

**MINUTES  
CITY COUNCIL MEETING – COLUMBIA, MISSOURI  
JULY 19, 2010**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, July 19, 2010, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER and HOPPE 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 July 6, 2010 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Thornhill.

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

The agenda was approved unanimously by voice vote on a motion by Ms. Nauser and a second by Ms. Hoppe.

**SPECIAL ITEMS**

**Swearing In of Tad Johnsen, Water and Light Director.**

The City Clerk administered the Oath of Office to Mr. Johnsen, the new Water and Light Director, and Mr. Watkins congratulated him.

**SCHEDULED PUBLIC COMMENT**

None.

**PUBLIC HEARINGS**

**(A) Considering approval of a design concept proposed by artist Stuart Keeler for the Fifth and Walnut Parking Garage Percent for Art Project.**

Item A was read by the Clerk.

Kip Goodman, 9100 West Terrapin Hills Road, stated he was Chair of the Standing Committee on Public Art and a member of the Commission on Cultural Affairs, and described the Percent for Art program and the Fifth and Walnut Parking Garage Percent for Art process for selecting the artist and the design concept. He noted the artist, Mr. Keeler, had submitted several design concepts focused on the northwest tower stairwell of the garage since that was where most people would enter and exit the structure and that the Committee selected the design entitled "Sky Algorithm". He displayed the design on the overhead, explained the design concept and read some of the public comments received. He noted the Committee voted 7 to1 in favor of the design and the Commission on Cultural Affairs unanimously accepted the recommendations of the Committee.

Mr. Sturtz commented that in looking at Mr. Keeler's resume, it appeared as though nearly all of his projects were done in collaboration with other artists, and asked if Mr. Goodman had a sense of what the artist brought without collaboration. Mr. Goodman replied

he understood Mr. Keeler was the principal designer for this project. Ms. Hunter understood Mr. Keeler often collaborated with architects. She explained he typically took the lead on the creative aspect of the project and would then work with other design professionals. Mr. Sturtz stated this appeared to be the first project for which he was taking full credit as an artist. Mr. Goodman commented that he understood Mr. Keeler had been the lead artist on several other projects. Ms. Hunter agreed and noted the Committee had never gotten a sense this was Mr. Keeler's first project on his own.

Ms. Hoppe asked how much money would go to the artist. Mr. Goodman replied \$110,000. Ms. Hunter replied the total budget for the one percent was \$139,000, and from that, ten percent was set aside for maintenance and administrative costs. She noted the intention was to use the majority of the funds for the artwork. Ms. Hoppe asked if there was a sense of how much money would be allocated for materials. She assumed the garage would have had glass, and wondered if the artist would be doing the stain and etch work. Mr. Goodman replied Mr. Keeler was in control of the entire process. His medium was glass, and he would be creating and etching the glass panels. Ms. Hunter pointed out it was common for artists to employ sub-contractors for large projects similar to a building construction project. She also noted it was hard to determine the cost without the final design being completed.

Mr. Sturtz commented that some people in the community felt this project was too simplistic and that it would simply be ordered from a manufacturer. He asked if that was an unfair criticism. Mr. Goodman replied it was a different perspective. The Committee looked at the installation as a whole and the impact it would have on the viewer/visitor as a whole when it reviewed the proposal.

Mayor McDavid asked if the artist's fee was \$139,500. Ms. Hunter replied no and explained the artist's contract was for \$110,000. Mayor McDavid asked if that included the glass. Ms. Hunter replied the contract was all-inclusive. It was the artist's responsibility to pay for materials, fabrication, shipping, installation, insurance, etc. from that \$110,000.

Mayor McDavid asked how he could be assured the text would not be prejudicial. Mr. Goodman replied all of the text would be reviewed by staff. Ms. Hunter noted they were sensitive to the issue and would review and edit the text. Mr. Sturtz commented that his Russian relatives had indicated the one example provided in the packet was an incorrect translation. Ms. Hunter reiterated the text would be reviewed and edited upon completion of the design.

Ms. Hoppe asked if the artist would have to pay for the glass and the coloring or just the coloring. Ms. Hunter replied the artist would pay for all of the panels, any other materials, the research, fabrication, shipping, installation, etc. Mr. Thornhill wondered if it was fair to be concerned with the cost of the materials. In terms of a painter, he assumed the cost of paint was minimal compared to the value of the painting when finished. Ms. Hunter agreed and noted there was a value to the idea, the research, and the thought process as well as the end result.

Ms. Hoppe commented that she understood there was interest in having artwork that was more connected to Columbia and the history of the area instead of the 38th parallel and asked if that was a possibility. Ms. Hunter replied the Committee and Commission had

received the comments and her recollection was that it was discussed, but not in the sense of requiring the artist to include it.

Ms. Nauser understood this would be one of the tallest buildings in the community and believed pulling in the hues of the sky was appropriate. She also felt it tied in well with the new artwork in front of the City Hall building.

Ms. Hoppe asked if they knew whether the people submitting public comment on-line were from Columbia. Ms. Hunter replied contact information and residency were not required for submitting comments. They indicated they were most interested in comments from local citizens on the public comment page. In addition, comments were limited to one comment per computer. This eliminated the potential for multiple comments from the same person.

Mayor McDavid opened the public hearing.

Nancy Burdick, 12 McBaine Avenue, stated she was a member of the Standing Committee on Public Art and commented that she believed one of the beauties of this artwork was its simplicity. Its beauty could be conveyed without having to wonder what it was or meant. She thought the 38th parallel with various languages was a marvelous concept in terms of our connection with the rest of the world because it had not been addressed in Columbia in any other form of artwork.

Paula Elias, 201 South Garth, stated she was a member of the Standing Committee on Public Art and noted she was confident in the artist that was chosen. Although she did not believe this was a challenging piece of art, she considered it to be accessible, which was important in terms of public art. She commented that in her time on the Committee she had never seen such overwhelming support from the public for a piece of art. She also pointed out the Committee tried to make sure the pieces added to the collection were items they could be proud of and would eventually become iconic.

Paul Love, 100 Sondra, asked if this was all glasswork as he noticed an artificial skyline as part of the design. Ms. Hunter replied the light and dark were a part of the building design of the architect. Mr. Love asked if it would be brick or paint. Ms. Hunter replied it was cast concrete and cast brick panels. Mr. Love commented that he thought there had been a mischaracterization as the cost of the art was part of the building project.

