### CITY COUNCIL MEETING MINUTES COUNCIL CHAMBER, CITY HALL 701 E. BROADWAY, COLUMBIA, MISSOURI APRIL 1, 2013

#### **INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, April 1, 2013, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT and TRAPP were present. The City Manager, Deputy City Counselor, City Clerk and various Department Heads were also present.

#### **APPROVAL OF THE MINUTES**

The minutes of the regular meeting of March 18, 2013 were approved unanimously by voice vote on a motion by Mr. Dudley and a second by Ms. Hoppe.

### APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

#### **SPECIAL ITEMS**

### 2013 Lang Award Presentation.

Mayor McDavid stated he had the privilege of presenting the Fifth Annual Howard B. Lang Junior Award for Outstanding Volunteer Service this year, and explained the Lang Award was created by Leo Hill, Columbia's first City Manager, to honor Howard Lang, the Mayor of Columbia from 1953-1957. The award would recognize someone annually and for significant volunteer activity, impact, and initiative in support of the City of Columbia and its mission. He noted this was the first time the Howard B. Lang Jr. Award was given posthumously as the selection committee made the unanimous choice to name Eva Jo Sapp as the recipient of the 2013 award. Due to Ms. Sapp's involvement with many City boards and commissions, the selection committee felt that a City Council meeting was the best venue to present the award. He explained Ms. Sapp passed away in September of 2012, and was selected for the award this year because of her extraordinary array of effective, volunteer support in numerous programs and services related to the City of Columbia. Her volunteerism was marked by high energy, a pleasant spirit, true helpfulness, loving wisdom, a deep appreciation for others, a respect for the democratic process, and a willingness to dig deeply into challenging issues. Among the nearly thirty volunteer posts she held were President of the Columbia Library District Board of Trustees, a member of "Imagine Columbia's Future" Visioning Committee, a member of the Columbia Comprehensive Plan Task Force, a member of the Mayor's Task Force on the Arts and a member of the City of Columbia Excellence Awards Committee. Some of her passionate pursuits included establishing the City's Office of Cultural Affairs, expanding the Columbia Library building, establishing Community Access Television and participating in the "Imagine Columbia's

Future" process. He commented that it was not only the list of accomplishments, but also Ms. Sapp's approach to service that they were celebrating tonight as she appreciated diverse opinions and respected those who held them, and sought solutions that made for good government and community enrichment, whether the issue was the arts, public access to information or community planning.

Mayor McDavid asked David Sapp, Ms. Sapp's husband, and their daughter Lesley Sapp, and son Michael Sapp to join him at the podium. He presented the Sapp family with a plaque and a check in honor of Ms. Sapp, and noted the Sapp family had asked that the monetary gift be divided equally between the Daniel Boone Regional Library and the Cindy Mustard Endowment Fund of the Voluntary Action Center.

David Sapp commented that he was a poor substitute for his wife who he wished had been in attendance enjoying this recognition for all that she did for the community. He thanked the committee for the honor they had bestowed upon his wife and thanked Renee Graham for seeing the fit between the goals of the award and what Jo had done for so many years. He explained Jo had a nomadic childhood and did not really make any deep roots in any place until they had met and moved back to Columbia in 1971. After finishing her college education and receiving her Masters and most of her PhD at the University, she was definitely rooted in Columbia and starting giving back to the people of her adopted home town. He commented that he could not adequately state how much it meant to him and his children to accept this award for his wife. He pointed out this award would have meant a lot to his wife, especially since it was being presented on April Fools Day, but noted she never sought recognition and would likely have said this was way too much of a fuss. She simply did those things she felt needed to be done. Mr. Sapp explained writing was another large part of his wife's life, and he had recently come across something she had written in 1968 when she was 24 years old, which he wanted to share as he believed it was somewhat prophetic. It involved her attitude about life and read, "My primary goal in life is never to feel I have arrived. I want to be involved in life until I die because I believe when you cease being involved you are dead whether the heart knows it or not." He commented that she had been involved until she had passed. He thanked everyone on behalf of the love of his life, Jo Sapp.

Marilyn McCloud thanked everyone for allowing her the opportunity to thank Ms. Sapp publicly on behalf of the League of Women Voters as they had lost one of their most passionate advocates last fall. She explained Ms. Sapp joined the League of Women Voters in Columbia in 1998, and during those years, she had brought energy and passion for local government and various political issues, and had involved other members in them as well. Ms. Sapp had the uncanny ability to bring one set of interests and organization into another. For example, her participation as a member and president of the Daniel Boone Regional Library Board spilled over into initiating a state-wide library study done by all of the local Leagues within the State. Due to her interests in First Amendment issues, she was a leader of the League's Civil Liberties Committee as well as a founding member of the Missouri Sunshine Coalition. Besides her broad ranging interest in public service issues, especially within the Columbia community, Ms. Sapp served as President of the local League from 2004-2006, and continued to serve on the Board for many years. She then served on the

Board of the State League of Women Voters and was President of the State League from 2006-2008. She was the first League member from Columbia to hold that office since 1934. While a member of the Board of the State League, she chaired the Public Advocacy for Voter Protection Project which aimed to keep the electoral process accountable, accessible, fair, efficient and uniform. Ms. McCloud noted Ms. Sapp had joined the effort to start up Columbia Access Television (CAT) and served on that Board as well. League members had then been recruited to participate in a half hour public issues information program every month. She pointed out Ms. Sapp strongly encouraged League members to participate in the visioning process for the City and in the Smart Growth Coalition, which she helped found. She noted in each and every endeavor, Ms. Sapp gave her all, and was smart, caring, and conscientious. She stated the members of the League of Women Voters were proud to have had the honor of knowing Ms. Sapp and having her as a key member of their organization, and were grateful for everything she had done for the community.

Mayor McDavid expressed appreciation to the family and memory of Jo Sapp on behalf of the citizens of Columbia.

### APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

#### SCHEDULED PUBLIC COMMENT

# <u>Stan Potter – City's new health insurance not providing medication prescribed by the doctor.</u>

Stan Potter commented that his wife had worked for the City for 17.5 years, and had been diagnosed with lung cancer 363 days ago. Since the prescription plan had changed on January 1, 2013, he had to fight every month for her medications. The first month he had been told they did not have insurance because the City had failed to notify him that they would no longer be sending him a bill for COBRA and that it would come from the insurance company instead. The insurance company, however, never sent him a bill either, so when they went to hospital, the hospital provided her chemo, but did not provide the associated prescriptions. During the second month, the insurance company indicated his wife did not need as much pain medication as the doctor had prescribed. He had to contact United Healthcare and Carol Wilson in the City's Human Resources Department and refer them to the United Healthcare website to view the maximum dosage recommended by the manufacturer before that problem was finally resolved. He explained in February, the insurance company indicated his wife did not need her pain patch, and he wondered how they knew how much pain his wife was in. During the third month, she had a bad reaction to one of the drugs provided to her as part of the chemo treatment and the doctor gave her a nausea patch, but the new insurance plan did not cover the nausea patch, so the only option he had was to put her back on the medicine that gave her the bad reaction. He recommended the City review its insurance plan because his wife was not the only person having problems within the City in terms of medications being denied as he had spoken with many full-time employees that were being denied the diabetic medication they had taken for years. This issue needed to be resolved. It was a 24 hour job for him to fight the City and

the insurance company in trying to keep his wife alive. He did not believe he should have to do this as he had enough to do in helping his wife stay alive. He reiterated that he believed the City needed to review the current plan to see what it was doing to the employees. He commented that he had tried to speak to Mr. Matthes and had left numerous messages over the last three weeks, but had not received a call back.

Mr. Matthes commented that staff had been in contact with him and he understood the City was continuing to try to help. Mr. Potter stated he had tried to contact Mr. Matthes so he was aware of the situation and issues. Mr. Matthes explained he did not know anything about health insurance so he asked staff to contact him. He reiterated staff would continue to try to help as they had been, and noted members of the Human Resources Department were in attendance tonight if he wanted to speak with them. Mr. Potter stated he had spoken with everyone in the Human Resources Department numerous times and noted Carol Wilson had helped. He commented that he had tried to talk to Margrace Buckler as well, but was unable to talk to her either. Mr. Matthes explained it was not an issue of them not wanting to speak with him. The issue was that Carol Wilson was the person that he needed to speak with and the person that could assist. Mr. Potter pointed out that when Debbie Dijak and Carol Wilson were out of the office, he was unable to talk to anyone. Mayor McDavid asked Mr. Potter who he wanted to speak with. Mr. Potter replied he did not care as long as it was someone would look at the plan and work on changing it so employees and retirees could get the medication they needed to survive. Mayor McDavid stated someone from the City Manager's Office would contact him.

# <u>Georgalu Swoboda – Inform the Council of Mayor's Day of Recognition for National Service.</u>

Georgalu Swoboda stated she was not only representing Big Brothers Big Sisters as its Executive Director, but was also representing the Corporation for National Community Service. This group planned to celebrate National Mayor's Day for Community Service on April 9, 2013 to draw attention to the vital role of citizenship, service and responsibility in supporting the American culture. They were a catalyst of community solutions and a champion for the idea every American had skills and talents to give. At a time of social need, the Corporation had more than four million Americans that were giving service in 70,000 community and faith-based organizations. She noted Columbia was fortunate to have volunteers from four national corporation programs, AmeriCorps, AmeriCorps VISTA, Foster Grandparents and RSVP, and six of the people representing those organizations were in attendance. The Foster Grandparents program involved forty grandparents that volunteered twenty hours per week to the kids in the Head Start program and in the school systems this year, and was a part of Central Missouri Community Action. The Boone County Council on Aging had 285 RSVP volunteers in 2012 that had volunteered over 38,000 hours of their time. The Missouri River Communities Network hosted the Missouri Local Food Production and Education VISTA program, which specialized in food related activities including food gardens in schools, obesity prevention, farmer produced market enhancement, food access for lower income populations and urban farming and involved Central Latino, Columbia's Farmers Market, the Columbia Center for Urban Agriculture, the University of Missouri

Extension, Missouri Rivers Bluffs Association and the Southern Boone Learning Center. Big Brothers Big Sisters had an AmeriCorps program that had recruited over 200 volunteers to be mentors in 2012. The University of Missouri Jump Start program had 83 part-time college students who worked with 225 preschool children to develop the language literacy and social skills needed for kindergarten. She explained two programs in Columbia, which were based out of the University and provided outreach throughout the State, and those were the Claim AmeriCorp program, which provided counseling for Medicare beneficiaries, families and caretakers, and the Missouri College Advisory Corp, which helped high school and community college students understand they could complete a college education by finding the best fit for them and helping them to navigate the process of applying for admission and financial aid. She commented that on April 9, 2013, mayors across the country, to include Mayor McDavid, were honoring volunteers by showing support for non-profit local and national service groups through a proclamation to inspire residents to serve in their communities.

### <u>Joan Wilcox – Homelessness and affordable housing in Columbia.</u>

Joan Wilcox canceled this request to speak prior to the meeting.

# <u>John Clark – Outline of an appropriate planning process for a South Providence</u> (Stewart Road to Stadium) Corridor Plan.

John Clark provided a handout and explained he planned to speak to the elements of an appropriate public planning process for a large public improvement project. He believed a corridor plan was needed for South Providence Road as it would serve the needs and guide the actual improvements made by the City of Columbia, the University of Missouri and MoDOT for 25 years out. He did not believe anyone was thinking beyond five years under the current process. He understood a goal was to restore public confidence in the planning process and felt that could be done through shared knowledge and goals and a 25 year time frame. He believed the suggestion of the Historic Preservation Commission for Council to direct staff to establish a clear process for the development and planning of the entire corridor was needed. The first phase of the process would be to define the problems that needed to be addressed and the second phase would be to specifically decide how to go ahead and receive and develop proposed solutions. He thought staff needed to convene a series of meetings through the Columbia Area Transportation Study Organization (CATSO) and include the University of Missouri, Boone County, MoDOT, the Grasslands Neighborhood and the other residential groups living along the corridor. He thought each group should be charged with developing and presenting to each other data projections, analyses, etc. of traffic and other issues with regard to the South Providence Road corridor through the next 25 years and listing the outcomes they would want from a corridor planning process. Later, meetings could be held to process this information and obtain clarification so a report could be prepared for a public hearing of the shared data, perceived issues and desired outcomes. He noted he had provided this information to the Council via e-mail and was available if Council had any comments on the two remaining suggestions in terms of process.

#### **PUBLIC HEARINGS**

# (A) <u>Construction of the Douglass High School sewer relocation project.</u>

Item A was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid opened the public hearing.

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

Mr. Kespohl made a motion directing staff to proceed with final plans, specifications and construction of the Douglass High School sewer relocation project. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

# (B) <u>Construction of the Worley Street Sidewalk Phase 2 project located on the north side of Worley Street between Bernadette Drive and Clinkscales Road.</u>

Item B was read by the Clerk.

Mr. Glascock provided a staff report.

Mayor McDavid opened the public hearing.

