

MINUTES
CITY COUNCIL MEETING - COLUMBIA, MISSOURI
AUGUST 1, 2005

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m., on Monday, August 1, 2005, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HUTTON, LOVELESS, NAUSER, ASH (left at 10:50 p.m.), HINDMAN (arrived at 7:50 p.m.), CRAYTON and JANKU 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 July 18, 2005 and the special meeting of July 26, 2005, were approved unanimously by voice vote on a motion by Mr. Loveless and a second by Ms. Crayton.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor Pro tem Janku noted that B294-05, which dealt with bow hunting, would be added under Introduction and First Reading.

The agenda, as amended, including the Consent Agenda, was approved unanimously by voice vote on a motion by Mayor Pro tem Janku and a second by Mr. Loveless.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENTS

None.

PUBLIC HEARINGS

B130-05 Rezoning property located on the north side of Cooper Drive North, east of Hyde Park Avenue from R-2 PUD to C-P.

The bill was read by the Clerk.

Mayor Pro tem Janku explained that a request had been received to table this issue to the September 6, 2005 meeting.

Mayor Pro tem Janku opened the public hearing.

Robert Hollis, an attorney with offices at 1103 E. Broadway, offered to answer any questions on behalf of the applicant since this had been tabled previously.

There being no further comment, Mayor Pro tem Janku continued the public hearing to the September 6, 2005 Council meeting.

Mayor Pro tem Janku made the motion that B130-05 be tabled to the September 6, 2005 meeting. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

B245-05 Voluntary annexation of property located on the southwest corner of State Route K and South Nursery Road; establishing permanent C-P zoning.

The bill was given second reading by the Clerk.

Mr. Teddy explained the west boundary of this tract was generally in line with what

would be Scott Boulevard if extended south. He stated the requested zoning was C-P and would ratify a nursery and garden center, which was already there. The property was zoned A-2 when zoning was established in 1973. He pointed out that directly east of this property was the tract that would become Boone's Point, which was also on tonight's agenda. Access was off of Route K, a MoDOT road, and off of Nursery Road, a Boone County maintained local unimproved residential street. Staff recommended approval of the zoning request subject to the C-P uses proposed and the Planning and Zoning Commission concurred. He noted the uses would be limited to a greenhouse, garden center and farm produce sales and services.

Mayor Pro tem Janku opened the public hearing.

William Regan, 7201 S. Nursery Road, thanked the Council for their consideration of his request stating they wanted to be a part of the City of Columbia. He felt it was a logical addition to the City due to its location and noted they would continue what they were currently doing with some increase in activity.

There being no further comment, Mayor Pro tem Janku closed the public hearing.

Since both sides of Nursery Road would now be in the City, Mr. Ash asked if it would become a City road making it the City's responsibility for maintenance. Mr. Glascock replied it would become part of the City down to the City limits. Mr. Ash asked if it would go on a list of projects that needed funding. Mr. Glascock replied that was correct. Mr. Beck added that there were policies in place as to what the community would pay and what the abutting property owners would pay.

B245-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B246-05 Voluntary annexation of property located on the southeast corner of Bethel Church Road and Old Plank Road; establishing permanent PUD-6.7 zoning.

The bill was given second reading by the Clerk.

Mr. Teddy explained the tract consisted of approximately 14 acres with most of the surrounding area lying in Boone County. The existing zoning was County R-S, single-family residential, and was established in 1973. The land use designation was neighborhood district and street access was off of Bethel Church Road or Old Plank Road, both unimproved neighborhood collectors. He pointed out Bethel Church Road did improve to the north. He noted R-S and R-M surrounding the property with two-family developments west and southwest of this parcel. Staff recommended approval with the condition that a payment in lieu of street construction be made. The Commission voted 5 to 3 against the proposal.

Mayor Pro tem Janku opened the public hearing.

Jay Gebhardt, 711 W. Ash, a civil engineer with A Civil Group, spoke on behalf of PGS Development and passed around a handout showing the proposed layout of the project. He felt the Commission voted against the request because it was two-family attached. Mr. Gebhardt noted a demand for that type of housing. He pointed out it would be platted as one lot under one ownership and that there would either be one homeowner's association, one condominium association or one owner that would own all of the units. He stated there would be two car garages attached to each unit. Recognizing the possible need for more parking, he commented that they planned to have pull-in parking off of the common driveway. The plan included a central area with some type of shelter house, a pool and a small play area for basketball or something similar and would be connected with trails so people could access it. He added that they would build a sidewalk along Old Plank and Bethel and that his client had no problem with the \$25 per foot payment in lieu of street construction.

Mayor Pro tem Janku asked about internal sidewalks. Mr. Gebhardt replied that they were unsure of what to do because it would mean more impervious surface. He stated they

would be willing to do whatever the Council deemed appropriate with regards to that. Mayor Pro tem Janku was concerned about the setbacks and their impact on sidewalks. Mr. Gebhardt commented that if the Council wanted 20 foot setbacks, they were willing to stipulate that in the statement of intent.

Mr. Ash asked if there was only one way in and out because of the creek. Mr. Gebhardt replied it was because of the creek and because of the developer's desire to have this as one little, isolated community. He pointed out the subdivision regulations did not require another access until there were 100 units. If this was a concern, they could put another entrance in for emergency access with some kind of breakaway gate.

Mayor Pro tem Janku asked about this being a single lot. Mr. Gebhardt replied they would plat it as one lot under one ownership with the one entity constructing and controlling all of the buildings. To ensure that, there would be an association that would set standards. Mayor Pro tem Janku noted the statement of intent mentioned zero lot lines. Mr. Gebhardt stated that if one person owned everything and wanted to rent all of the units like an apartment complex or condo individual units, they would want that right so they could sell them as individual units in the future. He noted they would have the homeowners' covenants in place if that were to happen. He clarified the intent right now was to have one owner.

Mayor Pro tem Janku asked if they were willing to stipulate to some sort of amenity. Mr. Gebhardt replied he would be happy to stipulate to the pool, the shelter house and some sort of outdoor play area as conceptualized on the drawing handed out.

There being no further comment, Mayor Pro tem Janku closed the public hearing.

Mr. Loveless asked about adding the amenities to the statement of intent. Mayor Pro tem Janku thought they would just look for it on the plan. Mr. Gebhardt promised to have it on the plan. Mr. Loveless added that they would also like to see sidewalk connections to both Bethel and Old Plank Road when the plan came back.

Mr. Gebhardt asked if he would need to show 20 foot setbacks. Mayor Pro tem Janku replied that if there was no internal sidewalk he saw no reason due to the benefit of the increased open space because they would not be pushing back.

B246-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B247-05 Rezoning property located on the west side of South Providence Road (2400 South Providence) from A-1 to O-P.

The bill was given second reading by the Clerk.

Mr. Teddy described the two acre tract, situated between Providence Road and Providence Outer Road, as an oblong remnant of past improvements to Providence Road. The Metro 2020 designation for this property was neighborhood district. Access was off of the outer roadway, an unimproved major collector street. He noted a lot of University facilities in the area as well as multi-family residential. Staff recommended approval subject to several conditions to include limiting allowed uses to O-1 with R-2 and R-3 uses, banks and drive-up facilities being excluded, a maximum floor area ratio of 16% of the total lot area yielding an allowance of 13,000 square feet of building on the site, single-story building construction with pitched roofs, a minimum area of open space of 35% of the lot, one monument sign per building, no wall signage or building wall lighting, a maximum cut and fill of five feet, a maximum building area of 9,000 square feet on the north portion of the site with an undisturbed vegetation buffer of 75 feet on the east and a maximum building area of 4,000 square feet on the south portion with 25 feet of vegetation buffer along Providence Road in the east boundary of the property. Staff recommended the statement of intent be revised to reflect these conditions. Mr. Teddy noted the applicant's desire to allow an existing duplex to remain, which would be considered legal, but non-conforming. The Commission

recommended approval of the proposed zoning subject to the conditions noted by staff.

