

**MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
NOVEMBER 1, 2010**

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, November 1, 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 October 18, 2010 were approved unanimously by voice vote on a motion by Mr. Sturtz and a second by Mr. Dudley.

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 Mr. Thornhill.

SPECIAL ITEMS

Mayor McDavid welcomed the adult beginning and intermediate students from the Columbia Area Career Center’s English as a Second Language program and noted they were attending the meeting to learn more about City government.

Thumper Entertainment – Check Presentation for RBBQ Services.

Betsy Farris provided a handout and presented a \$30,598.17 check for services rendered for police, fire, safety and trash during the 2010 Roots ‘N Blues ‘N BBQ Festival. Richard King thanked the City for its support as it helped to create a great festival this year. Ms. Farris pointed out the Convention and Visitors Bureau had conducted an economic impact study and that those results would be presented in two weeks.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

(A) Considering approval of design concepts proposed by artists Lampo Leong and Chris Morrey for interior Percent for Art projects on the Second and Third Floors of the new addition of the City Hall Building.

Item A was read by the Clerk.

Mr. Watkins provided a staff report.

Kip Goodman, 9100 W. Terrapin Hills Road, stated he was representing the Cultural Affairs Commission and the Standing Committee on Public Art and described the process in choosing the design concepts. The Standing Committee recommended art designs for the second and third floors to Cultural Affairs Commission in September, and the Commission voted unanimously to approve them. He presented the designs of both artists on the overhead.

Mr. Sturtz asked when the Council might be receiving a report from the Commission regarding its suggestion of requiring drawings to be submitted by finalists with their proposals. Mr. Goodman replied they planned to review the matter prior to initiating the process for the next Percent for Art projects involving the upper floors of City Hall. Mr. Sturtz understood they would meet some time prior to the beginning of the year. Mr. Goodman stated that was correct.

Mayor McDavid opened the public hearing.

Paul Love, 100 Sondra, understood \$20,000 had been assigned for ongoing future maintenance on art projects. Ms. Skaggs explained a maintenance fund had been set aside for the interior and exterior artwork at City Hall. Mr. Love stated he understood the \$20,000 was just for the interior art and a separate amount was set aside for the exterior art. Ms. Skaggs commented that she understood the \$20,000 was for routine and long-term maintenance for all of the artwork housed in the building and on the plaza for the life of the artwork.

Mr. Love understood a concern posted as part of the survey was that the dogs might be a possible trip hazard and asked how that would be addressed. Ms. Skaggs replied the artist had been provided the public comments, and had indicated the artwork would be safe and would not be positioned in a way that would be difficult for the natural flow of the building. Mr. Love asked if they were strong enough for a small child to climb. Ms. Skaggs replied she believed they were and reiterated the artist was aware of those issues.

Mr. Love understood the total cost of this project was about \$65,000 and thought the Council should keep in mind the way public money was spent in light of the fact employees had not received raises in 2-3 years.

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

Mr. Sturtz made a motion to accept the recommendations of the Cultural Affairs Commission for the artist design concepts for the Percent for Art projects for the second and third floors of City Hall. The motion was seconded by Ms. Hoppe and approved by voice vote.

OLD BUSINESS

B248-10 Amending Chapter 14 of the City Code to prohibit through truck traffic along a portion of Rock Quarry Road from Grindstone Parkway to Stadium Boulevard.

The bill was given third reading by the Clerk.

Mr. Watkins and Mr. Glascock provided a staff report. Mr. Glascock explained the proposal was for anything greater than four axles be prohibited.

Mayor McDavid understood the recommendation was not to accept the proposal. Mr. Glascock stated that was correct.

Ms. Hoppe asked which category a vehicle with over four axles would fall in terms of the categories identified in the vehicle per day count. Mr. Glascock replied the 60+ category.

Ms. Hoppe understood dump trucks usually had three axles and asked if those would be in the large or small truck category. Mr. Glascock replied it would depend on the length of the truck, but a normal dump truck would be less than five axles. Ms. Hoppe understood a normal dump truck would not be prohibited. Mr. Glascock stated that was correct. He explained they were trying to use a measure that would be easy for the Police Department to enforce and weight would be difficult to determine.

Ms. Hoppe stated she anticipated many more larger and heavier vehicles using Rock Quarry due to construction in the area and understood some construction vehicles would fall within the small truck category and would not be prohibited. Mr. Glascock stated that was correct.