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

Mr. Trapp made a motion directing staff to proceed with plans and specifications for the Worley Street Sidewalk Phase 2 project. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

## (C) <u>Consider an update to the City's Sidewalk Master Plan.</u>

Item C was read by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid understood the commissions that participated had agreed with the parameters used to measure these projects. Mr. Teddy stated that was correct.

Mr. Kespohl stated the Clark Lane sidewalk from Home Depot to McKee was not in this list, and he thought it had been two months ago. Mr. Teddy explained any project already in process was not included. He understood the Clark Lane sidewalk was a GetAbout project and on that list. In addition, sidewalks adjacent to capital improvement road projects were not included in this plan either because those would be addressed as part of the road improvement project. The sidewalks identified in this plan were stand alone sidewalk needs. Mr. Kespohl asked if there was a process to get the Clark Lane project moved up so it was done in a reasonable amount of time. Mr. Teddy believed that was a separate decision making process. Mr. Kespohl asked when it was scheduled to be completed. Mr. Teddy replied he did not know. Mr. Matthes stated staff would come back to Council with a report on that specific issue. He thought the project was currently in the design phase.

Mr. Trapp commented that Leslie Lane did not have sidewalks on either side of the street and had not received a point for that criterion. Mr. Teddy stated it should have been given a point and noted staff would correct the mistake.

Ms. Hoppe understood Carter Lane did not have any sidewalks and would receive a rating of 5-7, and noted she had asked in July 2012 for a sidewalk on Carter Lane to be added to the CIP list. She thought it should be included on the master sidewalk list as well

since it had the trail on one end, was on a City bus route and had a lot of residential and student housing in the area. She asked if that could be added to this Plan, and noted Report 115-12 had details regarding it. Mr. Teddy replied the Plan could be amended tonight or at any time in the future.

Mr. Schmidt understood the Sidewalk Master Plan would be a living document that would be updated periodically. Mr. Teddy replied it could be amended at any time if something was overlooked or emerged in the future.

Mayor McDavid asked why Carter Lane was not on the list. Mr. Teddy replied he was not sure. Mr. Matthes stated it might already be in the pipeline in terms of design or being actively funded and noted he would get back to Council with an answer.

Ms. Hoppe made a motion to amend the Sidewalk Master Plan to include Carter Lane. The motion was seconded by Mr. Schmidt and approved unanimously by voice vote.

Mr. Kespohl understood a sidewalk in a new development had to be installed within three years. Mr. Teddy stated that was correct. Mr. Kespohl understood if the lot was not developed within three years and a sidewalk was installed, the sidewalk would have to be torn out when the lot was developed to allow concrete trucks to get through, etc., and asked if there was any latitude on the three years. Mr. Teddy replied staff was inventorying all of the sidewalk gaps within City, to include those that were past the three year limit, and would bring forth a report within the next few months that would include suggestions for strategies. Mr. Teddy pointed out there was the ability for a subdivider to ask Council for an extension to the performance agreement for situations described by Mr. Kespohl.

Mayor McDavid opened the public hearing.

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

Mr. Schmidt stated this was a good report and understood the boards and commissions had spent a lot of time and energy obtaining public opinion and providing recommendations. He believed this was a good step in cataloging the sidewalk needs.

Mayor McDavid noted \$18.5 million worth of sidewalk work was needed and believed that showed the gravity of the task before the City. He commented that he appreciated the historical perspective in the report, particularly the portion that described the culture of the 1930's and1940's requiring four foot sidewalks for any home, but after World War II, during the 1950's and 1960's, sidewalks were no longer required as Columbia was enamored with driving. As a result, there were a lot of gaps in developed areas, such as the Business Loop, and the City now had to make up for that cultural shift.

Mr. Kespohl made a motion to approve the update to the Sidewalk Master Plan as it had been amended to include Carter Lane. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

### **OLD BUSINESS**

# B30-13 <u>Vacating sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court.</u>

The resolution was read by the Clerk.

Mayor McDavid noted B30-13 was tabled at March 4, 2013 Council Meeting and the applicant was requesting it be tabled again to May 6, 2013 Council Meeting.

Mayor McDavid made a motion to table B30-13 to the May 6, 2013 Council Meeting. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

# B66-13A <u>Appropriating federal forfeiture funds and transferring funds for the purchase of an Armored Personnel Carrier (APC) for the Police Department.</u>

The bill was given third reading by the Clerk.

Mr. Matthes and Chief Burton provided a staff report.

Mr. Dudley asked how many times the APC unit had been borrowed by surrounding cities. Chief Burton replied not very often, and explained it was usually a mutual aid situation whereby another agency contacted them for assistance. He pointed out the Police Department did not let the other agency borrow it as the City would send its own personnel with the vehicle. Mr. Schmidt understood the Police Department was serving other police departments the same way as those departments served Columbia. Chief Burton stated that was correct and explained he would feel obligated to assist another department due to a hostage situation, having officers pinned, etc.

Mr. Trapp stated the report provided a log of the APC being used for SWAT action, and asked if there was just a SWAT log or if there was a log of anytime the vehicle was used. Chief Burton commented that the SWAT actions included in the report were the types of situations in which the APC would be used. It would not be used for every SWAT call. It was not designed to serve narcotics warrants, etc., and would not be used for those situations. It was primarily a hostage/rescue vehicle or an officer protection vehicle. Mr. Trapp asked if it had ever been used in any other situation. Mr. Burton replied, to his knowledge, it had not.

Mr. Trapp understood uniform police codes and policies were being reviewed and adopted, and asked if any of those codes dealt with the APC in any manner. Chief Burton replied it was left up to the SWAT Commander based on information that person had at the time.

Mr. Trapp stated he was concerned about unusual situations, such as those involving crowds, protests, etc., where someone might be run over. He understood Chief Burton could not imagine that occurring, but noted he would feel better if he was provided a history of how it had been used over the last 13 years so he knew whether it had been used in that situation in the past or if there were protocols or procedures with regard to its use. He reiterated he was more concerned about the fringe and unusual situations. Chief Burton stated that absent the need for an APC, it would not be used. He could not think of an application in which it would be used in that situation unless the people causing the disturbance were using firearms and the vehicle was needed to protect either officers or citizens. The APC would not be used if people were in the street and being civilly disobedient. They would have to know or believe there was the potential for firearm violence. He understood the concern of it being used as an intimidation factor, but did not feel that was appropriate. It would have to be a situation where he thought there was a potential for firearm violence that would put officers and/or citizens in danger.

Mayor McDavid thought it would be appropriate for the Council to review how the vehicle was used in the future and set protocols for its use. Chief Burton stated he would be happy to provide Council a report every time the APC was used if they wanted it.