Jonathan Fragenberg, 5901 Spring Court, asked if there would be an environmental impact in gathering the resources required to complete this project. Ms. Hunter replied the glass panels would be made of glass regardless of whether it was part of the artwork or not. Mr. Glascock noted this parking garage would less likely impact the environment than if they would have built two or three smaller garages instead of the one larger garage.

Mr. Fragenberg asked how much in tax dollars would be spent on this project. Mr. Glascock replied the cost was \$14 million and would be paid for with parking fees. Mr. Watkins explained it was not a tax in terms of property or sales tax as it would be funded by the people that used the facilities.

Mr. Sturtz asked how many years it would take to pay off the bond with the usage they had predicted. Mr. Watkins replied 25 years.

Ms. Nauser understood all of the parking spaces that could be reserved had been reserved. Mr. Glascock replied the garages they currently had were full.

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

Mr. Sturtz commented that he had received a number of criticisms with regard to the artwork in front of City Hall, so he did not want to be as passive this time as the artwork on the garage would dominate the skyline for many years to come. He felt the artist selection process lacked a step as it would have been nice to have had a more detailed drawing before contracting with an artist. He believed Mr. Keeler was more of a conceptualist as opposed to an artisan or craftsman who did the work himself. He favored working with artists that worked with their hands. He understood the concept could be considered elemental and transcendent, but did not see the layers the artist was trying to communicate. He also did not believe in the 38th parallel as a unifying concept.

Ms. Hoppe stated she had heard from many people indicating it was a weak piece and that the City was not getting its money's worth. She wished they would have been provided something that had been more uniquely crafted, but noted she would support it due to the work and recommendation of the Committee and Commission.

Mr. Thornhill commented that he was supportive of the recommendation of the Committee and Commission.

Mayor McDavid stated this garage and artwork would be the iconic entrance to downtown Columbia and understood some would like it while others would not. He also understood the concept of the 38th parallel and the lighting at that level.

Mr. Thornhill made a motion to accept the recommendation of the Commission on Cultural Affairs to accept the artist's design concept for the Fifth and Walnut Parking Garage Percent for Art project. The motion was seconded by Mr. Kespohl and approved by voice vote with only Mr. Sturtz voting no.

**(B) Construction of street and storm sewer improvements on Stadium Boulevard from Broadway to Interstate 70, Bernadette Drive from Fairview Road to Beverly Drive, Fairview Road from Worley Street to Bernadette Drive and Worley Street from Bernadette Drive to the Columbia Mall traffic signal.**

Item B was read by the Clerk.

Mr. Watkins provided a staff report and noted the project was resource constrained. He explained the original proposal was the best system in terms of moving traffic, but as a result of the concerns stated at the July 21 public hearing, staff had made some changes in the original design. This would result in less than optimum movement of traffic, but would still function well. Mr. Glascock described the concerns, whether they were able to address them and how they were addressed if they could address them.

Ms. Nauser did not believe the lights at the side streets were timed long enough. Mr. Glascock explained the lights were timed for Stadium and not the side streets of Ash, Worley and Bernadette. In order to help move traffic on Stadium, a lane was being added in each direction. He pointed out they would have to find alternatives to this route in the future.

Ms. Nauser asked when the Scott Boulevard project would occur. Mr. Glascock replied the City needed to get an Access Justification Request granted through MoDOT and the federal government, which he anticipated would be done this year. Once this project was built, they would start working on the Scott Boulevard project.

Mr. Sturtz understood MoDOT would conduct a study to determine if a barrier or something else was needed due to the noise level concerns and asked if that was typical.

Mr. Glascock replied yes and explained he understood it would be measured by decibels. Mr. Sturtz asked for the threshold level. Mr. Glascock replied he did not know, but they had set requirements they had to follow.

Mr. Sturtz asked how the barriers would be paid for if it was determined they were needed since the project was resource constrained. Mr. Glascock replied it would have to be negotiated with MoDOT. Mr. Sturtz understood quiet pavement, which used more rubber, had been used for Clarkson Road in St. Louis, but that this product was not used often.

Mr. Glascock pointed out the traffic issues shown earlier did not include University student traffic as they were not in town. Mr. Watkins asked when the video was taken. Mr. Glascock replied it was taken Friday afternoon or evening.

Mr. Dudley asked if the bus stop on Bernadette in front of Dillard's had been moved to the parking lot. Mr. Glascock replied no. He explained they were not allowed to go into the mall. They had to stay on City streets. Mr. Dudley thought traffic near the bus stop would increase with the proposed changes. Mr. Glascock understood the bus stop was on Hutchins and noted there would be crosswalks with signals.

Mr. Dudley asked if the entrance could be moved to the middle of the parking lot instead of directing traffic in and out in front of G&D and Radio Shack. Mr. Glascock noted the TDD had requested the location and right in/right out. In addition, it would be too close to the signal if moved.

Mr. Dudley asked if the Council or staff would have input as to where the noise levels would be checked since some homes in that area were heavily wooded and others were not. Mr. Glascock replied he thought the measurements would take place at the right-of-way line, so it would be measured closer to the road than the location of houses. Mr. Sturtz understood landscaping had little effect on sound levels. Mr. Glascock noted the height of the property had more of an effect.

Mayor McDavid opened the public hearing.

Roger Myatt, 115 W. Briarwood Lane, stated he felt the data that had not been included in the study of Stadium was the experience of the residential property owners in the area. In terms of noise, barriers had been needed since the last Stadium expansion and a 10 foot height would not be tall enough. He felt a barrier of five meters would be the minimum needed. He commented that he did not believe the consequences and impacts on the residential property owners were well understood and the focus was on moving the project forward with a minimal amount of change. He understood MoDOT would be conducting a study in terms of the noise level, but the study could not be done until the project was approved. As a result, the residents would not have any recourse if it was determined barriers were not needed. He felt the noise study should have been a part of the conceptual design for the project. In addition, there had not been any discussion with regard to the impact on property values. He stated he did not think the Council should move forward with the project yet.

Mr. Kespohl asked Mr. Myatt if his home backed up to Stadium. Mr. Myatt replied yes.