Ms. Hoppe asked if research on other communities had been done in terms of how they preserved scenic roads with similar surfaces and slopes. Mr. Glascock replied no.

Ms. Hoppe made a motion to amend B248-10 per the amendment sheet. The motion was seconded by Mr. Sturtz and was approved unanimously by voice vote.

Fred Young, 2101 Rock Quarry Road, stated he was concerned with preserving Rock Quarry as a scenic road and believed a lot of commercial through-truck traffic would degrade the scenic quality of the road. He did not believe a restriction would create an onerous problem for the business community as it was not a great truck route due to steep grades and the narrow width of the road. He asked the Council to approve this ordinance.

Julie Youmans, 2101 Rock Quarry Road, commented that she was proud of Rock Quarry Road as a scenic centerpiece for Columbia and was concerned that smaller trucks carrying dirt would damage the road or leave compacted mounds of dirt on the road since construction projects were slated for the southern portion of Rock Quarry Road, near Grindstone. She was not certain how this ordinance would pertain to problems specifically related to construction, but commended the Council for considering the proposal as she felt their actions supported the scenic road.

Janet Hammen, 1844 Cliff Drive, stated she was President of the Greenbelt Land Trust and explained the Trust owned and managed land along Rock Quarry Road. As a result, the Land Trust was interested in keeping the scenic nature of Rock Quarry Road. She noted she was concerned with through-traffic of trucks the size of City garbage trucks as they were heavy and could damage the road. She asked the Council to restrict any through-traffic that would cause damage to the scenic road.

Paul Love, 100 Sondra, commented that large trucks carrying equipment on trailers would be going to the construction site and noted it could impact the developments in the area if restricted.

Ms. Hoppe stated she was disappointed in the quality of the information in the report and surprised by the recommendation that there only be restrictions to vehicles over four axles because the concern stemmed from the dump trucks and other similar vehicles. She understood this proposal would impact about 1,000 vehicles per month, and due to the development to the south, she believed many construction vehicles would use Rock Quarry

causing damage the scenic road since they would attempt to take the shortest route to those sites. She wished staff would have reviewed scenic road ordinances for other communities.

Ms. Hoppe made a motion directing staff to refer this issue to the Planning and Zoning Commission and the Environment and Energy Commission for their review and recommendation. She hoped they would look at ordinances for other communities during their review process. The motion was seconded by Mr. Sturtz.

Mayor McDavid agreed Rock Quarry was a beautiful road, but did not believe what they were proposing was enforceable. In addition, he was not sure it was in the best interest of the City to restrict what limited traffic there was on the road.

Mr. Thornhill asked if there was a road degradation problem due to through-truck traffic and if less maintenance would be required if the Council limited through-traffic. Mr. Glascock replied a new road with no traffic would degrade over time. Degradation of an asphalt road was mainly caused by water and weather. People delivered yard waste to Capen Park on trucks with trailers, and those would be considered four axle vehicles. Ms. Hoppe pointed out that would not be considered through-traffic since they were traveling to the yard waste site. Mr. Glascock believed it would be hard to enforce without knowing the destination of the vehicle.

Ms. Nauser stated she did not believe they should burden the Police Department with trying to catch vehicles with too many axles on Rock Quarry Road. In addition, she believed the limitations on other roads in the past had been for safety reasons, and felt this was being requested more for aesthetic purposes. She noted this was a public road funded by public tax dollars and did not believe it should be restricted since there were very few large vehicles traveling on the road.

Mr. Sturtz asked if a sign could be posted to warn large vehicles that it was a steep and winding road. Mr. Glascock replied the sign would likely not restrict traffic, but would warn drivers of it being steep and winding. Mr. Sturtz thought that might be a good interim step.

Ms. Hoppe commented that the road was winding and narrow and had steep slopes and that vehicles had gone off of the road, so there was a safety factor. In addition, staff had indicated the indentions and holes would be filled on both sides by the bank, which had not yet occurred. She believed the restriction was also an economic issue in terms of how many times the road would need to be resurfaced.

Ms. Nauser asked if there was any traffic data to show whether the accidents involved cars, trucks or tractor-trailers. She assumed the accidents were cause by cars going too fast. Mr. Glascock replied he had not looked at the accident data on the road.