Mr. Schmidt asked if the new records system would make it easier to track the vehicle. Mr. Matthes explained there were two databases that needed to be replaced. The first one, which was actively being worked on, would replace the HTE System, which was the City-wide financial database. The other system needing to be replaced was the records management system in the Police Department, but it was it not a live project at this time. Mr. Schmidt stated he saw the new records system as a priority. Chief Burton stated he believed the Police Department already had a mechanism in place to do what was wanted, and explained they had a system that documented all uses of force by police officers. He thought they could add a category for when the BearCat was used for information, such as the number of times it was used, how it was used, why it was used and who made the decision.

Ms. Hoppe asked if written guidelines would be established with regard to how the APC was used. Chief Burton replied yes.

Mr. Kespohl commented that he believed the City should provide police officers with the tools needed to protect them. He noted there seemed to be public outcry and concern regarding the use of asset forfeiture funds for the purchase of this vehicle and asked if the use of those funds was legal. Chief Burton replied it was acceptable. Mr. Kespohl asked if the on-going replacement of police cars would be affected if \$63,000 from police auto fund went toward the purchase of the APC. Chief Burton replied no, and explained they were delaying the vehicles Community Service Aides used instead of police vehicles.

Dale Roberts stated he was the Executive Director of the Columbia Police Officers Association (CPOA) and explained the CPOA actively supported the need for a vehicle such as this. He commented that he conducted a search on Google and found many incidents of police intervention where someone, barricaded in a home, had used a rifle, and the normal equipment did not withstand rifle rounds. He provided an example of a stand off in New Jersey whereby the person barricaded in a home fired fifty rounds and the police cruisers looked like Swiss cheese. He understood this type of vehicle would not be used often, but was a life saving instrument for police officers when necessary. He stated he also understood and respected the need for guidelines, but felt flexibility would always need to be available as every situation could not be predicted.

Eugene Elkin, 3406 Range Line, commented that he believed rules were needed for the future as Chief Burton would not be with the City forever, and suggested those rules be published in the newspaper when determined.

Jim Chappelow, 104 Diego Court, stated he was speaking on behalf of Keep Columbia Free and explained, as a combat veteran, he understood the value of the protection this type of vehicle provided to police officers. There was no substitute to solid armour for small arms rounds. He commented that the appropriation of forfeiture funds for this purchase raised some legal questions as it effectively by-passed the City's appropriation and budgeting process. In addition, the use of forfeiture funds to fund police operations and equipment was contrary to the Missouri State Constitution, and the perverse incentives and conflicts of interest were inherent in the use of forfeiture funds to fund police operations as it encouraged further seizures, which were not subject to the same due process and protections that Americans were entitled. Keep Columbia Free was also concerned about this as a civil liberties matter. He reiterated that they appreciated the need for appropriate measures to

maintain officer and public safety, but wanted to ensure the Police Department and City Council understood they expected vigilance in the use of this equipment if this ordinance passed.

Mark Flakne, 2408 Basswood Drive, stated he was the President of Keep Columbia Free and noted he appreciated the Council vetting this process and discussing asset forfeiture funding. He commented that he agreed with Chief Burton and Dale Roberts from the CPOA in that this might be a legitimate purchase to provide adequate armour to protect police officers in the event they met this type of small arms fire. He believed the problem involved the \$36,505 of forfeiture funds that were being allotted for this purchase. understood it was legal to use these funds according to the federal government, but felt the asset forfeiture process was morally repugnant. He explained over \$1 million in cash and collectible firearms were seized from Kevin Bay, the owner of Bocomo Bay, by the Boone County Sheriff's Department recently. He noted Mr. Bay had been arrested for a crime, and although the charges were dropped so he was not convicted or tried, the money had still been seized. In order to get his property back, he had to go in front of a judge and prove his property's innocence. He felt this was a terrible process even though it was legal. encouraged the Council to begin the process of drafting an ordinance to forbid the use of forfeiture funds to fund the Police Department. He believed the Police Department should be funded through existing means and the budget, and thought some of the budget surplus should be used for this instead of forfeiture funds.

Donald Warren, 2194 E. Bearfield Subdivision, stated he was also against the use of the forfeiture funds to fund the Police Department for the reasons indicated by previous speakers and because it went against the spirit of Missouri law.

Mayor McDavid commented that this would replace protection for the Police Department that had been in existence, and that they would not be instituting a new program. He stated he planned to support this and noted he viewed it as a 25 year investment. He expected the Police Department and City Manager use it sparingly and take good care of it, similar to how they used the previous APC. He explained he was fully committed to ensuring police officers had the protections they deserved.

Mr. Kespohl asked Mr. Noce for his opinion of the use of forfeiture funds. Mr. Noce replied Ms. Volkert had previously provided Council information regarding the differences between Missouri and federal forfeiture. He commented that he was not sure of the exact argument that was being made regarding the Missouri Constitution, but if it involved something other than the difference between Missouri and federal forfeiture, he was not knowledgeable enough to speak on the issue. Mr. Kespohl asked Mr. Noce if he thought its use was okay. Mr. Noce replied yes.

Ms. Nauser stated she believed the City was obligated to protect police officers and provide them the tools necessary to protect themselves and the lives of the citizens they were sworn to protect. She commented that this report referred to a couple armed robberies as the potential of something happening, and believed that was only included to create a fear factor. She appreciated the information and the history regarding how the City had used the APC in the past. The privilege of having it had not been abused in the past and she did not foresee it being abused in the future. She was certain Chief Burton would develop adequate

policies to protect police officers and citizens and planned to support it. She believed a broader conversation was needed regarding the use of forfeiture funds at a later date as it might be something the community did not want the City to utilize in the future. She reiterated she would support this as she looked at it as an investment as well, and hoped the vehicle would last 25-30 years. She also hoped it would never need to be used.

Mr. Trapp commented that he very much valued worker safety and appreciated the hard work and risks police officers took to protect the safety of citizens, but he also had to weigh the risk of the 108,000 people in Columbia that were not police officers. He stated he had not been able to find any evidence basis for the use of the APC beyond some anecdotal information, primarily through the media, which he felt was biased toward spectacles. He believed the police force had become more effective due to the use of science, data and information to drive the use of limited resources. He liked the idea of knowing how the APC had been used exhaustively and still had unanswered questions. He pointed out he was not against an APC, but could not support this ordinance with the information he currently had. He would feel better if guided by a sure sense of history or a clear set of policies since this would affect citizens today and those 10-20 years from now. He stated they did not know the types of situations they would encounter, and noted he had concerns with regard to public perception in terms of how citizens viewed the police and the government. He believed the best thing they could do to promote officer safety and community safety was to clearly let the citizens of Columbia know the Police Department was not at war with them, and that they were there to help and support them. He mentioned the mediation program through the Citizen Police Review Board and community policing actions that had brought forward human relations as good initiatives that would likely help with solving crimes. He commented that he was a counselor by trade, and as a result, he had the opportunity to work with police officers so he knew it was a tough job. He stated he was hesitant to vote against this, but felt that was what he needed to do tonight.

