

**MINUTES**  
**CITY COUNCIL MEETING – COLUMBIA, MISSOURI**  
**NOVEMBER 20, 2006**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, November 20, 2006, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER and HOPPE 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 November 6, 2006 were approved unanimously by voice vote on a motion by Mr. Hutton and a second by Mr. Loveless.

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

Mayor Hindman noted R252-06, which was related to the ICMA Retirement Corporation deferred compensation plan, would be added to the agenda under New Business. The agenda, as amended, including the Consent Agenda, was approved unanimously by voice vote on a motion by Mr. Loveless and a second by Ms. Hoppe.

**SPECIAL ITEMS**

None.

**SCHEDULED PUBLIC COMMENT**

None.

**PUBLIC HEARINGS**

**B444-06 Amending Chapter 23 of the City Code as it relates to signs in the Columbia Special Business District.**

**B445-06 Amending Chapter 6 of the City Code as it relates to building code regulation of awnings in the Columbia Special Business District.**

The bills were given second reading by the Clerk.

Mayor Hindman explained they had received a request to table these items to the January 16, 2007 Council meeting.

Mayor Hindman opened the public hearing.

Phebe LaMar, an attorney with offices at 111 South Ninth, stated she understood no work had been done since the Special Business District decided to request the tabling of these items, so she felt the January 16<sup>th</sup> date might be too soon.

Mayor Hindman stated he thought it would be best to leave it as January 16<sup>th</sup> and if there was another request for an extension, he would agree to it.

There being no further comment, Mayor Hindman continued the public hearing to the January 16, 2007 Council meeting.

Mr. Loveless made a motion to table B444-06 and B445-06 to the January 16, 2007 Council meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

**B446-06 Approving the Preliminary Plat of Bearfield Plaza Subdivision located on the northeast corner of Bearfield Road and Grindstone Parkway; approving the C-P Development Plan of Tiger Express Car Wash at Bearfield Plaza.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would create a two lot C-P zoned preliminary plat and would allow for an 11,000 square foot car wash facility on one of the lots. The Planning & Zoning Commission recommended approval of the proposed preliminary plat and the C-P development plan. Mr. Teddy clarified the preliminary plat was for two lots and the C-P plan involved only one of the two lots, so there would be another C-P plan coming to the Council in the future.

Mayor Hindman opened the public hearing

Matthew Kriete, an engineer with Engineering Surveys and Services, 1113 Fay Street, stated he was representing the owners of the Tiger Express Car Wash and the remaining property and was available to answer questions.

Ms. Hoppe asked why there was a retaining wall on the conceptual site plan. Mr. Kriete replied the car wash created a long flat area that did not allow enough room for grade transitions, so in order to match the entrance on Grindstone Parkway, they had to raise the site to provide adequate grades for traffic and pedestrian movements.

Ms. Hoppe asked for clarification regarding the oil grease and grid separator. Mr. Kriete replied it was to remove any of those types of materials that came off of the cars and into the tanks while they were being washed.

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

The vote on B446-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B455-06 Authorizing construction of water main serving Ewing Industrial Park, Plat 5; providing for payment of differential costs.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this involved their standard agreement for differential water main costs. In this case, the additional cost for the 285 feet was estimated at \$10,500.

Mayor Hindman opened the public hearing

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

The vote on B455-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared adopted, reading as follows:

**(A) Construction of the LeMone Industrial Boulevard extension project.**

**B464-06 Authorizing the Crosscreek Center development agreement with Stadium63 Properties, L.L.C. relating to the construction of and payment for transportation improvements including the extension of LeMone Industrial Boulevard and Stadium**

**Boulevard and public roadway and access improvements on property located on both sides of Stadium Boulevard east of U.S. Highway 63.**

**B465-06 Authorizing an agreement with Little Dixie Holding Company, Inc. relating to the extension of LeMone Industrial Boulevard.**

**R251-06 Approving the Preliminary Plat of Crosscreek Center Plat 1 located on the east side of U.S. Highway 63, along both sides of Stadium Boulevard (State Route 740); granting a variance from the Subdivision Regulations.**

Item A, the bills and the resolution were read by the Clerk.

Mr. Watkins explained Item A was the required public hearing for the public improvement. B464-06 and B465-06 involved development agreements with the developers on either side. If approved by Council, they would pay for about half of the cost of the improvement. R251-06 was the preliminary plat that went with the other items in terms of providing right-of-way for the actual improvements. He noted staff felt there was a need for this facility. The project would fill a community need and benefit Columbia as a whole. It would provide a safer road system for everyone in the area to include school children at the day care center and at New Haven School, older drivers at Lenoir, nearby residents on unimproved roads, businesses and their employees, the traveling public that used the Marriott hotel, drivers in the congested AC/Highway 63 intersection and residents using U.S. 63. They felt it was critical to have better traffic flow for public safety and emergency vehicles. An improved LeMone was more likely to attract the kinds of businesses and jobs they wanted in the area. He noted all of these entities paid property tax and several paid sales tax as well. He commented that Columbia was growing to the east. They could plan and build an infrastructure in advance or they could try to wedge it in after development occurred as they had done for several other projects including Scott Boulevard. He stated LeMone had long been part of Columbia's street improvements plans. It was platted in the 1970's, added to the City's road plan in the 1980's and budgeted into the City's CIP Plan in 1993. City voters approved two of three finance issues for road improvements in 2005 and LeMone Boulevard was on the list of projects put out by the Ballot Issue Promotion Committee. In addition, the Council named LeMone in the project list adopted in December 2005. Staff thought it was a project whose time had come. Although it was budgeted at \$8.9 million, the proposed development agreements would cut the City's portion to approximately \$4.5-5 million. He noted more than 3,500 vehicles were in just the industrial loop on an average business day. Also, on an average day at the LeMone and New Haven road intersection, according to MoDOT counts, there were about 18,000 vehicles. This was substantially more than Gillespie Bridge Road and Scott Boulevard. Staff felt they had a unique window of opportunity to move the project forward.

Mr. Glascock showed part of the current CATSO Major Roadway Plan on the overhead and stated LeMone was classified as a major collector and would connect New Haven Road and Stadium Boulevard. He explained a collector moved traffic and helped with land access of adjacent land. LeMone was first placed on this document in 1984. He noted that in 1979, the Industrial and Office Park was platted, in 1984, LeMone Industrial Boulevard was added to the roadway plan, and in 1993, LeMone was placed in the CIP at \$3 million. In 1997, the City received a petition to extend LeMone, which was signed by 42 people in the

area who were mostly living south of New Haven Road. At that time, there were 1,400 employees in the Park. In 2002, the Council adopted the CATSO 2025 plan. In 2001, the City contracted with the Larkin Group to study alternatives for the extension of LeMone to the north and in November 2002, the consultant presented staff with four alternatives for consideration. In 2005, the City passed the extension of the quarter cent transportation sales tax and an increase in the development charge to fund street transportation improvements. With the citizens voting in favor of two of the three funding initiatives, they could fund approximately \$80 million of the transportation needs. If all three had passed, it would have been \$105 million. He noted LeMone was part of the improvement presented. In 2006, a developer received commercial zoning for the property north of the LeMone Industrial Boulevard complex, which also extended to the north side of Stadium Boulevard. Both developers were agreeable to participating in the cost to extend LeMone Industrial Boulevard.

Mr. Glascock stated LeMone would be extended approximately 2,700 feet and Stadium Boulevard would be extended approximately 600 feet. They were looking at a 36 foot wide template with a five foot sidewalk and an eight foot pedway. The right-of-way width would be 66 feet. This currently met the City's standard for a major collector. He showed a typical section on the overhead and noted the travel lanes were 12 foot wide and the shoulders were 6 feet. He noted those could be restriped, so they could look at eleven or ten foot lanes. He stated the bottom diagram showed the typical section of Stadium Boulevard. It was shown as a parkway. He pointed out MoDOT would determine how that would be extended because it was a MoDOT street. The City would work with MoDOT to bring back something that was agreeable to all.

Mr. Glascock provided an illustration of the four alternatives and explained the differences between the alternatives. He noted there were basically two alignments. Three came off of LeMone and one tied into McGuire. He commented on the average daily traffic counts and pointed out 44,000 cars were on Highway 63 in this stretch and if they went south of AC, there were only 26,000. This meant a lot of people were getting off at this location. He explained the Park employed an estimated 1,900 people. He stated the traffic count was around 14,000 cars per day east of LeMone. As a comparison the count on Scott Boulevard at Chapel Hill was 12,000, Nifong Boulevard and Vawter School Road was 10,000, Clark Lane where it went to two lanes was 11,500, and Broadway, east of Keene Street, was 8,000. He showed photographs of the area on the overhead around 4:30 p.m. from various views and locations. If connected and people were able to use the Stadium Boulevard exit, traffic would clear out much quicker. The 4:30 p.m. traffic would be clear when the 5:00 p.m. traffic showed up. This was the main reason, they wanted the connection. Mr. Glascock explained for alternative #4, they tried to shorten the bridges and cross at the narrowest points. He explained they walked the alignment with the Department of Natural Resources, the Conservation Department and the Corp of Engineers to make sure the environmental impacts were being addressed. Those agencies did not see any issues, but pointed out things they wanted the City to look at, such as ensuring the bridge opening was wide enough to keep the water from rising, avoiding the fill within the floodplain, minimizing disruption to the repairing vegetation, and avoiding archeology sites.