Mr. Thornhill asked if it was accurate the noise study would not be conducted until the project was approved. Mr. Glascock replied he understood the noise study could be conducted at any time. Mr. Myatt noted the MoDOT representative at the open house had

indicated the project would have to be approved by the City before they would perform the noise study. Mr. Glascock stated he would check on that.

Ms. Nauser asked where the alternate access to the subdivision was located if they were limited to a right in/right out. Mr. Watkins replied East Briarwood.

Bruce Beckett, an attorney representing Landmark Bank, explained the bank owned the facility at the northeast corner of Stadium and Ash, and although the median on Ash had been shortened to allow full access for Courtyard apartments to the south and Michael's to the north, the bank still had access issues. It did not have any right of access across the Michael's parking lot for its customers or employees. There was a secondary access to the east along the northern boundary of Michaels to reach Bernadette, but that was a poor substitute for a full access entrance on its own property on Ash Street. He understood one of the reasons for the median was due to concerns of traffic on Stadium being backed up due to cars turning left into the bank. He noted the plan showed a right turn lane at the southeast corner of Ash and Stadium that would provide for some stacking coming into the intersection. He commented that the gas station at the northeast corner of Bernadette and Stadium was granted full access and it had the same traffic considerations as Ash and Stadium. The solution to the problem would be for the median on Ash Street, east of Stadium, be removed because they did not believe there was a problem.

Mr. Sturtz explained that he had spoken to Andrew Beverly, the President of Landmark Bank, and he had expressed that negotiations had been going on for six years with the owners of the Michael's lot without a positive outcome. Mr. Beckett stated that was correct. He explained that situation was a bit different as it did not involve limiting the bank's full access and using the Michael's access as a substitute. In order for the bank to make use of the full access intersection permitted by the planned median, there would have to be an easement agreement in place with the owner of the property and the Michael's store since they had a long-term lease on the property, and there was no assurance the bank would ever be granted the legal right to cross that property.

Jeanne McGuire, Senior Vice President of Landmark Bank, stated she had been at Stadium facility for 13 years and was not aware of any accidents that had occurred due to customers coming in from Stadium and entering the bank with a left turn. The Stadium facility was the bank's busiest location due to it being convenient for customers to easily enter and leave. She asked the Council to not deny the bank a left-in turn into the facility at Stadium and Ash.

Craig Van Matre, an attorney with offices at 1103 East Broadway, stated he was representing the Kroenke Group, which owned the Michael's store and the building that used to house the Ethan Allen store, and noted they disagreed with staff in terms of this intersection. He commented that most of the traffic on this road, except at 5:00 p.m., was there for retail businesses. They were not there to get to I-70, so he did not believe they should discourage people from visiting the merchants. In addition, traffic on the ancillary roads was a result of the congestion at the I-70 and Stadium intersection, and he hoped there would be substantial improvement when that portion of the project was completed. He noted the inconsistency of locations with full versus limited access was not lost on the merchants and asked for the driveway on Worley in front of Hardee's to be allowed because it was

necessary to keep it a viable, commercial structure. He suggested the Council wait to construct the median until after the improvements to the north were completed to determine if they were still necessary.

Scott Hill, 7 W. Briarwood Lane, stated his backyard was on Stadium and he was concerned with losing a portion of his yard to include a fence and some trees. He suggested a speed bump to slow traffic turning east onto Broadway from Stadium. He commented that he was concerned about the medians during a bad winter as it would be difficult to clear snow and would limit traffic. The median on Broadway would make it inconvenient for residents to exit the subdivision and would create a hazard for the daycare and the residents with kids due to additional traffic by their homes. He suggested the bike lane be moved to the south side so the properties on Briarwood would not lose more property. He also wondered what it meant if the plan were approved tonight.

Kelly O'Brien stated she was the President of Parish Council at Lady of Lourdes and was speaking on behalf of Columbia Catholic School and the Parish. She explained they were supportive of the proposed project and were confident in their ability to work with the City and MoDOT to help redirect traffic. They were concerned with the possibility of work being done on the Bernadette and Worley intersections at Stadium the same time as it would cause congestion. She asked the Council to ensure flashing school zone speed limit signs on Bernadette approaching the School from each direction were installed in the 2011 school year.

Anna Koulibali, 902 Hope Place, stated she frequently crossed Stadium as a pedestrian and felt the intersections at Bernadette, Ash and Worley were very dangerous as there were no lights dedicated to pedestrians, bikers or people in wheelchairs. She thought there might be one designated area at Worley or Ash where one could cross, but it was inconvenient and confusing at times. She suggested the traffic lights be better synchronized for the entire portion of Stadium dependent upon traffic volume. She also suggested they have well marked places for cyclists, walkers and people in wheelchairs to cross.

Phyllis Brandt, 107 W. Briarwood, commented that this study had not been done in the winter because the only access for the neighborhood was at Broadway when it was icy or snowy. Ivy Way had a big hill and there was an even bigger hill when taking Broadway to West Rollins. She stated she had lived in this neighborhood for 14 years and had never seen an accident at the intersection of West Briarwood and Broadway. In addition, she believed trees affected noise levels because she had trees along Stadium when she first moved there and the noise level was not as bad.

Mr. Kespohl asked if there was a loop that connected West Briarwood and East Briarwood. Ms. Brandt replied Ivy Way connected the streets, but there was a hill on Ivy Way.

Paul Love, 100 Sondra, understood the City had plans to bury power lines throughout the City and wondered if this section was in the plan to be buried within the next 5-10 years. Mr. Glascock replied he was unaware of any plans for it. Mr. Love commented that if the power lines could be buried, residents could plant larger trees, which might help with noise reduction.

Heather Hargrove stated she was the General Manager of the Holiday Inn Executive Center and noted the ease of entry and departure was a major factor in the decision to use a facility for a convention in terms of competing with other locations and communities. She understood the Columbia Mall TDD had offered to move the stop light from Bernadette and Fairview to Knipp and Bernadette, which would greatly help the situation, but the left turn off of the outer road would be eliminated with the diverging diamond at I-70 and Stadium. This would remove a major exit point from the facility, and would impact not only people visiting Columbia, but also people residing in Columbia as the outer road was used by many to get to I-70 and the east side of Columbia. She suggested signage be included for the area around the Mall, the Holiday Inn Executive Center, the Drury Inn and the La Quinta Inn. She wondered if the traffic studies were done during the holiday season or during the release of large conventions as it could impact the design.