Ms. Hoppe understood this was something the City had used for many years, and that was a key point in her evaluation. She also understood written guidelines would be developed, and asked for those guidelines to be provided to Council as a report so the public could view it as well. This along with reports regarding when the APC was used would establish some accountability. She stated she felt comfortable supporting this ordinance with those provisions.

Mr. Dudley commented that history in terms of the use of the prior APC had been good so he was in favor of purchasing it, but wondered if it was possible to share the cost with another agency, such as the Sheriff's Department or charge a rental fee if it was borrowed.

Mr. Schmidt stated the Police Department understood how scarce funds were, and if they were willing to allocate these funds for this purpose, he would take that as evidence it was necessary. He noted he also appreciated the point made regarding the difficulty of writing guidelines for all foreseeable circumstances, but thought staff understood the concerns of Council and would try to address them.

Ms. Nauser asked if they should include in the ordinance the requirement for staff to provide data regarding the APC to Council. Mr. Noce recommended that not be placed in this ordinance as it would not amend the Code of Ordinances. If that was a desire of Council,

he suggested another ordinance be prepared so the requirement was included in Chapter 21 of the Code of Ordinances. Mayor McDavid asked if the use of force was a public document. Chief Burton replied certain parts were, and noted it could be included there and provided to Council quarterly.

The vote on B66-13A was recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT. VOTING NO: TRAPP. Bill declared enacted, reading as follows:

# B68-13 <u>Extending a moratorium on illuminated window signs that have electronic changeable copy.</u>

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mayor McDavid understood a revised ordinance could still come forward if the Council defeated this bill. Mr. Teddy stated that was correct.

Mayor McDavid stated he understood these signs were a safety issue, but did not recall any safety data being available. He asked if this was common. Mr. Teddy replied it was, and noted a lot of communities prohibited changing signs. Mayor McDavid asked if the concern was due to the aesthetics, similar to Las Vegas. Mr. Teddy replied it was a character and aesthetic argument. He thought there was likely a study that showed the truly bright flashing signs that were constantly animated could be distracting enough to create a problem on a roadway for those who might be sensitive.

Ms. Hoppe commented that they were asking for six months, but understood it would come back to Council sooner if possible.

Mayor McDavid stated he had voted against this previously and would vote against the extension as he felt this was an example of a solution without a defined problem. He believed it was a reaction to one sign at the corner of Broadway and Stadium Boulevard, and would oppose this and anything similar until there was a defined problem.

Mr. Kespohl commented that he received a flyer from the Missouri Outdoor Advertising Association, which indicated 62 percent of those surveyed in 2012 believed government bans intruded on the rights of legal businesses and 82 percent of respondents agreed government should not be able to ban digital billboards. He felt a digital billboard was similar to a digital sign, and felt the moratorium had more to do with the content of one particular sign than the actual sign. He understood 87 percent of adults, 18-34 years old, believed there was a benefit in digital billboards for local businesses. He thought they needed to vote against the moratorium.

Mr. Dudley stated he lived and worked near the sign in question, and since this issue had arose, the owner had toned down the sign and he had not received any complaints. He noted he planned to vote against the ordinance.

Ms. Hoppe commented that signs were a big issue in the community, and pointed out about a year had been spent previously addressing signs in the downtown. She felt this had been left out when the sign ordinance was established because the technology was new. She thought the community had a very strong interest in the character, look and appearance of the community, so she believed it was important to allow the public to provide input on this

issue. In addition, she felt they should honor the work of the Planning and Zoning Commission by allowing them to have the public hearing versus ending it midstream, prematurely and without public input.

Mr. Schmidt explained he had lived in Tokyo and New York City so he knew how a place without some restrictions could look. He understood this moratorium might have been a reaction to a single sign, but it was a reaction by people that had fought for sign ordinances previously, and he believed it was worthy of a study. He also believed it made sense to have a moratorium while the issue was being studied.

Ms. Nauser stated she did not like moratoriums, and pointed out MoDOT and other communities had signs on their highways that notified drivers of commute times and other information. If this became a problem, they could then define the problem. If it was an issue regarding language, she thought they should set boundaries. She did not believe there was currently a problem, so she was uncertain as to why there was a moratorium to deal with something that did not exist. She noted she could not support this ordinance.

Ms. Hoppe felt this was a problem and pointed out there was a sign on Business 70 that was very bright and distracting as well. She believed these types of signs were being used more often, so this provided the opportunity to review the issue.

Mr. Trapp commented that he believed a sense of place was important and preserving what they liked about Columbia was something citizens brought to him all of the time. This moratorium had already been in place so it would only be a continuation of a previous Council decision. They had asked the Planning and Zoning Commission to review the issue, and they had started a public process. He believed a gap could create a rush to install these types of signs since it could be done quickly. He noted public processes took time and felt the moratorium needed to be continued to allow time for the public to present ideas and draft an ordinance that would protect what they loved about Columbia.

Mayor McDavid understood the process could continue whether the moratorium passed or not. He commented that as long as the City allowed signs on buses, he would not support a sign moratorium.

Ms. Hoppe asked when the moratorium currently in existence would end. Ms. Nauser replied six months from October 15, 2012, so she believed it would expire April 15, 2013.

B68-13 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, SCHMIDT, TRAPP. VOTING NO: KESPOHL, DUDLEY, NAUSER, MCDAVID. Bill declared defeated.

# B71-13 Rezoning property located on the southwest corner of Grindstone Parkway and Rock Quarry Road from District A-1 to District C-P; approving the Grindstone & Rock Quarry Break Time C-P Plan; approving less stringent screening and landscaping requirements.

The bill was given second reading by the Clerk.

Mayor McDavid understood the applicant had requested this item be tabled to the April 15, 2013 Council Meeting.

Mayor McDavid made a motion to table B71-13 to the April 15, 2013 Council Meeting. The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

B78-13 <u>Authorizing an intergovernmental cooperative agreement with Boone County, Missouri and The Curators of the University of Missouri as it relates to the collaborative adaptive management implementation (CAM) process to address the total maximum daily load (TMDL) for Hinkson Creek.</u>

The bill was given second reading by the Clerk.