Mr. Glascock noted Section 22-108(f) of the Code of Ordinances indicated the City was responsible for all major drainage structures and that the rest would be provided for by the developer. He explained the developer would donate the right-of-way for LeMone, Stadium and Cinnamon Hills within his subdivision, construct the Stadium Boulevard extension to MoDOT's request, relocate and construct Cinnamon Hills to City standards, construct LeMone Industrial Boulevard from Stadium extended to the bridge over the north fork of Grindstone Creek, construct LeMone Industrial Boulevard from the northern terminus of LeMone to the bridge over the south fork of Grindstone Creek and contribute \$300,000 toward the paving between the bridges. He commented the design would be at the City's expense and noted they had already started the process with the conceptual plan. They wanted to be sure the design of the bridges would fit the City's needs. The City was responsible for the construction of the bridges over the north and south forks of the Grindstone Creek. The City would pave between the north and south fork bridges using the cash contributed by the developer.

Mr. Glascock pointed out other locations were considered. Connecting Warren Road to McGuire was considered. Staff agreed this connection should be made in the future, but felt it needed to be connected north of the LeMone development, so access could be to two interchanges as well as New Haven Road. The advantage of this was a second exit for LeMone Industrial Park. The disadvantages included the fact it would not relieve congestion, it would not help local traffic south of New Haven, it would increase traffic flow in front of an elementary school, it would not increase public safety access and it would be a 100 percent cost to the City. He presented photographs on the overhead of traffic at New Haven Elementary when school let out. If they only connected McGuire to Warren Road, the traffic would be brought back around to the school area. He noted Warren Road was currently a gravel, 24 foot wide road and that mobile homes and utilities might need to be moved. Another consideration was connecting Warren Road to Rustic Lane. Staff thought it was a good idea, but a little ahead of its time. They felt they needed all connections possible to access the land adjacent to LeMone and 63. They thought LeMone should be the first step and that building at Rustic Lane would be building around the problem. He noted the advantage would be connecting New Haven Road to Route WW, but the disadvantage was that there was no connectivity south of New Haven Road. They would have to reconstruct over two miles of new street at an estimated cost of \$16 million and it would not connect to Stadium Boulevard. Mr. Glascock noted interchanges were like funnels and they needed to use them any chance they had because 63 was a barrier from the east side. This would also put industrial traffic into residential areas. He showed photographs of Rustic Lane and noted it was gravel with an 18 foot wide old bridge.

Mr. Glascock commented that another associated issue was the need for transit in the area and described a potential route with the Stadium and LeMone extensions. He also presented a drawing of the CATSO Proposed New Roadways for the area and noted the recommendations being made were good, but he felt they needed start with the first one, which was LeMone, and work their way out.

In regard to the interchange, Mr. Glascock explained they were looking at a single point interchange. It would have a signal in the middle for people coming up the ramp and

turning left. All of the people turning right could go when they had an opening. He noted a signal could possibly be located at LeMone in the future.

Mr. Glascock stated similar projects on the ballot issue were the Providence Road extension over Bear Creek, which extended into the Bear Creek Industrial Park, and the Vandiver extension over the Hinkson Creek for relief in northeast Columbia, so people did not have to travel down Ballinger and Clark Lanes to Route PP.

Mr. Glascock noted development was occurring in the Grindstone Watershed and along New Haven Road. This project had been on the City's Major Roadway Plan for 22 years and the developers were willing to contribute to the project. When the City originally put the project on the Plan, the cost was \$3 million. It was \$8.9 million today. He reiterated the Council adopted R276-05 in December 2005, which prioritized LeMone Industrial Boulevard.

Chief Markgraf explained they currently had a half-mile long cul-de-sac, so if something occurred, it would affect the businesses on LeMone Industrial Boulevard, the Marriott, New Haven School, Lenoir, Maplewood Apartments and a major subdivision. He stated Warren Road would be of no value to the Fire Department. New Haven was very narrow and did not have a lot of maneuverability. If they were traveling that road when the school discharged in the afternoon, they would have a problem. It would take them 2.75 minutes to get to the south point of LeMone Industrial from Station No. 8, which was at Nifong and Bearfield. It would take 3.8 minutes to get to the north point of LeMone Industrial. If Station No. 8 was tied up on another call, the next due was Station No. 7 at Providence and Nifong. It would take them 6.1 minutes to respond. He noted this would also apply when going south to Lenoir and the trailer park. The next due was Station No. 3. He explained that when they had a first alarm fire, they would send three engine companies, a squad, a ladder truck and two division chiefs. The ladder truck would come from Station No. 1. It would take the ladder truck 8.9 minutes to get to the upper point of LeMone. With the extension of LeMone, the 8.9 minutes would be reduced to 6.7 minutes. There would be no impact for Stations No. 7 or 8. It would only impact Stations No. 1 and No. 3. If Station No. 3 responded with an engine and squad, it would take 7.1 minutes to respond. The time would be reduced to 4.5 minutes with the extension. He noted an accident at Providence and Nifong would take engines from Stations No. 7 and 8 out of the picture, so a call from Lenoir, the trailer park or the Woodland Subdivision would require an engine from Station No. 3. From the Fire Department's point of view, the proposed extension was a very significant and positive improvement to response times. Another alternative would be for response to come from County Station No. 15, which was south toward the pipeline, and County Station No. 12, which was on WW, three miles east of 63 on Broadway. It would take County Station No. 12 about 9.6 minutes to reach LeMone. It would take County Station No. 15 about 9.9 minutes to get to the area. Chief Markgraf pointed out that if they had an incident on Highway 63 and had to close it down, there was no where for traffic to go other than through residential areas. The extension would allow them to re-route traffic between New Haven and Broadway. From a response point of view, this was a significant opportunity to help the Fire Department provide better service to their customers.

Ms. Hoppe asked what the average response time was in general. Chief Markgraf replied their goal was to have the response time at 4.5 minutes 80 percent of the time. They were currently at 52 percent of that.

Ms. Hoppe asked if there were plans for more stations in the area due to all of the development on the east side. Chief Markgraf replied they felt the next station needed to be to the south and thought the best location would be at Stadium and 63. He stated they did not have any planned yet and noted there were greater needs projected in the next ten years. He pointed out they had to consider the cost of staffing them.

Mayor Hindman opened the public hearing

Gay Bumgarner, 1315 Rustic Road, presented a diagram on the overhead, which showed the locations of the City's 18 most important roads to repair, and noted LeMone was the top priority. She commented that LeMone would cost more per inch than any other road in the City's history. She stated LeMone consisted of large warehouses and trucks and that Stadium63 Properties would be constructed for business ventures used by motorist, pedestrians and cyclist, who would not expect to battle truck traffic. According to the Little Dixie traffic count, there were 3,500 vehicles per day. With the addition of 70 acres under construction plus the 21 acres for sale, the daily traffic could double. She illustrated the cross sections involving the extensions on the overhead and showed where the land would be cut. Stadium63 Properties indicated they would pay for the extension of about 600 feet of Stadium, which she noted they had to build for their interior road. The only extra costs to them would be for the small portion joining the bridge and the grading between the two bridges. She understood the roads and bridges would only be two lanes wide, which meant the existing four lane road of LeMone would narrow into two lanes for three-tenths of a mile. She hoped the City realized the need for four lanes because it was not a small inner road. It would take a large amount of traffic. She stated if it was built, it would be because LeMone had always wanted an entrance and exit onto 63 and would consider no other option. She understood MoDOT indicated that if Stadium was chosen as the new way to Interstate 70, they would have no money in the budget for the next ten years. She felt the easy solution for LeMone traffic in the near future was to widen Warren Road. She described a potential route using the overhead. She commented that the problems suggested by Public Works from using Warren would be a small compared to the cost of the extension.

Karl Skala, 5201 Gasconade Drive, stated he was representing the Citizens for a Timely and Responsible Road Infrastructure Financing (TARRIF) and showed the area in question and the City's ten year street needs on the overhead. He noted the Ballenger overpass across I-70 and the improvement to St. Charles were included. He commented that LeMone rose to the top of the list despite the considerable development pressures in the north part of Columbia. He stated some were even dropped from the City's list, although they were still on the MoDOT EIS list. TARRIF opposed the LeMone extension because it transected the sensitive Grindstone Creek Watershed, just above the stream's confluence. They felt that was significant to the health of the stream. TARRIF also opposed the project because it purported to connect with a permanent extension of Stadium that might not occur and the City could end up with two bridges going no where. They also opposed the project because of increased north/south traffic could turn LeMone into a glorified and expensive

frontage road. It was close to Highway 63 and they felt the stacking distance problem was not changed by widening or improving this road. They would need north/south routes east of LeMone and he believed those were even more necessary than LeMone. He noted Warren would only cross one fork of Grindstone Creek with a bridge that needed to be improved. Mr. Skala understood they were talking about \$5 million for the City and \$2 million for each requisite developer and noted the \$2 million on the north side was being funded with the TDD, which meant there was actually \$7 million in taxpayer dollars going into this project. On the south side, Mr. LeMone and the Little Dixie Construction Company would absorb some of those costs, but he would also participate in building what would normally be his own internal circulation. TARRIF felt the questions were who should pay, when they should pay and how much it would cost.

Mr. Janku explained there was a proposed amendment to B465-06, which involved a TDD, and thought they should offer the amendment for discussion. Mr. Janku made the motion to amend B465-06 per the amendment sheet. He also asked for a staff report regarding the amendment. Mr. Boeckmann explained the amendment was to the proposed agreement with Little Dixie and would allow them to be reimbursed for their cost outside of the subdivision through the TDD. Mayor Hindman asked where the TDD would be. Mr. Boeckmann replied it was the same TDD as the one being formed at Stadium.

The motion to amend B465-06 per the amendment sheet was seconded by Mr. Hutton.