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

Mr. Glascock commented that the gas station on Bernadette was provided full access because it was its only access and tanker trucks making deliveries would not be able to back out into the street to leave the gas station if a median was placed at that location. An Australian right would be installed at the Broadway and Stadium intersection, which would require traffic to slow down. Staff recommended a flashing yellow school zone light for Columbia Catholic School. He noted staff could review the priority snow routes to ensure Ivy Way was cleared. He explained the left turns onto Stadium from the outer road would be removed whether the diverging diamond was constructed or not. With regard to the left turns at Landmark Bank, he provided examples of businesses that were still thriving with limited access as he did not believe it would negatively impact the bank.

Mayor McDavid understood the entire project would be \$18-\$19 million and had a goal of increasing traffic flow from 25,000 cars per day to 34,000 cars per day. Although they needed to move people from A to Z, they also needed to move people between A to Z. People going to Landmark Bank would be coming from Stadium Boulevard and would go into the access to Michael's if a median was installed at Ash, which was a violation unless the parties could come to an agreement.

Mayor McDavid made a motion to remove the median east of Stadium on Ash from the proposed plan. The motion was seconded by Mr. Kespohl.

Ms. Hoppe asked if it was possible to eliminate the left turn during problematic times instead of constructing a median. Mr. Glascock replied he was not sure how that could be done. He thought it would require a turn pocket, but that would limit the ability for people to turn south on Stadium.

Mr. Kespohl noted the medians could be added later if they determined there were problems.

Ms. Nauser asked if accident and traffic counts were done for the access roads. Mr. Glascock replied they had traffic counts for all of the intersections as it assisted them in designing the road.

Mr. Sturtz asked if the strategy was to treat each intersection the same from Broadway to the interchange. Mr. Glascock replied they were trying to be consistent.

The motion made by Mayor McDavid and seconded by Mr. Kespohl to remove the median east of Stadium on Ash from the proposed plan was approved unanimously by voice vote.

Mayor McDavid made a motion to allow a right-in/right-out on the south side of Worley, immediately east of Stadium. He explained the median would remain. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Mr. Kespohl understood the underlying issue was that there was too much traffic on Stadium, and as a result, he felt the Scott Boulevard extension should be done as well. Mr. Watkins noted the half-cent capital sales tax for roads brought in \$65 million over ten years and the cost of this was about a third of that total. He commented that he agreed the Scott Boulevard extension needed to be done in the near future, but money was not available at this time.

Mr. Kespohl asked if the State would participate in the Scott Boulevard extension project. Mr. Watkins replied he did not believe they would because they did not have any money.

Ms. Nauser pointed out the City would be more prepared because they were obtaining the necessary right-of-way now as development occurred. She also understood the majority of the cost would go toward the overpass. Mr. Glascock stated that after the AJR was done, an EIS would be needed to determine where the road would need to be located. Ms. Nauser asked if that planning would be underway by the time the City went back to the citizens for an extension of the capital improvement tax. Mr. Glascock replied he hoped it would.

Ms. Nauser asked if there was an alternative to the flashing lights at Columbia Catholic as she was concerned with the fact money would be taken from the lights planned for West Junior and Jefferson Junior, which were locations where many children walked and rode bikes to school. Mr. Glascock replied other options to calm traffic could be reviewed, but funding would still be needed.

Ms. Nauser asked for the cost of the signs. Mr. Glascock replied it would be about \$15,000 each. Ms. Nauser asked if the sign would constantly be flashing or if it was a manual process. Mr. Glascock replied it would be on constantly.

Mr. Sturtz asked if there was anything more the City could do to encourage MoDOT to proceed with the noise study as soon as possible. Mr. Glascock thought the study would be done this year, but noted the money to build the barriers was not in the project. Mr. Sturtz understood there would likely not be any remediation for the residents with noise problems since funding was not available. Mr. Glascock stated the bids could come in lower than expected, but there was no guarantee. Mr. Watkins noted this project would be built in several phases and would be built as funds became available. As a result, there would be opportunities to look at enhancements to the project. In addition, they were a few years away from doing the piece that would impact the residents of Briarwood. Mr. Glascock pointed out the study needed to be done when the University was in session so there was an accurate picture of the noise level.

Mr. Thornhill asked if there was any savings from eliminating the medians. Mr. Glascock replied there might be some savings.

Mr. Dudley commented that he would like the elimination of one of the traffic lanes to be considered because it would impact their property. Mr. Kespohl asked if a lane was being added on Stadium, south of Broadway. Mr. Glascock replied a lane would be added on both sides of Stadium. Mr. Kespohl asked if the entire road would be resurfaced or if just the new lanes would be constructed. Mr. Glascock replied he assumed it was all going to be resurfaced. Mr. Kespohl asked if quiet pavement could be used for that section of road. Mr. Glascock replied MoDOT had a certain standard and he would check to see what they planned to use. Mr. Sturtz noted the example he provided earlier had been used by MoDOT in 2006. He understood it involved scrap rubber tires inside the concrete pavement. Ms. Hoppe commented that the main message was that Council was concerned with reducing the noise level due to its impact on residents.

Ms. Hoppe noted she agreed with Ms. Nauser in terms of the flashing lights. She wanted to provide that for Columbia Catholic School, but did not want to take away from Jefferson Junior or West Junior where it was also needed. She wondered if something could be done. Mr. Watkins pointed out the flashing signals were in the City Manager's proposed budget and the priorities could be discussed then.

Ms. Hoppe suggested Ivy Way be added to the priority list for snow removal as well.

Ms. Nauser commented that she was concerned with the Council micro-managing plans. Although she agreed with the amendments, she wondered how it would affect the overall plan. She hoped the changes they made would not adversely affect the entire Stadium corridor.

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

## **OLD BUSINESS**

### **B312-09 Voluntary annexation of property located on the south side of Richland Road, along both sides of Rolling Hills Road, extended; establishing permanent C-P, PUD-7, PUD-5 and PUD-4 zoning; authorizing a development agreement.**

The bill was read by the Clerk.