Mr. Glascock provided a staff report.

Mr. Dudley explained he was on the CAM committee as a representative of the City Council, and they met once a month similar to the Science and Action teams. Everything had been discussed and agreed upon by all three parties. He noted they had looked at different options and this was a good process as it allowed for collaborative adaptive management while keeping the EPA happy.

Mr. Kespohl commented that he had recently heard the EPA was no longer allowed to issue TMDL's and asked if that was correct. Mr. Glascock replied he understood the EPA had lost a couple court cases, but was not sure that meant they could not issue a TMDL. He thought they could still issue TMDL's, but could not use surrogates as that had been determined to be illegal. Mr. Kespohl asked if the Hinkson Creek TMDL involved a surrogate. Mr. Glascock replied yes. Mayor McDavid pointed out stormwater was a surrogate. Mr. Noce pointed out different circuit courts at the federal level had ruled differently and likely in conflict with one another. Mr. Kespohl understood some courts had indicated a surrogate could be used while other courts had determined they could not be used. Mr. Noce stated that was correct.

B78-13 was given third reading with the vote recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, SCHMIDT, TRAPP. 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.

- Repealing Ordinance No. 021141 which approved the C-P Development
  Plan of III Forks Prime Steakhouse located on the northeast corner of
  Providence Road and East Green Meadows Road; approving the
  Macadoodles C-P Plan; setting forth conditions for approval.
- Amending the permitted uses on property in District O-P located on the northwest corner of Rainbow Trout Drive and Scott Boulevard; approving a statement of intent; approving the Quail Creek Professional Park O-P Plan; approving less stringent screening and landscaping requirements.
- Rezoning property located on the southeast corner of Forum Boulevard and Nifong Boulevard from O-P and R-1 to C-P; approving the Boone Hospital Medical Park South C-P Plan; approving less stringent screening requirements.
- B73-13 Rezoning property located north and south of Broadway at the intersections of Dorsey Street and Ripley Street from R-3 to O-1.
- B74-13 Approving an update to the Stephens College Campus Master Plan.

- B75-13

  Approving the Final Plat of Steeplechase Estates Plat 3 located on the east side of Howard Orchard Road, north of Route KK; authorizing a performance contract.

  B76-13

  Vacating street right-of-way located along a portion of the west side of Rangeline Street, south of Wilkes Boulevard.
- B77-13 Amending the FY 2013 Annual Budget to add an Administrative Support
  Assistant III position in the Community Development Department,
  Planning Division; transferring funds.
- Authorizing a financial assistance agreement with the Mid-Missouri Solid Waste Management District for the purchase of a roll-off recycling container to be used to collect recyclables at special events; appropriating funds.
- B80-13 <u>Authorizing acquisition of additional easements for construction of a sidewalk along the north side of Texas Avenue from Garth Avenue to Providence Road.</u>
- B81-13 <u>Accepting conveyances for utility purposes.</u>
- B82-13 Authorizing lease agreements with The Callaway Bank and Hawaili, Inc.

  d/b/a Taj Mahal for retail space in the Fifth Street and Walnut Street

  parking garage.
- R62-13 Setting a public hearing: construction of improvements to the H.J. Waters and C.B. Moss Memorial Wildlife Area.
- R63-13 Setting a public hearing: voluntary annexation of property located on the east side of Highway 63 South, west of Rolling Hills Road and south of Old Millers Road (5950 Rolling Hills Road).
- R64-13 <u>Setting a public hearing: amendment to the FY 2013 Annual Action Plan for HOME funds.</u>
- R65-13 <u>Authorizing Adopt A Spot agreements.</u>
- R66-13 <u>Authorizing agreements with Thumper Productions, LLC and Missouri Symphony Society for tourism development funds.</u>
- Authorizing the temporary closure of Rollins Street between Hitt Street and Virginia Avenue to allow for the repair of the steam and condensate chase and replacement of a sanitary sewer line as part of the Wolpers and Johnston Hall renovation project on the University of Missouri campus.
- R68-13 <u>Authorizing an agreement with Alta Planning + Design for consulting services relating to the Non-Motorized Transportation Pilot Program (GetAbout) project evaluation.</u>

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

#### **NEW BUSINESS**

None.

### INTRODUCTION AND FIRST READING

The following bills were introduced by the Mayor unless otherwise indicated, and all were given first reading.

- Approving the Final Plat of Broadway Shopping Center Subdivision located between West Broadway and Ash Street, west of Clinkscales Road; granting a variance to the Subdivision Regulations regarding dedication of street right-of-way.
- Approving the Final Plat of Academy Subdivision located north and south of Broadway at the intersections of Dorsey Street and Ripley Street; granting a variance from the Subdivision Regulations regarding dedication of street right-of-way; vacating a sewer easement.
- B85-13 Approving the Final Plat of Forest Hills, Plat No. 1 located at the current terminus of Rice Road and on the west side of Lake of the Woods Road; authorizing a performance contract.
- B86-13 Approving the Final Plat of Old Hawthorne, Plat No. 10 located on the east side of Old Hawthorne Drive, south of Saddle Bag Court; authorizing a performance contract.
- B87-13 Approving the Final Plat of Eastland Hills Estates Plat 1-B, a Replat of Lot 19, Eastland Hills Estates Plat 1, located on the southwest corner of Copse Court and Nannyberry Court; authorizing a performance contract.
- B88-13 Amending Chapter 14 of the City Code to make Allen Street a two-way street and to make Trinity Place between Switzler Street and Pendleton Street a two-way street.
- Authorizing a First Amended and Restated Cost Participation Agreement with the Missouri Highways and Transportation Commission relating to transportation improvements to the Stadium Boulevard corridor from Broadway to I-70.
- B90-13 <u>Accepting conveyances for sewer, temporary construction and temporary access purposes.</u>
- Authorizing an agreement with American Public Power Association, Inc. relating to the Demonstration of Energy-Efficient Developments (DEED) grant program to explore the feasibility of testing a manufactured biomass fuel product at the City's Municipal Power Plant.
- Authorizing an agreement with Missouri Corn Merchandising Council, Inc. for professional and grant management services relating to the DEED grant program and the feasibility of testing a manufactured biomass fuel product at the City's Municipal Power Plant.
- B93-13 Amending Chapter 27 of the City Code as it relates to electric rates and the load shedding program.
- B94-13 <u>Accepting conveyances for utility purposes.</u>
- Authorizing construction of improvements to the H.J. Waters and C.B. Moss Memorial Wildlife Area; calling for bids through the Purchasing Division; appropriating funds.
- Repealing Resolution 156-11 which established the Transit System Task
  Force; amending Chapter 2 of the City Code to abolish the Public
  Transportation Advisory Commission and to establish the Public Transit
  Advisory Commission.

