.

The vote on R31-10 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R32-10 Authorizing the 2010 Update to the Analysis of Impediments to Fair Housing Choice.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

The vote on R32-10 was recorded as follows: VOTING YES: WADE, NAUSER, HOPPE, HINDMAN, STURTZ, THORNHILL, SKALA. 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.

- PR34-10 Establishing a policy for reimbursing large electric customers for the cost of constructing public infrastructure improvements.
- B41-10 Amending Chapter 27 of the City Code as it relates to transmission service rates.
- B42-10 Authorizing construction of a traffic calming speed hump on Rain Forest Parkway between Providence Road and Zebra Drive; transferring funds.
- B43-10 Appropriating funds to the non-motorized transportation project to offset expenditures for the design and construction of capital projects.
- B44-10 Authorizing a memorandum of understanding with The Curators of the University of Missouri, on behalf of Osher Lifelong Learning Program, for the use of the Stephens Lake Activity Center.

REPORTS AND PETITIONS

(A) Intra-Departmental Transfer of Funds Requests.

Mayor Hindman noted this report was provided for informational purposes.

(B) Street Closure Requests.

Mr. Wade made a motion to approve the street closures as requested. The motion was seconded by Mayor Hindman and was approved unanimously by voice vote.

(C) Forum Katy Parkway Left Turn Signal.

Mr. Watkins explained this report was provided for informational purposes.

Ms. Nauser pointed out she received an e-mail from a property owner on Forum, and asked staff to contact the Forum Development as they were concerned of what might be done and how it would affect their property.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

CARE ADVISORY BOARD

Omar, Brooke, 902 Hardin Street, Ward 1, Term to expire March 1, 2013.

FIREFIGHTERS' RETIREMENT BOARD

Kenny, Nicholas, 807 Broadhead Street, Ward 1, Term to expire December 31, 2011.

HISTORIC PRESERVATION COMMISSION

Cook, Debby, 9 Mumford Drive, Ward 4, September 1, 2012.

HUMAN RIGHTS COMMISSION

Dean, Gabriel, 709 Fairview Avenue, Ward 1, Term to expire March 1, 2013.

O'Toole, Thomas, 1004 Manhattan Drive, Ward 6, Term to expire March 1, 2013.

MAYOR'S COMMITTEE ON PHYSICAL FITNESS

Rezabek, Nancy, 3805 Corinth Court, Ward 5, Term to expire November 30, 2011.

NEW CUNTURY FUND BOARD

Tillotson, William, 720 S. Rustic Road, Ward 6, Term to expire September 30, 2010.

SUSTAINABLE FARMS AND COMMUNITIES, INC. BOARD

Dohm, Christopher, 2400 Chapel Hill Road, Ward 5, Term to expire December 31, 2011.

Rippeto, Tom, 23 N. Ninth Street, Ward 1, Term to expire December 31, 2011.

Mayor Hindman reminded the Council he could not participate in the vote for the appointment of members to the Public Transportation Advisory Commission and asked them how they wanted to proceed.

Mr. Thornhill suggested they each submit a matrix as they have done in the past with other boards and commissions and make the appointments at the next meeting. Ms. Nauser agreed.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Justin Thomas, 202 W. Sexton Road, stated he had previously submitted a comment about the problem he was experiencing with sewage back up in the basement during heavy rainfall and was pleased to report this problem had been resolved after a lengthy process. Following the suggestion of the City, he obtained estimates for repairs as a result of the damages from rains of September 2008. After submitting the estimates, his claims were denied and it was suggested he pursue the previous owner for damages. In addition, he was not reimbursed for the estimates he was told to obtain. He felt the process lead parties with damages to believe they could receive reparations if they followed the proper procedures.

Mr. Thomas commented that he thought it said something to have a Commission to seek citizen participation after spending years seeking citizen participation. He felt the activity among neighborhood associations might be more indicative of the extent of citizen participation in the visioning process. While some associations were active, quite a few were not, and there were many parts of the City that were not represented at all. He did not believe the objective of broad citizen participation in the visioning process had been met.

Mr. Thomas had two letters that were submitted at different times to the Police Department regarding activities on parts of his property and near his residence for the last nine months. The entire ordeal had been a waste of resources that could have been prevented if his initial concerns had been addressed in an appropriate manner. He noted they had ordinances and procedures that allowed the deterioration of the neighborhoods if a powerful individual chose to do that. It was amazing to him to learn how difficult it was to hold someone accountable while they were knowingly supporting illegal behavior and involving others in the disruption of peace in the neighborhood. He provided copies of the letters and his statement for the Council to review.

Mr. Skala asked staff to provide legal clarification with regard to freedom of speech when there was a contract with a private group. He wanted to know of the City's procedure and why the policies were what they were. He noted the request stemmed from the Air Show, but there had been an event at Stephens Park where people had tried to handout information as well.

Mr. Skala understood Mr. Paisley with property at 1308 and 1310 Godas Drive had been in discussions with Public Works regarding a potential retaining wall and right-of-way that was necessary for an improvement to the road, and asked for information regarding the project.

Mr. Skala commented that the home at 2409 Spruce had been for sale for a while and was dilapidated and possibly left for ruin. He asked if staff could look at the property.

Mr. Skala understood there would be a re-evaluation of the snow priority designations, and asked that East Walnut near Stephens Lake Park be looked at again as it was a high traffic area.

Mr. Skala noted the seating at the dais was discussed when touring the new Council Chamber and it was decided that the mayor would decide the seating arrangements. He suggested a formal decision be made and asked for a resolution to be drafted for Council consideration that would establish the mayor as the person who would decide the seating chart at the dais.

Mr. Wade asked for a resolution to be drafted for Council consideration for the March 1, 2010 Council meeting indicating the City of Columbia would set a goal for applying for and receiving a Missouri Quality Award and a National Baldrige Award and would set a target application date for each by October 1, 2010.

Mr. Wade made a motion directing the City Manager to designate 4-6 employees to become Missouri Quality Award Examiners with applications to be submitted by February 19, 2010. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Nauser made a motion directing staff to provide a report regarding reducing the speed on Sinclair Road near the park. She commented that the property on the south side of Route K would develop in the future, but when homes were built, children would be crossing Route K to get to the park. She suggested it be looked at as it would be an issue in the future. The motion made by Ms. Nauser was seconded by Ms. Hoppe, and approved unanimously by voice vote.

Ms. Hoppe noted the sign to the portion of the road that had changed from Rock Hill Road to Capri still had a street sign that stated it was Rock Hill and asked for a report as to why the sign had not been changed.

Ms. Hoppe asked for a resolution to be drafted for Council consideration that would formally ask MoDOT to reduce the speed limit on the highways to 60 mph within City limits.

Ms. Hoppe commented that Rock Quarry Road was very dangerous because the asphalt overlay had created steep ditches on both sides of the road. The CIP included plans for improvement, but it would be done in the future when funding was available.

Ms. Hoppe made a motion directing staff to determine if something could be done with the ditches, such as filling them in with gravel, to make them safer. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Hoppe stated she did not believe they had a scenic road street standard and that they would be applying the regular street standard to scenic roads, which she did not believe should be done.

Ms. Hoppe made a motion directing the Planning and Zoning Commission to create a scenic road standard or to provide recommendations regarding the issue. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Hoppe understood the delay of including the vision implementation impact statement on staff reports was due to Council not making a decision on whether to use the thirteen original goals or the five implementation subgoals.

Ms. Hoppe made a motion to move forward with using the thirteen original goals for the vision impact statement on staff reports. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

The meeting adjourned at 11:19 p.m.

Respectfully submitted,

Sheela Amin
City Clerk