Ms. Hoppe asked how much Little Dixie would be reimbursed by the TDD. Mr. Watkins replied the current arrangement the Council had in front of them allowed Stadium63 to establish a TDD over all of the ground they owned at a half-cent sales tax for a maximum of 20 years. The maximum amount would be dependant upon how much sales tax was generated in that area. If they did not generate much sales tax, the TDD would recover substantially less than estimated. There was no guarantee and the developer had to front the money at his expense. Ms. Hoppe asked how much Little Dixie was asking to be reimbursed by the TDD. Mr. Watkins replied the reimbursement would be for their costs for the 465 feet. Ms. Hoppe asked if they had an approximate number. Mr. Watkins replied approximately \$1.5 million.

Sue Underwood, 711 Rustic Road, stated the Planning & Zoning Commission unanimously voted against the extension of LeMone Industrial Boulevard and read portions of a June 2006 report. She commented that the Planning and Zoning Commission was not invited to discuss its review of the CIP at a Council work session and noted the Commission had several recommendations. She stated the report indicated the Waco Road extension was listed as a ten plus year project, yet the Smith Tract Park/Fire Station site on Waco Road was a 3-5 year project. Further, recently there were major developments planned for the area. The Planning & Zoning Commission unanimously recommended that the road project and the park/fire station be added to the 3-5 year time period. They also recommended the LeMone Industrial Boulevard extension to Stadium Boulevard be removed from the plan. Alternatives, such as an enhancement of the LeMone Boulevard/New Haven Road/Highway 63 interconnections, they felt, should be considered. The Commission's reasons were the very high cost to distance, the relatively narrow distribution of public benefits, the much



higher impact projects, such as Waco Road, that could be done with the money and the extensive negative environmental impacts. The recommendation was unanimous. They felt the Ballenger Road overpass should be moved up in priority from ten plus years to 3-5 years. They thought the Providence Road from I-70 to Ash Street project needed to be added to the plan for corridor improvements and enhancement projects in the ten plus year period. They also felt Gans Road should be identified as a parkway and suggested the Council establish appropriate standards for parkways separate from the CIP.

Paul Land, 2401 Bernadette, stated he was present as a Board Member of the Regional Economic Development, Inc. (REDI) and asked for clarification regarding whether LeMone was two lanes or four lanes. Mr. Glascock replied it was a 38 foot two lane pavement. Mr. Land noted LeMone Industrial Boulevard extended to Stadium Boulevard was listed on the 2005 transportation ballot project list adopted by the Council on December 5, 2005. He thought that statement alone should reassure the Council to vote in favor of this tonight. He wondered what had changed in a year's time that would lower the priority for this extension. He understood it had risen to the top because two landowners were willing to contribute about half of the project cost. He noted there were over 30 individual business entities that operated in the Concord Office and Industrial Park and they employed over 1,900 employees and had over 1,400 guests. The traffic was channeled to a single entrance and exit point, which he thought was a safety issue. The businesses were situated on over 20 separate real estate ownership parcels and included major employers, such as Dana Corporation, Gates Rubber, Dialysis Clinic and Coca-Cola. Landowners and business owners in the Park annually contributed over \$680,000 in real property taxes and \$750,000 in personal property taxes that were distributed to Columbia Public Schools, the City, the County and other taxing jurisdictions. He noted this was the only significant industrial zoning area within the City limits south of Broadway, and therefore, available to a large pool of residents that resided south of Broadway. He commented that this project had been on the City's to do list for over two decades and he felt it was time get LeMone built to the north.

Scott Ward, 3030 S. Big Timber Drive, stated was representing ABC Labs and that they were expecting to move into Discovery Ridge in early 2008. They would have 200-250 employees south of New Haven trying to exit onto 63. He thought coming south off of LeMone might be a little easier to get on to 63, but with no light, it would be very difficult to make that turn. As a resident going down New Haven everyday, he saw all of the traffic and believed it was important to have some egress from the site. He noted the proposed interchange to connect Gans across 63 to Discovery Ridge would probably not happen until 2009 or 2010, so they needed some form of egress in the meantime.

Catherine Parke, 413 Thilly Avenue, stated the photographs showing traffic in the LeMone and New Haven area could arguably be read in a very different way. There was too much traffic. This project dated back 22 years and much had happened in terms of urban planning, traffic planning and mass transit planning in those years. She believed this project should be thought of in terms of too much traffic and best practices. She noted that last spring the Visioning process in which citizens, elected officials and City staff would collaborate on thinking about the future of Columbia was announced. Since that time a number of major projects had been voted on by the Council. They were projects she felt

should have been included in the Visioning process. She stated it was disheartening when project after project was approved before the Visioning project had the opportunity to consider the whole health and future of Columbia. She urged the Council to not vote for this project tonight and to wait on all major decisions until the Visioning process could begin. If the Council did not, she felt the citizens would not believe the Visioning process was real and they would miss a genuine opportunity to think about the City together.

Nancy Harter, 201 S. Glenwood Avenue, stated she was a member of the City' Process and Procedures Stakeholders Group and that they submitted their report last summer. Among their recommendations was that the Council needed more time to concentrate on public policy issues including the basic issues of how a given tract of land should be used and the public needed sufficient time and information for meaningful participation. She commented that increased participation would improve the quality of decisions and decrease the resentment of decisions that were made. Those educated to participate and predict the process were less likely to be distrustful of the process and outcomes. She was concerned that since the report was submitted, the public was still not given sufficient time or information for meaningful participation with tonight's public hearing being an immediate example. Therefore there was a great deal of resentment and distrust from Columbia residents. Hopefully in the future, the City would provide adequate time and information to the public prior to public hearings, so there could be an informed trusting public who had meaningful dialogue with all of them. She understood the LeMone project had been on City books for years and that the City had been working on this since the last election, but the Council first posted it on November 6<sup>th</sup> to the public, they had a closed session on November 13<sup>th</sup> and they were holding the public hearing with a vote on November 20<sup>th</sup>. She did not feel this was not sufficient time. She also did not think sufficient information had been given to the public taxpayers. She also thought it was unfair to schedule a public hearing on such an important subject prior to a holiday. She stated there were questions regarding the LeMone project and facts that had not been fully put forth for the public to understand and the public needed to see the studies that had been done. She noted Scott Boulevard had developments popping up monthly and asked if those were included in the study. She wondered what time of day the studies were performed on both roads, when the studies were done and which company did the assessment of the studies, the bridges and what the road would cost. She hoped further public information would be given for other projects, so they could understand what was happening and where their tax dollars were going.

Mr. Boeckmann pointed out the Council had not held any closed session dealing with this topic.

Deanna Walkenbach, 407 Pyrenees Drive, understood it was an open, planning session. Ms. Walkenbach stated she saw this as a band-aid because if traffic increased as much as Public Works was predicting, they would have as much traffic at New Haven as they did now, once the industrial areas built out. She understood Public Works had looked at doing more on New Haven, such as widening it and making the 63 connector a better influx. It seemed to her that they were spending money on something that was not going to work for a very long period of time.

Wayne Fletcher, 3015 LeMone, stated he was the Plant Manager at Gates Corporation, which employed 144 people on LeMone Industrial Boulevard. They had about ten semi-trucks each day that took product out of their facility for delivery to customers. They had about ten more that delivered product to their facility. He noted within the last two years, there was a high speed chase that started in Jefferson City and ended just off their property on Highway 63. Both lanes of Highway 63 were closed and for 3-4 hours, they were stuck in the cul-de-sac. There was also a gas leak when the Courtyard was being built and if it had not been for Bob LeMone's parking lot, they would not have been able to get out. They went around his building and on to New Haven. He noted the number one threat for catastrophic failure to industry was fire and hearing the response times could be cut in half made them excited about the LeMone extension.

Don Stamper, 2604 N. Stadium Boulevard, stated he was speaking on behalf of the Central Missouri Development Council and felt 22 years was enough time. He noted the Process and Procedures Stakeholders Group did not discuss how transportation issues would be decided because that was what CATSO was for. As a community, when they could strike a public/private partnership to help fund an infrastructure and work together, he thought they should embrace it. He pointed out developers were significant taxpayers also. He understood the desire to double up on the developer contribution and taxpayer contribution, but commented they all paid taxes. The idea was that when the community passed a charge on to a developer, he absorbed it. He did not. It was passed on to the citizen. He stated that happened in every increment of life. It was passed on through rent, the cost of a product, the cost of materials or the cost of labor. With 1,900 employees in this project, it was a significant contribution to the local economy. He commented that the economy fed all of the things they loved and enjoyed in this community. They had very strong economic engines and he felt it was important to embrace those engines and to strike a balance in the community. He believed this was about jobs, commerce, public safety, who paid for what and the opportunity to have a public/private partnership. He urged the Council to support the extension of the roadway and noted he felt these decisions were better left to CATSO due to the way they worked through issues to come up with priorities.

Bob Pugh, 1411 Torrey Pines, stated he recalled discussion at the time Mr. LeMone advocated and advanced the annexation proposal regarding what they would do about LeMone Industrial Boulevard if it ever got off of the ground and there were a couple thousand people working out there. He noted the proposition was that they would extend it to the north and hook it up with the stub on Stadium Boulevard. At that time, it was not formalized and there were no engineering studies, but the straight line was drawn showing LeMone would go north across the Grindstone Creek. It would go to LeMone's property line and after that the City would pick up the cost. It was now more than 25 years since that was discussed. It was long past due and the problems were getting worse. He stated City staff had professionally presented the facts and it was a reasonable request. He thought it was too bad it would cost as much as it would, but felt the cost of time made it that expensive. If it had been done in prior years, it would have cost less. He noted the developers were providing about 50 percent of the cost. He thought it was unfair to characterize it as a bridge to no where. There were 1,900 people working out there. He understood it had been said this was a benefit to

Mr. LeMone and the developers, but noted it was really a benefit to the people working out there and would assist with public safety issues. He urged the Council to vote in favor of it.