Mr. Watkins provided a staff report and noted this issue had been delayed in the past awaiting the completion of the East Area Plan. Mr. Teddy also provided a staff report detailing the zoning request and associated development agreement. He noted the Planning and Zoning Commission recommended denial of the zoning request when it was re-reviewed it in October due to concerns of premature commercial and high density residential development, its impact on natural resources, and the effectiveness of the development agreement.

Mayor McDavid asked if the Planning and Zoning Department had recommended acceptance at the first Planning and Zoning meeting. Mr. Teddy replied staff recommended approval of it with the development agreement.

Ms. Hoppe asked for an explanation as to whether this conformed with the public input received to date on the East Area Plan. Mr. Teddy replied the public input thus far had an emphasis of limiting commercial growth to those areas where there was established commercial zoning. There seemed to be some resistance for expansion of commercial to

intersections where there was currently no commercial zoning. There was a strong interest in resource preservation and the rural character of the area as well.

Mr. Sturtz asked for a conservative date for the delivery of the East Columbia Area Plan. Mr. Teddy replied he thought it would be done in September.

Mr. Sturtz asked if there were any time constraints or factors associated with this zoning request. Mr. Teddy replied he was not aware of any.

Ms. Nauser asked what would happen if the East Area Plan contradicted the current zoning proposal. Mr. Teddy replied the City had approved land use plans in the past that in his mind had been amended by land use decisions. Ms. Hoppe understood another alternative was for the applicant come back with a zoning request that was in conformance with the East Area Plan.

Mayor McDavid noted another possibility was that Council would not accept the Plan. He understood that was not likely to occur, but was a possibility.

Robert Hollis, an attorney with offices at 1103 East Broadway, explained this application had been made in the fall of 2008 with one withdrawal, and during that time, his client had worked diligently to come up with modifications that might satisfy the concerns of the Planning and Zoning Commission as well as the public. Although the Planning and Zoning Commission recommended denial in March of 2009, he was hopeful the Council would approve it as staff was supportive. He understood the East Columbia Area Plan was supposed to be completed in February of 2010. Ms. Hoppe commented that she recalled the work on the East Columbia Area Plan had begun after November of 2009. Mr. Hollis explained the minutes from the November meeting indicated that if it was not complete by February 2010, it would be substantially completed to the point a decision could be made. It was then tabled to tonight and the East Area Plan was still not complete. He suggested this be discussed tonight if the Council was comfortable so he would be aware of any revisions, etc. needed or be tabled to another date.

Mayor McDavid asked if his client would be agreeable to tabling this to a hard date, meaning a date a decision would be made based upon the information available at the time. He suggested holding a work session on the item on October 11 and making a decision at the October 18 Council Meeting. Mr. Hollis stated he thought his client would be agreeable.

Tony Black, 5533 Yosemite Avenue, stated he was the President of the Lake of the Woods Neighborhood Association and was involved with a group of concerned citizens living in the area. He explained this had been going on since 2008 and questioned the appropriateness of City staff working closely with the developer to help get an item approved by Council. He had attended many meetings and believed the only people in favor of this development were the developer and City staff. The Planning and Zoning Commission had denied the request for good reason after many hours of research. He had attended most of the East Columbia Area Plan meetings and this development had not been included on the maps drawn by citizens of the area. The roads were inadequate for the area and approving this development would create another Scott Boulevard in terms of traffic. It did not fit with the area. There were a few duplexes, but it was mostly owner-occupied single-family homes. The crime in the area was mainly in the duplex areas. He commented that even if 740 were to go through the area, there was only one small piece of commercial property nearby and it

was out of place and undeveloped as well. The traffic flow would be much smoother in residential areas. He understood the developer was not in a rush and did not have any plans for the area, and as a result, he suggested the application be rejected and the applicant be required to wait a year to submit a new application. By then more information would be available with regard to 740, the economy, etc. He asked the Council vote this against this issue tonight.

Lyle LeMaster, 5315 Olivia Ray Drive, commented that the developers had indicated they would not develop Tract 1 until Richland Road was able to handle traffic, but there was no indication of waiting to develop Tracts 2 or 3, which was a concern because the only access was Grace Lane, a small country road with no shoulders.

Jerry Wade, 1221 Bradshaw Avenue, provided a handout and suggested this issue be returned to the Planning and Zoning Commission with instructions to increase the density to reflect the public investment that had been made and would be made in terms of infrastructure, and to upgrade the environmental and aesthetic requirements as conditions of zoning. This was the perfect request to apply the principles of smart growth and growth management planning as 740 would be extended as an expressway and Rolling Hills, a major arterial, would be completed by 2012. In addition, there was a second major arterial and at least two major collectors framing the property. He did not believe the public investment of infrastructure should be wasted by under-developing the property. A major smart growth principle was that the highest density appropriate for infrastructure be allowed as it would restrict sprawl. There were few opportunities for projects with the high level of road infrastructure already planned for this location, and this area would define how Columbia grew in the future. Based on the principles of smart growth, the PUD's were too low in terms of density. The cost of public services would be less per capita with higher densities. In addition, it would allow the developer to make more of an investment in quality. He suggested the project be revisited based on these concepts.

Dean Bergstrom, 5930 E. Osage Ridge Lane, stated he was representing the Osage Ridge Homeowners Association and their property would adjoin the proposed development at Tract 4. He commented that the developer had not contacted the residents in his area to obtain input on the proposed development. He noted he and his neighbors chose to live in the country as they had twelve homes on 84 acres of land, and by covenant, they were restricted to one home per tract. He understood the collector roads would be built to alleviate traffic for Tract 5, and that one of those roads would go through his property, which would not happen without eminent domain. He thought the people in the area should be considered when developing these plans because most of them would not sell or develop their property.

Mayor McDavid made a motion to table B312-09 to the October 18, 2010 Council Meeting and to hold a work session on the issue on October 11, 2010. The motion was seconded by Mr. Dudley.

Ms. Hoppe agreed this issue needed to be tabled so the information from the East Columbia Area Plan could be considered.

Mr. Kesphl understood the work session would be held with or without a completed Plan. Mayor McDavid stated that was correct.

Ms. Nauser commented that she agreed with Mr. Wade and would be supportive of considering higher density in the community.