- B97-13 Repealing Resolution 44-99 which established the Mayor's Committee on Physical Fitness; amending Chapter 2 of the City Code to establish the Mayor's Council on Physical Fitness and Health.
- B98-13 Appropriating funds for Share the Light Program.
- B99-13 Amending the FY 2013 Annual Budget to add an Assistant Director of Information Technologies position in the Information Technologies Department; amending the FY 2013 Pay Plan and Classification Plan.

#### **REPORTS AND PETITIONS**

### REP46-13 <u>Street Closure Request – Family Fun Fest.</u>

Mr. Dudley made a motion to approve the street closure request for the Family Fun Fest events. The motion was seconded by Mr. Trapp and approved unanimously by voice vote.

### REP47-13 Sister City Expenditure.

Mayor McDavid commented that about a year and one half ago, the Mayor from Suncheon City had come to Columbia with a delegation and had proposed Columbia collaborate with them on their 2013 International Garden Exposition, which was a billion dollar exposition. Due to the relationship they had with Columbia, they invited the City to design the American portion of the exhibit. They also invited members of the City of Columbia to visit Suncheon City and paid for two staff members to attend. He noted he and his wife, who had paid their own travel costs, had been able to see the exposition being created, and believed the exposition would draw tourists from Asia and the western Pacific.

Ms. Graham noted the ballet would be July 4-8, and the Missouri Contemporary Ballet of Columbia Missouri was the only performing group from North America, which was impressive.

Ms. Hoppe wondered why the City would not also provide funding to the Contemporary Ballet as they would do an artistic performance. She understood they were raising money to travel to Suncheon, but wondered if there were enough funds in the sister city fund to provide an additional \$1,000 to the Contemporary Ballet. Ms. Graham explained the artist, Mark Grundy, was associated with the Missouri Contemporary Ballet, and he would be going to Suncheon on behalf of them. She pointed out the Missouri Contemporary Ballet had proposed this arrangement. The support of a specific arts organization was usually done through the Office of Cultural Affairs, so she did not feel comfortable requesting it. Ms. Hoppe understood that although the \$2,000 was going to the artist, he was associated with the Contemporary Ballet. Ms. Graham stated that was correct. She pointed out the City was assisting with getting information out regarding the Kick Starter Campaign for the Missouri Contemporary Ballet in terms of advertising, social media, etc., since it was associated with a sister city relationship.

Mayor McDavid made a motion to approve the expenditure for two plein aire paintings artists services as an ambassador for Columbia at the 2013 Suncheon Bay International Garden Festival. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

### REP48-13 <u>Accessory Dwellings Report.</u>

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

Mr. Schmidt wondered if a simpler ordinance would be better as it seemed difficult to specify these by the number of square feet or the distance of the setback. Mr. Teddy explained a lot of traditional zoning ordinances involved text and numbers, and there was uncertainty as to whether the text and numbers would produce something that was functional and looked good, so he recommended the additional step of visualizing the different placements on the lots. He noted there were different ways to implement accessory dwellings as it could be an apartment addition attached to a house, a conversion of a basement or sub-basement space, a half-story or attic space that was already within a building shell or an entirely detached structure, such as a cottage. He thought there needed to be dimensional standards, such as placement off of rear lot line or an alley, and functional relationships. Mr. Schmidt stated his neighborhood had a lot of little houses where a second larger house could be built, and the second unit would be the accessory unit that could become the main unit. He wondered if they were producing an unnecessary complexity by making that requirement. Mr. Teddy thought there could be an adjustment process for it. Mr. Schmidt understood it could always go to Board of Adjustment. Mr. Teddy explained there was a description of a conditional use process in R-1 districts, so that was a possible outcome for a discretionary process so the issue of whether an accessory unit would be allowed was decided on a case by case basis. He pointed out the process established would be the decision of Council.

Mr. Kespohl asked if there was a definite distinction between an accessory home and a lot that ran from one block to another block, which held two duplexes. He wondered if that would be addressed. Mr. Teddy replied a rule would likely be needed that would anticipate that type of situation.

Mr. Kespohl understood this floating overlay would not take the place of an existing overlay in a subdivision. Mr. Teddy stated this would be an entirely different concept. The neighborhood conservation overlays were addressed in the zoning ordinances as an enabling process and the specific standards had to be written by the neighborhood. The idea for the accessory dwelling would be to adopt the standards. Mr. Kespohl understood lots that currently had two structures on them would be grandfathered. Mr. Teddy stated that was correct.

Mayor McDavid commented that this was a very innovative suggestion, but he was not sure how well it would be received in the community. He referred to a rezoning request in the East Campus Neighborhood they had discussed previously in which the density was increased, and believed it would be a challenge to come up with a policy that would be agreed upon by everyone, but thought there might be ways to delineate neighborhoods that wanted it.

Ms. Hoppe stated she thought it was important for the neighborhoods to provide input early in the process so anything developed would meet the needs, restrictions and desires of different areas. She asked if the Planning and Zoning Commission would invite neighborhoods and citizens to provide input on this report prior to moving forward. Mr. Teddy agreed a broader discussion was needed to determine what people wanted to achieve.

Mr. Kespohl provided an example in the Benton-Stephens Neighborhood where two duplexes were being constructed on one R-2 zoned lot, and the overlay for the neighborhood prohibited some things, so the issue was now before the Board of Adjustment. He thought this accessory dwelling use needed to be defined really well. Mr. Matthes thought an overlay for this situation might work well and thought it could be piloted.

Mr. Schmidt commented that different areas were having different issues as some areas really wanted this since it would allow something other than attached duplexes. He thought the West Ash case study area would welcome this zoning change. He felt the idea was to allow for flexible zoning.

Mr. Kespohl made a motion directing staff to work with the Planning and Zoning Commission and interested neighborhoods in developing an ordinance revision to the zoning regulations. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

### REP49-13 Trash Bag Vouchers.

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

Mr. Dudley thanked staff for the report and noted he would provide that information to anyone who came to him.

Mr. Schmidt asked who received the money if he purchased the bags from a participating retailer without a voucher. Mr. Glascock replied the retailer received a portion and then the rest of the money went into the utility fund.

### REP50-13 <u>Intra-Departmental Transfer of Funds Request.</u>

Mayor McDavid understood this report had been provided for informational purposes.