Raymond Lansford, 2 Springer Drive, stated for the past 15 years he had attended a lot of meetings and listened to reports. He believed he had heard the best report at this meeting concerning the necessity of taking the load off of the largest cul-de-sac in Columbia, LeMone Industrial Boulevard. He thought the action shown on the pages presented, along with the basic philosophy in terms of cost and changing opportunity, told him this was an item that needed to be worked with immediately. He thanked the Council for the work they had done.

Phebe LaMar, an attorney with Smith-Lewis, 111 South Ninth, stated she represented Little Dixie Holding Company and that they would be responsible for building 400 feet of the road, which was the portion of the road located directly on their property, at no cost to anyone else. They would receive no reimbursement and it was a cost of approximately \$120,000. At the point they started building the road from their property line to the first bridge, they would have the possibility of reimbursement for that portion at the same rate everyone else in the TDD was reimbursed. She noted the TDD would also eventually reimburse the City and County for their expenses. She commented that over the past 30 years, Mr. LeMone and the Little Dixie Holding Company had spent about \$2 million on improvements to the infrastructure that served the Concord Industrial Park. They built LeMone Industrial Boulevard and McGuire Boulevard. They also put in the sewer and utilities. She stated there were 1,900 employees working in the Concord Industrial Park and felt this was not just a small group of people that benefited. She listed some of the organizations located in the Park and noted they provided benefits to a large part of Columbia. She clarified LeMone was only two lanes and trucks were not the only vehicles going in and out of the Industrial Park. There were 1,900 people in smaller vehicles than trucks going in and out of the area. She asked the Council to vote for favor of this.

Linda Yaeger, 4001 Wyatt Lane, stated she was the Executive Director of OATS, Inc., which was located at 2501 McGuire and off of LeMone Boulevard. She explained OATS was a not-for-profit company that was providing transportation to seniors, people with disabilities and the rural general public. With 1,900 employees plus an estimated 1,350 visitors daily, there were over 6,000 one way trips and if only half of them left for lunch, there would be another 2,000 one way trips. She noted OATS purchased their lot from Mr. LeMone a few years ago. They constructed a joint home and Mid-MO office building and maintenance facility. The Mid-MO office served 15 counties and the home office served 87 of the 114 Missouri counties. One of the biggest issues they had to deal with was the significant delays in exiting the Park, particularly when the various facilities closed for the day or had a shift change. During those times, there were long lines of idling vehicles attempting to get on New Haven off of LeMone. This was a particular problem when they had riders waiting to be transported. She noted they planned ahead for delays, but it cost them additional money in labor and gasoline. In addition, it was an inconvenience for their riders when the wait times exceeded their expectations. She pointed out the bigger problem was that there was only one exit from the Park because, as a federally funded agency, they were required to develop an emergency plan that showed how they would help out if there was a 9/11 type emergency.

She did not see how she was going to be able to comply with that requirement at the current time. She felt there was no better time than now with Stadium63 Properties and Mr. LeMone willing to pitch in.

Bob Black, 507 W. Lathrop Road, explained, in the late 1970's, he talked Mr. LeMone into developing an industrial park, which was now the Concord Office Industrial Park. At the time, it was the best industrial site south of I-70 and people would ask if it would ever cross the creek. In the early 80's, it was added to one of the street plans and they were then able to tell people they recruited that someday there would be a bridge across the creek. Many fine industries had located out there and most believed there would be a crossing of the creek to the north. He felt the Warren Road alternative would create another major problem for the school. He wondered if this had been a residential area with 1,900 residents if it would have been done a long time ago. He thought because it was an industrial park, they thought less of it. He urged the Council to vote for the extension.

Bo Fraser, 1601 Stonehaven Road, stated he represented the Columbia Chamber of Commerce Transportation Committee, which he co-chaired with Dave Griggs. He commented that they were on the Committee because there were some issues they were both concerned with. They felt development had gotten ahead of infrastructure and that the City was building roads at too slow of a pace. This caused huge problems in traffic and the cost was astronomical when they did get around to building roads compared to what it would have been. Because the Council had the foresight to put this issue on the ballot and the voters had the wisdom to pass it, they now had money to do some things that needed to be done, to include LeMone Industrial extension. He explained the Transportation Committee identified and prioritized all of the projects in Columbia that needed to be on their radar screen and this project was on the list. The 15 people on the Committee unanimously put this project on the list. It was not controversial from their view. He urged the Council to vote in favor of it.

Roger Schwartz stated he was representing MoDOT and wanted to urge the Council to support this project. He noted the City was part of the CATSO group and when it came to planning roadways in the Columbia region, it was important to figure out where to put them so large volumes of traffic could be handled. They had an opportunity to make a connection from the Industrial Park up to 740 to provide the people who worked and lived in that area an alternate way out. When looking at the numbers at the Highway 63/Route AC Interchange, there were huge amounts of traffic to the north side versus the south side, so it was obvious a lot of people were exiting at Route AC or New Haven Road. He noted MoDOT had experienced traffic volumes backing up down the ramp on to Highway 63 during the morning rush hour earlier this year. This caused a significant safety concern, so they adjusted the signal time to get traffic off of Highway 63. This backed the traffic up on New Haven Road or Route AC. He commented that if there was any type of congestion or accident blocking the intersection, it would not allow emergency vehicles to get in there. By providing the connection to the north, it gave emergency vehicles and the people that traveled there an alternate way in and out.

Ms. Hoppe asked if MoDOT had analyzed and studied having an exit route through Warren Road, the widening of New Haven, a connection from Rolling Hills Road to WW and

other things they were contemplating with the eastern transportation study. She understood there were nine alternatives. Mr. Schwartz replied MoDOT, the City of Columbia and Boone County were all participating in the environmental impact statement on the eastern side of Columbia, which involved looking at alternatives to provide traffic flow through the eastern side of Columbia. It could include things such as improvements to WW or extending Stadium up to I-70. He stated if he understood what was being asked, if an alternate route was provided in that manner, it would still bring the people back to New Haven Road and Highway 63. Ms. Hoppe clarified her question involved having an alternate out of LeMone and an alternate eastward and northward. Mr. Schwartz replied it had to hook up somewhere and to get emergency services in there or to provide people with a decreased travel time, there had to be a connection that saved time and made it more efficient. If it took them further around, it would not be desirable and they would continue going down Route AC. Ms. Hoppe stated she wanted to get an idea of what their review included. Mr. Schwartz commented the environmental impact statement was not nearly finished and they were just in the process of narrowing down the nine alternatives.

Joe Kunkamiller stated he was an attorney from St. Louis and was representing Lutheran Senior Services, the owner of Lenoir Bluffs, on the southeast quadrant of the intersection. They served about 500 residents in their facility and had over 120 employees. About 300 of the 500 residents had vehicles as did most of the employees, so they were supportive this endeavor. They felt it was badly needed. They received complaints in the corporate office continuously in regard to the amount of time their staff and residents had to wait. This would alleviate a lot of the problems.

Bob Gerding, 101 S. Fifth Street, stated he was speaking on behalf of the Columbia Chamber of Commerce and their Board of Directors voted unanimously to support this project. They believed this was important for the business community and the City of Columbia. He thought there were three issues related to this. One was money, but that was solved with the public/private partnership. Another was the safety issue, which the Fire Chief discussed. He noted they held Chamber functions at the Lenoir Community Room and it was a mess getting out of there, so this would benefit Chamber members as well. The third issue involved general business and economics. Columbia had a need for industrial parks, businesses and developers. When Mr. Black convinced Mr. LeMone to build an industrial park, it was probably not an easy sell. Without the industrial park, they would not have 1,900 employees participating in a very important piece of the local economy. He commented that business was not a bad thing. He hoped they would do things in Columbia to enhance and support business. He stated \$1.4 million in tax revenue generated from the businesses out there was important and 1,900 employees were paying sales and property taxes. He noted in a presentation made by the Missouri Department of Economic Development, the number one priority companies used in selecting sites was the availability of highway transportation. He stated he was a huge fan of the Visioning process, but did not feel they could put the City on hold until the Visioning process was completed. He urged the Council's support of this project.

Kee Groshong, 201 W. Boulevard South, stated prior to his retirement he worked for the University of Missouri and was involved with the lease, construction and/or purchase of a

number of facilities in the LeMone development. It was an opportunity for the University to free up core campus space by moving functions they needed but not critical. This was an efficient and effective thing for the University, but during the course of discussing those properties, they noted the need for a north entrance into the property for safety and efficiency. Everyone that went there had to get on and off of Highway 63. It was not safe or efficient. He thought the University had as much traffic in and out of LeMone as anyone. He did not believe this project was a waste of money and thought it was long overdue. He noted that in addition to LeMone, the University South Farm and Bradford Farm were there. He encouraged the Council move forward with this project. He believed Stadium Boulevard needed to be and would eventually be extended to I-70. That would make a center corridor through Columbia and would help the University by moving the football traffic out.

John Clark, 403 N. Ninth Street, agreed there was a huge problem at the location and a significant private participation in solving the issue. He also agreed the proposed project would reduce and relieve some of the congestion for a while, but he did not feel it would solve the big problem. He thought working on it at this time would get in the way of solving a bigger problem. He stated he did not have confidence in the cost estimates and suggested they put a cap in the agreements. He believed the notion of the City paying for certain things never contemplated a \$4-5 million bridge. He thought one of the biggest missing players was MoDOT. He did not see any MoDOT financing in this. He thought there was too much Columbia taxpayer money going into this project. He believed the City needed to reject this proposal and immediately propose putting \$3 million into a pot to entice MoDOT to discuss what they could do about the AC/63/New Haven intersection for a long term solution. If the Council voted to go ahead, he encouraged them to limit City participation to \$3 million. If others stepped up to make up the difference, they would then be ready to proceed. He wondered if bicycle and pedestrian facilities were considered and included in the cost estimate. He reiterated he felt the City should put no more than \$3 million into the project because there were better uses for the money than a temporary partial solution. He also believed that money could be used to leverage other funds.