The motion made by Mayor McDavid and seconded by Mr. Dudley to table B312-09 to the October 18, 2010 Council Meeting and to hold a work session on the issue on October 11, 2010 was approved unanimously by voice vote.

**B322-09 Voluntary annexation of property located on the south side of Richland Road, approximately 250 feet east of the St. Charles Road and Richland Road intersection; establishing permanent C-P zoning.**

The bill was read by the Clerk.

Mr. Teddy provided a staff report.

Tom Schneider, an attorney with offices at 11 N. Seventh Street, stated his client would like to be treated the same way as the previous applicant and were agreeable to table this issue to the same date.

Mayor McDavid made a motion to table B322-09 to the October 18, 2010 Council Meeting and to hold a work session on the issue on October 11, 2010. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

**B160-10 Amending Chapter 13 of the City Code to repeal Article VI relating to private detectives and business licenses.**

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

B160-10 was given third reading with the vote recorded as follows: VOTING YES: MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE. 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.

**B148-10 Approving the Final Plat of Farley's Commercial, Plat No. 1, a Replat of part of Lot 1 of the Administrative Replat of Lots A, B and C of Farley's Second Addition to the City of Columbia, located at 1100 Business Loop 70 West.**

**B149-10 Authorizing an annexation agreement with Stuart B. and Martha A. Head for property located at 3553 North State Route E.**

**B150-10 Vacating a portion of a utility easement across Lot 2 within Jackson Subdivision located on the southwest corner of Worley Street and North West Boulevard.**

**B151-10 Amending Chapter 14 of the City Code as it relates to parking prohibitions, parking limitations and hourly parking meter zones on portions of Waugh Street and Locust Street.**

**B152-10 Amending Chapter 14 of the City Code to restrict parking on portions of Fairview Avenue and Coats Street.**

**B153-10 Amending Chapter 22 of the City Code as it relates to deferred tax bills for sanitary sewer projects.**

- B154-10 Authorizing construction of the Rangeline Sewer Improvement Project along the east side of Rangeline Street between Wilkes Boulevard and Rogers Street; calling for bids through the Purchasing Division.
- B155-10 Authorizing construction of the Business Loop 70 Sidewalk and Waterline Improvement Project along the south side of Business Loop 70 from Jackson Street to Jefferson Street; calling for bids through the Purchasing Division.
- B156-10 Authorizing the acquisition of easements for construction of the Business Loop 70 Sidewalk and Waterline Improvement Project along the south side of Business Loop 70 from Jackson Street to Jefferson Street.
- B157-10 Authorizing a right of use permit with 10<sup>th</sup> and Locust, LLC to allow construction, improvement, operation and maintenance of balconies to extend within the right-of-way from the building located at 120 South Tenth Street.
- B158-10 Appropriating funds for the Sewer District No. 167 (Shepard Hills Subdivision) project.
- B159-10 Authorizing an agreement with the Boone County Fire Protection District for additional radio equipment and site improvements to enhance radio transmissions within Boone County.
- B161-10 Appropriating tax increment financing (TIF) application fees.
- B162-10 Accepting donations from Boone County National Bank, Columbia Lodging Association and the Downtown Optimist Club for a Police Department Employee Awards Ceremony; appropriating funds.
- B163-10 Accepting funds from the Missouri CIT Council to be used by the Police Department for crisis intervention team training; appropriating funds.
- B164-10 Accepting a Youth Community Coalition Grant from the Missouri Division of Alcohol and Drug Abuse to be used by the Police Department for enforcement activities; appropriating funds.
- B165-10 Authorizing a subaward agreement with The Curators of the University of Missouri for the Police Department to provide training to law enforcement and social service providers; appropriating funds.
- B166-10 Appropriating funds for Share the Light Program.
- B167-10 Accepting a grant from the State of Missouri Division of Tourism Cooperative Marketing Program for tourism promotion and marketing; appropriating funds.
- R136-10 Setting a public hearing: considering the extension of the one-eighth of one percent local parks sales tax.
- R137-10 Setting a public hearing: considering an amendment to the FY 2010 Action Plan for CDBG and HOME funds.
- R138-10 Authorizing adopt a spot agreements with Doug Harvey, Marla's Salon and CMSE Giving Gardens.
- R139-10 Authorizing a Contract of Obligation with the Missouri Department of Natural Resources for financial assurance for proper closure and post-closure activities at Columbia's landfill.

- R140-10**     **Authorizing Columbia College to temporarily close a portion of Rangeline Street, from Rogers Street to Wilkes Boulevard, for construction of a new sanitary sewer line and streetscape improvements.**
- R141-10**     **Authorizing the County of Boone to temporarily close a portion of the eastbound lane and sidewalk on the south side of Ash Street, from Eighth Street to Ninth Street, to store construction materials for the renovation of the Boone County Government Building.**

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

**NEW BUSINESS**

- R142-10**     **Initiating the process of rezoning property located on Route B at Waco Road.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz asked for down-side of the City purchasing the property and then rezoning it. Mr. Watkins replied the City had a five year option with a firm price and since a decision did not need to be made at this time, they could earn interest on the money until they decided to purchase it. Mr. Sturtz stated he thought the City only had a verbal agreement and did not realize they had a written agreement. Mr. Watkins explained the City had a firm five year option in place.

Ms. Hoppe understood the Planning and Zoning Commission would be involved in providing recommendations for potential restrictions. Mr. Watkins replied the Planning and Zoning Commission would be encouraged to make suggestions when they reviewed the request.

The vote on R142-10 was recorded as follows: VOTING YES: MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE. 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.

