

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
DECEMBER 18, 2006

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, December 18, 2006, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN and CRAYTON were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF MINUTES

The minutes of the regular meeting of December 4, 2006 were approved unanimously by voice vote on a motion by Ms. Crayton and a second by Mr. Janku.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

B484-06 Authorizing construction of water main serving Quail Creek West, Plat 5; providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Watkins stated this would authorize payment of differential costs for the installation of an 8-inch water main in Quail Creek, which was located in west Columbia. The total length of the water line was about 530 feet and the total cost to the City was approximately \$4,200.

Ms. Hoppe noted she had previously asked for a report indicating how much the City paid for differential costs over a year or two year period. Mr. Watkins replied that Mr. Dasho was putting those numbers together. He pointed out that in the Fire Code the Council would be considering a provision requiring the water provider in an R-1 and R-2 district to provide 800 gallons of water per minute. Earlier this year, the Water & Light Department began testing every hydrant. They were about two-thirds of the way done before they had to stop due to the cold weather and would finish in the spring. He noted they thought there would be about twelve hydrants that would not meet the requirement. He commented that many were in private areas, such as Lenoir. He thought the entire system was in good shape in terms of fire flows due to the partnership of overbuilding water lines as needed. He stated the next

step was to talk to the water districts serving property within the City limits because if Council approved that change in the Fire Code, they would have to ensure the ability to provide that level of fire flows.

Mayor Hindman opened the public hearing.

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

The vote on B484-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Consider approval of a design concept proposed by artists Don Asbee and David Spear for the Wabash Station Percent for Art project.

Item A was read by the Clerk.

Mr. Watkins explained this was a public hearing to take comment on the design for Percent for Art project at the Wabash Station.

Nancy Burdick, 12 McBaine Avenue, Chair of the Standing Committee on Public Art, stated she was representing both the Cultural Affairs Commission and the Standing Committee on Public Art and noted this was the seventh project initiated by the City under the Percent for Art program. She explained their general approach was to select an artist rather than a specific work or art, so they could involve the artist in the design process. They felt this ensured the work would be site and community specific. Since being selected, both artists had been in regular contact with the Office of Cultural Affairs and the project architects in Kansas City to learn about the overall building project. The result was two independent design concepts considerate of the historic nature of the building. Mr. Asbee's proposal was a forged steel sculpture depicting a silhouette of a train engine measuring approximately 7 feet by 4 feet. It would be installed so it was in view of the passengers on the east side of the building near the planned canopy. The train number, 808, was one that actually ran along the Wabash line. Mr. Spear was proposing a series of four painted canvases to be placed on the south interior wall of the building, just above the original ticket windows. Since the windows would again be used for ticketing, the canvases would be seen by anyone who accessed the building. The paintings would be centered around a clock, which would emphasize the themes of the past and present, a train station and a bus station. She explained that after the concepts were received, City staff collected public comment by displaying the artists' concepts and descriptions at both City Hall and the Wabash Station. The feedback received was overwhelmingly positive. On November 2nd, the Standing Committee met to review the concepts and public comment and unanimously decided to accept both concepts. Their recommendation was then forwarded to the Commission on Cultural Affairs and at their November 13th meeting, the Commission unanimously voted to forward this recommendation on to the City Council. She asked the Council for approval of the design concepts.

Ms. Hoppe understood someone suggested they include diversity and asked if that had been addressed. Ms. Burdick replied it was addressed at the November 2nd meeting and Mr. Spear stated he had always intended to reflect diversity in his paintings.

Mayor Hindman opened the public hearing.

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

Mr. Janku made the motion to approve the recommendation of the Commission of Cultural Affairs to accept the artists' designs of the Wabash Station Percent for Art project. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

(B) Voluntary annexation of property located on the south side of Old Mill Creek Road and on the east side of State Route KK.

Item B was read by the Clerk.

Mr. Watkins stated this tract was about 71.5 acres and presently undeveloped. The applicant was requesting R-1 zoning and the Planning & Zoning Commission recommended approval.

Ms. Hoppe asked for a breakdown in percentage of the R-1 portion versus R-2 portion. Mr. Teddy showed a locator map on the overhead and noted the R-2 was the smaller tract.

Mayor Hindman opened the public hearing.

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

(C) Voluntary annexation of property located west of Georgetown Subdivision and north of Westcliff Subdivision.

Item C was read by the Clerk.

Mr. Watkins explained this tract was located in west Columbia and involved about 31.5 acres. The requested zoning was R-1 and the Planning & Zoning Commission recommended approval of the zoning. He noted the County had expressed concern about access and felt those issues would be better addressed during the platting process.

Mayor Hindman opened the public hearing.

Chris Sander, Crockett Engineering, 2608 N. Stadium Boulevard, stated he and Mr. Overton were available to answer questions.

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

Mr. Janku stated he was glad to hear the trail easement issue was being worked out.

(D) Consider grant applications relating to the Safe Routes to School Program.

Item D was read by the Clerk.