Mr. Loveless understood the allowed uses would be O-1 except for all R-2 uses, R-3 uses, banks and drive-ins. Mr. Teddy replied that was correct.

Mayor Pro tem Janku opened the public hearing.

Jay Gebhardt, 711 W. Ash, a civil engineer with A Civil Group, explained they worked with staff on this issue and did revise the statement of intent. Mr. Gebhardt clarified, in regards to the cut and fill of four feet, that if there was an eight foot tall hill on a small localized area, he wanted to be able to cut it more than four feet. The intent was not to go in and table top the area and level it off. He explained that there were two building sites now and they needed to go in and level them up. In regards to the no R-2 uses, he clarified the existing duplex would remain. Mr. Loveless stated that was understood.

Mayor Pro tem Janku asked if the statement of intent dated July 11, 2005 was the current statement. Mr. Gebhardt replied it was. Mayor Pro tem Janku noted it included the language regarding the grading expressed by Mr. Gebhardt.

There being no further comment, Mayor Pro tem Janku closed the public hearing.

B247-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B248-05 Approving the Providence and Third Avenue C-P Development Plan.

The bill was read by the Clerk.

Mr. Janku explained a request had been received from the applicant to table this issue.

Mr. Teddy explained the property to be just under one-half acre in size. The proposal included a 6,050 square foot auto parts store with street access off of North Providence Road, a MoDOT maintained road and a major arterial, and off of Third Avenue, an improved local residential street. Referring to the site plan, he noted they did not literally mean a curb cut to Providence Road. Instead Third Avenue and a public alley would function as the approaches to the site and to parking on the east and west sides. Sidewalks were already in place on both Providence Road and Third Avenue. Eight parking spaces were required with 26 being provided. The landscaping and stormwater management plans were approved by staff. There were no freestanding signs proposed and wall signs would comply with the O-1 office district. No pole lights were proposed and the applicant indicated there would be four building mounted lights to provide light for the parking lot and entrances. Staff recommended approval of the C-P plan with the recommendation that the alley between Providence Road and the west edge of the parking lot be paved prior to any occupancy permit being issued. The Commission recommended denial on an 8 - 0 vote.

Mr. Ash stated he would need to see more information before voting on the issue and added that he could not make a decision based on the sketch alone. He asked that his request be forwarded to the applicant.

Mayor Pro tem Janku opened the public hearing.

Karen Cupp, 117 Fourth Avenue, explained the Ridgeway Neighborhood Association opposed this when Mr. Kardon first proposed this development. She noted the Association was not currently functioning as a group, but she, as an individual living in the neighborhood, still had concerns about it. She noted no provision for trash on the plat and stated she did not understand why an auto parts store supposedly selling very specialized foreign parts for high end automobiles would need so many parking spaces. Ms. Cupp pointed out that they had originally been assured this would not generate much traffic, so she did not understand the need for that many spaces. She felt Mr. Kardon had not done a lot to convince the neighborhood that this was something that would benefit them. She understood the need for an office type buffer along Providence, but thought there were still a lot of questions about

what would really happen in that space. She wanted to make sure there was no way auto repair could be done at that location. She was also concerned about the parking spaces being used for storage.

There being no further comment, Mayor Pro-tem Janku continued the public hearing to the September 6, 2005 Council meeting.

Mr. Loveless asked that the Council be provided the minutes pertaining to this issue when it was rezoned.

Mr. Loveless made the motion that B248-05 be tabled to the September 6, 2005 meeting. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

B258-05 Authorizing construction of water main serving Heritage Woods, Plat 1: providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Beck explained the City had a policy as to what the developer and property owners had to pay toward water mains where staff calculated the size needed for a particular area. The City paid the amount over and above what was needed for the development. In this case, 1,555 feet of 12 inch water main would be constructed, instead of 8 inch, at an estimated cost to the Water and Light Department of \$14,500.

Mayor Hindman opened the public hearing.

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

B258-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B259-05 Authorizing construction of water main serving CenterState, Plat 7: providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Beck explained that this would require a 12 inch line over an 8 inch line and the project consisted of 1,030 foot line at an estimated cost of \$10,588 to be paid from Water and Electric funds.

Mayor Hindman opened the public hearing.

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

B259-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B260-05 Authorizing construction of water main serving CenterState, Plat 8: providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Beck explained this 12 inch line would be 1,030 feet in length and would run along Woody Lane. The estimated cost to the Water and Light Department was about \$15,000.

Mayor Hindman opened the public hearing.

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

B260-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Voluntary annexation of property located on the north side of Thompson Road, west of Cotton Wood Drive.

Item A was read by the Clerk.

Mr. Beck described this as a one acre tract with a single family residence located in northeast Columbia. He explained an ordinance would be introduced later this evening.

Mr. Teddy noted a property immediately north of this was annexed recently.

Mayor Hindman opened the public hearing.

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

Mr. Loveless asked if the property was contiguous to the City. Mr. Teddy replied it was.

(B) Voluntary annexation of property located on the southwest corner of State Route WW and Rolling Hills Road.

Item B was read by the Clerk.

Mr. Teddy described this as a 161 acre tract and the remaining portion of the Sapp property. Accompanying the annexation request was a request for R-1 zoning. He explained there was also an amended and restated development agreement that accompanied this and updated the previously approved development agreement with the new tract data. It extended terms and conditions that were referenced in the prior version of the agreement.

Mr. Ash asked that they receive additional information regarding what had changed and why in terms of the development agreement.

Mayor Hindman opened the public hearing.

Don Stamper, 2502 Hollyhock, spoke on behalf of Mr. and Mrs. Sapp and stated they would be happy to honor Mr. Ash's request.

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

(C) Construction of the EP-1 trunk sewer serving the Opal Smith property.

Item C was read by the Clerk.

Mr. Beck explained the City had a long standing policy of building a trunk sewer main up a drainage area to what was called an 80-acre point so that surrounding areas would be treated equally. From that point up the drainage area, it was either paid for by the developers or through tax bill sewer districts. The total length of this project was approximately 2,600 feet with an estimated cost of \$260,000 to be paid from the sewer utility. The subdivider, in this case, was providing engineering for the project and descriptions of the easements.

Mr. Ash made the motion that staff be directed to proceed with the EP-1 trunk sewer, an 80-acre point sanitary sewer, to serve the Opal Smith property. The motion was seconded by Loveless.

Mayor Hindman opened the public hearing.

Bob Walters, 2704 Vail Drive, provided a handout and stated he was supportive of the project, but had a concern regarding the prior history on the trunk line and the route that was now being recommended. He noted a blue line illustrating a sewer line, which he undertook last September with the development of Westcliff Plat 1. He explained that in order to have sewer for the lots in Westcliff, he had to go underneath Perche Creek to tie into the trunk sewer line, which was the end goal of this 80-acre point sewer. After acquiring the acreage to the immediate east of Perche Creek, he approached the City and asked for assistance with off-site easements to tie into the sewer. This required the City's Law Department and Right-of-Way Agent to communicate with the Barnes family. After 17 months, the Barnes family accepted an agreement for \$3,500 with the stipulation that all improvements be completed by September 30, 2004. He pointed out that September was the only dry month and they did not get the project finished in time. The Barnes family wanted additional money, so another \$3,500 was paid to them. He explained the work was difficult and had to be done to save the stream bank from further erosion. He noted they did this without moving any substantial trees. It cost him \$77,800 to cross underneath the creek to put in a manhole on his side of the creek to tie into the other side of the creek. Mr. Walters stated he approached the City,

before beginning the project, hoping the 80-acre point could go the same distance and somehow share the same costs thereby reducing his costs as well as the City's cost. At that time the Public Works indicated they wanted to explore other options to get across the creek, so they were not able to join in at that time. Since then, they had concluded this was the best way to cross the creek. His understanding was that there would be no consideration for the cost and effort he put forth to drill underneath the creek if he were to be approached about giving the appropriate easements to the City because the easements would be valued on the surface alone. He asked the Council to direct staff to proceed with the project and to have some consideration for the tremendous expense, time and trauma he went through in building this. He noted the City would still enjoy a savings even if they paid him something approximating half the cost. Mr. Walters stated if the City considered paying that, not only would he participate in promptly providing all the necessary easements on his property, he would also grant a trail easement the entire length of the property.