- B168-10**     **Amending Chapter 6 of the City Code as it relates to the building code and demolition of structures.**
- B169-10**     **Rezoning property located north of Smiley Lane and west of Range Line Street from M-C to C-3.**
- B170-10**     **Approving the Final Plat of The Village at Wyndham Ridge, Plat No. 2 located on the east side of the intersection of Thornbrook Terrace and Scott Boulevard; authorizing a performance contract.**
- B171-10**     **Amending Chapter 14 of the City Code to restrict parking on portions of Eighth Street and Wilkes Boulevard.**

- B172-10 Amending Chapter 14 of the City Code to change the speed limit on New Haven Road.
- B173-10 Authorizing a cooperative agreement with Boone County relating to road maintenance of Lake of the Woods Road and Oakland Church Road.
- B174-10 Authorizing the City Manager to execute a gas pipeline easement to Union Electric Company, d/b/a AmerenUE, in connection with the County House Trail project.
- B175-10 Accepting a conveyance for utility purposes.
- B176-10 Authorizing a cooperative agreement with Boone County Family Resources for additional funding of the Park and Recreation Department's C.A.R.E. Program.
- B177-10 Authorizing a cooperative agreement with Boone County Family Resources for additional funding of the Park and Recreation Department's Adapted Community Recreation Program.
- B178-10 Authorizing a supplemental agreement with the Missouri Highways and Transportation Commission for transportation enhancement funds for development of the Hominy Branch Trail from Stephens Lake Park to Woodridge Park.
- B179-10 Authorizing a license agreement with American Tower Asset Sub II, LLC for the lease of tower space to improve radio coverage for Public Safety Joint Communications and user agencies in northeast Boone County.
- B180-10 Authorizing a cooperative agreement with Boone County for license plate reader hardware and software to be used by the Police Department.
- B181-10 Authorizing an amendment to the agreement with Central Missouri Community Action for sub-grantee services under the Homeless Prevention and Rapid Re-Housing Program; appropriating funds.
- B182-10 Amending Chapter 2 of the City Code as it relates to the order of business at City Council meetings.

## REPORTS AND PETITIONS

### REP60-10 Intra-Departmental Transfer of Funds Requests.

Mr. Watkins noted this report had been provided for informational purposes.

### REP61-10 Columbia Vision Commission FY11 Budget Recommendations.

Mr. Watkins and Ms. Hertwig-Hopkins provided a staff report.

Jan Weaver, the Chair of the Vision Commission, provided a handout and stated the Commission's plan was to have stakeholder meetings for at least six of the vision topics in July, August and September, and to use that information to revise the report submitted in January 2010. They would then hold a large stakeholder meeting in October for feedback on the draft report they planned to submit to Council in December 2010. Money would be needed for the large banners to attract attention and engagement in the vision topics, the performance measures and outcome measures, to provide handouts to participants, payment for meeting space, advertising costs, promotional costs, etc.

Mr. Sturtz wondered why this was not included in the Public Communications budget since the community valued the visioning process and ideas of improving government and its interactions with citizens. Ms. Weaver stated they would welcome the assistance of the

Public Communications Department and noted she was under the impression there had not been any money budgeted for the Commission for outreach efforts. In addition, she was not completely familiar with City processes and offices and commented that she might not have taken advantage of the expertise that could be provided.

Ms. Hoppe understood the outreach effort was to be done prior to and into October, so funding was needed from this fiscal year. Ms. Weaver replied that was correct and noted she did not care if the Commission received a line item or if the funds would be appropriated for this use within a certain City department budget.

Ms. Nauser understood funds were still remaining in the Council contingency fund and wondered how much there was. Mr. Watkins thought there was about \$20,000.

Ms. Hoppe asked if there were excess funds in the Public Communications Department that might not be used by the end of the year. Mr. Watkins replied the Public Communications budget was a separate fund and this was a general fund activity.

Ms. Hoppe made a motion directing staff to prepare legislation to allocate \$1,000 of the Council contingency fund to the Vision Commission for outreach purposes. The motion was seconded by Mr. Sturtz.

Mayor McDavid stated he would support this, but felt funding requests from the boards and commissions should be a part of the budget process.

The motion made by Ms. Hoppe and seconded by Mr. Sturtz directing staff to prepare legislation to allocate \$1,000 of the Council contingency fund to the Vision Commission for outreach purposes was approved unanimously by voice vote.

**REP62-10 Hillsdale Ground Storage Reservoir – Bid Award.**

Mr. Watkins provided a staff report and noted this was an informational item.

**REP63-10 Crosswalk at McBaine and Broadway – Broadway Striping between West Boulevard and West Parkway Drive.**

Mr. Watkins and Mr. Glascock provided a staff report.

Mr. Sturtz understood these were provisional changes until they could deal with the entire roadway. Mr. Glascock stated it would allow them to see what would happen.

Mr. Sturtz commented that the memo indicated a crosswalk at Aldeah and Edgewood would interfere with vehicles trying to go straight around a vehicle turning left and asked for clarification. Mr. Glascock replied the island would force traffic to wait until the vehicle turning left moved out of the way. Mr. Sturtz understood this would be an island and not just a crosswalk. Mr. Glascock stated that was correct. Mr. Sturtz asked what the island would look like. Mr. Glascock replied he thought it would be a concrete island that would provide a safe haven for someone crossing. He thought it would be about 6 feet wide and 15 feet long.

Mr. Dudley made a motion directing staff to proceed with the signing and striping changes as stated in the report. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

**REP64-10 Parking Prohibition North side of Smiley Lane Distance of 300 Feet West of Derby Ridge Road.**

Mr. Watkins provided a staff report.

Mayor McDavid understood this was based on a request of one citizen. Mr. Watkins stated that was correct, and that when staff reviewed it, they concurred with the one citizen.

Ms. Hoppe asked about the site distance problem. Mr. Glascock replied parking on a street such as Smiley, which was wide and a major collector, made it hard to see oncoming traffic when crossing the street.

Mayor McDavid made a motion directing staff to prepare an ordinance to prohibit parking on the north side of Smiley Lane. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