The motion made by Ms. Hoppe and seconded by Mr. Sturtz directing staff to refer this issue to the Planning and Zoning Commission and the Environment and Energy Commission for their review and recommendation was approved by voice vote with Mayor McDavid and Ms. Nauser voting no.

Ms. Hoppe made a motion to withdraw B248-10A as she believed a new ordinance would come out of the review of the Planning and Zoning Commission and the Environment and Energy Commission. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

R209-10 Approving the request of the fire department to forgo replacement of the 1997 pumper/quint and instead purchase a fire department specialty vehicle, an emergency command vehicle, an emergency generator and medical equipment.

Mr. Watkins noted staff had recommended this resolution be withdrawn.

Mr. Thornhill made a motion to withdraw R209-10. The motion was seconded by Mr. Dudley and was approved unanimously by voice vote.

B265-10 Adopting the East Area Plan, a supplement to the Metro 2020 Plan.

The bill was given second reading by the Clerk.

Mr. Watkins and Mr. Teddy provided a staff report. Mr. Teddy explained the amendment sheet would delete the reference to the Metro 2020 Plan because the Planning and Zoning Commission felt that Plan would be replaced. He described the area included in the East Area Plan and summarized the highlights of the Plan.

Mr. Sturtz asked for clarification regarding the commercial area already zoned at the north end of North Grace Lane near I-70. He wondered how many acres it involved and asked if it was still undeveloped. Mr. Teddy replied a hotel and furniture store were currently located in that area, as well as some small businesses in the older developed areas, such as a self-storage facility and a gas station. Many of the lots to the east were still undeveloped. He did not have the exact acreage, but estimated it was a couple hundred acres. Mr. Sturtz understood there was some potential for development in the area. Mr. Teddy replied that was correct and provided an illustration of commercially zoned lots in the area.

Mr. Sturtz stated he believed the Natural Resources Inventory (NRI) had made this a much more sophisticated area plan document. Mr. Teddy replied it included higher resolution imagery allowing them to show aerial distribution at a finer grain than had previously been possible. Mr. Sturtz stated it provided a better sense of contours, tree cover and soil types than previously as well.

Ms. Hoppe made a motion to amend B265-10 per the amendment sheet. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Karl Skala, 5201 Gasconade Drive, stated he was the Vice-Chair of the Boone County Smart Growth Coalition and noted its mission was to assure the Columbia/Boone County region maintained sustainable and prosperous communities by promoting equitable land use. He provided the Council a resolution the Coalition had adopted as a handout and read the resolution. He believed the East Area Plan was consistent with the Metro 2020 Plan, the visioning process and national and local smart growth principles.

Jeff Barrow, 1007 Coats Street, stated he was Chair of the Planning and Zoning Commission for a large part of the process when the Commission worked on the Plan and was available to answer questions. He thought the work on this Plan and the previous sub-area plan would assist with the comprehensive plan as they kept getting better. In addition, as a citizen planner, he believed the Plan would be an extremely useful guideline in terms of land-use and transportation issues.

Mr. Sturtz understood the last chapter indicated that if the East Area Plan was adopted, a process would be needed to implement various parts of the Plan, such as developing a green infrastructure plan and a land preservation plan, and asked how that

would be done. Mr. Barrow suggested these items be referred to the Planning and Zoning Commission. Mr. Sturtz asked if each portion would be done one by one. Mr. Barrow replied he thought these issues would come up with the comprehensive plan and suggested those issues be looked at comprehensively as they affected each other.

Mr. Kespohl asked Mr. Barrow if he felt this was a static plan. Mr. Barrow replied he did not believe this was a static plan and noted the implementation guidelines had suggestions regarding its review and how it should be revised. Mr. Kespohl understood it was more of an advisory plan. Mr. Barrow agreed and noted it was more of a guideline.

Ellen Wolfe, 8000 East Turner Farm Road, commended the City and County staff for doing a great job under difficult circumstances, at times, and believed the Plan provided a guiding framework that residents and developers could utilize as the area grew. She also believed this type of plan would assist in getting away from piece-meal type developments as development would be looked at as a whole.

Margaret Langland, 7 Bogie Hills Drive, stated her neighborhood was very supportive of the East Area Plan as many residents had participated in the process. She hoped Council would consider the input and time put forth by the residents and staff. She believed this was a good time to reflect and make wise decisions in terms of what could be done to improve and move this area toward development, while following the guidelines of the East Area Plan, due to the lagging economy.