Mayor Hindman asked Mr. Walters if he had discussed his ideas with staff. Mr. Walters replied that he had briefly. Mr. Glascock commented that he informed Mr. Walters that when they got to the acquisition stage, they would get an appraisal for the sewer easement as well as the trail easement. He thought those two costs might add up to what Mr. Walters was looking for. He explained that until that time, he had no way of telling what the actual land cost would be.

Mayor Hindman understood if they authorized going ahead with this project, it would not preclude working something out to everyone's benefit. Mr. Glascock explained he wanted authorization to proceed. He thought the Council could direct staff to look at the trail easements when they brought back the ordinance to acquire. They could then get a cost for both and see if it was something agreeable with everyone.

The motion, made by Mr. Ash and seconded by Mr. Loveless, was passed unanimously by voice vote.

(D) November 8, 2005 ballot issues.

Item D was read by the Clerk.

Mr. Beck noted a Transportation Finance Committee was formed, which provided a report to Council. In addition, two public information meetings had been held and two citizen surveys had been conducted by an outside consultant to obtain feedback from the residents.

Proposition one would extend the one-eighth cent park sales tax with no increase for a term of 8 years. It would generate \$20,000,000 and would be used for renovation, improvements to existing parks, acquisition and development of neighborhood parks, and additional trails and greenbelts.

The second issue was a sales tax extension of the one-eighth cent parks sales tax with no increase for two years, consecutive to the above. The projected revenue was \$5,000,000 and would be used for an ice skating facility and a multi-use recreation facility that would include a farmers market.

Proposition three would extend the one-fourth cent capital improvement sales tax for three years for public safety. The projected revenue was estimated at \$15,000,000 and would replace older trucks and equipment and build and equip new stations for the Fire Department, provide a new training facility for the Police Department and replace emergency storm warning sirens that were, in many cases, over 20 years old.

The next proposition would extend the one-quarter cent capital improvement sales tax with no increase for seven years, consecutive to the above. The projected revenue was \$35,000,000 with funds being used for improvements to major streets to relieve traffic congestion and sidewalk improvements to provide safe routes to schools and improve accessibility in the downtown for persons with disabilities.

Proposition five would be an additional one-eighth cent capital improvement sales tax

for 10 years to fund street and sidewalk projects. The projected revenue was \$25,000,000 and would be used to improve major city streets to relieve traffic congestion and make sidewalk improvements to provide safe routes for schools and improve accessibility in the downtown area.

The last proposition would increase the development charge from ten cents to fifty cents per square foot over a five year period. Total projected revenue was \$19,000,000 with funds being used for arterial and collector street improvements only.

Mr. Hood explained that under the eight year extension of the one-eighth cent park sales tax, they were suggesting the \$20,000,000 generated be broken down with approximately \$3.4 million on neighborhood parks, \$6.2 million on trails and greenbelts, \$8.4 million on improvements to existing parks and \$2 million on park annual improvement projects.

Regarding the street program, Mr. Beck stated they developed a list of streets discussed over a period of several work sessions for both a ten year plan and a five year plan, as it related to one-eighth cent. These lists would not be on the ballot, but were used to educate voters. Mr. Beck felt the City had an outstanding track record of getting projects built that were approved by the voters.

Mr. Janku understood the public hearing would be continued to the next meeting. Mr. Beck replied that was the plan, so Council could take into consideration what they heard tonight and at the meeting on the 15th. He noted amendments could be made at both meetings.

Mr. Janku stated they talked about two amendments. One would reduce the increase of the one-eighth cent sales tax for transportation to five years rather than ten.

Mr. Janku made the motion that they reduce the increase of the one-eighth cent sales tax for transportation to five years rather than ten. The motion was seconded by Mr. Loveless.

Mr. Janku stated the other amendment they discussed regarding the parks sales tax was to extend it for two years for the ice skating rink and the multi-use facility and then extend it for an additional term for general parks, trails, neighborhood parks and park renovations. Currently, they were showing eight.

Mr. Janku made the motion they show the extension for the parks sales tax of eight years being reduced to five. The motion was seconded by Mr. Ash.

Mayor Hindman opened the public hearing.

Ben Londeree, 2601 Chapel Wood Terrace, provided a handout and spoke on behalf of the Citizens for Timely and Responsible Road Infrastructure Financing (TARRIF). He stated they opposed the Council's current proposal for financing new road infrastructure for five reasons. The first was that they felt Council proposal was inadequate and incomplete. It fell far short of financing road CIP needs as documented by the Transportation Finance Advisory Committee and the consultants hired by the City. The City's proposal was projected to raise a total of \$10 million per year via sales taxes and development fees, but the projected annual road CIP need was at least \$17.1 million per year according to the consultants. Using industry standard methods, they estimated the actual annual need was between \$20 and \$27 million per year. The second reason was that they felt Council proposal was unfair to existing residents and businesses. Both of the City's proposed CIP sales taxes for roads had taxpayers subsidizing new development with public money. Based on the Council's list of road projects, almost all of the proposed road funding was targeted to meet the needs of new development. The group felt new development should pay for itself. Mr. Londeree stated the Council's proposal was also inequitable. They felt the size of the road infrastructure development fee should reflect how much new rush hour traffic was produced by the development. The Council proposal did not require or provide for timely pay-as-you-go construction and financing of new road infrastructure. In addition, the Council proposal did not make the City accountable for its expenditure of public funds from development fees.

They felt a substantial portion of the road infrastructure development fee should be used for off-site roads impacted by the contributing development. Mr. Londeree stated there was a very large gap between the needs and the proposed funding and added that they wanted a public discussion. They wanted the taxpayers to really know the implications of the taxes, the development fees, and who was paying them. If truly informed, he indicated they could live with what the voters decide.

Mr. Janku asked that the Council be provided with copies of their presentation.

C. K. Hoeness, 1901 Tremont Court, encouraged the Council to leave the ice rink proposal on proposition two and to make it an indoor facility. He stated he had spoken with several Council members at the information fairs and got the feeling that Council understood what they were saying as individuals, but was concerned about the overall interest of the City for a recreational ice skating facility. As a result, they took the opportunity to stand out at the Fair and, in a short period of time, they got over 2,000 signatures of people in favor of an indoor ice skating facility. He noted numerous people commented that they had already voted for it once. He thought a lot of people felt it was included in The ARC proposal. Mr. Hoeness explained they had gotten in touch with the figure skating, hockey, and speed skating communities and they could account for about 70% of the available ice time. From a business standpoint, he felt it important the City not use the Jeff City Ice Rink as a model. He stated they were not interested in renting out ice time to make it a profitable business. Because they used several rinks in other cities of similar size, they were able to show that an ice rink in Columbia under their proposal would generate between \$5,000 to \$10,000 per month in profit. He commented that the failure of the ice rink here 25 years ago was not related to the lack of use. He provided a copy of the petition and a proposed schedule.

Mr. Janku pointed out the plan anticipated an indoor rink.

Harold Webb, 3307 Shoemaker Drive, explained he was a teacher in Columbia, the father of four children, and an ice hockey coach in Jefferson City since 1998. He traveled twice a week during the winter months to Jefferson City to play and coach hockey at an indoor ice facility. He felt it was unfortunate that his volunteer efforts with young hockey athletes did not benefit the Columbia community. In addition, he thought speed skating, figure skating and ice hockey would have a strong following and be well supported by the citizens of Columbia, who had proven they would support diversity amongst youth sports. A facility such as this would enhance the community during the winter months and would be a good healthy supervised alternative to hanging out at the Mall. He pointed out that leagues in St. Louis and Kansas City were not competing and Columbia could benefit financially.