### **BICYCLE PEDESTRIAN COMMISSION**

McDonald, Patricia, 2713 Greenbriar Drive, Ward 5, Term to expire July 31, 2013

Pitts, Michael, 2210 Paw Print Lane, Ward 2, Term to expire July 31, 2013

### **BOARD OF ELECTRICAL EXAMINERS**

Malicoat, Fred, 4101 N. Wappel, Ward 4, Term to expire August 1, 2013

Shanker, Richard, P.O. Box 10202, Ward 6, Term to expire August 1, 2013

### **BUILDING CONSTRUCTION CODES COMMISSION**

Lidholm, Eric, 4501 Old Mill Creek, County, Term to expire August 1, 2013

Londeree, Ben, 2601 Chapel Wood, Ward 4, Term to expire August 1, 2013

Malicoat, Fred, 4101 N. Wappel, Ward 4, Term to expire August 1, 2013

Weber, David, 2804 Wild Plum Court, Ward 6, Term to expire August 1, 2013

Young, Matt, 5600 N. Pintail Lane, County, Term to expire August 1, 2013

### **COMMUNITY DEVELOPMENT COMMISSION**

Schaben, Mark, 3003 Crabapple Lane, Ward 5, Term to expire November 1, 2011

### **CULTURAL AFFAIRS COMMISSION**

Krawitz, Aaron, 901 Edgewood Avenue, Ward 4, Term to expire October 31, 2011

### **INFRASTRUCTURE TASK FORCE**

Atkins, Scott, 3909 Day Lily Court, Ward 2

Beverly, Andrew, 801 East Broadway (business), Ward 5

Campbell, Rex, 905 Edgewood, Ward 4

Carlson, Rhonda, 1110 Willowcreek Lane, Ward 5

Euliss, Ryan, 1400 Strathmore Drive, Ward 5

Greever-Rice, Tracy, 602 Redbud Lane, Ward 4

Grellner, Mike, 1206 Jean Rae Drive, Ward 1

La Mar, Phebe, 6904 Madison Creek Drive, Ward 5

Lee, Andy, 4802 Newcastle Drive, Ward 5

Londeree, Ben, 2601 Chapel Wood, Ward 4

Skala, Karl, 5201 Gasconade, Ward 3

Strodtman, Rusty, 1400 Forum Boulevard (business), Ward 2

Walters, Bob, 2704 Vail Drive, Ward 5

**MAYOR'S COMMITTEE ON PHYSICAL FITNESS**

Hansen, Patricia, 3505 Longfords Mill Drive, Ward 5, Term to expire November 30, 2012

**SEWER TASK FORCE**

Buford, Rick, 1209 Cunningham Road, Ward 4

Nivens, Ken, 3700 Scottson Way, Ward 5

Southwick, Scott, 804 West Rollins, Ward 4

Stevenson, Mark, 3204 Crestwood Lane, Ward 5

Terry, Lee, 2815 Burrwood Drive, Ward 5

Toohey, Brian, 3306 Snow Leopard Drive, Ward 2

Watts, Greg, 501 Woodland Court, County

Mr. Kespohl made a motion to re-advertise the vacancy for the Comprehensive Plan Task Force. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Mayor McDavid made a motion for the Council to hold a closed meeting on Monday, July 26, 2010 at 5:30 p.m. in Conference Room 1A of City Hall, 701. E. Broadway, Columbia, Missouri, to discuss a personnel matter and legal actions or litigation as authorized by Sections 610.021(3), (13) and (1) of the Revised Statutes of Missouri (RSMo). The motion was seconded by Mr. Dudley with the vote recorded as follows: VOTING YES: MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE. VOTING NO: NO ONE.

Paul Love, 100 Sondra, suggested the Council consider allowing the sale of fireworks within the City as a source of revenue. He noted he was part owner of Best Effects Fireworks, LLC, but they did not maintain a storefront as they made their sales through the internet.

Mr. Love commented that he had volunteered to be a member of the sewer task force and was disappointed he had not been chosen.

Kathleen Weinschenk, 1504 Sylvan Lane, stated she wanted to speak against legalizing fireworks. This Fourth of July her street was like a war zone. She was afraid someone would burn down a house. She did not want fireworks in her neighborhood.

Mr. Kespohl asked staff to construct language to change the ordinance so appeals could be made to the Citizens Police Review Board by the citizens of Columbia and non-citizens with direct involvement in a police incident or direct knowledge through a family member. He noted he would like this prepared by the August 16 Council Meeting.

Mr. Thornhill understood someone residing outside of Columbia would have to have a relation or interest in the incident. Mr. Kespohl stated that person would have to see the incident or be related to someone involved in the incident.

Mayor McDavid understood a citizen of Columbia who read about the incident in the paper could still file a complaint. Mr. Kespohl stated that was correct. He thought they owed that to the citizens of Columbia.

Mr. Kespohl noted he would like the Citizens Police Review Board to review it at their August 11, 2010 meeting and for the Council to act on it at the August 16, 2010 Council Meeting.

Ms. Hoppe asked for staff to look at making West Briarwood and Ivy Way a first priority snow route as it related to the improvements made to Stadium. Mr. Watkins replied a review and recommendation would be provided.

Ms. Hoppe asked for a report on how the police dealt with and enforced the fireworks regulations within the City on and around the Fourth of July. Mr. Watkins replied staff would provide a report.

Mayor McDavid understood the Armory Board, the Community Cooperation Board and Conley Poor Fund Board were inactive and asked staff for a report regarding the potential of eliminating them if they were no longer needed. Mr. Watkins indicated they could provide a report.

Mr. Sturtz stated he would like the Cultural Affairs Commission to look at the idea of instituting an intermediate step after the initial applications were submitted that would include requiring some sort of sketch so the process was not completely open ended.

Ms. Hoppe commented that once chosen an artist had no motivation other than their own integrity to come up with a good proposal so she thought it would be advantageous to obtain a preliminary concept when the artists were narrowed down to 2-3 people.

Mr. Thornhill understood the Council would still have to approve the suggested concept and believed that was the motivation. Ms. Hoppe noted the Council often approved whatever came forward from the Commission.

Mr. Thornhill understood the suggested change would not necessarily have eliminated the concern on the artwork for the garage. Mr. Sturtz stated they might have had a little more information for the decision. Ms. Hoppe agreed and noted they might have chosen another artist as well.

Ms. Nauser commented that projects had been revised in the past based on public comment and provided Fire Station No. 7 as an example. She did not think there had ever been a problem until now. Mr. Sturtz stated he felt the process in terms of the "Keys to the City" art piece had not been smooth.

Mr. Sturtz commented that the Commission would be able to decide whether it would be a valuable extra step or not.

Mr. Watkins asked if Council would consider providing an honorarium to the three finalists. He thought the difficulty was that the artist did not want to invest a lot of time until

they knew they would get the commission. It would be money out of the project, and for a small project, it could be a problem.

Ms. Hoppe suggested they get the Commission's input.

The meeting adjourned at 10:41 p.m.

Respectfully submitted,

Sheela Amin

City Clerk