Mayor McDavid commended the Planning and Zoning Commission, staff and anyone else that had participated in this process as they had provided an elegant analysis of an important part of Columbia's future.

Ms. Hoppe also thanked the City and County Planning and Zoning Commissions and staffs and the hundreds of people who attended the meetings. She believed it was a wonderful exercise and a significant step forward to have this type of guideline in place as it combined various items, such as environment, development, infrastructure, etc., and would provide a win-win situation in terms of development and the preservation of those things that were valuable.

Mr. Sturtz commented that if this was approved, he hoped Council would push forward with some of the suggested ideas discussed in the Plan.

Mr. Kespohl highlighted a few points made in the Plan, such as the fact there was adequate electric and water supply to support future growth in the area, but the sanitary sewer was limited to the western two-thirds of the study area. In addition, the Plan recommended diversity in housing and varying densities to preserve environmental assets in the area.

Mr. Kespohl made a motion to add the word "advisory" to the title of the document. The motion was seconded by Mr. Dudley.

Mr. Sturtz asked if he was trying to reinforce what they already understood it to be as he believed they would need to add "advisory" to all plans if they added it to this one. Mr. Kespohl stated he thought they might want to add it to the other plans as well. He wanted to ensure it was understood it was not an ordinance or an overlay, and that it was an advisory plan.

Mayor McDavid stated he believed it was given that it was advisory in nature and that it was not an ordinance.

The motion made by Mr. Kespohl and seconded by Mr. Dudley to add the word “advisory” to the title of the document was defeated by voice vote with only Mr. Kespohl and Mr. Dudley voting yes.

B265-10, as amended, 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:

B266-10 Amending Chapter 12A of the City Code to establish regulations governing stored stockpiles of soil.

The bill was given second reading by the Clerk.

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

Ms. Nauser understood there was concern that this policy might make site preservation and the protection of natural resources more difficult and asked for staff comment. Mr. Teddy replied it would add another dimension to an ordinance that already dealt with natural resources and the preservation of woodlands and stream buffers. He believed the stockpile provisions would need to be viewed in the context of Chapter 12A.

Ms. Nauser understood stockpiles were not currently required to be seeded. Mr. Teddy stated he thought erosion control measures required seeding if stockpiles were left for any length of time. He noted this revision would make it clear seeding was required. He pointed out there would be an allowance for the working face of the stockpile to remain unseeded for three years, at which time, an extension could be requested.

Ms. Nauser understood an owner could request a variance with regard to the stockpiles if a site was relatively small causing the distance compliances to not be met. Mr. Teddy stated he believed there was a provision that would allow an appeal from a denial of an extension to be heard by the Board of Adjustment, and assumed the Board could also hear a variance based on hardship if dimensions of a development site did not work with the required setback. This ordinance would apply to site disturbance permits, which involved sites of an acre or greater.

Mr. Sturtz asked if this would have prevented the stockpiles currently located in the Fifth Ward. Ms. Nauser pointed out she was not opposed to stockpiles. Her concern was due to infill developments that resulted in large stockpiles being placed near residential homes and there not being a mechanism for the stockpiles to be removed, even if they had been there for 5-6 years.

Mr. Sturtz asked how the numbers had been determined and if the distance was sufficient. Ms. Nauser replied she believed a 40 foot pile that was 300 feet from a structure would not be as detrimental as a 40 foot pile within 100 feet of a structure. She felt the distance was the key factor.

Ms. Nauser stated she was torn as she did not favor passing unnecessary ordinances, but this was an issue in several locations in her ward. In addition, she felt the promotion of infill development would create more problems in the future. She wanted to create a mechanism to require the lowering or removal of a dirt pile after a certain period of time.

Mr. Sturtz understood the time frame would be three years and that the Public Works Director could renew it for another three years, if requested. Mr. Teddy replied the Public Works Director could renew for up to three years for cause, and notice was required to be provided to all property owners within 185 feet of the subject tract with regard to the request and decision.

Ms. Hoppe understood citizens could appeal the decision of the Public Works Director to the Board of Adjustment. Mr. Teddy replied he understood the applicant could appeal to the Board of Adjustment if they felt they were entitled to the extension.