Jeff Rackers, 2603 Oak Gate Court, stated he was the President-Elect of the Jeff City Youth Hockey Club and explained that he too volunteered in Jeff City giving his time to another community. He pointed out that Columbia had 39,286 people under the age of 24, more than triple that of Jeff City where they could not get ice time for their kids. He felt Columbia could support a facility with those numbers. He noted Columbia was a progressive, diverse community and an ice rink would make it an even more attractive place. He stated that if a facility was located by The ARC, it would be very close to the I-70 corridor, which would make it accessible for other communities in the area and easy to find. He felt it would make a great winter activity and make Columbia an even better place to live.

Mr. Janku asked speakers to provide the numbers mentioned to the Parks and Recreation staff.

John Lamond, 4213 Defoe, stated he was the head hockey coach at the University of Missouri and explained they played in the Mid-America Collegiate Hockey Association. He noted they were also in need of an ice rink. They played a 36 game schedule with their 18 home games being played in Jeff City, where they put more than 500 people into the rink. He stated the money paid went to Jefferson City, as did the hotel and ice revenue. Mr. Lamond pointed out their allotted practice time was from 11:00 p.m. to 1:00 a.m. because that was the

only time they could get. They were on the road two to three times a week coming back from Jeff City at 1:00 o'clock in the morning. He noted their program had grown and they were undefeated last season. He explained that more than 70 kids contacted him over the summer wanting to play hockey here, but he had to tell them that Columbia did not have an ice rink. Mr. Lamond commented that he was also part of a men's team that traveled to St. Louis to play hockey every Sunday evening. There was another group in town that did the same thing, but in Kansas City. He noted the Show-Me State Games hockey competition was played in Springfield, Missouri.

Don Stamper, 2502 Hollyhock Drive, spoke on behalf of the Central Missouri Development Council and reviewed the options outlined. Their goal was to be a part of the process, to be pro-active in the way they approached the issue and to approach the issue in the spirit that they, as a community, need to take action that would continue to move the community forward and meet the transportation needs of the community and the infrastructure needs in the future. He stated the Board looked at a number of options. The priorities and options being discussed by the Council were not ideal in their mind. They would prefer a much grander program that would combine City and County in a county-wide sales tax for capital improvements that would allow a level of funding that would be dynamic and would allow them to engage others in supporting the community. He encouraged the Council to design packages that would sustain us and move us into the future. They understood what was being proposed was not a complete fix, but felt it was a step in the right direction.

Mr. Stamper noted three developments that were looking at community improvement districts, a form of financing that could allow a new development to pay for off-site improvements and improvements within the development in a different way by tax billing back to the homes or the commercial district involved. He also noted a variety of alternative forms of funding infrastructure of any kind, transportation or other. He commented that on the Route WW project, they were beginning to look at what a community improvement district might mean for their off-site improvements and whether or not they could accomplish all of the off-site improvements on the front end of the development. If rolling back from 10 years to 5 years was intended to position the City to work more aggressively with the County on a county-wide comprehensive proposal for capital improvements, they would applaud and support that. If it was because they were fearful of whether or not it would pass, he encouraged the Council to look at the 10 year period. He noted concern among the Development Council that streets and transportation infrastructure were slipping in attention. He pointed out documentation showing significant shifts in funding from capital improvements for streets to other things like parks, sidewalks and greenbelts. He stated the Development Council would be bringing out a development study that had been under process for the last six months on Wednesday. It indicated, over a 10 year period, the direct economic impact of development and construction within this community was in excess of \$5 billion. He felt there were significant contributions from growth and by growth that were not accounted for by opponents of growth.

Mr. Janku asked that the Council be provided a copy of the report. Mr. Stamper replied he would provide each Council member a copy of the report electronically and invited the Council and staff to their press conference, which would be held at 1:30 p.m. on Wednesday at the Chamber of Commerce.

Annie Pope, 204 Peach Way, spoke on behalf of the Home Builders Association (HBA). She asked if Council was assuming the square foot development fee applied to commercial as well as residential. Mr. Janku replied, yes. She stated the HBA acknowledged the critical importance of more funds going to roads in the community. She reminded everyone that the impact on the cost of housing of a 50 cent per square foot development fee was pretty substantial and wanted to address items she felt the Council

might not be aware of when looking at a building permit. Using as an example, she noted a 1,780 square foot house where the 1,780 square feet was called habitable. Often times, she noted, what the development fee was charged on was a whole lot more square footage. The 1,780 square foot home was actually 4,192 because it was 1,780 feet habitable plus the basement, the garage, and the deck. Her point was that with the 50 cent fee, instead of being \$890.00, it would actually be \$2,619.00, which was almost three times as much. She pointed out that for every \$1,000 added to home prices, about six-tenths of a percent of new home buyers would be knocked out of the market. She stated the \$2,619 would knock more than one percent of the people out of the market. She wanted to remind the Council that this could knock some people out of the market.

Bob Walters, 2704 Vail Drive, asked if the availability of the \$25 million grant announced last week would lessen the need for some of the funding projections done for the parks tax. Mayor Hindman stated they would look into that, but added that it was not for recreational trails. It was for getting an integrated, connected transportation system put together. To justify expenses the City would have to show it was, in fact, a commuter transportation system. Mr. Walters asked if the outer road in front of Rock Bridge High School was any list because it had lots of bicyclers and pedestrians. Mayor Hindman thought that would be a logical place for some of the grant money. He thought part of the method would be figuring out where people would utilize non-motorized transportation to take trips if they had adequate facilities.

Mike Currier, 1008 S. Glenwood, commented that for the last three years, his daughter, Kaylyn, had been involved in the figure skating program in Jeff City. He noted quite a number of kids from Columbia going to Jefferson City for that program and encouraged the Council to continue their efforts in providing a skating rink.

There being no further comment, Mayor Hindman continued the public hearing to the August 15, 2005 Council meeting.

OLD BUSINESS

PR154-05 Expressing the City Council's preference relating to rezoning and development along the North Providence Road corridor.

The policy resolution was given second reading by the Clerk.

Mr. Teddy explained the Planning and Zoning Commission examined North Providence between Broadway and Business Loop 70 and proposed interim standards for development review until the completion of a corridor plan. Property owners considering rezoning properties along the North Providence Road corridor between East Broadway and Business Loop 70 would be encouraged to request planned zoning so the City could better control and plan for signs, lighting, building layout, landscaping and parking. Developers would be encouraged to place parking lots along the side and/or rear with building frontage on North Providence corridor. New driveway cuts along North Providence corridor should be limited or disallowed. Proposed C-P or O-P uses along North Providence Road should not include large traffic generators, such as fast food restaurants. Freestanding signs along the corridor should not exceed standards for open commercial or office districts. They would encourage monument signs rather than pole signs. Planned district proposals along the corridor should contain a high level of landscaping. On-site lighting should be designed to prevent lighting spillover onto adjacent properties. Mixed use developments of office/commercial on lower levels and residential units on upper levels would be encouraged. The elements that would be encouraged for planned districts along the corridor were enhanced landscape screening, the use of pitched roofs, efforts to reduce spillover from outdoor lighting, relocation or screening of mechanical units such as air conditioners and height/proximity limitations of commercial/office buildings to residential properties. Trash

dumpsters should be screened and placed toward the rear of properties along the North Providence Road corridor. In addition to the corridor plan, Mr. Teddy noted the Commission believed that several long term actions should be considered by the Council, such as a plan for undergrounding all of the utilities, enhanced pedestrian and bicycle access along the streets which ran parallel to North Providence Road, such as Fifth Street and Washington Avenue, enhanced pedestrian crossing opportunities north of Worley/Rogers Street, and a landscape tree planting plan for the entire North Providence corridor.

Mayor Hindman asked if the action called for would cause the Commission to go back and develop the corridor overlay plan. Mr. Teddy replied that there was not an overlay plan, but a draft plan document would be prepared.