Tim Tryniecki, an attorney with offices at One Metropolitan Square, St. Louis, stated he was representing the developer, Stadium63, and that they were pleased to be a part of this public/private partnership. In this case, they had the engine to develop quite a bit of sales given the land use decisions made. He noted there was a \$5.2 million cap on their reimbursement. He commented that anyone who had voted against the rezoning did not have to be against the subdivision plat because it was a technical matter and concerned the creation of property lines and access. He asked for a favorable action on the plat as he did not believe there were any technical issues. They agreed with the need for LeMone Boulevard. He noted their subdivision plat was not tied 100 percent to LeMone. They had access to some lots off of the northern extension from Stadium to LeMone. They were platting and helping with the financing of LeMone and were hopeful this would move forward. He stated he was asked to be the carrier of 249 signatures, petitions and e-mails in favor of the LeMone extension and provided that to the Council.

Rita Carney, 3600 Grant Court, stated she was a 30 year resident of Columbia and was very proud of the City and its growth over the years. She commented that she would like

to see it continue to grow, but also believed they should look at a cap in regard to the City's contribution to this project. She stated the voters also approved improving other roads in Columbia, and while this was a priority and a public safety issue, there were other roads in the community that had public safety issues, which needed to be addressed and completed.

Kevin Scantlan, 3904 Cannon Court, stated he was one of the 1,900 employees and worked for the University Hospital at the very end of LeMone. He agreed it would be convenient to have something off of the north, but also felt it was a public safety issue. Trying to get off of Highway 63 in the morning was a public safety issue. The changes to the lights and having two turning lanes was helping, but twice this week, traffic was backed up to 63. He thought it was a serious situation to have traffic backed up on to the highway or shoulder. He noted he was also affected when they recently closed Highway 63. It was so bad that people started going to McGuire, which just took them back to LeMone. Some crossed over the field into the Woodstock Trailer Court, but when turning right onto New Haven, they were back into the traffic. Others went left to Rangeline and WW to come around. He felt this involved more than convenience because if there had been a real problem, he was not sure how emergency vehicles could have gotten into the area.

Hank Ottinger, 511 Westwood Avenue, stated he was representing the local chapter of the Sierra Club, which had about 800 members. He agreed the area was a mess and noted he had been caught in traffic jams lasting 4-10 minutes, but felt it was doable. He commented the cars pulling out of LeMone Industrial had one person to a car. It did not appear many were carpooling and he wondered if there was public transportation accessing the area because those were ways to mitigate the problem. He stated he was representing the land affected by this project because it would lose many of its large old trees and cease to be a viable wildlife habitat. The streams on the land, which were already clouded by upstream development, would be further degraded by the bridges and road and the usual pollutants running off the bridges and roads into the gulleys and streams. That would all flow downstream to the already impaired Hinkson Creek. The Sierra Club also faulted this project because it encouraged and facilitated more sprawl. They felt such roads provided incentives for more single occupancy use of vehicles, which was the last thing needed on the planet and in the City. He wondered if a multi-million dollar project was the most environmentally responsible way to address two fifteen minute rush hour periods. He understood there were safety issues, but thought there were other ways to mitigate those problems before building the bridge. He commented that he thought it would be a four lane project and felt a two lane project would fill up quickly causing more of the same.

Mark Brumbach, 20 Fleming, stated he and his wife were residents of Lenoir Woods, were very familiar with the congestion at 63 and AC and encouraged the Council to move ahead with this project.

Eric Dern, 21 Fleming, stated he was a resident of Lenoir for over 17 years and what concerned him regarding the Industrial Park was that there was no exit in the case of a real emergency. There were production plants next to a school and if something bad happened, he wondered what they would do. He asked how the emergency trucks would get in and out. He thought they needed a road for emergency exits. The back up in traffic discussed was particularly bad for people from Lenoir coming from the south and trying to make a left on to



New Haven Road. He noted many of the residents at Lenoir were over 70 years old and were not as sharp as the younger people, so they needed a little cushion for safety. He felt the longer they put it off, the more it would cost. He also believed if it was not done now, it would take another 20 years to get done.

Traci Wilson-Kleekamp, 2905 Greenbriar Drive, stated Columbia was growing and she felt they needed to plan better, so they did not have to repeat this kind of mistake and have this kind of agony. She noted they could never do enough planning. She also requested a public debate on who should pay, when and how much.

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

Mayor Hindman asked for a brief explanation of the plat and the development agreements. Mr. Watkins explained the preliminary plat of Crosscreek Center Plat 1 was located on the east side of Highway 63, along both sides of Stadium Boulevard. It would create fifteen C-P zoned lots and would include a 100 foot wide stream buffer along both sides of both branches of Grindstone Creek and a 30 foot wide trail easement. The Planning & Zoning Commission voted 4/3 to recommend denial of the proposed preliminary plat. Their decision was based primarily on concerns over access issues and whether or not LeMone Boulevard was to be extended. In regard to the two development agreements, the first one dealt with the Crosscreek Center development and provided for transportation improvements involving a cost share on LeMone, the extension of Stadium, the repositioning of Cinnamon Hill and a traffic signal at the intersection of Stadium, extended, Cinnamon Hill and LeMone. The agreement also provided for the formation of a TDD to reimburse the developers and the City for the transportation improvements. The second development agreement was with Little Dixie Holding Company, who would build, at its expense, a portion of LeMone. The portion of LeMone that was not on Little Dixie's property would also be built, but would be subject to reimbursement from the TDD.

Ms. Hoppe asked if the City was paying for any right-of-way. Mr. Watkins replied the City would pay for a piece of right-of-way that was not on Crosscreek property. A portion of the right-of-way, in order to minimize the crossing length of the bridge on the south fork, would curve slightly into an adjoining property owned by Roger Bumgarner. The City would have to negotiate an agreement with him. Ms. Hoppe asked if the rest would be donated. Mr. Watkins replied the rest would be donated through the plat.

Mayor Hindman stated he was concerned about the environmental impact of this and wondered what exactly would be done to get the road in there. He understood they had to drive a road to the bridge abutments and asked what would happen when they got across to the middle ground. Using the overhead, Mr. Glascock showed the north terminus of the LeMone property and explained where they would make cuts and have fill. Overall, it was 2,700 feet from beginning to end and approximately 570 feet of that was bridge length. Ms. Hoppe asked if there had already been clearing for the bridge. Using the overhead, Mr. Glascock replied not for one area and added he could not comment on the other side because he had not been out there. Ms. Hoppe asked how much tree cover would need to be taken down. Mr. Glascock showed the areas that would need to be cut on the overhead. Ms. Hoppe asked if he could provide an estimate. Mr. Glascock replied he could not, but showed one area on the map and noted it was about 200 feet. Ms. Hoppe understood Ms.

Bumgarner mentioned cutting two hills and asked how many tons that would involve. Mr. Glascock replied about 100,000 cubic yards. Ms. Hoppe understood the Crosscreek development indicated any excess soil or fill from the City's construction would go to Crosscreek. She asked what the City would do with it if they did not provide it to Crosscreek. Mr. Glascock replied if they needed it on another project, they would use it for that, but pointed out that involved paying for hauling, storage and shaping, so it was of no benefit to the City. He noted they could look at retaining walls in the area if they wanted, but pointed out they were costly.

Ms. Hoppe agreed there needed to be a second way out of LeMone and there was congestion in the area for Lenoir and the intersection. She also agreed this was not an issue of business or industry not being good. The City needed business and industry and they had a positive role to play. She noted she did have substantial concerns regarding this project. The Planning & Zoning Commission unanimously recommended removing this from the CIP Plan, along with a variety of recommendations. The Council never invited the Planning & Zoning Commission to come and discuss it. She understood they thought it involved a high cost relative to distance and were concerned with the environmental impact of crossing two creeks and the natural wildlife. She believed there were other options, which were cheaper, did not cross the creek and did not create the negative environmental effect this would. She stated Warren Road, New Haven Road and Rollings Hill were other options. She stated she had attended every eastern Columbia environmental impact meeting for the last year in an attempt to stay informed on the eastern transportation study and understood that was still up in the air. She commented that solutions would become clearer once they received that study and report. She recently asked how much traffic this would throw onto LeMone depending on which option they recommended and they could not provide an answer because they had not looked that far down the road yet. She also asked, given the different options, how much traffic would be thrown onto Stadium and whether Stadium could support that and they did not have answers for that either. She believed the cheaper solution would be to extend and widen New Haven and to provide a second way out on McGuire and Warren. She felt this involved a lot of money and had a severe environmental impact. There were also other cheaper options. In addition, there would be another out south to Gans Road. They would have Discovery Ridge and the Farms, so New Haven would have to be extended. She wanted them to look at a bigger picture for a solution. She felt this was something someone decided 22 years ago, which was now being rammed through without full discussion and a review of the traffic studies and other alternatives. She felt it was premature to make a decision before the eastern transportation study was completed. She commented that she had spoken with her constituents and they were overwhelmingly in favor of looking at other options for a second way out.