Mr. Kespohl suggested a grandfather clause be added for existing dirt piles for a period of time. Mr. Boeckmann agreed there was no provision for existing piles and noted one option would be to allow existing stockpiles to remain for another three years before requiring compliance or removal.

Mr. Kespohl made a motion to amend B266-10 by adding a subsection (h) to the proposed section 12A-71 stating subsections (a) through (e) shall not apply to stockpiles of soil existing on November 1, 2010; provided that all such stockpiles must be removed no later than November 1, 2013 unless an extension is granted under subsection (f). The motion was seconded by Mr. Dudley.

Ms. Nauser noted there were existing problems needing to be addressed and believed those piles needed to be lowered now. Ms. Hoppe agreed that if the piles had already been there for three years, they should be required to comply within a shorter time period. Mayor McDavid pointed out the legislation was being enacted now. Ms. Nauser stated she believed they should only be provided six months.

Mr. Teddy commented that in response to Ms. Hoppe's earlier question, the neighbors had the right to appeal a granted extension to the Board of Adjustment.

The motion made by Mr. Kespohl and seconded by Mr. Dudley to amend B266-10 by adding a subsection (h) to the proposed section 12A-71 stating subsections (a) through (e) shall not apply to stockpiles of soil existing on November 1, 2010; provided that all such stockpiles must be removed no later than November 1, 2013 unless an extension is granted under subsection (f) was approved by voice vote with only Ms. Nauser voting no.

Kevin Murphy, 1123 Wilkes Blvd., stated he worked with these types of issues on a daily basis and had some concerns. The requirement of tree preservation, stream buffers, etc. would limit the amount of room one had for a stockpile. He wanted to confirm this would only affect sites of one acre or larger because it was unrealistic for this requirement to be met on a residential lot that was less than an acre. He noted he reviewed sites of up to two acres in size, and a quarter of the lot would be needed to stockpile 5-7 inches of top soil from the lot based on these requirements. He did not believe the 3:1 side slope should be required unless the stockpile was saved for future use. He suggested a temporary non-restrictive time frame of 6-9 months be allowed, and for these proposed restrictions to become effective after that temporary period was over, because it was a working stockpile when working on the site. He believed variances would be requested quite frequently, and suggested the Public Works Director be allowed to provide a variance so the Board of Adjustment was not overloaded.

Ms. Nauser asked if the three year time limit for a stockpile was sufficient. Mr. Murphy replied it was except for an infill development on a less than two acre site. In those

situations, the dirt would need to be hauled away to meet the requirement. If the building could be constructed within six months, he did not believe these requirements needed to be met since it would create a hardship. A ten foot pile with a 3:1 slope would require a 60 foot diameter to be ten feet away from the property.

Mr. Kespohl understood he thought a pile larger than ten feet would be necessary in most cases. Mr. Murphy replied yes and noted a higher pile would require more distance from the property line and a larger diameter for the 3:1 slope.

Mr. Sturtz asked why it was necessary to leave such piles as many of piles seemed larger than would be needed. Mr. Murphy replied some developers stockpiled the dirt to sell it back to builders. Mr. Sturtz understood the main reason to keep piles for a long period of time was to have a dirt selling operation. Mr. Murphy stated that was correct and noted that situation was a different than a situation in which there was a working stockpile that would be used at the site.

Mr. Thornhill asked if most of the lingering stockpiles were on stalled developments due to the economy. Mr. Murphy replied possibly, but he understood there were some developments where there was no intention of developing the certain portion where the stockpile was stored.

Ms. Nauser understood Mr. Murphy wanted the Public Works Director to be able to grant a variance as opposed to having to go to the Board of Adjustment in all situations. Mr. Murphy stated that was one change he thought was necessary. He also believed they should allow a stockpile to remain for 6-9 months without meeting these requirements in order to allow for the bulk of the work to be completed.

Karl Skala, 5201 Gasconade Drive, stated he was the Vice-Chair of the Environment and Energy Commission and noted they had provided a recommendation to the Planning and Zoning Commission with regard to this issue. He explained the proposed ordinance was a compromise document based on a public works manual on land disturbance.

Ms. Nauser asked if requirements in other communities had been reviewed for determining the distance criteria. Mr. Skala replied they reviewed the requirements of other communities and worked with staff and the Planning and Zoning Commission. The result was a best fit approach in trying to resolve the problem and would allow for variances for exceptional circumstances.