Mr. Ash stated he was not expecting to see a policy resolution so quickly and was expecting to hear from people public hearings. He was concerned, specifically, with the building close to the street because of safety concerns and wanted to make sure the issue received a lot of thought. Mr. Loveless thought this was a stop gap measure to give the Commission some general guidance while they were working on a more specific and detailed plan. He thought that would involve public hearings. Once a policy resolution was adopted, Mr. Ash thought it had to be followed. Mr. Hutton pointed out that the policy resolution expressed the City Council's preferences. He noted it did not use the word "demands". He felt it was asking that they be used as guidelines. Mr. Ash was not sure they should require building out to the street. He noted that Paul Land indicated it made a lot of sense in C-2 downtown, but argued there were also C-2 properties along Providence where it could create a safety factor with people trying to pull out onto Providence because one would not be able to see around it. Mr. Loveless did not think there was anything in the resolution addressing building to the lot line. Mr. Ash took the wording about developers being encouraged to place parking lots along the side and rear of buildings with frontage along the North Providence Road corridor to mean they should build their buildings along Providence Road and have parking at the side or the back. Mr. Loveless argued it did not mean building up to the lot line like in C-2. Mr. Hutton noted a setback would still be required by the underlying zoning. Mr. Teddy explained that a building forward design did not necessarily mean zero yard. Mr. Hutton commented that if someone brought in a plan approval that did not meet all of the requirements of this, they would have to provide an explanation. He did not believe that would mean they would not approve it.

Ms. Nauser asked if the parking requirement was about aesthetics or about traffic management. Mayor Hindman thought it was basically a more attractive arrangement. He added it was also better for walkers and slowed traffic down.

Mr. Janku stated Dan Burden presented a video showing commercial developments right at the street with the impact on the street being beneficial. He asked if Council would receive copies of the video. Mr. Teddy replied that he was told Mr. Burden would provide his report and a copy of his presentation, but had not received either to date. He stated he would check on it.

As the community developed and re-developed, Mr. Janku thought Providence would be more of a downtown because the downtown would grow outward.

Ms. Crayton asked what this would mean to the homes on Providence Road. Mayor Hindman explained the resolution did not apply to any there now. It would only apply when someone wanted to redevelop, build a new building or tear one down and replace it.

John Clark, 403 N. Ninth Street, spoke as President of the North Central Columbia Neighborhood Association and stated they were extremely supportive of the recommended guidelines. He clarified that he thought the Commission was asking Council to direct them to go to work on developing a plan. He noted this report came from a committee of two staff persons and two Commissioners. He felt that if the guidelines were not adopted, the experience of the street would be one strip mall parking lot after another with no sidewalk in

lots of places and similar to the Business Loop 70. He stated the City was no longer at the place where things could be put together in a piecemeal fashion. The “build to” line, he explained, could be 20 feet from the roadway and not necessarily to the lot line like downtown. He felt the whole notion was essential to creating a corridor and was hopeful the Council would approve the resolution.

Mr. Ash felt the boundaries were not long enough. He thought they should go from Vandiver to Stadium. He reiterated his feelings about moving too fast on this issue, but stated if everyone else was comfortable pressing forward, he would not stand in the way. Mr. Janku agreed on the boundaries, but thought it would be beneficial to extend the southern boundary to Stewart Road instead of Stadium. Mr. Ash agreed that after Stewart, it was mostly houses. Mr. Janku thought I-70 would be appropriate as opposed to Vandiver in regards to the northern boundary.

Mr. Ash made the motion PR154-05 be amended by expanding the boundaries from I-70 to Stewart Road. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mayor Hindman stated he was in favor of this and suspected re-development would begin along this corridor before too long.

The vote on PR154-05, as amended, was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Policy resolution declared adopted, reading as follows:

Mayor Hindman asked about the video and the report from Mr. Burden. Mr. Teddy replied that they should have an original of the presentation, but Mr. Burden still owed us the written report and a copy of the PowerPoint presentation. Mr. Janku commented that editing would be helpful.

PR155-05 Expressing the City Council’s preference relating to freestanding signs in C-P zoning districts.

The policy resolution was given second reading by the Clerk.

Mr. Teddy explained the City’s sign regulations, while very detailed by type of sign as well as the type of location they were seen in, did not state specific regulations for signs in planned districts. In the past, staff encouraged applicants for planned business districts to adhere to the sign ordinance standards for C-1, C-2 and C-3 zoning. This policy resolution would make that informal practice the policy preference of the Council. He displayed and described the current sign regulations for freestanding signs in C-1, C-2 and C-3 business districts. Apply those standards to C-P plans, he felt, would streamline the process.

The vote on PR155-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, HINDMAN, JANKU. VOTING NO: NO ONE. ABSENT: ASH, CRAYTON (Both Mr. Ash and Ms. Crayton stepped out during the discussion for PR155-05 and did not return until after the official vote was taken). Policy resolution declared adopted, reading as follows:

B249-05 Authorizing an annexation agreement with residents of W.B. Smith Subdivision for property located south of the intersection of State Route K and State Route 163.

The bill was given second reading by the Clerk.

Mr. Beck explained this request was being made in accordance with City policy on extensions of sanitary sewer lines outside the corporate limits. The policy required an annexation agreement between the property owner and the City in situations such as this where the property was not contiguous with the City.

Mayor Hindman asked how the property would be zoned when it came into the City. Mr. Ash thought Council would determine the zoning when annexed. Mr. Boeckmann noted zoning was not usually mentioned in the agreement, although the City had allowed people to have sewer service on several occasions where they were allowed to condition the annexation on zoning.

B249-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B261-05 Appropriating funds for COLT Railroad fuel and car hire charges.

The bill was given second reading by the Clerk.

Mr. Beck explained this would amend the current budget due to an increase in rail traffic. He noted the revenues were up \$116,000 with expenditures being up \$65,000. The additional rail traffic would increase projected revenue from \$708,000 to \$824,000.

B261-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B266-05 Appropriating funds for Share the Light Program.

The bill was given second reading by the Clerk.

Mr. Beck explained this program included six types of services in the City to which utility customers could contribute. This ordinance would appropriate funds to the various operations. Since the program was initiated, \$62,700 had been collected through the check off program. He pointed out staff was working on the computer system to make it even easier for residents to contribute.

Ms. Crayton asked if corporate donations, in the form of matching funds, were made to this program. Mr. Beck replied that mostly individuals were checking off. He noted there were programs where matches were made for tax incentive programs and stated staff could look into that.

Mr. Ash asked how the recommended appropriations were decided. He noted there was no appropriation for youth recreation scholarships. Mr. Beck replied that they were checked off by the customer. Mayor Hindman asked if no one had checked off on youth recreation. Mr. Beck thought the money was probably appropriated earlier or there was not enough to make an appropriation in that particular account.

B266-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B267-05 Appropriating funds for late night recreation activities at the Armory Sports Center.

The bill was given second reading by the Clerk.

Mr. Beck explained this would appropriate funds for the operational costs for the later evening programs at the Armory.

Mr. Loveless asked about attendance numbers. Mr. Hood replied there had been four evenings of the program. The first was on very short notice and there were 5 individuals present. Last Saturday, they had 14. Over the four programs, they had a total of 39 participants. There were three more nights scheduled in August and staff was hopeful the numbers would increase over that period of time.

Mayor Hindman asked what was being done to get the word out. Mr. Hood replied they were doing everything they could think of. They had done press releases, worked with

different groups to get the word out and posted notices.

Ms. Crayton suggested using radio stations and churches to get the word out. She also suggested that flyers be passed out at Moonlight Hoops. She pointed out the word should be put out where the kids were. Mr. Hood thought they had handed out flyers, but noted they could do it again.

Mr. Hutton noted that the appropriation was going to Parks and Recreation. He asked if they would in turn pay the Police. Mr. Hood replied that was the way they would handle it.

B267-05 was given third reading with the vote recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. 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.