### **COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Donald Warren, 2194 E. Bearfield Subdivision, explained he was the father of two boys that attended New Haven Elementary School and noted a traffic issue existed in front of New Haven for a few years. He had spoken with Ms. Hoppe, Jonathan Sessions of the Columbia Public School District Board, and the Principal of New Haven, Ms. Garth, regarding the situation. Cars coming from the other direction were crossing the solid yellow line and passing parents during the pick up time, which was about 3:30 p.m. He felt this was a safety issue and asked if the City could do anything to address the situation.

Ms. Hoppe thanked Mr. Warren for raising this issue. She understood staff had been to the school and would be providing recommendations. She noted she would follow up on the issue.

Greg Ahrens, 1504 Sylvan Lane, commented that he believed there was a slight problem with Columbia's elections as the election for the Mayor was always the same year as the election for the Third and Fourth Ward Council Members, so someone from the Third or Fourth Ward would have to decide whether to run as a Council Member or Mayor. This was not a problem for the other four wards. He wondered if it was possible to change the City Charter so the term of the Mayor was four years instead of three. This would allow that election to compete against the other wards as well.

Eugene Elkin, 3406 Range Line, stated he recently spoke on the issue of homelessness because he had been affected by the actions of REDI. He believed changes needed to be made, and noted he would not be a victim and would fight for the poor. He commented that he had to pay an extra penny for a purchase made near the Columbia Mall and asked if this was related to a TDD, a City tax or something else. Mr. Kespohl noted the tax rate had increased due to the passing of a ballot issue in November, 2012. Mr. Elkin understood the 9-1-1 issue would voted on tomorrow and pointed out a cap on the \$9.3 million had not been included. He was concerned because it would affect the poor. He stated he felt democracy had been shown by the Council tonight since not everyone voted in the same manner on multiple issues. It showed each Council Member was making its own decisions. He commented that he had recently toured the Council Chamber and understood there had been a lot of sustainable or recycled materials used. He thought that should be mentioned more often.

Ben Jacob, 1 Liberty Plaza, commented that as the City considered increasing public transportation, it might allow a change in the way of development and traffic patterns, and help alleviate issues at Grindstone and Rock Quarry and Stadium and Providence.

Mayor McDavid asked staff to provide a report at the next Council Meeting regarding the loss of air traffic control in terms of public safety and any options the City had for the future. He wanted the report to address Manhattan, Kansas and Bloomington-Normal, Illinois, as Columbia used those airports as models and they were also losing their air traffic control services. He understood Bloomington-Normal filed a suit against the FAA.

Mayor McDavid commented that Senator Roy Blunt planned to tour the Columbia Regional Airport on Friday, April 5, 2013 at 3:30 p.m., and invited the Council to attend.

Ms. Hoppe asked staff to determine what could be done about cut-through traffic at the Eastgate Shopping Center area bordered by Broadway and Old Highway 63. Cars going north on Old Highway 63 would cut through the parking lot so they did not have to wait at the light at Broadway to go east, and cars going west on Broadway tended to cut through the parking lot instead of waiting for the light to go south. There had been many near collisions and the issue was increasing, so it was becoming an extreme safety problem. She asked staff to determine if signs, speed humps, additional enforcement or another solution might help, and to talk to management about the situation.

Ms. Hoppe noted she attended the Advancing Renewables in the Midwest Conference last week, which had been hosted in part by the Water and Light Department, and understood the energy efficiency of a LEED building was dependent on how it operated. She asked staff to provide a report regarding the energy efficiency of City Hall, and whether it was being operated at maximum efficiency.

Ms. Hoppe understood the issue of anti-idling of City vehicles had been discussed in the past, but she wanted to know the status and whether it was being monitored by the City. She asked staff to provide a report on the issue.

Ms. Nauser understood forfeiture funds had been discussed at the February 18, 2013 Pre-Council Meeting in terms of the federal forfeiture guidelines and the amount of forfeiture funds the Police Department had used over the past three years. She suggested that information be provided as a report to the community and for it to include the statutory guidelines for the State of Missouri in terms of forfeiture funds. She thought it was alarming that people could have their money and property seized and had to prove the innocence of those items even if they were not proven guilty of anything. She also asked for the report to include the past five years of forfeiture funds used instead of three years.

Mr. Kespohl noted the Council seemed to be unified in terms of wanting to see guidelines for the use of an APC.

Mr. Kespohl commented that he met a young woman at a recent NAACP forum who indicated she aspired to be a music teacher that worked with low income families and students in terms of teaching them how to play instruments. As a result, he wondered if that would be a good use for the Blind Boone Home. He thought one room could house a piano while other rooms could be used for other instruments. Performances could also be held there.

Mr. Kespohl stated he received an e-mail from a constituent concerned about 911 Eastland Circle as there were tires, lumber, and an old boat that would likely be a breeding ground for mosquitoes in the summer. He noted it needed to be cleaned up, and asked staff to look into it.

Mr. Kespohl asked for more information regarding Mr. Potter's wife as he did not understand if she was a current employee or a retired employee and why they were having trouble with medical coverage. Mr. Matthes noted staff might be able to answer his questions after the meeting.

Mr. Kespohl commented that one of the taxi cab companies in town was very passionate about the enforcement of City ordinances. He understood the ordinances required all taxi cabs in a fleet to be painted with one color scheme, such as yellow with black letters or black with yellow letters, but some of the cab companies operating in Columbia were not in compliance. The ordinances also indicated permit holders should require their drivers to wear a shirt, jacket, vest, hat or other clothing of a uniform color and have the permit holder's name on their clothing, and for the cab companies to keep their vehicles in good repair, serviceable and clean. He noted some of these ordinances were not being enforced and thought they should be enforced.

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Mr. Kespohl asked about the possibility of installing a stop light at the intersection of Keene Street and I-70 Drive Southeast as there seemed to be traffic delays at this location during certain times of the day.

Mr. Trapp commented that at the last Council Meeting, Laura Cornelison spoke eloquently about the dangers of synthetic drugs that were sold in gas stations and head shops within the City of Columbia. He had assumed this was more of a State issue, but understood Lubbock, Texas had an ordinance on this subject, and wondered if the Columbia could pass a similar ordinance.

Mr. Trapp stated he believed Mr. Ahrens idea about four year terms for the Mayor was great and thought the City might want to consider it.

With regard to the comments made by Mr. Elkin with regard to independent voting, Mr. Trapp pointed out they all had a solid respect for consensus. Although they sometimes swallowed small points of differences, they all had an independent mind and the ability to weigh facts. He did not believe unanimous votes indicated they did not have a strong opinion. They tried to meet in the middle and do the best work for the people of Columbia regardless of political beliefs.

The meeting adjourned at 9:31 p.m.

Respectfully submitted,

Sheela Amin City Clerk