Mayor Hindman stated the principles of transportation planning he had become familiar with involved needing a road system to build as many roads as possible. He noted he used to be in favor of as few roads as possible, but now understood they needed to have as many roads as possible in order to have good transportation planning. Columbia had many examples of areas where roads were not placed. In some cases, the University had been a block and in other cases, it had been some sort of natural barrier where the City was

unwilling to build the bridges to get across those barriers due to the high cost. Here, they had the valley where the creek went through and they had to decide whether or not they would allow that to be a barrier to the transportation plan. If they did allow it to be a barrier, they would end up in a situation where they would be lacking the north/south roads the City needed. When looking at the CATSO Major Roadway Plan, he believed they were looking at a well thought out plan for an area of Columbia where it was reasonable to think development was on its way. He noted they did not have the money to put in all of those roads right now, but felt they needed to look at the plan and if they wanted to move forward with the plan, they would have to span the creek. If they did not, they would not have the north/south roads. If their goal was to have a plan as described, they then needed to decide when the best opportunity was to do it. He felt this was it. He noted they had LeMone Industrial Park with 1,900 employees and more coming and a proposed commercial development on the corner of Stadium and Highway 63. They also had the opportunity for developer contributions, which would ultimately be paid from TDD's. The TDD's were paid from sales tax, so in a way, it was a way to put the tax on the people who would be generating the need for the road. He pointed out they had the opportunity to put this through at a much lower cost to their transportation sales tax. If they tried to do any of the others, they would have to start from the beginning and build the whole thing. He thought this also served as an outer road to Highway 63, which would be very valuable to the City. If they did not have a grid pattern, they would force all of the traffic onto very few roads. He felt this was one of the weaknesses of the idea of widening New Haven and not going across the creek. They would be putting all of the traffic on to New Haven. If they did not build the road, they would be forcing all of the traffic going north and south on to Highway 63, which was not a City street. It was a highway and he did not feel they should be counting on using it as a City street. He thought they needed to build the City street system to take pressure off of Highway 63 and felt this enabled them to do that. He did not think building one of the roads, like Warren, all the way through totally at the City's expense, while walking away from the opportunity of the developers assisting made sense. He reiterated that he was concerned with the environmental impact. While he favored this for planning purposes and being the best way to start the road system in this part of town, he urged the City to look at doing this with a minimal environmental impact, even if it would cost more money. He noted this would serve the new commercial development, but it would also be used by the citizens of Columbia, the employees of the Industrial Park, people at Lenoir, New Haven Elementary, the trailer court on the outer road south of New Haven, Discovery Ridge and the Bristol Lake area. In regard to sprawl, he pointed out this was the closest in of all of those roads. He agreed there were disadvantages, such as the environmental impact and the closeness of the south end to Highway 63, but believed this was a chance to start off a road system properly. He did not agree with argument regarding not knowing if Stadium/740 would go through because he felt it would be extended somewhere. Ms. Hoppe pointed out there were nine options and some of the options did not include that. Mr. Janku stated he asked the engineer about the bridge in the EIS meeting last week and he indicated it was assumed in the EIS study. They took the CATSO plan into account when they did their study, so they made the assumption it would be built out. Ms. Hoppe stated she also asked about it and understood if it was not

approved they would take it out and reassess it. They were not able to explain how the different plans would affect the increased traffic that would be thrown onto LeMone. Mayor Hindman stated he agreed with the statement indicating that if they built the road it would fill up. He did not think they could build their way out of traffic issues, but thought the best thing they could do was to build a series of roads. The worst thing, he felt, they could do was to be in a situation where they were funneling all of the traffic onto one road. If they did not do this, he thought they would be doing that to Highway 63 for a long time to come. He reiterated that he did not like the idea of building across the creek and did not like it when the commercial development was cleared. He hoped they would not be guilty of doing the same thing when building the road to just save a few bucks.

Mr. Janku stated that although he was not involved in the beginning of the process with the creation of the Industrial Park or when it was added to the CATSO plan in 1984, he could testify that it had been a matter of much public discussion and comment over the years. He explained that when a matter was included as one of the ballot issue priorities, it was part of a public process where they put the list out and invited public comment before they voted to put the tax issue on the ballot, so it was before the public at that point. When they brought the revised list back after the election, they kept the LeMone project on the list, but added a footnote indicating the project required private participation that might affect its timing. They now had the private participation that would enable the project to move forward. Besides financing, the other major factor that had held it back was the environmental concern. He agreed with Mayor Hindman in that they should not take the cheapest approach to address it. He noted this project did have some environmental benefits. They would have the opportunity to improve the bus transit system by providing bus transit to this site as well as to Lenoir and possibly Discovery Ridge. This would not be practical without the connection. He noted having all of the cars idling and waiting to exit was not an environmentally good situation. This would also provide bicycle and pedestrian access to the area. He believed they should move forward. In regard to the comment about planning, he pointed out this had been planned for a long time. He did not feel the problem was a lack of planning. In this case, it was the failure to implement the plan and tonight they had the opportunity to move forward on it.

Mr. Hutton agreed with Mr. Janku's comment regarding planning. He felt 25 years was enough. He noted this was very publicly on the last ballot issue and he believed the 1,900 people who worked out there voted in support of this. He thought they were obligated to build it because the ballot issue passed and it was specifically pointed out as a project to be funded. He noted it was to be funded at \$8.9 million, but because of the agreements, they were only going to spend between \$4-5 million. He thought that was significant because they now had \$4-5 million left over to put toward another project. He agreed the other plans for additional roads as they moved eastward to get north/south connections were great and would be needed in the future as they continued to move out. He noted, however, that he did not hear of anything that would alleviate the problem they had in the short term. In addition, none of those were funded. This project was funded. He understood the Warren Road project alone would cost \$16 million. Ms. Hoppe asked if that involved crossing the creek. Mr. Hutton replied he believed it did. He wondered where they would take it to if they did not

cross the creek because if they took Warren Road back to New Haven, he did not feel they would have accomplished anything. He agreed LeMone was probably not the long term answer, but it was the short term fix. As they continued to implement the CATSO plan, they could then address future issues. Their biggest problem in the last ten years was the lack of funding for road projects. A significant ballot issue recently passed, which would fund a number of the major roadway projects, including this one. They finally had a project funded that would be a huge benefit, but people were arguing against doing it and he did not understand that.

Mr. Loveless stated they had an existing problem, which would get worse if they did not address it and the only way to address it was to take the traffic northbound, whether using Rustic Road and Warren, and cross both creeks. There was an existing narrow bridge over Rustic Road, but the road would need to be rebuilt. It was an answer, but a much more expensive one. Also, that was not an approved project. He agreed the problem was getting traffic off of New Haven and this addressed it. It was part of a long term traffic plan approved by the voters and he believed they were obligated to go ahead with it. He felt it was a good plan and stated he would support it.

Ms. Nauser commented that when they were going through the road priorities for the 2005 tax extension, it was a very public process. They publicized their work sessions and people were able to contact the Council regarding what roads they should and should not look at. After a very exhaustive process, they put together a comprehensive road package plan and LeMone was included. It was an employment district and there was a need for more employment in Columbia. They also needed the road infrastructure. She noted they were always being criticized because they was so far behind on roads and this was an opportunity to get ahead because they knew what future development was coming, but now they were being criticized for moving ahead because it was too early. She believed they needed to stop relying on federal and state highways as City roads. In order to get traffic off of the highways and moving for safety purposes, she thought they should move forward. They told the voters it was in the plan and the voters approved it, so she agreed that they were obligated to move forward.

Mayor Hindman understood they would be voting to move forward with planning and design, but that it would come back to Council before they could ask for bids. Mr. Watkins agreed and stated the Council would have to authorize staff to go out for bids. Mayor Hindman understood they were taking a big step, but not a final step on the project. Mr. Watkins stated there would be another public hearing on the plans and then Council could authorize them to go to bids. Mayor Hindman stated there were details such as the width of the bicycle provisions on the bridge that he had questions about and understood they were not locking themselves into anything if they voted in favor of this tonight. Mr. Watkins replied that was correct.

Mr. Janku commented that if the bids came in too high, they could then step back because they had not made a final decision. He noted a recent example involved the pedestrian crossing at Broadway and Old 63 where the bids were too high and they were going try to work out a way to do it so the cost would be less. He stated the Rangeline

improvement project was redesigned to come in at a lower cost. He pointed out they had shown they would be cognizant of the cost and the limitations on the dollars.

Mayor Hindman stated he was still concerned about the environmental impact of this and wanted to be sure they, as a Council, were informed of the options. He did not want to see just one thing that was decided to be the most economical. He wanted to see some of the options for doing this in a quality environmental way. Mr. Hutton noted they would be making a motion to move forward and suggested including a requirement to keep Council updated on the planning process in the motion. He stated he had a question as to why one bridge would be 56 feet wide and the other only 46 feet wide. Mr. Glascock replied it was because as they got closer to Stadium, they would probably need a left turn pocket at the bridge, so it would have to be wider.

Mr. Hutton made the motion proceed with final plans and specifications for the LeMone Industrial Boulevard Extension projects, as recommended by staff, while keeping the Council periodically informed of the ramifications and specifications in regard to the environmental issues involved. The motion was seconded by Mr. Loveless and approved by voice vote with only Ms. Hoppe voting no.

The vote on B464-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared adopted, reading as follows:

The motion to amend B465-06 per the amendment sheet, made by Mr. Janku and seconded by Mr. Hutton, was approved unanimously by voice vote.

The vote on B465-06, as amended, was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared adopted, reading as follows:

The vote on R251-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER. VOTING NO: HOPPE. Resolution declared adopted, reading as follows:

## **OLD BUSINESS**

### **B447-06 Approving the PUD Development Plan of Quail Creek West PUD located on the west side of Louisville Drive, extended, north of Millbrook Drive.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would allow for twelve single-family attached villas. The Planning & Zoning Commission recommended approval of the proposed development plan.