- B250-05** Approving the Final Plat of Boone's Pointe; authorizing a performance contract.
- B251-05** Approving the Final Plat of Phoenix View Plat 1; authorizing a performance contract.
- B252-05** Approving the Final Plat of Madison Park Plat 1; authorizing a performance contract.
- B253-05** Approving the Final Plat of The North Woods, Plat No. 1; authorizing a performance contract.
- B254-05** Calling for bids for the C-3 trunk sewer project serving the Bristol Lake Development.
- B255-05** Calling for bids for construction of Sanitary Sewer District No. 150 (Mexico Gravel Road).
- B256-05** Authorizing an agreement with the Missouri Department of Natural Resources relating to a storm water education and public outreach program; appropriating funds.
- B257-05** Authorizing an agreement with the Missouri Department of Natural Resources for the purchase of recycling equipment; appropriating funds.
- B262-05** Accepting conveyance; authorizing payment of differential costs for water main serving Forest Ridge, Plat 2; approving the Engineer's Final Report.
- B263-05** Accepting conveyance; authorizing payment of differential costs for water main serving BGTM Subdivision, Plat 1; approving the Engineer's Final Report.
- B264-05** Accepting conveyances for utility purposes.
- B265-05** Accepting a donation from the Wal-Mart Foundation for the purchase of a digital camera for the Police Department; appropriating funds.
- B268-05** Appropriating funds for construction of the South Grindstone Outfall Sewer, Phase 2 and 3.
- B269-05** Appropriating funds for acquisition of property currently leased for the Daniel Boone Building.

- R156-05 Setting a public hearing: setting property tax rates for 2005.
- R157-05 Setting a public hearing: setting tax rate for all taxable property in the Special Business District of the City of Columbia for the year 2005.
- R158-05 Setting a public hearing: FY 2006 Budget.
- R159-05 Setting a public hearing: voluntary annexation of property located on the west side of Wellington Drive, north of Mexico Gravel Road (3631 North Wellington Drive).
- R160-05 Setting a public hearing: voluntary annexation of property located on the north side of St. Charles Road, east of Upland Creek Road (5107 St. Charles Road).
- R161-05 Authorizing an agreement with the Missouri Department of Health and Senior Services for tuberculosis diagnostic screening services.
- R162-05 Authorizing an adopt a spot agreement.
- R163-05 Authorizing application to the Missouri Department of Public Safety for a juvenile justice and delinquency prevention grant.
- R164-05 Authorizing John D. Glascock to sign requests for reimbursement relating to grants administered by the Public Works Department.

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

NEW BUSINESS

R165-05 Authorizing an amendment to the agreement with The Curators of the University of Missouri relating to transportation services on campus.

The resolution was read by the Clerk.

Mr. Beck explained that the City provided shuttle service for the University for a number of years. This would expand the program to provide shuttle service from Reactor Field to Brady Commons with two buses the City planned to lease. The buses would operate 12 hours a day, 5 days a week.

Mr. Janku stated he heard in the past, before the lot was in place, about the need for accessing this area on foot, particularly when there was talk about the Incubator going in there. As the City looked forward with the new funding, he thought this might be a place to look to impact.

The vote on R165-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B166-05 Granting a permit to allow removal of the downtown canopy located in front of 901, 905 and 907 E. Broadway.

The resolution was read by the Clerk.

Mr. Beck explained that Boone National Savings and Loan requested permission to remove the canopy fronting their property on Broadway. The contractor would be required to replace the sidewalks that were torn up. The Metropolitan Improvement Corporation, the entity that put the canopy up, approved the removal of it as well.

Jim Dowling, a representative of Boone National Savings and Loan, offered to answer any questions.

Mr. Ash noted if they wanted to consider allowing future requests to be handled administratively, they needed to direct the staff to do so. He stated they talked about it being an amendment to the Building Codes revisions awaiting review. He liked that idea and commented that he would never have a problem with anyone asking to bring down the canopy. Mayor Hindman stated he saw no issue either, as long as they paid for the work.

The vote on R166-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

Mr. Ash made the motion that staff be directed to include an amendment in the Building Code revisions prior to Council consideration of them to handle the canopy issue administratively in the future. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

R167-05 Approving the Preliminary Plat of Vanderveen Crossing, Plat No. 7a.

The resolution was read by the Clerk.

Mr. Beck described this as a 6.52 acre tract that would create 10 R-1 lots on the west side of Providence, north of Amazon. Approval was recommended by the Commission.

Mr. Janku thanked the developer for putting in the green space trail easement.

The vote on R167-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R168-05 Authorizing an agreement with an executive search firm relating to the City Manager hiring process.

The resolution was read by the Clerk.

Mr. Beck explained the Council interviewed three firms and decided to further discuss two of them. The proposals were sent out by the Purchasing Division, so the Council would direct the Purchasing Agent to execute a contract.

Mr. Loveless made the motion that the Purchasing Agent be directed to execute a contract with The Mercer Group, Inc. The motion was seconded by Mr. Hutton.

Mr. Loveless felt The Mercer Group was the better of the two they were seriously considering. He liked their presentation better and felt they had a better network and more of a nationwide scope, despite the fact the representative that was here focused most of his efforts on Texas. He felt the presentation had been superior to The PAR Group.

Mayor Hindman commented that he had read the booklets, but had not had the benefit of the interviews.

Mr. Hutton explained they had received proposals from eight firms and that number had been narrowed down to three, which the Council interviewed. He personally favored The Mercer Group slightly because he liked their presentation better. He thought the two firms were virtually equal and both would do a good job.

Mr. Janku had been one of the advocates for The PAR Group and stated that although both groups worked nationally and in Missouri, he thought The PAR Group had more experience in Missouri and the Midwest. He thought it was important to show they could recruit candidates to that particular type of area. The PAR representative mentioned the upcoming City Managers' National Meeting in September at which he indicated, if he were selected, he would do a lot of recruiting work at that time. He felt that had been a good insight into how to put out the word.

Mr. Ash also preferred The PAR Group, but did not think they could make a wrong decision with either group. He felt more of a connection with The PAR representative and thought he could relate better to him. He noted the The Mercer representative could offer a two year guarantee versus a one year guarantee, however, between the two, he was leaning toward The PAR Group.

Ms. Crayton felt more connected to The PAR Group representative. She noted he had been a City Manager himself in several different places and felt that experience was a plus.

Ms. Nauser concurred that The PAR Group probably had more experience in finding people for the Midwest area. She also liked the fact they had a wide network to draw from.

The motion, made by Mr. Loveless and seconded by Mr. Hutton, failed by voice vote with only Mr. Loveless and Mr. Hutton voting in favor of it.

Mr. Loveless made the motion that the Purchasing Agent be directed to execute a contract with The PAR Group. The motion was seconded by Mr. Ash and approved unanimously by voice vote.

The vote on R168-05 was recorded as follows: VOTING YES: HUTTON, LOVELESS, NAUSER, ASH, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

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

- B270-05** Voluntary annexation of property located on the north side of Thompson Road, west of Cotton Wood Drive; establishing permanent R-1 zoning.
- B271-05** Voluntary annexation of property located on the southwest corner of State Route WW and Rolling Hills Road; establishing permanent R-1 zoning; authorizing an amended development agreement.
- B272-05** Rezoning property located on the northwest corner of Bold Venture Drive and Smiley Lane from A-1 to R-1.
- B273-05** Rezoning property located on the north side of Nifong Boulevard, between Santiago Drive and Bethel Street, from R-3 to C-P.
- B274-05** Approving the Final Plat of Springdale Gardens Plat 6, a Replat of Lot 12 and Part of Lot 11 of Springdale Gardens; authorizing a performance contract; granting a variance to the Subdivision Regulations relating to sidewalk construction.
- B275-05** Approving the Final Plat of Eastport Centre Plat 2-A, a Replat of Part of Eastport Plat 1-B; authorizing a performance contract.
- B276-05** Approving the Final Plat of Eastport Village Plat 6; authorizing a performance contract.
- B277-05** Approving the Final Plat of Seasons Brook Estates.
- B278-05** Authorizing an agreement with Fred J. Groves, Jr. for the sale of property located at 505 Mary Street.
- B279-05** Authorizing acquisition of easements for construction of the Rock Quarry Road culvert project.
- B280-05** Calling for bids for renovations to the Howard and Gentry Buildings.
- B281-05** Calling for bids for the H-21 Relief Sewer Project (Hominy Branch Watershed from Moon Valley Road to U.S. 63).