Mr. Watkins stated this was a public hearing to gather community input regarding the City's application to MoDOT for potential Safe Routes to School money. There was \$2.62 million available State-wide and the projects had a maximum cost of \$250,000. Staff was suggesting four projects. One was the first phase of a sidewalk to serve Parkade Elementary School. It would be along the east side of Garth from Texas to Thurman. Another project was to serve Derby Ridge Elementary School. It would be located on the north side of Smiley Lane from Bold Venture to Derby Ridge. The third project would serve West Boulevard Elementary School. They were proposing a sidewalk on the east side of West Boulevard from Ash to Worley. The last project would serve Lange Middle School and the sidewalk would be on the west side of Oakland from Blue Ridge to Smiley. Mr. Teddy pointed out staff had conferred with representatives of Columbia Public Schools and the PedNet Coalition and a letter of concurrence was received from the School District in regard to the staff recommendations. They were also interested in working out details of Non-

Infrastructure Safe Route to School applications, such as enhanced traffic enforcement for the safety of bicyclists and walkers, bicycle education and safety training, and in the case of West Boulevard, a project that would plan a safer or more efficient alternative to the existing drop off area that was quite congested. The non-infrastructure projects had a limit of \$25,000 per application per school and the infrastructure projects had a limit of \$250,000 per application per school. In a couple of cases, the projects were estimated to cost a little over the \$250,000, so if they were successful in getting a grant funded, there would be some phasing of the project or they would need to include a portion in the GAPS program and indicate on the application that the City would pick up the difference.

Mayor Hindman opened the public hearing

Ian Thomas, 2616 Hillshire Drive, Director of the PedNet Coalition, stated they were in support of the City making a proposal to the Safe Routes to School program. He felt it was a great opportunity for Columbia to continue moving toward a more walkable and bikable community. It also encouraged and made it safe for children to walk to school. He noted there were health benefits to having regular exercise and it provided a safer environment around the school due to fewer cars, less traffic congestion and less pollution. He stated teachers had indicated the children were able to concentrate better and less likely to cause trouble after having some exercise in the morning as well. It was also a great social opportunity for the children. He explained they ran a walking school bus program where kids walked to school under the supervision of trained adults and taught pedestrian and bicycle safety skills to elementary and middle school children. He noted they would be interested in partnering with the City on some of the non-infrastructure proposals.

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

Mr. Janku made the motion to approve the staff recommendations for application submissions to MoDOT for the Safe Route to Schools grant. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

OLD BUSINESS

B482-06 Authorizing renovation and addition to the first floor of the Daniel Boone Building; calling for bids.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would authorize staff to obtain bids for the work necessary to renovate the first floor of the Daniel Boone Building, so they could move Utility Billing to the this building and demolish the old Farm & Home Building. The estimated cost of the renovation was \$869,602. If approved, they expected construction to start in early February and be completed by the end of the summer.

The vote on B482-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B487-06 Accepting a donation of land located on Heying Drive, east of Oakland Gravel Road, from Johnny J. and Marsha C. Nelson for greenbelt and trail purposes.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a donation of about two-tenths of an acre of land adjacent to Bear Creek, east of Oakland Gravel Road, and known as Lot 14 of the Jerry Morris Subdivision. The donation would be for greenbelt and other uses. It fit well with the City's plans to extend the Bear Creek Trail northward, so they were very appreciative for the opportunity to acquire this property. Mr. Hood noted it was the tract shown in the light blue line on the overhead. They did not have final plans for the trail in this area, so if the trail was located on the west side of the creek, it would cross this property and if the trail was located on the east side of the creek, this property became an ideal location for a neighborhood connector. He stated they greatly appreciated the Nelson's willingness to donate this property.

Mayor Hindman noted it was a generous donation and they all appreciated it.

Ms. Hoppe agreed it was a great thing and wondered if there would be a naming opportunity down the line for a bench or sign to thank the Nelson's. Mr. Hood stated they could look into that.

The vote on B487-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B493-06 Amending the City of Columbia Employee Health Care Plan and the City of Columbia Employee Dental Plan.

The bill was given second reading by the Clerk.

Mr. Watkins stated this would amend the City of Columbia's medical insurance plan to reflect changes in benefits, which were included in the budget the Council reviewed and approved earlier this year. This amendment made four significant changes. It would increase the office co-pay, increase the urgent care co-pay, reduce the non-network co-pay to encourage employees to use physicians and services within the network, and add coverage for domestic partners, which was a suggestion of the Employee Benefits Committee. Ms. Buckler noted the amendment sheet changed some effective dates. The co-pay changes would be effective January 1, but the domestic partners benefits would not kick in until February 1. This would allow for an enrollment period and some informational meetings.

Mayor Hindman made the motion amend B493-06 per the amendment sheet. The motion was seconded by Mr. Janku.

Ms. Nauser noted the summary on the first page indicated the policy was designed to foster an atmosphere of fairness and professional respect at work and asked if there was a history for lack of respect. Ms. Buckler replied no and added that she thought it engendered more of a feeling that everyone was being treated the same. She noted the ordinance and Code stated they did not differentiate on sexual orientation or marital status. They did not have complaints, but people had been asking for this for several years.

Jim Windsor, 200 Manor Drive, Chair of the Employee Benefits Committee, stated it was very important to attract and retain good employees and noted they felt anything that could be done to address the needs of the modern workforce was positive. This was the reason they provided that suggestion for Council consideration.

Ms. Nauser stated she saw the possibility of fraudulent activities occurring in the future. She recalled when she got married, she had to apply for a license and file a certificate at the Boone County Records Office stating that was her intent, and thus, had entered into a legal contract. With just an affidavit stating a person's situation, she felt there could be a misuse of the benefit. She noted marriages could be difficult at times and this diminished those that were married and had entered into a legal contract to gain those benefits. Now, anyone who cohabitated could be added to the policy. She stated she had a problem with that and wanted something with more of a legal standing than an affidavit and proof of common utility bills. She noted roommates who lived together for a year could file an affidavit and be eligible for coverage others had to make a serious commitment for. She reiterated she wanted something more stringent than an affidavit.