Ms. Nauser asked Mr. Skala for his thoughts with regard to Mr. Murphy's concerns. Mr. Skala replied this requirement was only for sites of one acre or larger. He understood there might be difficulties for sites of 1-2 acres, but noted the recourse was to ask for a variance.

Mr. Dudley asked if the distance determined was due to erosion and silt. Mr. Skala replied it was mainly due to dust issues.

Paul Love, 100 Sondra, understood there were two different problems. One involved a pile of dirt that was part of a development in terms of moving and leveling out the dirt. The other involved a pile of dirt for retail soil sales and those piles would remain longer.

Mr. Murphy pointed out City projects would be affected by this ordinance as well and gave the Scott Boulevard project as an example of a project that due to the limited right-of-way might not meet these requirements.

Mayor McDavid asked if the City would be in violation of the ordinance in terms of the Scott Boulevard project. Mr. Watkins replied potentially. Mayor McDavid wondered if there might be some unintended consequences. Mr. Teddy noted adjustments would be at the discretion of the Public Works Director. Mr. Thornhill understood the City would have to grant itself an exception.

Ms. Nauser wished these issues would have come up during the Planning and Zoning Commission meeting. She reiterated the aim of this ordinance was to address the impact of stockpiles to existing residential neighborhoods. She did not intend for it to impact commercial developments or road construction.

Mayor McDavid noted the legislation could be tabled or passed to see how the process would work as changes could be made if it did not work well.

Ms. Nauser thought they should ask staff to address some of the questions brought up tonight.

Mr. Thornhill stated he wanted to know how this would apply to the two areas in the Fifth Ward needing to be addressed as he believed one of developments met the height and distance requirements of this proposed ordinance already.

Ms. Hoppe noted she wanted to see how this might affect the stockpile at Grindstone across from Wal-Mart. She wondered if it would be allowed to be as steep.

Ms. Nauser made a motion to table B266-10A to the December 6, 2010 Council meeting to allow time for staff to address the questions that were raised tonight. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

B267-10 Approving the Final Plat of Leawood Plaza, Plat No. 1 located on the southwest corner of West Broadway and Stadium Boulevard; authorizing a performance contract.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

B267-10 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.

B268-10 Authorizing construction of Sanitary Landfill Disposal Cell #5; calling for bids through the Purchasing Division.

B269-10 Authorizing construction of the Hunt Court PCCE #13 Sewer Improvement Project along Hunt Court and Pershing Road; calling for bids through the Purchasing Division.

B270-10 Authorizing the acquisition of easements for construction of the Hunt Court PCCE #13 Sewer Improvement Project along Hunt Court and Pershing Road.

- B271-10 Authorizing an agreement with the National Association of County and City Health Officials for diabetes prevention and education outreach activities; appropriating funds.
- B272-10 Appropriating tax increment financing (TIF) application fees received from Broadway Lodging, LLC.
- R219-10 Setting a public hearing: considering an amendment to the FY 2010 Action Plan for HOME funds.
- R220-10 Authorizing an agreement with Community Housing Options for CDBG funds for construction of a public water main to serve a proposed multi-family housing development located on the northeast corner of Vandiver Drive and Oakland Gravel Road.
- R221-10 Authorizing an agreement with First Night Columbia, Inc. for support of the New Year’s Eve Celebration; authorizing the City Manager to provide City support services.
- R222-10 Authorizing agreements for FY 2011 Public Communications Program funding.
- R223-10 Authorizing a school resource officer agreement with the Columbia School District.
- R224-10 Authorizing a lease agreement with Hunstmen, LLC to allow the City to place a trash compactor on private property off the alley which intersects with Walnut Street between Eighth Street and Ninth Street.
- R225-10 Authorizing an agreement for engineering services with Terra Technologies for monitoring of the Chapel Hill Compensatory Mitigation Site; transferring funds.
- R226-10 Authorizing application to the Missouri Department of Natural Resources for a State Revolving Fund Loan under the Missouri Clean Water Law Program for construction of the North Grindstone Outfall Extension Phase II sewer project.
- R227-10 Authorizing application to the Missouri Department of Natural Resources for a State Revolving Fund Loan under the Missouri Clean Water Law Program for construction of the Upper Hinkson Creek Outfall Extension sewer project.