- B282-05** Confirming the contract with Emery Sapp & Sons, Inc. for construction of the Concorde Office and Industrial Plaza Pump Station Interceptor.
- B283-05** Authorizing a Right of Use Permit with West Lawn Properties, LLC to allow the installation of landscaping, an irrigation system and lighting within a portion of the Joslyn Court right-of-way.
- B284-05** Authorizing a Right of Use Permit with Virtual Realty, LLC to allow the installation of landscaping, an irrigation system and lighting within a portion of the Louisville Drive right-of-way.
- B285-05** Accepting a conveyance for utility purposes.
- B286-05** Accepting conveyance of a surplus radio tower from Zimmer Radio Group of Mid-Missouri, Inc.
- B287-05** Authorizing an agreement for the lease of space for a radio tower to be used by Joint Communications.
- B288-05** Amending Chapter 2 of the City Code relating to conflicts of interest and financial disclosure procedures.
- B289-05** Setting property tax rates for 2005.
- B290-05** Setting tax rate for all taxable property in the Special Business District of the City of Columbia for the year 2005.
- B291-05** Adopting the FY 2006 Budget.
- B292-05** Authorizing an agreement with Missouri Network Alliance, L.L.C. for connection to the City's fiber optic cable system.
- B293-05** Calling an election on the extension of the local parks sales tax and capital improvement sales tax and increasing the development charge for arterial and collector street construction.
- B294-05** Amending Ordinance No. 18197 that established an archery deer hunting program.

REPORTS AND PETITIONS

(A) Intra-departmental transfer of funds.

Report accepted.

(B) Street closure requests.

Mr. Janku made the motion the requests be granted as written. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

(C) Platting of City owned property.

Mr. Beck commented that the Council asked the Planning and Zoning Commission to review the platting process for City property. Their recommendation was that it be left as is. Mr. Beck, personally, felt the City should follow the procedures followed by developers, but one of the questions was how the City was administering the definition of a lot. He provided an example of placing a new structure, such as a restroom, on old City owned property, such as a park, that had never been platted and noted due to the definition of a lot, the City had to spend a substantial amount of time and money platting the property just to put that one structure on it. He thought a permit to do major maintenance would trigger this as well. He

was not sure if the Council was interested in looking at the definition of a lot for the City as well as for some other situations in the community. He pointed out the definition of a lot had a big impact because it triggered what could be developed and what could be remodeled. He noted it prevented people from doing remodeling work in some cases because of the requirements.

Mr. Janku stated Commissioner Holden's comment had been that the definition of a lot could be inhibiting because of the substantial cost of platting a lot, which would be the same for redeveloping older parts of the City. He thought it was important to ask the Commission to look at the issue to see how it would affect private property as well as public property and suggested asking for further review.

Mr. Janku made the motion that the Planning and Zoning Commission be asked to study the present definition of a lot and the subdivision regulations for ways to make it easier to redevelop land in the older parts of the City, including City-owned and privately owned property. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(D) Use of building adjacent to Field Neighborhood Park.

Mr. Beck explained that the City entered into an agreement with the Central Missouri Counties Human Development Corporation on the building and they were reporting to the City as to what they had and had not gotten done. They were requesting an extension of time to do certain things.

Mr. Hood commented that staff submitted a report to the Council back in May and at that time Council asked staff to explore with the Boys and Girls Club as to whether or not they had any interest in the building. The group was in need of additional space, but they were in need of space that was already renovated. They indicated they did not have funds to contribute toward the renovation of the building. Based on that, they then contacted the Human Development Corporation and the North Central Association representatives, who submitted a follow up report dated July 22. They again asked that Council consider giving a six to eight month extension to the expiration of the agreement. They would like it extended to June 30, 2006, which would coincide with the time frame they had for the tax credits received on the project.

Ms. Crayton asked who would be the lead for the building, North Central or the Progressive Art group. She felt they needed to hear from both parties because it would be a shame to throw out a program because one participant was not ready to move on while the other was. She thought the Progressive Art group should come in and speak for themselves. Mr. Hood pointed out the agreement was with the Human Development Corporation. He knew they had been working with the North Central Neighborhood Association and the Association had approached Progressive Artists, Inc. about forming a partnership to use the building. His understanding was that they restructured their Board with representatives from both groups, but a final agreement had not been struck between the two. Representatives from Progressive Artists met with Mr. Hood to ask his opinion as to whether or not their program would meet the guidelines of the agreement such as using the building for community purposes and a community meeting area. It was Mr. Hood's opinion that it most likely would, but until they saw exact plans and details, he explained it was hard to make a final decision.

Mr. Janku asked if the tax credits were extendable. Mr. Hood's understanding was that the tax credits expired June 30, 2006. He did not know if there would be an opportunity to extend them or not. Mr. Janku asked if there was anything in the contract that would keep them from starting with limited funds. Mr. Hood explained they actually purchased the building from the City, but retained ownership of the land. The agreement stipulated it had to

be done in accordance with existing City regulations and City codes. He thought they would be required to have an occupancy permit by September 19 of this year to fulfill their agreement. Since the agreement was with HDC, Mr. Janku assumed they could decide who they wanted to occupy the building. Mr. Hood explained a provision in the agreement read it could be assigned to a not-for-profit, but he thought the Council would have to approve that.

Mr. Hutton asked about the lease arrangement with HDC for the land the building sat on. Mr. Hood explained the City owned the land and leased it to them, but the building itself was conveyed to them for \$10. He noted they needed to show ownership to qualify for certain programs they were applying for at that time. Mr. Hutton asked if they defaulted on the five year deadline, if the building would revert back to the City. Mr. Hood thought that was correct.

Mr. Loveless commented that he was hesitant to extend this. There was no significant progress in five years. Project funds generated through June of this year was \$53,500 of which \$30,000 was the fair market value of the building. That meant the organization raised \$23,000 in five years for this project. The funding the City would lose per the letter was not funding at all, but simply tax credits that donors might get. He did not see where they had gotten anyone to ante up for the tax credits. Mr. Loveless noted no listing of Board members for Progressive Artists and one of the last things under what it was they stated they did was that they believed in the truth. He was not willing to extend a City asset without more information than what was before them. He would be willing to delay the issue and allow a representative from HDC to make a pitch to them in person.

Mayor Hindman agreed and stated he would like someone from Progressive Artists to come in also.

Mr. Loveless made the motion to delay action on the issue until the next meeting, at which time representatives of the groups would be given a chance to address the Council. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

Mr. Janku was interested in knowing about the tax credit extension by the next meeting as well.

(E) Easement acquisition report for the EP-3 trunk sewer, an 80-acre point sewer to serve the Hatton Farm.

Mr. Glascock explained staff was asked to find out what trail easements would cost for this sewer. The sewer easements themselves would be about \$17,000 and the cost for additional trail easements would be approximately \$133,000. Mr. Janku recalled talking about not being certain they wanted the trail to follow the sewer easement. There was also discussion about the cost of the easement being so high because it would cause access problems for some of the properties. They were thinking a trail could possibly go in there, but not necessarily follow the sewer, thus avoiding the problems. Mr. Hood did not remember if that was exactly where they left it, but from a park standpoint, it was one of those where it was really difficult to make a call because it would set up a neighborhood connector trail to the Perche Creek Trail. He noted the Perche Creek Trail was probably many years in the future. Mr. Hutton noted it was not included in the ballot issue. Mr. Hood stated the question became how much funding should the City spend on this at this time when it was not one of the higher priority trail projects. He thought they talked about there being some alternatives of maybe using a sidewalk system or alternate trail routes if and when the Perche Creek was built. Once the Perche Creek Trail was built, Mr. Loveless thought they might find easements for connector trails more forthcoming and less costly. Right now, all people saw was interference with the use of their property. His inclination was to drop it at this point. Mr. Janku stated he would like to take one final look at it to determine if there was anything crucial in the easement that the City might really need, like a certain access point.