Ms. Hoppe stated this would cover domestic partners who could not legally be married. She noted there were also people who were married only for the convenience of shared health benefits, but did not live together or speak to each other.

Ms. Nauser commented that it did not seem stringent enough to have someone file a mutual affidavit for added benefits at the taxpayer's expense. She stated it was not something that was enjoyed in the private market.

Ms. Hoppe asked if the City had questions whether the affidavit was accurate, if they could do some additional investigation. Ms. Buckler replied they could ask for documentation to prove their current status. She noted a lot of research was done on what other places were doing and many of the people who might take advantage of this could not legally be married. The affidavit was modeled after others used across the Country and was mainly modeled after the one used by BJC/Boone Hospital. She noted it was very difficult to do much more than that. Ms. Nauser asked if Boone Hospital gave domestic partnership status to anyone that claimed it. Ms. Buckler replied they only gave it to same gender partners. Ms. Nauser understood the City was broadening it by adding any domestic partner, whether same gender or not. Ms. Buckler replied that was correct. Ms. Nauser asked how many other places offered that benefit. Ms. Buckler replied, when looking at Fortune 500 companies, about half of them offered it to domestic partners. Ms. Nauser asked if it was paid by the company. Ms. Buckler replied that when dependants were added, they were paying for it, not the City. They would pay the premium. The City would not be paying the premium.

Mayor Hindman stated he thought it was a reasonable check and noted there was a second check because if there was misrepresentation by the affidavit, the insurance would not be valid. Ms. Buckler pointed out the employee could also be discharged. Mayor Hindman stated he had been involved in some cases where the insurance company had denied payments due to a misrepresentation on an application. He felt that was a significant weapon. He stated he thought the idea was sound and agreed with the equality of treatment of all of the employees. He believed it was a moral booster and thought the benefits of taking care of each other and maintaining a household should be recognized as beneficial to society. When it came to attracting the kinds of people that Columbia wanted to run labs and teach at the University, studies showed among the very most important considerations people looked at were tolerance and diversity. He noted the City would be making a strong

statement regarding the type of community Columbia was and thought it would help the City with economic development.

Mr. Hutton understood if they falsified the affidavit, an employee could be terminated. He noted they did not have a copy of the affidavit. Ms. Buckler stated it included a fraud statement telling them the consequences, which went up to the loss of their job. Mayor Hindman pointed out the filing of a false affidavit was a criminal act. Ms. Buckler commented that it had to be notarized.

Mayor Hindman commented that it also expanded their pool of applicants because if they were interested enough in this issue, they would only look at employers who offered it.

The motion, made by Mayor Hindman and seconded by Mr. Janku, to amend B493-06 per the amendment sheet was approved unanimously by voice vote.

The vote on B493-06, as amended, was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, HOPPE, HINDMAN, CRAYTON. VOTING NO: NAUSER. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B481-06 Approving the Final Plat of Bethel Ridge Plat 1 located on the north side of Diego Drive between Santiago Drive and Bethel Street.
- B483-06 Authorizing a right of use permit with The Curators of the University of Missouri to allow construction, improvement, operation and maintenance of median islands and curb bulbouts within portions of the Hitt Street, Ninth Street and Conley Avenue rights-of-way.
- B485-06 Accepting conveyance; authorizing payment of differential costs for water main serving Broadway Bluffs Subdivision; approving the Engineer's Final Report.
- B486-06 Accepting conveyances for utility purposes.
- B488-06 Authorizing a first amendment to intergovernmental cooperation agreement with Lake of the Woods Transportation Development District.
- B489-06 Accepting a donation from Christian Chapel for the purchase of digital cameras and equipment for the Police Department; appropriating funds.
- B490-06 Accepting a donation from the Wal-Mart Foundation for D.A.R.E. Camp and related supplies for the D.A.R.E. program; appropriating funds.
- B491-06 Accepting a grant from the State Emergency Management Agency for the Citizen Corps Program; appropriating funds.
- B492-06 Accepting a grant from the State Emergency Management Agency for the Community Emergency Response Team (CERT) program; appropriating funds.
- R265-06 Setting a public hearing: construction of sidewalk improvements on the south side of Business Loop 70 West from I-70 Drive SW to Sexton Road.
- R266-06 Setting a public hearing: consider proposals for use of City-owned property at the intersection of Ash Street and Clinkscales Road, adjacent to The ARC.

- R267-06 Authorizing agreements with various social service agencies.
- R268-06 Authorizing a grant award agreement with The Missouri Foundation for Health for the 2006 Tobacco Prevention and Cessation Initiative – Community Grants for Workplace Programs.
- R269-06 Authorizing Amendment No. 1 to the agreement with Associated Electric Cooperative, Inc. for lease of a transformer to be used at the Grindstone substation.
- R270-06 Authorizing the Chief of Police or his designee to request and accept transfer of property seized by a Treasury agent.

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

NEW BUSINESS

R271-06 Authorizing an agreement with Peckham & Wright Architects, Inc. for architectural services relating to construction of Fire Station No. 7.

The resolution was read by the Clerk.