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

NEW BUSINESS

- R228-10 Authorizing an agreement for engineering services with TREKK Design Group, Inc. for completion of an inflow and infiltration study of the sewer collection system.

The resolution was read by the Clerk.

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

Ms. Nauser asked for clarification regarding what had been done with the first study. Mr. Glascock replied TREKK had been hired to look at a small sample area to determine where private sources of inflow and infiltration were coming into the system. He noted many uncovered drain caps were found in yards along with drain, driveway and sump pump issues.

He explained they would notify the Council of what was found so funding to fix the problems could be addressed.

Ms. Hoppe understood this study would cost nearly \$500,000 and asked for an estimate for the potential cost to fix the problems. Mr. Glascock replied he believed it would at least five times the cost of the study for this particular watershed and pointed out there were 57 total watersheds. Ms. Hoppe asked for the potential costs savings for when the problems were fixed since the City would no longer need to treat excess stormwater. Mr. Glascock explained this was being mandated by the EPA, so the cost savings was not the only factor.

Mr. Sturtz asked for a time table for solving the problems in all 57 watersheds. Mr. Glascock replied he believed it would take 25-30 years to get a handle on the problems and establish a program that would resolve the issues. Mr. Sturtz understood the stormwater problem would be exacerbated by them being effective with dealing with inflow and infiltration since the water would need to go somewhere. Mr. Glascock noted the issue was with what people were purposely putting in the system through their drains.

Mr. Sturtz asked how long it might take to bring something to the voters that might deal with stormwater issues. Mr. Glascock replied he did not know as this was a small step to address a large problem.

Ms. Nauser asked if notification was provided to people who purposely put stuff in the City system to let them know it was against City policy and if a mechanism to fine them was in place. Mr. Glascock replied it was allowed prior to 1964 and many homes were built prior to 1964. Ms. Nauser asked if there was a mechanism to address this for the future. Mr. Glascock replied they provided education.

The vote on R228-10 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.

- B273-10** **Rezoning property located at the northwest corner of El Cortez Drive and Providence Outer Road (219 El Cortez Drive) from R-1 to R-2.**
- B274-10** **Amending Chapter 14 of the City Code to change the speed limit on Richland Road.**
- B275-10** **Accepting conveyances for utility purposes.**
- B276-10** **Authorizing an agreement with the Columbia School District for a playground improvement project at Ulysses S. Grant Elementary School.**
- B277-10** **Establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans; providing for payroll withholdings.**
- B278-10** **Appropriating funds to be received from the Missouri Department of Natural Resources – Energize Missouri Homes for the neighborhood challenge program.**

REPORTS AND PETITIONS

REP112-10 Intra-Departmental Transfer of Funds Requests.

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

REP113-10 Building Construction Codes Commission.

Mr. Watkins noted this was a status report from the Building Construction Codes Commission indicating they were ready to present their recommendations in terms of improvements to the building codes.

REP114-10 Motorcycle Parking in Garages.

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

Mr. Kespohl stated he had asked about motorcycles parking in the striped areas where no one parked and understood that was not allowed by the City. Mr. Glascock stated that was correct.

REP115-10 Columbia Regional WWTP Facility Phase I Improvement Project – Request for Extended Work Hours.

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

Ms. Hoppe understood the noise level was at 80 decibels and asked what that meant for the closest resident. Mr. Glascock replied the 80 decibels was at the Plant. Ms. Hoppe asked if the noise could potentially be a nuisance to residents. Mr. Glascock replied he did not believe it would be. Mr. Watkins noted this would extend the working day by about five hours.

REP116-10 Windsor-Ash Bike Boulevard.

Mr. Watkins and Mr. Glascock provided a staff report. Mr. Glascock explained the drawing that had been previously provided had been correct, but the memo included inaccurate wording.

REP 117-10 Gross Receipts Tax on Parking Utility.

Mr. Watkins provided a staff report.

Mayor McDavid commented that parking was a source of revenue for many communities and believed some of the \$900,000 collected from meters should be used to pay for police officers and firefighters. He understood the parking garage issue was more complicated due to bonds. He explained he did not believe the City should subsidize businesses and felt the market rate should be charged. Many cities, such as Chicago, had outsourced their parking for money, and he was opposed to that as well because the companies that took care of parking tended to increase the cost for a profit. He stated he would ask for a resolution to be prepared to transfer half of the parking meter revenues to the general fund for police officers and firefighters.

Mr. Boeckmann explained the parking meters were considered a part of the parking utility revenue and believed the Finance Director should provide an analysis on whether it

would violate the bond covenants prior asking for a transfer. Mayor McDavid looked forward to being provided the analysis, and noted the resolution would likely be defeated if that was the case. He commented that if the parking meter revenues could not be transferred, its only use was to subsidize parking garages, which created was a bad business model. Mr. Boeckmann agreed, but noted the City's bonds should not be compromised for that reason alone. He suggested this change be considered as part of the budget and as part of an analysis of the parking utility as it could affect rates.

Ms. Hoppe asked if the report could be brought forward after the December 15, 2010 Supreme Court decision. Mr. Boeckmann replied the oral argument would take place on that date, but the decision would come later. Mayor McDavid understood a transfer would not be considered a tax.

Ms. Nauser pointed out the businesses in the downtown area were concerned with the potential negative impact of increased parking fees since they were competing with business that did not have parking fees. As a result, she thought they should be included in the discussion.

Mayor McDavid made a motion directing staff to provide an analysis on the ability to transfer parking meter revenues to the general fund. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

REP 118-10 Report on Public Comment to the 2011 Action Plan.

Mr. Watkins provided a staff report.

Mr. Thornhill made a motion directing staff to provide comments on the 2011 Action Plan to HUD, and to include the comments received by the public. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Karl Skala, 5201 Gasconade Drive, encouraged everyone vote tomorrow.

Paul Love, 100 Sondra, stated he was concerned about the parking tax the Council was considering imposing as it could result in an increase in the parking rates. He understood they were trying to find money due to the declining revenues, but felt this tax should be brought to the voters to decide. He did not feel government had the right to continue to exist at same size when everything else was shrinking and thought the voters should be provided the opportunity to decide if the same level of services was necessary.

Mr. Dudley thanked all of those involved with the trout funding as it would benefit the kids.

Mr. Sturtz noted the Council had been provided a report in February, 2009 with regard to cottage housing initiatives as part of an affordable housing plan and asked for the report to be provided to the Council again so it could be discussed at a future council meeting.

Ms. Hoppe noted a constituent who was having trouble locating the meeting agenda had contacted her and there were about 7-8 steps involved to get to it. She asked staff to look into making it easier and quicker to find the Council Meeting agendas.

Ms. Hoppe stated she attended a Comprehensive Plan Task Force meeting and was impressed with a presentation of a subcommittee that was chaired by Shelley Simon, which looked at benchmark cities and their planning processes. She encouraged everyone to view the powerpoint as it was on the Comprehensive Plan Task Force webpage. She noted a follow-up would be held at their next meeting, which she hoped to attend.

Mayor McDavid pointed out it was not his intent to raise taxes. The parking utility had a net income of \$1 million last year and almost \$900,000 came from parking meters. He believed the City would be best served by funding a deficit rather than subsidizing parking.

Mayor McDavid thanked Mr. Dudley for requesting the cell phone report as it showed the City had spent \$266,000 on cell phones for employees last year. He understood the report had resulted in a substantial cost savings initiative.

Ms. Nauser thanked the citizens who attended the interested parties meeting for the high voltage transmission lines, and noted there would be more meetings and the information on those meetings would be provided in the future.

Ms. Nauser understood the portion of Forum that traversed through the Highlands Subdivision was very dark causing people to run into the islands on the road. She suggested staff look at installing one light in that area.

Ms. Nauser made a motion directing staff to look into adding a street light on Forum, near the Highlands Subdivision. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Ms. Nauser noted she had been watching the progress of the pedway system along Providence Road in front of Rock Bridge High School and Rock Bridge Elementary School and people were utilizing the new walkway. She suggested a crosswalk system similar to the one on Southampton be installed for students crossing the outer road to get to the pedway.

Ms. Nauser made a motion directing staff to review the potential installation of a crosswalk similar to the one on Southampton so students could cross the outer road to get to the new pedway. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Kespohl thanked the Council for approving the East Area Plan as it serviced Wards 3 and 6 and would help the future of Columbia.

The meeting adjourned at 9:17 p.m.

Respectfully submitted,

Sheela Amin
City Clerk