Mr. Glascock pointed out the Con-Agg property in the northeast quadrant was getting ready to be preliminary platted and they needed to get the sewer in.

Mr. Hutton made the motion that they skip the trail easements. The motion was seconded by Mr. Loveless.

Mayor Hindman stated he was willing to go along with the motion, but thought they should somehow serve notice that the City might some day want the trail easement. Mayor Hindman understood it was not possible to construct a building over a sewer. Mr. Beck replied it was not possible without Council permission and could not be built in the easement. Mr. Loveless asked about the width of the easement. Mr. Glascock replied the sewer easement was normally 16 feet. Mayor Hindman wanted the owners to know that the City had a policy that they could use this sewer easement for a trail at some point so when they bought land they would be aware of the possibility. He asked if that was something that could be recorded. Mr. Boeckmann asked what they would record and what impact it would have on the value of the property. Mayor Hindman was not sure it would have any impact on the value because the City would not be taking it. Mr. Beck thought they would be taking value.

Mr. Janku stated he did not necessarily want to purchase the trail easements right now, but wanted to make sure the City was developing the information, if possible, without too much staff cost and time so they could be thinking about it. Mr. Hutton felt they would have this same discussion every time the City acquired an easement and thought staff was very aware of the notion the Council would want to look at any easement on any sewer line. Mr. Glascock noted that was right and stated he thought they could discuss it with the property owner at the time. They just needed to be aware of the cost if they had to condemn to get it.

The motion, made by Mr. Loveless and seconded by Mr. Hutton, was approved unanimously by voice vote.

(F) Transit fixed route adjustments.

Mr. Janku passed around a handout.

Mr. Glascock noted that taking the green route over to the BassPro development was an issue they talked about at the Retreat. There would be an additional expense of about \$6,000 per year.

Mr. Janku thought it was great they could do it and he was supportive, but thought the route needed to be different than what was suggested. The suggestion was that the turn in occur at the opposite point of the loop and that the loop go the other way. The problem with that was it would keep the bus on the south side of Vandiver and past the shopping center going in on the north. He wanted to avoid the current problematic situation the City had on Vandiver across from the State office building where the bus ran on one side and the people had to cross to the other side. His suggestion would mean the bus would come up and make a turn and be on the north side of Vandiver so people could get off and board without having to cross Vandiver. Mr. Glascock stated what was taken into account as they were asked to look into going to Bass Pro was the door on the bus would be on the side of Bass Pro when they made the route. He noted they could look at what Mr. Janku was asking. He did not think that was looked at and added he did not think it would be a problem if that was what the Council preferred. Mr. Janku thought it was very important that the people not be required to cross Vandiver to get to the one shopping center.

Ms. Crayton asked if this extension would add time on to the schedule. Mr. Glascock replied they would still be within the 40 minute time frame

Mr. Loveless thought Mr. Janku's suggestion was good and that Mr. Glascock understood it.

Mr. Janku made the motion that staff be directed to change the Green East route effective October 3, 2005. The motion was seconded by Mr. Loveless and approved unanimously by voice vote.

BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mr. Loveless made the motion that the Planning and Zoning Commission be directed to pursue the Providence Road Corridor Plan. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mayor Hindman thought Providence Road was a place where they might consider the availability of the new funds. Ms. Crayton asked if there would be any job training components included in the transportation funds. Mayor Hindman replied that he knew of no job training components, but was not certain.

Ms. Crayton voiced concern about at-risk youth being priced out of sports. She had been asked about the increase for youth football from \$85 to \$90. She was interested in seeing some of the activities being run through the Parks programs in neighborhood parks. Mayor Hindman asked if youth football was a City program. Mr. Janku replied it was a private league. Since it was not a City program, Mayor Hindman felt it was not our pricing that was the problem. Ms. Crayton asked if City scholarship money went into the program. Mr. Loveless thought the City only put in funds for City sponsored programs. Ms. Crayton commented that she would be interested in knowing how many at-risk children participated in any activity in the City. She felt that when scholarship money was added, the fees would go up the next year. Mr. Janku pointed out the City provided social services funding for all kinds of groups and thought, within the structure of the budget, they could do something. Mayor Hindman asked what it was they would be addressing. He asked if they would provide scholarships to private programs. Ms. Crayton asked that the at-risk youth be provided a gym or something similar because of the disproportionate gap. She wondered if they could play football in Douglass Park some days as opposed to playing baseball and make the football part of a City league. Mr. Hood replied that the field in Douglass Park would be available in the fall. He explained that Ms. Crayton would need the volunteers to staff the league. She understood and commented that it was not to compete with the other leagues, but she wanted the at-risk children to be able to participate. Mr. Hood explained that all of the City's youth programs were run in partnership with private volunteer organizations. Each group set their own fees for participation in the programs. He believed every group to have their own scholarship programs. Staff worked with the groups to help provide the facilities for their programs.

Ms. Crayton announced that Tuesday, August 2 was National Night Out and encouraged everyone to come out and participate with their neighbors.

Mr. Janku noted a piece of abandoned sewer property along Strawn Road, which abutted Perche Creek. He thought there was a residential development about to occur next to the property and wanted to see the abandoned property evaluated for potential recreational uses including soccer practice fields and maybe a neighborhood park.

Mr. Janku made the motion that staff be directed to report back on the issue. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku reminded Council of the private road approved two weeks ago to access the property near the Sewer Plant. He thought they were approving more and more private roads, which he did not feel was necessarily a bad thing, but asked if any guidelines had ever been approved. Mr. Loveless noted that private roads were included in the new street standards. Mr. Janku agreed they were permissible, but asked if they knew when they should agree to them and when they should not. Regarding CenterState and the bus, Mr. Janku noted it was theoretically a private drive and they did not have to allow City buses on the road. He was sure that CenterState and BassPro would not stop it, but noted that had happened at the Mall. He thought that was something they should take into account. They should understand what kind of public access they should be guaranteed if they were going to be private.

Mr. Janku made the motion that staff be directed to report back on what standards they might want to consider in approving private roads.

Mr. Hutton understood staff looked very closely at the size and make up of a private road within a development that was really going to be an access street. Mr. Glasock replied they did as did the Fire Department. Mr. Janku clarified he was not concerned about the size and the thickness, but was worried about the long term maintenance and what was in place to guarantee it. Access issues, he felt, could also be a problem.

The motion made by Mr. Janku was seconded by Mr. Hutton and approved unanimously by voice vote.

Regarding the ballot issue, Mr. Janku pointed out they had talked about having the Finance Advisory & Audit Committee be the group making sure the money was spent appropriately. He stated the Transportation Committee wanted some kind of oversight or accountability. Mr. Hutton thought they should wait until the ballot issues pass. Mr. Janku felt if they did it up front it would give the citizens confidence. He asked the Council to think about it.

John George, Department of Conservation, explained that he worked with staff over the last year to help come up with the bow hunting ordinance. As they went through the ordinance or amendments to it, he encouraged the Council to keep Grindstone Park in the mix. He explained the reason they wanted it in there was because they hunted the 100 plus acres on the other side of Old 63. Also, that was the only piece of property where hunting was allowed with multiple uses. Mr. George felt archery hunting was compatible with other public uses and if it was not allowed in Grindstone Park, there would be no comparative base in the future when trying to expand the use to other City properties that had other public uses on them. He noted that it was pretty heavily hunted last year and no problems had come up.

Mr. Janku congratulated Mr. Dasho on being named Chair of the newly established Renewable Energy Task Force in the State.

The meeting adjourned at 11:48 p.m.

Respectfully submitted,

Sheela Amin
City Clerk