Mr. Loveless made the motion to amend B447-06 per the amendment sheet. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

The vote on B447-06, as amended, was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

### **B448-06 Approving the Final Plat of Perry Automotive Plat 4, a Replat of part of Lots 17 and 18 of Barkwell's Subdivision located on the southeast corner of Nebraska Avenue and Illinois Avenue; granting variances from the Subdivision Regulations.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would create two M-1 zoned lots. The replat was part of a subdivision that was recorded in 1898 and due to that some of the City's subdivision regulations applied, but were difficult to meet. Therefore, there were four variances. The Planning & Zoning Commission recommended approval of the four variance requests subject to the plat being revised to show four foot wide easements along the east side of Illinois Avenue to accommodate the maintenance of existing City overhead electrical lines. Mr. Teddy noted there were existing electrical poles and lines in an area on the west side of the plat along Illinois Avenue where staff recommended a utility easement be granted. There was a partial utility easement along part of that west boundary, but not one along the entire property line. An easement was desired in case the Water and Light Department needed to work on the lines. During the Planning & Zoning Commission meeting, the applicant's representative testified there was an existing retaining wall that ran down the middle of the easement. As a result, the recommendation was for a reduced width easement, but not an entire waiver of the requirement for the easement. In regard to the other three variances, the Planning & Zoning Commission agreed there was sufficient hardship due to the age of the plat and other factors making it difficult for the applicant to comply. He understood staff felt the easement was necessary. Mr. Dasho stated staff was asking for a ten foot utility easement, which they believed was needed to work on the lines currently on the property. In speaking with the engineer of the project, he understood they could accommodate it and put it on the plat.

Ms. Hoppe stated she noticed staff recommended four foot wide sidewalks on both adjacent street frontages and this was not approved by the Planning & Zoning Commission. She asked for clarification. Mr. Teddy replied that when staff wrote their report, they overlooked the power pole obstructions where the sidewalks would need to go. It was pointed out at the public meeting and staff agreed it would be difficult to build a sidewalk or require the relocation of those poles. Mayor Hindman asked if they could build a sidewalk around the poles. Mr. Janku understood that was where the retaining wall was located. Mr. Teddy asked if he meant within the private property rather than the street right-of-way. Mayor Hindman replied yes. Mr. Teddy noted that would be an alternative, but would also be expensive and difficult.

Mr. Janku asked if there were also utility poles along Nebraska. Mr. Dasho replied yes.

Pat Devaney, an engineer with A Civil Group, 1123 Wilkes Boulevard, Suite 450, stated he was available for questions.

Mr. Janku stated he was glad to hear an agreement was worked out. He asked if they needed to make an amendment to strike Section 4 in regard to the utility easement. Mr. Boeckmann did not think that would take care of the problem if it was not shown on the plat. He recommended they redraw the plat and put a new date on it.

Mr. Janku made the motion to table B448-06 to the December 4, 2006 Council meeting. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

**B450-06 Approving the Final Plat of The Vineyards, Plat No. 2 located south of State Route WW and west of Rolling Hills Road; authorizing a performance contract.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this would create 63 R-1 zoned lots with two common lots. The plat adhered to the previously approved development agreement that accompanied this property at the time of annexation and was in general conformance with the preliminary plat. He noted the plat was revised to include some additional trail easements and a wider trail easement along Grindstone, which brought it into compliance with what staff requested. Mr. Teddy explained additional easements had been provided on the updated version of the plat. That would allow pedestrian connectors at two locations from the public street to a future trail easement. The trail easement itself was also widened.

Mr. Loveless asked if those were the paths shown between lots 217 and 218 and lots 223 and 224. Mr. Teddy replied yes.

The vote on B450-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B454-06 Authorizing an agreement for the exchange of land involving Columbia/Boone County Health Department Condominium common area and a portion of adjoining property owned by Perry Towing, Inc.**

The bill was given second reading by the Clerk.

Mr. Watkins explained the property line on the north side of the Columbia/Boone County Health Department building was so close to the northeast corner that no one could walk around it. They had worked out an agreement with Perry Towing to swap a little property to allow them to go around the building. This bill would allow the City Manager to sign for the exchange of property.

The vote on B454-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B459-06 Amending Chapter 2 of the City Code as it relates to conflicts of interest rules for several city commissions.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this would provide for a change in the Cultural Affairs Commission, the Community Services Advisory Commission and the Community Development Commission. For conflict of interest purposes, each academic and administrative unit of the University of Missouri would be considered a separate agency. He explained if they were voting on an arts project for the Concert Series and someone worked in the English Department, it would no longer be a conflict of interest.

Mr. Hutton asked how they would define academic or administrative unit. Mr. Boeckmann replied he looked at the University's internal telephone directory and that was how they considered their divisions. Mr. Hutton asked if these were small units. Mr. Boeckmann replied this would not be terribly clear and there would be interpretation issues. He explained the School of Medicine had a lot of departments and questioned whether they would treat each department separately or if it would be the entire school. He noted there



would be difficulties, but in that instance he would treat the entire School of Medicine as one academic unit. Mr. Janku asked if it would be better to use the terms, college or school. Mr. Boeckmann replied no and pointed out there were other units that were not colleges or schools.

Ms. Hoppe asked why Columbia College and Stephens College were not included. She wondered if it was because they were so small compared to the University. Mr. Boeckmann noted the Columbia Public Schools was a larger institution as well. Mr. Watkins stated that meant, realistically, Columbia Public Schools would not have representation on those commissions. Mr. Hutton understood this change only affected the University. Anyone else that worked for an agency that applied for funding was ineligible to serve on the commission. Ms. Amin pointed out teachers were required for two of the positions for the Cultural Affairs Commission. Mayor Hindman thought they needed to narrow this down, so it would have as little impact as possible. Mr. Janku agreed and wondered if there was some way to structure it for schools. Mr. Hutton asked if it would work to say the commission member that was on the board of directors or employed by an agency that applied for funding would abstain from voting. He understood that was where they were originally and noted he had a problem with that because even if one abstained from voting, they could exert influence. Mr. Janku suggested they pass this and ask for a further report to address the other issues.

The vote on B459-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B460-06 Authorizing an agreement with the Columbia School District for playground improvement projects at Mill Creek, Blue Ridge, Ridgeway and Russell Elementary Schools.**

The bill was given second reading by the Clerk.

Mr. Hood explained the City had been working with the Columbia Public School District since 1998 on cooperative projects to improve the playgrounds at elementary schools. In return, those playgrounds were open to the general public for use when school was not in session. The 2007 City budget included \$45,000 for this program. They traditionally made grants of \$15,000 per school, so that funding allowed them to suggest three projects. The three schools interested in participating in the program were Blue Ridge, Ridgeway and Russell. In 2005, they included \$15,000 for a similar project at Mill Creek Elementary school, but that project had been delayed due to construction at the school and an administrative change. This agreement would authorize them to proceed with playground projects at those four elementary schools. The school would install the playground equipment, but they did have to provide the City with the plans for approval.

Mr. Janku understood in an earlier ballot issue they provided money for a neighborhood park in the area of Mill Creek School and asked if this would accomplish that or if this was different. Mr. Hood replied since they had not been able to acquire property adjacent to Mill Creek school, they suggested the \$15,000 playground project be provided to the school, so they could ensure the school grounds would be open in case they were never able to follow through and acquire land. He was hopeful they could acquire land next to the

school some day. Mr. Janku asked if there was something in the general area. Mr. Hood replied they had looked, but there was very little affordable land in that area. There had been some on and off negotiations with the University, which might be opening up again. The University owned the Sinclair Farm property, which was just south of Mill Creek School, and that was the best opportunity if it materialized. Mr. Janku commented that he thought they should celebrate or commemorate this when it was done. Mayor Hindman agreed. Ms. Hoppe noted Shepard recently had a ribbon cutting ceremony.

The vote on B460-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, 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.

**B449-06 Approving the Final Plat of The Villas at Old Hawthorne Plat 1 located generally north of State Route WW and east of Cedar Grove Boulevard; authorizing a performance contract.**

**B451-06 Approving the Final Plat of Villas at Old Hawthorne Plat 2, a Replat of a portion of Lot 6 of Old Hawthorne Plat 1 located generally north of State Route WW and east of Cedar Grove Boulevard; authorizing a performance contract.**

**B452-06 Approving the Final Plat of Vistas at Old Hawthorne Plat 1, a Replat of a portion of Lot 7 of Old Hawthorne Plat 1 located generally north of State Route WW and east of Cedar Grove Boulevard; authorizing a performance contract.**

**B453-06 Vacating utility easements located within WW-63 Subdivision Amended.**

**B456-06 Authorizing a pole attachment agreement with Sho-Me Technologies, L.L.C.**

**B457-06 Accepting conveyance; authorizing payment of differential costs for water main serving Cross Creek, Plat 1; approving the Engineer's Final Report.**

**B458-06 Accepting conveyances for utility purposes.**

**B461-06 Authorizing a memorandum of agreement with the Cooper County Public Health Department relating to emergency planning and preparedness services; appropriating funds.**

**B462-06 Accepting donated funds from the Wal-Mart Foundation and Christian Chapel through the New Century Fund for the purchase of equipment for the Fire Department; appropriating funds for the Share the Light Program.**

**B463-06 Appropriating funds for the employee recognition program.**

**R241-06 Setting a public hearing: special assessments against property specially benefited by public improvements to reconstruct Donnelly Avenue from West Boulevard to Hardin Street and from Ridgeway Avenue to Cook Avenue, and to construct a sidewalk along Donnelly Avenue from Hardin Street to Ridgeway Avenue.**

**R242-06 Setting a public hearing: construction of water main serving Westbrook, Plat 1.**

**R243-06 Setting a public hearing: Daniel Boone Building first floor renovation/addition project.**

**R244-06 Authorizing adopt a spot agreements with the American Legion Post 202.**

**R245-06 Authorizing agreements with various organizations for sports development funding through the Tourism Development Program.**

**R246-06 Authorizing an access agreement with Campus Corner, LLC for a trash compactor located off the alley south of Elm Street, between Ninth Street and Tenth Street.**

**R247-06 Authorizing an amendment to the agreement with Trabue, Hansen & Hinshaw, Inc. for engineering services relating to the final plans and specifications for construction of portions of sidewalk on the north side of Business Loop 70 between Creasy Springs Road and Garth Avenue.**

**R248-06 Authorizing a Contract of Obligation with the Missouri Department of Natural Resources for financial assurance for proper closure and post-closure activities at Columbia's landfill.**

**R249-06 Authorizing a Memorandum of Understanding with the Boone County Fire Protection District relating to the handling of explosive or incendiary devices.**

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

#### **NEW BUSINESS**

**R250-06 Authorizing an agreement with Columbia Access Television for public access channel funding; and transferring funds.**

The resolution was read by the Clerk.