Mr. Watkins explained this would authorize the City Manager to execute a contract with local architects, Peckham and Wright, to design Station No. 7 at Green Meadows Road. This was approved by the voters in November 2005. The base cost was approximately \$153,000. He noted an alternate, which would prepare LEED applications, was being proposed as part of the contract in the amount of \$20,750. This would be the City's first LEED certified building.

Mr. Janku understood Fire Station No. 8 on Bearfield was a Percent for Art project and asked if this would be as well. Mr. Watkins replied yes.

Mr. Hutton understood the cost on Station No. 8 was about \$1-1.2 million and asked if Peckham and Wright designed it. Mr. Glascock replied they did. Mr. Hutton asked if the design would be significantly different with the LEED. Mr. Glascock replied he was not sure. Mr. Hutton understood the basic design would not be much different than the design for Station No. 8. Mr. Glascock agreed.

Ms. Nauser asked for the time frame for total completion of Fire Station No. 7. Mr. Watkins thought their goal was to be in construction in 2007 and have it occupied by early 2008. Ms. Nauser stated a lot of residents were interested in knowing the start and completion dates.

Ms. Hoppe asked for examples of what they were planning in respect to LEED. Mr. Watkins replied they did not know because they had not started the design process. This was a dollar amount suggested because they had to register the project and go through a number of applications. He explained this was just the design portion of the LEED and did not include any additional costs that might be involved for construction. He stated they would bring the plans and specifications to Council and at that point, they could show what LEED pieces would be involved and the level of certification they could obtain.

Mr. Hutton understood when proposals were solicited from architects and engineers, it was not price based, but based on qualification. Mr. Glascock replied that was correct. Mr. Hutton asked when the RFP was done if there was a section to include a price. Mr. Glascock replied they submitted a price range. Mr. Hutton asked how this compared to the other proposals. Mr. Glascock replied he thought it was on the lower end because they knew the template as a result of doing Station No. 8. Also, people from outside of the City had to do a lot of traveling and that drove the price up somewhat. He noted this was about 10 percent of the overall cost of the building, which included the LEED's. Mr. Hutton understood they anticipated the building cost to be about \$1.5 million. Mr. Glascock replied that was correct. Mr. Watkins pointed out that was the budget in the ballot issue.

The vote on R271-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R272-06 Authorizing demolition of a dilapidated structure located at 308 Oak Street; authorizing issuance of a special tax bill against the property.

The resolution was read by the Clerk.

Mr. Watkins explained they would, when they were unable to reach accommodations with property owners, take this last resort to rid the neighborhoods of a dilapidated structure. He stated there was a provision in the International Property Maintenance Code which dictated the process and it ended up here with a recommendation from staff.

Mr. Glascock showed photographs of the property on the overhead. They held a hearing on October 12th and the relatives of the owner asked the City to wait until Thanksgiving to make a decision. Since they had not heard from them, they were moving forward with the demolition.

Ms. Nauser asked how long it took to get to the final process. Mr. Glascock replied that after the hearing, they could proceed as soon as the Public Works Director made a decision. In this case, the relatives of the owner requested the City hold off until after Thanksgiving.

The vote on R272-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN, CRAYTON. 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.

B494-06 Voluntary annexation of property located on the south side of Old Mill Creek Road and on the east side of State Route KK (4820 Old Mill Creek Road); establishing permanent R-1 and R-2 zoning.

B495-06 Voluntary annexation of property located west of Georgetown Subdivision and north of Westcliff Subdivision; establishing permanent R-1 zoning.

B496-06 Rezoning property located on the northeast corner of Brown School Road and Derby Ridge Drive from PUD-10 to PUD-10.2.

- B497-06 Rezoning property located on the west side of Rock Quarry Road, north of Rolling Rock Road from A-1 to PUD-3.
- B498-06 Rezoning property located generally in the south-central portion of the property located on the north side of State Route WW and east of Cedar Grove Boulevard from R-1 and PUD-10 to C-P.
- B499-06 Approving the Missouri Cotton Exchange C-P Development Plan; approving a revised statement of intent.
- B500-06 Amending Chapter 12A, Chapter 25 and Chapter 29 of the City Code to establish stream buffer requirements.
- B501-06 Approving the Final Plat of Eastland Hills Estates Plat 1 located at the intersection of Maple Leaf Drive and Copse Court, north of St. Charles Road; authorizing a performance contract; granting a variance to the Subdivision Regulations.
- B502-06 Approving the Final Plat of Centerstate Plat 11 located on the southeast corner of Woody Lane and Amron Court.
- B503-06 Approving the Final Plat of Auburn Hills Plat 13, a Replat of Lot 601 of Auburn Hills Plat 6 located on the northeast corner of Brown School Road and Derby Ridge Drive.
- B504-06 Vacating sidewalk easements located within Madison Park Plat 1 Subdivision.
- B505-06 Vacating a portion of a drainage easement located within Arbor Falls Plat Subdivision Plat 1.
- B506-06 Authorizing an annexation agreement with Michael S. and Robin L. Kruse.
- B507-06 Authorizing construction of sidewalk improvements on the south side of Business Loop 70 West from I-70 Drive SW to Sexton Road; calling for bids through the purchasing division.
- B508-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Building Code.
- B509-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Code Council Electrical Code Administrative Provisions.
- B510-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Plumbing Code.
- B511-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Mechanical Code.
- B512-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Residential Code for One- and Two-Family Dwellings.
- B513-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Property Maintenance Code.
- B514-06 Amending Chapter 6 of the City Code relating to adoption of the 2006 International Fuel Gas Code.
- B515-06 Amending Chapter 9 of the City Code relating to adoption of the 2006 International Fire Code.
- B516-06 Authorizing an agreement with Bartlett & West Engineers for engineering services for the H-21B Sewer – Lake of the Woods Mobile Home Park Lagoon Interceptor project.

- B517-06 Amending Chapter 14 of the City Code as it relates to recognized City holidays and parking meter enforcement.
- B518-06 Authorizing Change Order No. 1 to the agreement with Ecton Construction, Inc. for construction of sidewalks on portions of Edenton Boulevard, Derby Ridge Drive and Interstate Drive in Auburn Hills Subdivision; approving the Engineer's Final Report.
- B519-06 Approving the Engineer's Final Report for the C-3 Trunk Sewer, an 80-acre point sanitary sewer serving the Bristol Lake Development.
- B520-06 Accepting a conveyance for utility purposes.
- B521-06 Amending Chapter 22 of the City Code to adopt a relocation policy for condemnation proceedings.
- B522-06 Authorizing an agreement with Columbia Public Schools to provide a crosswalk guard at Grant Elementary School; appropriating funds.
- B523-06 Accepting and appropriating federal forfeiture funds for the purchase of portable radios for the Police Department.
- B524-06 Appropriating funds received from The Missouri Foundation for Health relating to the 2006 Tobacco Prevention and Cessation Initiative – Community Grants for Workplace Programs.
- B525-06 Authorizing an agreement with the Missouri Department of Health and Senior Services for the Community Pandemic Preparedness Planning program; appropriating funds.
- B526-06 Authorizing an agreement with Boone County for JCIC clerical services.
- B527-06 Appropriating funds to provide reimbursement to the Boone County Community Partnership for services provided to victims of Hurricane Katrina.
- B528-06 Appropriating funds to the FY 2006 operating budget.
- B529-06 Authorizing a communication equipment reimbursement agreement with Boone Hospital Center and The Curators of the University of Missouri on behalf of University Hospital; appropriating funds.

REPORTS AND PETITIONS

(A) Intra-departmental transfer of funds.

Report accepted.

(B) Civilian review board project.

Mr. Watkins stated staff previously submitted a report regarding a civilian review board and Council had requested some additional information involving an outside agency looking at the City's process. He noted they thought they would be able to find a number of agencies who would be willing to review their process. For one reason or another, the agencies they contacted were unable to review the City's procedures. They were, however, able to find a consultant they felt could do the job. He noted it was not exactly what the Council originally requested. Chief Boehm stated they had some history with Dr. Thompson, he had a tremendous amount of credibility in the field and they had a lot of faith in his ability to do something of this nature. He noted they would continue to do research if the Council preferred other options.

Mayor Hindman stated he received an e-mail today from one of the groups interested in this issue, but did not have time to read it. He commented that he would like to know what it said. Ms. Hoppe stated she did not have a chance to read it either.

Since there was only one choice, Ms. Hoppe stated she wanted to know what other cities they had provided this service for and what the outcomes of those studies were. She also wondered if, in the review process, they would consult with some of the citizen groups that had concerns and were promoting the civilian review board. Chief Boehm replied they would have to do some research to get names of communities. He knew they had done this type of work and that Dr. Thompson had just finished some similar work with a community in Kentucky. In regard to the second question, that was not was part of what they had initially asked them to do, but they were open to include that in the proposal.

Ms. Crayton thought the person that did the review should look at all points of view and talk to all of the groups with an interest and not just a selected few. Chief Boehm commented that if the Council chose to move forward with Dr. Thompson, they would make sure he was aware of all these comments.

Mr. Hutton stated the first paragraph of Dr. Thompson's letter indicated he would be assessing the current internal affairs division and the need for a citizen's review board. He noted this was going past what the Council had asked for. He commented that he understood the first step was to assess the internal process to see if they were doing an adequate job related to complaints and complaint investigation against police officers.

Ms. Nauser agreed and stated did not have a problem with looking at the internal affairs process because they might be able to fine tune it to decrease some anxiety. She understood there were a relatively small number of complaints in comparison to the amount the Police Department actually reviewed. She noted she would only support going forward with a review of the internal affairs process at this time.

Mr. Janku thought there were two parts, internal affairs and the other side. Mr. Hutton clarified he was talking about the internal review of complaints against police officers and the way situations were handled. Mr. Janku agreed it included both parts. Mayor Hindman asked what the two parts were. Mr. Janku replied there was an internal affairs part of the department and also the normal investigation of the process. Chief Boehm pointed out it would all be under the heading of the internal affairs process, but there were two different processes or tracks they could take. One was a full blown internal affairs investigation when there was an allegation of a criminal activity or a very significant violation. The other was more typical and was called a supervisory review. That was when they received a basic complaint in regard to rudeness, procedure or something of that nature. Both were included under the heading of internal affairs process and both would be reviewed under this recommendation.

Ms. Nauser asked if the complaints driving the citizen review board involved the handling of the situation or was criminal in nature. Chief Boehm replied he was not aware of any allegations that were brought forward to them for alleged criminal activity.

Mr. Janku asked if they wanted to wait for the additional information in regard to other communities before moving forward. Ms. Crayton replied yes. Mr. Hutton stated he was agreeable to that. Mayor Hindman thought it would be good to hear from the group

interested in this as well. Ms. Crayton stated she wanted to know the outcomes of those reviews as well.

Mayor Hindman noted that what he initially asked for was short of asking for a review of whether the City needed a civilian review board. Mr. Hutton stated he did not want a consultant to review the need for a citizen review board until they reviewed the internal process to determine whether it was flawed or not.

Ms. Hoppe requested staff also provide a list of the agencies consulted and why they could not do the review or were not interested.

Mayor Hindman made the motion to accept this report and to direct staff to provide a supplemental report for the next Council meeting, which included the communities Mr. Thompson had worked with in the past and the outcomes of those reviews and a list of agencies consulted and the reasons they could not do the review or were not interested in doing the review. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

(C) Snow removal update.

Mr. Watkins noted Columbia experienced a dramatic event, which left them with the three basic questions of what was going on, how it happened and who was in control. He stated their first job was to get the message out early and often. He thought communications was an area where they could do better. They came up with a few strategies, which they thought would assist. One was implemented today with the hiring of a Public Information Officer for the Public Works Department. They were also looking at setting up an operations center in the conference room at the Grissum Building. They would add more tracking maps as well as computer hook-ups and telephones. It would be the “go to” place when there was a Public Works emergency. They were also working on an internet based map that would show where the snow removal crews had been and where they were heading. They hoped to refresh it every 20-30 minutes on a manual basis. He noted one of the difficulties was that they only had a few telephone lines and although they were manned, they were receiving a lot of phone calls forcing them to put people on hold. By improving their communications through the use of the internet, multiple people could look to see what was being done at the same time. They would also be able to communicate to them by setting up an e-mail address to be viewed at the operations center.

One of the issues mentioned on the “Sunday Morning Round Table” was that the City did not have someone in control and that the City did not have any disaster plans. Mr. Watkins pointed out they sent about 70 community people to Emmitsburg, Maryland less than three years ago and since that time, they had done a number of annual updates and plan reviews. As a result, he felt the City’s emergency planning was in very good shape. He noted they set up a partial activation of the Emergency Operating Center. They had people there, computers set up and phone lines set up and if they would have had to go to the next step, they were ready to go immediately.

When looking at the seasonal snowfall, Mr. Watkins commented that a 15 inch snowfall was very unusual. There were many years in which the City did not have 15 inches all winter. It was a once in about every ten year event. He felt the question was whether they

wanted to change their philosophy in terms of snow by beginning to look at getting into subdivisions quicker. If they decided that needed to be done, he thought they needed to add additional equipment. He noted, at this point, he was not ready to recommend spending \$100,000 on new dump trucks that would be used once every 10 years because he felt that was a poor use of the taxpayer money. During the debriefing, staff suggested they look at putting chains, plows and spreaders on some of the existing four wheel drive pick-up trucks and making those trucks available to get into the subdivisions quicker. They would be smaller, more nimble trucks for the many subdivisions with narrow, windy streets and cars parked along the streets. He pointed out snow plows were hard to steer because they were designed to go straight. In addition, pick-up trucks would not be able to assist with real heavy snows. For most snows, however, they would provide an easy way to get into subdivisions at one-fourth of the cost. Pick-up trucks also did not require commercial driver licenses, so the City could cross train. If the Council wished to beef up equipment, he recommended starting here. It would cost about \$10,000 per unit. He commented that if Council wanted the big plows, they would not be available this winter even if they ordered them today. There was an opportunity to get a couple snow plow blades and spreaders for pick-up trucks and have them available in late January or February. Although the City did not get much snow in March, if Council wanted to proceed, they could provide a budget amendment to them at the next Council meeting.

Mr. Watkins stated he thought they did a thorough debriefing and felt the employees should receive an A+ for effort. They had 70+ employees from three departments manning snow plows on 12 hours shifts. In addition, there were a lot of people, such as water plant, sewer plant and power plant, joint communications operators, that literally camped out for a couple of days to ensure full staffing. He agreed some tweaking needed to be done in terms of communications. There was also a question regarding additional equipment and they felt the most cost effective way to address that would be to outfit some of the pick-up trucks. Mr. Glascock agreed and stated the first solution people tended to come up with was the need for more equipment. If the equipment was not used for 2-3 years, it tended to dry rot and could not be used when needed. He felt they needed to keep an optimum equipment level and not staff for things that were not needed for long periods of time.

Mr. Janku stated he agreed with the staff report, which indicated Council needed to provide direction regarding what service standard was community acceptable based upon resources required. He suggested they look at communities similar in size with similar snowfall patterns for a comparison. He stated he was not worried about the next 16 inch snowfall, but noted the City did receive a fair number of significant snowfalls every year where people would want to know they were able to respond. He thought by looking at other communities, they could show they were meeting a certain, objective standard.

Mayor Hindman stated he felt communications was one of the big issues. He thought they needed to use GPS or another system, which provided real time information regarding what was going on. It would let people know where the trucks had been, where they were and where they were headed next. He also thought being able to communicate with the public was important. A few things had already been mentioned, but many people, he noted, relied on the telephone. He suggested a 311 number or a reverse 911 system. He thought

they needed to look at all of the options because he felt much of the frustration came from believing someone else's street was being done or not having any idea when their street might be done. He also suggested they consider snow routes for major routes. He understood it would streamline the process and was being done in St. Louis and Kansas City. He agreed with Mr. Janku, but commented that it was not just the number of miles of streets, but the design of the streets and the layout of the community. In regard to determining the level of service, he agreed they could look at other communities, but thought there were other ways to determine that. He suggested they take the mean of snows and state they could handle that amount of snow with a certain level of service on the main streets and subdivisions and a certain amount of equipment. He thought they should expect to have problems with big snows and provide notice indicating which areas would be serviced last in those cases. He felt if people knew where they stood, they would react better.

Mr. Janku agreed, but did not want them to politicize who received priority. In regard to communication, even though only 60 percent of the City's constituents had cable, he suggested using Channel 13 on a live basis. He agreed they needed to respond to complaints, but was concerned about having a complaint driven process. He understood they tried to reach people who were ill and had emergencies and felt that was an appropriate reason to divert a snow plow, but felt if people, through GPS tracking, who realized they would not be getting service soon, would flood the call center. He questioned whether they would then divert a truck to that area. He was concerned with showing people exactly where the trucks were because he did not want to politicize the process.

Ms. Hoppe stated she was surprised there was not a priority in residential areas in terms of making sure streets were cleared that accessed a lot of citizens. She noted there were subdivisions with only one way out with a lot of people. She felt they should use factors such as being close to main arteries and the number of people being served in their priority rationale, so a cul-de-sac was not the highest priority. Mayor Hindman noted that was one of the reasons they had limitations on the length of cul-de-sacs. Mr. Janku commented they did not want to reward subdivisions that were not planned properly.

Ms. Crayton stated a problem she saw was that once the snow was packed down, nothing was put on top of it, so it was just ice. She suggested they throw something on top of it while they were plowing. Mr. Glascock commented that if they put salt on the ice, it would melt about ½ of an inch, but that was as far as it would go and if they did not get back over it within one hour, it would start to refreeze. They could not melt six inches of ice pack.

Ms. Nauser stated she felt the Public Works staff and everyone that pitched in did a great job under the circumstances. She agreed with the suggestion of looking at snow routes because with that amount of snow and the conditions of the roads, school buses could not get to many places. She stated she received several complaints regarding the time it took to take children to school. When looking at snow routes, she suggested they also look at adding at least one major thoroughfare through a subdivision as a snow route, so people could at least get to a clear street to get their children to a school bus. This would also decrease the overall traffic during a big snow event. She agreed this was a rare circumstance and noted she told people that the further they moved out, the longer it would take to get to those subdivisions due to logistics because they began in the center of town

and worked their way out. She commented that they were a society that relied upon instantaneous results and they could not expect instantaneous results with 15 inches of snow.

In regard to the 311 system, Ms. Crayton wondered who people could call in the middle of the night when their heat was not working. She noted people could not always call 911, but that was also an emergency situation. She thought the phone lines utilized should not only be for streets, but other emergency situations.

Mr. Loveless stated the majority of the people who contacted him were most frustrated about not being able to get information. He, therefore, felt anything they could do to provide information in a timely manner would help. He noted he also received requests regarding how the City prioritized streets for snow removal. He believed it would also be helpful if they could make an effort to explain that to the citizens. They understood the arterials and major collectors would be cleaned first. They wanted to know the priority within the subdivisions.

Ms. Hoppe asked if the snow routes would need to be signed. Mr. Watkins replied yes. Ms. Hoppe noted a lot of people were walking due to the amount of snow and thought it would be good for safety purposes to clear the publicly owned sidewalks and remind the citizens and businesses of their responsibility to clear the sidewalks. Mr. Janku stated the City cleared the City-owned sidewalks and he thought the Parks & Recreation Department got out really quickly. Ms. Hoppe noted many people were walking down Broadway to Eastgate for food. Mr. Janku thought those sidewalks were abutting private property. Ms. Hoppe thought the area south of the big wall on Old 63 was City-owned. Mr. Loveless stated that was also private property. Ms. Hoppe commented there were a lot of people walking since they could not move their cars and felt it was a problem that needed to be address. Mr. Loveless asked if she had any suggestions because they had struggled with that for years. He noted it was not just related to snow removal. It involved limbs, bushes and etc. They had been unable to come up with any answers when looking at that issue in the past.

Ms. Hoppe asked if there was any role for private companies to assist on a short term basis. Mr. Watkins replied the City did use some private companies, primarily in removing snow off of Broadway. On Friday and Saturday, there were not any blades available because they were being used by contracts for parking lots. A couple of the companies indicated the parking lot projects they normally did in an hour were taking them three hours to complete. He noted there was also a liability issue if the snow plow hit a car and for that reason, it was hard to get contractors to do the basic snow plowing of public streets. He noted they were able to get a road grader from a private company to help them out. Mr. Loveless pointed out those were not really designed for snow removal. Mr. Watkins agreed. Mayor Hindman thought it was interesting that some of the people that had private snow plows did not want to assist because of the potential of damaging their plows under the conditions of this storm. In regard to trash trucks, Mr. Janku understood those were not used because if they were damaged, they were very expensive to replace. In addition, being without a trash truck would severely impact trash service. Mr. Watkins commented buses could not be used because they were too light to have plows.

Mr. Janku made the motion to accept the report. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Hutton commented that during the pre-council meeting, they were provided a report on the Visioning Process and one of the thirteen sections was governance decision making or community involvement. Many of the points brought up at the BIG meetings were citizen input, citizen cooperation and getting people involved. He noted there were twelve openings on boards and commissions and only seven people applied. Mr. Loveless pointed out most of those were re-applications. He commented that citizens were saying they wanted to be involved, but when they had an opportunity to be involved by volunteering to be on a board or commission, they did not follow through. Ms. Hoppe encouraged people to look at what was available and to seek out people to apply they thought were knowledgeable and could contribute.

COMMUNITY SERVICES COMMISSION

Wagner, Becky, 3210 Gazelle Drive, Ward 2, Term to expire December 31, 2009

FIREFIIGHTERS' RETIREMENT BOARD

Fisher, John, 414 Rothwell Drive, Ward 4, Term to expire December 31, 2008

POLICE RETIREMENT BOARD

Harper, Milt, 1004 LaGrange Court, Ward 5, Term to expire December 31, 2008

SPECIAL BUSINESS DISTRICT BOARD

Ott, John, 212 Bingham, Ward 5, Term to expire January 1, 2010

Walther, Skip, 700 Cherry Street, Ward 4, Term to expire January 1, 2010

Wilkerson, Mary, 1404 Fir Place, Ward 1, Term to expire January 1, 2010

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Roger Gadbois, 428 E. Clearview Drive, stated coming from Iowa, he was very experienced with snow and when he first came to Missouri, he could not tell a difference between the winters there and here. He noted this last snow storm stopped Columbia in its tracks for four days and he did not think snow could be removed with computers. He commented a survey was completed about a year ago indicating the citizens were disappointed with 3-4 inch snow removal, so a problem existed then. He felt, by looking at the surveys, they should have known there was a problem. He believed the City needed to prepare for more erratic weather and stated that could be done with snow routes and knowing how to get the snow off of the streets.

James Robnett, 754 Demaret, stated that, in regard to the police review board, they delivered a response to the City today and asked them to read that report and take their ideas into consideration during their deliberations. They believed a police review board was needed because it enhanced democracy by bringing citizen input and participation. As attorney David Smith mentioned last time, it also created transparency for the review process when incidents occurred. Currently, they only received a simple, terse response as to whether an officer's conduct met or did not meet department policy. He noted the staff report

provided the number of complaints filed each year, but they wanted to know how many of those complaints were actually citizen complaints versus complaints that were internal staff complaints. They did not think many complaints were filed by citizens. He understood that if a consultant was brought in, that person would be here for about five days to complete an assessment. They strongly recommended, if it got to that point, that some type of focus group or town hall session be completed by the consultant to obtain citizen input because they wanted to see more citizen input in the process. He commented that they commended the City for meeting with the Justice Department last week through the auspices of the City's Human Rights Commission on the issue of racial profiling. He stated their point and purpose was to try and improve police community relations and he hoped they could all be involved in that process together.

Ms. Hoppe understood he was asking for a break down of citizen complaints and how those were followed up within the department versus the internal affairs. Mr. Robnett clarified they only wanted to see the numbers. He thought there was an average of 200 complaints filed each year during a five year period and they wanted to know how many of those 200 complaints were actually filed by citizens involving citizen complaints against department personnel versus just internal complaints of staff against staff.

Ms. Hoppe stated there was another accident at Stadium and Audubon by Hollywood Theatres. The residents turning onto Audubon to go into the Shepherd Boulevard area were having a difficult time because there was no left turn lane. She clarified it was when they were going east on Stadium and turning left onto Audubon. She understood it was a State road, but noted she had received repeated complaints. She asked if they could inquire or make a recommendation to the State regarding this intersection. Mr. Glascock stated he could contact them. He noted he would also go out and look at the intersection to see if there was room for a left turn lane. He asked if they were getting rear ended and asked for clarification regarding the accident. Ms. Hoppe replied she understood it was a serious accident, but did not have the details. Mr. Glascock stated that if it was a rear end collision, it could be prevented with a left turn lane. However, if it was a left turn t-bone type accident, a left turn lane would not solve the problem. Ms. Hoppe stated she thought it was an accident involving someone trying to make a left turn onto Audubon. Mayor Hindman thought a light would solve the problem. Mr. Glascock noted there was already a light there. Mr. Janku did not think there was a left turn arrow. Ms. Hoppe stated she thought they wanted an arrow. Mr. Glascock understood they wanted a protected left. Ms. Hoppe replied it was correct.

Mr. Janku stated he wanted staff to try to obtain some additional donations along the Bear Creek Trail and noted he would be happy to visit them in regard to his ideas. He appreciated the donation made by the Nelson's and hoped some other people would follow their lead.

Mr. Janku commented that he received a call from a constituent indicating Hockaday had been torn up a while back and had not yet been repaired. She was concerned about the drainage easement through her yard because it was causing problems with drainage off of

Brown School Road. He noted he would forward her contact information to staff for them to respond.

Mayor Hindman made a motion for Council to adjourn to a closed session on Tuesday, January 2, 2007 at 6:00 p.m., in the fourth floor conference room of the Daniel Boone Building to discuss contract negotiations, personnel matters and litigation and that the meeting be closed as authorized by Section 610.021(12), (3) and (1) of the Revised Statutes of Missouri. The motion was seconded by Mr. Janku with the vote recorded as follows:
VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, HINDMAN, CRAYTON.
VOTING NO: NO ONE.

The meeting adjourned at 9:01 p.m.

Respectfully submitted,

Sheela Amin
City Clerk