Mr. Watkins explained this agreement would provide bridge funding in the amount of \$10,262 from the Council contingency fund to allow Columbia Access Television to continue operating the public access channel through March, 2007.

Christine Gardener, 112 Anderson Avenue, stated she was the President of the Board of Columbia Access Television and hoped they would consider this bridge funding request. She explained they were trying to keep from closing the doors to CAT. She thought they were doing some amazing things with a limited amount of funding and staff and wanted to continue. They understood negotiations were continuing, but not resolved. They wanted to keep the doors open in the meantime. She pointed out if someone in this area wanted to see the complete broadcast of the Missouri Senate, State Auditor, State House of Representatives and Presiding Commissioner races and debates, they would have to see them on CAT. She commented that they were serving a lot of people in the community even with limited staff and equipment. She asked Council to look over their list and to consider their request.

The vote on R250-06 was recorded as follows: VOTING YES: HINDMAN, JANKU, HUTTON, LOVELESS, NAUSER, HOPPE. VOTING NO: NO ONE. ABSENT: CRAYTON. (Ms. Crayton stepped out during the discussion for R250-06 and did not return until after the official vote was taken.) Resolution declared adopted, reading as follows:

**R252-06 Adopting certain amendments to the ICMA Retirement Corporation deferred compensation plan.**

The resolution was read by the Clerk.

Mr. Watkins noted this was an amendment to the existing agreement with one of the City's three deferred compensation plans. This would reduce the fees paid by employees who were covered by the ICMA deferred compensation plan. He noted about 100 employees participated in the plan and that it would provide a fairly substantial reduction in fees.

The vote on R252-06 was recorded as follows: VOTING YES: HINDMAN, CRAYTON, JANKU, HUTTON, LOVELESS, 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.

**B466-06 Amending Chapter 29 of the City Code to establish outdoor lighting regulations.**

**B467-06 Amending Chapter 29 of the City Code as it relates to violation and penalties.**

**B468-06 Approving the Final Plat of Copperstone Plat 1 located on the east side of Scott Boulevard, south of the intersection of Vawter School Road and Scott Boulevard; authorizing a performance contract; granting a variance to the Subdivision Regulations relating to sidewalk construction.**

**B469-06 Approving the Final Plat of Copperstone Plat 2 located on the east side of Scott Boulevard, south of the intersection of Vawter School Road and Scott Boulevard; authorizing a performance contract.**

**B470-06 Approving the Final Plat of Bearfield Plaza Subdivision located on the northeast corner of Grindstone Parkway and Bearfield Road; authorizing a performance contract.**

**B471-06 Approving the Final Plat of Steeplechase Estates, Plat No. 1 located on the east side of Howard Orchard Road, north of State Route KK; authorizing a performance contract.**

**B472-06 Approving the Final Plat of Arbor Falls Plat 1, a Replat of Lot 2 Old Hawthorne Plat 1 located on the north side of State Route WW and on the west side of Old Hawthorne Drive West; authorizing a performance contract.**

**B473-06 Approving the Final Plat of Vintage Falls Plat 1-D, a Replat of Lot 11 of Vintage Falls Plat 1-A located on the southeast side of the intersection of Savoy Drive and Ivanhoe Boulevard, north of West Worley Street; authorizing a performance contract.**

**B474-06 Authorizing Change Order No. 1 to the contract with J.C. Industries, Inc.; approving the Engineer's Final Report; levying special assessments for reconstruction of Donnelly Avenue from West Boulevard to Hardin Street and from Ridgeway Avenue to Cook Avenue, and to construct a sidewalk along Donnelly Avenue from Hardin Street to Ridgeway Avenue; appropriating funds.**

**B475-06 Authorizing construction of water main serving Westbrook, Plat 1; providing for payment of differential costs.**

**B476-06 Authorizing an agreement with the Columbia School District for a Photovoltaic Power Generating System.**

**B477-06 Accepting conveyance; authorizing payment of differential costs for water main serving Wellington Villas, Plat 1; approving the Engineer’s Final Report.**

**B478-06 Accepting conveyances for utility purposes.**

**B479-06 Amending Chapter 14 of the City Code as it relates to use of motor vehicle passenger restraints.**

**B480-06 Authorizing an agreement with the Missouri Symphony Society relating to the renovation of the Historic Missouri Theatre for the Arts; appropriating funds.**

**REPORTS AND PETITIONS**

**(A) Intra-departmental transfer of funds.**

Report accepted.

**(B) Window air conditioner exchange program.**

Mr. Dasho explained that in conjunction with Central Missouri Community Action, they replaced window air conditioners for low income residents. Customers came in with old air conditioners and replaced them with new more efficient units. They were pleased with the program and it received a nice response, so they wanted to continue it in the summer. He noted they would come back to Council with a proposal for 2007.

Ms. Hoppe understood the units went mostly to renters and the renters owned the units, so if the renters moved from one location to another, they could take the units with them. She commented that if the renter moved outside of Columbia, the City had lost its energy savings. She asked if they could have an agreement requiring the participant to leave the window unit at the rental property for the next renter if they moved out of the service area. Mr. Dasho replied they had not been doing that, but could do a follow up to see how many participants were still in town after the first couple of years. He stated they could consider doing an agreement, but noted they wanted to make the program as easy as possible. Mr. Janku thought they should discuss that when the report came back due to previous discussion regarding whether the renter or landlord would benefit.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**BOARD OF ADJUSTMENT**

Townsend, David, 2020 Cobblestone Court, Ward 5, Term to expire May 1, 2011

**MAYOR’S COMMITTEE ON PHYSICAL FITNESS**

Humphreys, John, 1510 Marylee Drive, Ward 4

**RAILROAD ADVISORY BOARD**

Conn, Kevin, 4706 Marble Cedars Drive, Ward 4, Term to expire July 15, 2009

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Ms. Hoppe explained Ms. Nausser had suggested the City look at charging the development in the future for reimbursement of differential costs for water mains, but had not made a motion. She thought they should look into this to see how it would work and whether it was worth it.

Ms. Hoppe made the motion directing staff to provide a report regarding subsequent developers reimbursing the City for differential costs for water mains. She understood currently, the first developer had to pay and the rest did not. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

Mr. Janku made a motion for a staff report regarding other large employers affected by the conflict of interest rule for the Cultural Affairs Commission, Community Services Advisory Commission and the Community Development Commission. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

Ms. Crayton stated she did not know the City wrote tickets for people who parked beside churches on Saturdays. She explained they were having a function and were later having a funeral at Russell Chapel. She questioned why the meters were at the church and not further back at the business. Mr. Watkins stated they could provide for suggestions to change the ordinance. He noted that currently the ordinance required them to write tickets. Mr. Janku asked what street this was on. Ms. Crayton thought it was First or Second Street. She clarified it was at Russell Chapel and Ash. Mr. Janku explained there were a lot of churches in the downtown area having services and functions and they did not exempt them from paying at the meters. Mr. Hutton understood the question was the location of the meters, not whether or not they should be enforced. Mayor Hindman commented there could be disadvantages to removing the meters because people seeking free parking would park there and there would be no room for people attending events at the church.

Mr. Janku made the motion directing staff to provide a report on this issue and to include the frequency of use of those meters. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

Ms. Nauser stated she received a letter from a gentleman who was issued a ticket in front of the United Methodist Church for parking in an area that was previously a driveway. It was no longer a driveway because there was now a building at that location. She asked if staff could look into that issue. Mr. Janku stated it might still apply if it was still a driveway for the Church. Ms. Nauser noted part of the driveway went to the front door. She thought it was the driveway for the old fast food restaurant. Mr. Janku thought they might want to put a meter there.

Ms. Nauser made a motion for a staff report in regard to this issue. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

Mr. Janku stated he had received several comments about the lighting for the commercial development going in west of Kennesaw Ridge Condominiums. He understood it was open zoning, so they might not be able to regulate it. There were also sound issues from one of the establishments. He asked staff to look into that issue and for it to be enforced. He also wanted to ensure the appropriate landscaping was in place in a timely manner.

Mr. Janku made the motion for staff to look into the lighting, sound and landscaping issues for the commercial developments west of Kennesaw Ridge Condominiums. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Hutton noted he received a number of e-mails in regard to the search lights on all of the McDonald's restaurants. He understood the new lighting ordinance addressed this issue for the future, but wondered if there was any way to address them for past situations. He asked if they could bring something forward, if there was a way to control it, when they discussed the lighting issue. Mr. Boeckmann replied they could have something ready for them.

The meeting adjourned at 11:05 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk