

**MINUTES**  
**CITY COUNCIL MEETING - COLUMBIA, MISSOURI**  
**FEBRUARY 21, 2005**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m., on Monday, February 21, 2005, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members ASH, HINDMAN, CRAYTON, JANKU, LOVELESS and JOHN were present. Council Member HUTTON was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF MINUTES**

The minutes of the regular meeting of February 7, 2005, were approved unanimously by voice vote on a motion by Mr. Loveless and a second by Mr. Ash.

**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. Loveless and a second by Mr. Ash.

**SPECIAL ITEMS**

Mayor Hindman expressed condolences to the Bowden and Thomas families for the recent loss of Officer Molly Bowden and recognized Officer Curtis Brown, who was recovering from his injury. He also congratulated the community in regards to the way it came together during this difficult time.

**SCHEDULED PUBLIC COMMENTS**

None.

**PUBLIC HEARINGS**

**B31-05      Voluntary annexation of property located on the west side of Bethel Church Road, south of Old Plank Road; establishing permanent R-3 zoning.**

The bill was given second reading by the Clerk.

Mr. Watkins described this as an approximate five acre tract located on the west side of Bethel Church Road, south of Old Plank Road. The existing County zoning was R-M, which was equivalent to the City's R-3 zoning. The subject property was designated as a neighborhood district on the Metro 2020 Land Use Plan and the proposed R-3 zoning would be in conformance with the Plan. Access to the site was off of Bethel Church Road, which was an unimproved neighborhood collector street. He commented that the property was within the Boone Electric Cooperative and the Consolidated Public Water Supply District No. 1 service territories. He pointed out City sewer, not Regional sewer, would serve the site. No parkland was needed in the area and no greenbelt was on or near the site. Approval was recommended by staff, but the Commission recommended denial of the R-3 request. He pointed out that the Council had previously approved a pre-annexation agreement on the site, which included approval of City R-3 zoning.

Mayor Hindman questioned the statement made regarding no parkland being needed.

He pointed out that the Parks Master Plan suggested a neighborhood park within a half mile. He commented that Cosmo-Bethel Park, an area park, was more than one-half mile away. Mr. Watkins explained that they looked at the approved Parks Master Plan and judged the need based upon that Plan. He suggested this might be an instance where the Plan needed to be reviewed to look at territory in the subject area. Mayor Hindman noted the property was located beyond the Plan limits and thought the guide of one-half mile should be used.

Mayor Hindman opened the public hearing.

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

B31-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B32-05 Rezoning property located on the west side of U.S. Highway 63 and approximately 700 feet south of I-70 from R-1 to C-P.**

The bill was given second reading by the Clerk.

Mr. Beck described this as a 4.3 acre tract annexed into the City in 1962 and adjacent to US 63, just north of the MoDOT facility. The property was shown on the Metro 2020 Plan as a commercial district. Staff and the Commission recommended approval of the request.

Mayor Hindman opened the public hearing.

Dave Knight, an attorney with offices of 1203 W. Broadway, spoke on behalf of the applicant, who, he noted, currently lived on the property. He stated the property was no longer suited for habitation and that it was time to have it rezoned. He felt they were being conservative in requesting planned commercial. He thought there might be opposition from the Columbia Country Club if a TDD was approved, but felt there was no other logical use.

Tom Schneider, an attorney with offices at 11 N. Seventh, spoke on behalf of Columbia Missouri Investment Company (CMIC), owners of the land upon which the Columbia Country Club golf course was operated. He stated the golf course did not necessarily oppose the application, but had a concern they wanted to register. They felt the subject property, currently, had no commercial viability because it had horrible visibility and even worse access. They questioned what would happen when a proposed TDD went forward. Mr. Schneider felt the TDD would make this property commercially viable, but the extension of Conley Road, the basic purpose of the TDD, would take out two of the golf course holes. He noted the developers had hired a golf course architect to redesign the course. They indicated it could remain reasonably intact as an 18 hole golf course, but the only available land for the two replacement holes was the subject property. He pointed out that TDD's had the power of eminent domain and were funded by sales tax. CMIC's concern was that rezoning would increase the value and/or price of the property to such an extent that the TDD would simply not pursue the replacement of the two golf holes. They wanted to avoid that because they did not want a 16 hole course with some condemnation award. They wanted an 18 hole golf course reasonably intact.

Mr. Knight rebutted Mr. Schneider's statement regarding the property having no commercial viability noting that he was currently negotiating its use. He commented that they had no problem with visibility and pointed out that Conley Road was a paved collector street. Mr. Knight felt it did not matter if a TDD was formed because it was his client's right to have the property rezoned and to do with it what she wished.

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

B32-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B33-05 Amending Chapter 25 of the City Code relating to coordination of the subdivision process with planned districts under the zoning ordinance.**

The bill was given second reading by the Clerk.

Mr. Beck explained that certain situations had called to light the process for dealing with planned tracts of ground and the subdividing of those tracts. He stated the amendment would provide for a change in the process and would allow approval of the final plat prior to the approval of a site plan for planned districts. Both staff and the Commission recommended approval. He provided an example noting that when a planned development was currently brought in, the applicant was required to prepare a site plan. In some cases, when dealing with large tracts, the owners and developers wanted to make that tract into two tracts, but had problems due to the timing of the final platting on one of them. Mr. Watkins noted there had been a few recently and that they had to be handled with variances, which meant they had to go to the Planning and Zoning Commission and then to the Council. This would eliminate that step.

Mr. John clarified that with a planned district one must come in with a site plan, which included access points, parking lot layout, building placement, drainage, lighting, and signage. The City had gone from planned districts being basically single lots and single unit developments to large districts. In the last few years, the districts had gotten larger districts and the owners sometimes wanted to cut them up into smaller pieces and sell them off. Each one would have to present their plan before they could get building permits, access, and etc. It was set up so the whole district would have to present a plan and they might not be ready to plan everything all at one time. This would allow each lot, as it was being planned, to be planned individually and in advance.

Mayor Hindman opened the public hearing.

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

B33-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B45-05 Authorizing construction of improvements to the east parking lot at Oakland Park; calling for bids.**

The bill was given second reading by the Clerk.

Mr. Beck pointed out that these improvements were included in the budget and would which involve the last of the 1999 one-quarter percent sales tax allocated for park purposes.

Mr. Hood explained the project included an asphalt overlay of the east parking lot, which consisted of approximately 55 parking spaces. The project would also include structural repair of some of the base areas. The work would be bid through the City's Purchasing Department and would be completed by contract labor this spring. The total project cost was estimated at \$16,000.

Mr. Janku noted there was no curb cut at the north end of the parking lot and a gap in the sidewalk near Edris Place. He asked if something could be included in the project to resolve those issues. Mr. Hood replied that they would look at both issues. He thought the curb cut could be incorporated into this project and that force account labor might be able to take care of the gap.

Mayor Hindman opened the public hearing.

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

B45-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B46-05      Authorizing construction of improvements to Paquin Park; calling for bids.**

The bill was given second reading by the Clerk.

Mr. Beck noted that this project was included in the current budget and that it would be funded with Community Development Block Grant money.

Mr. Hood described Paquin as a small neighborhood park, just under one acre in size and located between Lee Elementary School and Paquin Towers. Having been built in the mid 1970's, it was in need of substantial renovation. He noted staff had conducted a series of planning meetings with the residents of Paquin Towers, the staff of Paquin Towers, and the residents of the neighborhood. During those meetings, a number of improvements and additions to the park were discussed. Based on the available funding, staff felt this proposal represented the priorities of those discussions. Planned improvements included replacement of the existing wooden shelter with a prefabricated metal picnic shelter, replacement of the existing wood privacy fence, replacement of the chain link fence with a matching fabric of that on the school's chain link fence, creation of a new basketball court in the southeast corner of the park by expanding the concrete pad where the shuffleboard courts had been in the past, replacement of the wooden benches with new benches made of recycled plastic, replacement of the trash receptacles with those similar to what was being used throughout the downtown, and improvements to the concrete walkways, horseshoe courts, and some of the retaining walls that needed work. The estimated cost of the project was \$70,000, which included \$10,000 in force account labor and \$60,000 in CDBG funds. Mr. Hood thought they could begin work during this construction season using contract and force account labor.

Ms. Crayton asked if the Housing Authority was contributing to the project since their residents would also benefit from the improvements. Mr. Hood replied that the project consisted of all City funds and added that the park property was owned by the City. He noted the City has had a lot of cooperative efforts with the Housing Authority, but that this particular project was budgeted strictly through CDBG funds. An additional need that surfaced during their meetings was the renovation of the raised garden beds. He commented that they could explore some possible funding options with the Housing Authority to see if they could do that as well.

Mayor Hindman reported that he had been approached several times regarding the condition of the sidewalk along Paquin Street and the ability of wheelchair users to get down the street. He asked if staff had looked into that. Mr. Patterson replied that a contract had been let for the improvement of the handicapped ramps and accessibilities in the area. He noted that \$50,000 was appropriated last year for that purpose. He was not sure of the status of the contract, but was sure it had been let. He stated that he would check to see how much of the sidewalk down Paquin Street to the park was under the contract.

Mayor Hindman opened the public hearing.

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

B46-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B47-05      Authorizing construction of water main serving BGTM Subdivision, Plat No. 1; providing for payment of differential costs.**

The bill was given second reading by the Clerk.

Mr. Beck explained City policy to be that Water and Light funds would pay for any costs over and above what was felt to be necessary to serve the development. In this case the developer was required to build an eight inch line, but for overall fire purposes, a twelve inch line was recommended by staff. The City would pay the estimated difference of \$4,100.

Mayor Hindman opened the public hearing.

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

B47-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**(A) Voluntary annexation of property located on the southeast corner of State Route KK and River Hills Road.**

Item A was read by the Clerk.

Mr. Watkins explained that this request for annexation involved 10 acres with the existing County zoning being A-1 and the requested zoning being R-1. The Metro 2020 designation was a neighborhood district with street access off of River Hills Road, an unimproved Boone County maintained local residential street, and off of State Route KK, a MoDOT maintained major collector street. Since the report to the Planning and Zoning Commission, he noted that staff had met with the County and developer and had reached an agreement that there would be no access from this subdivision onto River Hills Road. Public utilities were within the Boone Electric Cooperative service territory, City sewer was north of the site, but extendable, there were no neighborhood associations, and there was no neighborhood parkland needed in the area. He stated the County was to communicate their preference for road configurations and that they would have that information prior to final consideration by Council. He pointed out that this might necessitate a coordination agreement between the City, County, and developer.

Mr. Beck understood there would be a provision that at some future point in time a road connection could be made after the other road was paved. He asked if they would set aside an area to stub out a street. Mr. Watkins replied that one of the proposals discussed was to have River Hills Road start at the southwest corner of this subdivision, joining the existing road, and moving north up to KK. All subdivision traffic would then go on to a new, fully improved road. As part of that proposal, the developer would plat an easement for another road, which would go east to west connecting the new River Hills Road to the old River Hills Road. However, that would not be built until the County approved it. They had suggested they would bond that improvement so it could be done at no expense to the City.

Mayor Hindman asked about the A-1 County zoning and understood the City did not have anything comparable to it. Mr. Watkins replied that R-1 was roughly comparable. Mr. Beck pointed out that A-1 was for larger tracts in the County. Mr. Watkins believed this proposal to be about 30 R-1 lots.

Mayor Hindman opened the public hearing.

Linda Coats, 5901 S. River Hills Road, explained that she and her husband owned 20 acres, just to the west of the subject tract. Her objection was that the land all around this tract was zoned A-1, with only a corner of the subject tract touching City R-1 zoning, which was across Route KK, a State Highway. If the annexation was approved and the zoning was changed to City R-1, she commented that the owners could build 30 to 60 houses on the ten acre tract. She felt the road would not support that much traffic and stated that it was unfair to put that burden on the County. She pointed out that Thornbrook had already put a burden on Scott Boulevard and added that this annexation would put additional traffic on it. She did not think MoDOT would allow access onto Route KK from this property because of the hill directly east that would obstruct vision in that direction. All of the other 10 acre tracts on River Hills Road had a restrictive covenant on them, which was filed on August 25, 1978 and specified the properties would not be re-subdivided into smaller tracts, that no more than one single family dwelling would be constructed or maintained on the property, and that no multi-family dwellings would be constructed or maintained on the property. Ms. Coats commented

that the owners of the surrounding properties purchased their property because of the rural setting and wanted to see it preserved as such. She asked those opposed to the annexation request to stand. Approximately fifteen people stood.

Mr. Loveless asked for clarification regarding the covenants. Ms. Coats replied that River Hills Estates had two plats. The first plat included properties along Scott Boulevard and the subject tract. The remaining properties along River Hills were included in the second plat, which had the restrictive covenants. Mr. Loveless understood the covenants did not apply to the tract under consideration. Ms. Coats replied that was correct.

Jim Givens, 6000 Scott Boulevard, stated his property was located at the southeast corner of Scott and Hwy KK. He explained that they were expanding the road and that the Water District had just upgraded their water line from a three inch line to a twelve inch line, and added that he was going to lose some trees. If this annexation and rezoning were to be approved, he felt others would want to do the same thing. He noted this property owner was moving and would not be impacted by the rezoning and was concerned that others would move and sell their properties as well. He believed the corner he lived on would eventually go commercial, but noted there was no plan he had seen or heard about. Before the City approved annexations and rezonings of little lots like this one, he suggested they come up with a plan so people would know what they were getting into. He also stated he did not think KK could handle the additional traffic and wondered what would happen if KK was widened.

Blaine Alberty, 5950 S. River Hills Road, asked that the rural atmosphere be preserved in the area. He felt the infrastructure was not in place to support a development of this density. He stated that both he and his wife were opposed to the request.

Bruce Hanson, 6390 S. Sabine, President of the Homes Association at Southfork Lake Estates, spoke in opposition of the annexation and the requested density. He stated that Thornbrook was a nice development, but he had not seen any improvements in access. There were no shoulders or any place to pull over on the side of the road, if needed. He asked how the City was going to plan for the safety of the current and future residents of this requested annexation area. He was concerned about access to Route KK and Scott Boulevard. In his opinion, the development was too dense because most everything in the area consisted of at least two and one-half acres. He stated that they would not need a greenbelt and that everyone would be sitting in each others back yards. He asked that their rights be considered.

Mr. Loveless asked Mr. Hanson about the size of the lots in Southfork. Mr. Hanson replied the lots had a two and one-half acre minimum.

John Cleek, 5010 Brazos Drive in Southfork Lake, explained that his home set on 18 acres and he was opposed to the annexation and zoning request. He noted that A-1 zoning in the County was 10 acres minimum. The whole area on that side of KK was either A-1 or A-2 and the idea that 30 to 60 houses could be built on a tract either accessible by a County gravel road or a two-lane State Highway did not make sense. He understood there was no plan and the owner did not show up at the Planning and Zoning Commission hearing. If Mr. Davison wanted more dense zoning on his property for development purposes, he suggested he pursue A-2 zoning. He felt that would suit the property, fit the neighborhood, and the owner could make money off of it. He stated he was opposed to leapfrogging 10 acres at a time without the proper infrastructure.

Mr. John asked about the number of lots in Southfork Lake. Mr. Cleek replied that there were 21 on 120 acres. Mr. John asked about Harper's Point. Mr. Cleek thought it was two and one-half acres plus. Mr. John asked how long Southfork Lake had been in existence. Mr. Cleek replied that they started construction in 1987. Mr. John asked if the roads had been improved since 1987 or if they were bad back then. Mr. Cleek replied that the roads had not gotten any better over the last 16 years as the traffic had increased.

Sharon Savage, 6301 S. Scott Boulevard, explained that she moved to this area to homestead, as did others. She purchased her property three and one-half years ago and spent 200 hours last year rehabilitating an overgrown orchard. She stated this was not an A-1 zoned area that was an undeveloped cattle pasture, but an area where people moved to with a goal of being self-sufficient, self-sustaining, and being able to lead a rural lifestyle. Having chosen Columbia out of all the cities in America to finally settle down and buy land, she was disappointed and unhappy to find that just two properties up would be a suburban plat.

Gary Mitchell, 5908 Spring Court, explained that his lot was directly east of the subject tract. He asked if he understood correctly that they could not access the road so they were talking about a future east/west road going to Scott Boulevard. He commented that it would have to go through his property and added that it would not be easy. He stated that he was sure the other property owner felt the same way and that such a road would never happen. He felt they would have to use River Hills Road.

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

Mayor Hindman explained the Council would not take action until the next meeting.

**R35-05 Certifying local organizations as community housing development organizations; amending the 2004 Action Plan; authorizing and amending agreements for allocation of CHDO funds.**

The resolution was read by the Clerk.

Mr. Watkins explained that three proposals were received by the December deadline for funds that were included in a general category designated for CHDO. The three received were from Central Missouri Counties Human Development Corporation, Covenant Community Development Corporation, and Show-Me Central Habitat for Humanity. All three met the minimum requirements to be a CHDO and the Community Development Commission reviewed the proposals and recommended allocation of funding to the Central Missouri Counties Human Development Corporation and the Covenant Community Development Corporation. The recommendation was that the Council take several actions. Because every CHDO must be approved each year, one action would be for the Council to certify for Central Missouri Counties Human Development Corporation and Covenant Community Development Corporation to be eligible to receive FY 2004 HOME CHDO funding. Secondly, they recommended that the City's 2004 Action Plan allocating the CHDO funding be amended to show the funding to go to Central Missouri Counties Human Development Corporation and the Covenant Community Development Corporation. They also suggested the City Manager be authorized to execute an agreement with the Central Missouri Counties Human Development Corporation allocating \$28,938 in fiscal year 2004 CHDO funds, the Covenant Community Development Corporation reserving \$75,000 of 2004 CHDO funds, and the Show-Me Central Habitat for Humanity by allowing their already allocated 2002 CHDO funds to be expended on Home Owner Assistance.

Mr. Loveless asked about the minimum requirements to be certified as a Community Housing Development Organization (CHDO). Mr. Watkins replied there was a long list of requirements in the HUD rules and regulations, including such things as having the Board of Directors in good shape, the by-laws in good shape, and having some administrative capability for the funds. He stated he could provide the Council with copies of the list. Mr. Loveless asked if they were primarily administrative and structural types of things. Mr. Watkins replied that was correct.

Ms. Crayton asked what safeguards were in place when programs ceased. She was referring to an empty house on her street. Mr. Watkins replied that there were a number of reports that were required, including annual financial audits. By being certified, he was

hopeful they had explored the background of the organization and that they had an ongoing and long term community relationship. Unfortunately, he noted they had a CHDO in the past where problems did occur, but they were now working with financial institutions that had the first mortgage on the houses to try to resurrect and complete the job that particular CHDO started. Although there were no guarantees, Mr. Watkins stated that they had tried the absolute best they possibly could.

Mr. Janku asked about an environmental review that needed to be done on the Covenant site. Mr. Watkins did not believe it had been done at this point. Mr. Janku asked if they would have to show that it had been done before funds would be released. Mr. Watkins replied that was correct. He stated the suggestion was that the \$75,000 be reserved for them. They needed to come back and demonstrate several items, one of which was that the gap in financing had been met. The environmental issues included a floodplain management report that would need to be reviewed by Public Works. Mr. Janku asked if we got involved with evaluating the business plan. Mr. Watkins replied, not particularly, as long as financing was in place. He stated that they tended to rely heavily on the bank's appraisal of the viability of the projects.

Mayor Hindman opened the public hearing.

Art Dyer, 105 W. Sexton, spoke on behalf of Covenant Community Development Corporation. He explained that he and Dana Battison had been working on this project for about three years. Last summer they received \$145,000 in neighborhood assistance program tax credits. In December, they received a \$100,000 donation from a local business man for the sum of the tax credits, which enabled them to buy the property they were talking about for the mixed use building. The building would be about 3,500 square feet with five businesses on the bottom and four low income three bedroom apartments on top. The HOME funds, they understood, could only be used for the housing part of the mixed use building. Mr. Dyer pointed out that they had also been in contact with several community bankers and were putting all of the numbers together and working on closing the gap. With the \$75,000 they were asking for tonight and the \$100,000 donation received in December, the gap was about \$65,000. They were hoping to receive a grant from the Department of Economic Development for the project. He felt the bankers would be happy with that because they would then have what they needed to proceed.

Jerry Black, 501 Grampion, spoke on behalf of Show-Me Central Habitat for Humanity. Mr. Black commented that they were agreeable to passing up the requested funds for this current year, if they were needed for the other projects with the understanding they could apply again next year. He explained that the City Manager had an amended agreement to allow them the ability to use some of their already allocated CHDO funds for Home Assistance. He did not have a specific number, but stated they would like the ability to use those funds for either land purchases or for Home Owner Assistance after someone had been selected for a piece of property.

Ms. Crayton asked if the money could be used for repairs. Mr. Black stated they had been using it to pay down the initial mortgage, so the potential homeowner had a lower mortgage payment. He noted there were conditions tied to that, but repairs were not one of them. He stated that they had a separate fund set up for homeowners to be used as a maintenance reserve.

Troy Balthazor, 502 West Boulevard North, President of the Boone County Basic Needs Coalition, explained that they had pursued HUD funding in an attempt to address the needs of the homeless community in Boone County. He added that the Coalition expressed its general support for the three programs in mentioned tonight. He remarked that the proposals were all in line with the core goal to end chronic homelessness. He did not feel, nor did HUD primarily want, emergency housing. They wanted transitional and permanent

housing. His felt that we had enough shelters and that the reason they remained full was because of the lack of a way out the back door. He encouraged the groups receiving funding to involve members of the community in the planning and development process because what they had to say was crucial.

Dana Battison, 7200 E. Highway WW, Covenant Community Development Corporation, stated their project was well considered and that they had been working with a HUD representative that was here for a week on their financial plan. She asked the Council to approve the request.

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

Ms. Crayton reiterated her concern and requested everyone to be aware, so the same thing would not happen again.

The vote on R35-05 was recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Resolution declared adopted, reading as follows:

## **OLD BUSINESS**

### **PR25-05**     Establishing revised Community Development Block Grant funding guidelines for economic development.

The policy resolution was given second reading by the Clerk.

Mr. Beck explained that this would add a category to the policy guidelines the Council established several years ago for the use of Community Development Block Grant funds. The proposal suggested an economic development category be added to the existing categories and that each of the categories have a funding range. In this case the suggestion was that it be zero to 15% of the total allocated CDBG funds. He noted the Community Development Commission used these guidelines when reviewing applications and recommended funding. Mr. Beck pointed out that there had been a lot of discussion on the national level that there were going to be potential cuts in the CDBG monies coming to cities throughout the country. Mr. Beck stated they might discuss, at a future work session, how to reallocate funds with the known cutback and what community priorities that would be presented to the CDBG Commission.

Regarding the cuts, Ms. Crayton felt it was important to show we were succeeding because then we could say a program was actually working. She asked how we could make sure we were in the right circles when matching dollars became available. She also felt that we needed to talk to our State Representatives so everyone understood what was going on.

Mr. Beck commented that staff was looking to see that work was accomplished for which money was approved. He stated that Mr. Watkins had attended a meeting in Kansas City where many cities were expressing concerns for next year's budget. He agreed that it was really important that everyone be involved.

Mayor Hindman noted that there was discussion at the work session regarding the possibility of tabling this item and asked if anyone wanted to make that motion.

Mr. John stated there were different ways of approaching this and if they wanted to have a long discussion in order to think it through, then they should table it. He noted they could discuss it Thursday when they went through the funding priorities and could send it to the Commission so they could start looking at how they were going to allocate the funds, assuming that next year we would have some.

Mr. Janku thought they might want to talk about contingencies and stated he would be glad to continue it. He was comfortable with the current allocations in the first two categories

and did not want to tinker with them. He felt housing was very important, particularly if they were going to be looking at working with the Housing Authority. He noted that might be the source of funds they would need. His thought was to combine the three categories in order to have a little flexibility, so if they wanted to put a lot of money into one project, they could, as opposed to only being able to put in 15%. Mr. John asked him if he would combine community facilities, community services, and economic development into one category. Mr. Janku replied he would. Mr. Ash thought the only negative to lumping them together was that one could be lost even though they might be of equal importance. Mr. John pointed out that two of them would have a zero start point. The only one that did not was community facilities. He reminded everyone that this would be a guideline they would then give to the Commission who would look at all of the applications that came in and would try to fit them within the guidelines. He stated the guidelines should be so the Council did not heavily massage them when they came back around.

If the numbers were significantly reduced, Mr. Janku felt the real dollar amount in the categories would be going down. He thought it would be more meaningful to have a larger range, zero to 25% versus 5 or 10 percent, of a relatively small amount.

Mr. Beck suggested they verify whether this would in any way affect the consolidated plan. The consolidated plan needed to be addressed as to how the City planned to use the money.

Mr. Loveless made the motion that PR25-05 be tabled to the March 7, 2005 meeting. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

**B34-05 Authorizing an annexation agreement with AT & T for property located on the north side of I-70, east of the City limits.**

The bill was given second reading by the Clerk.

Mr. Beck explained the request was made in accordance with the provisions of a policy resolution regarding the extension of City sewer lines outside the corporate limits. Staff suggested authorization of the request with a pre-annexation agreement. Mr. Ash asked what zoning would be granted if they did annex. Mayor Hindman explained they would automatically get A-1 for six months and then the Council would have to zone it. Mr. John noted that since it would be a public utility building, it would be an approved use in R-1.

B34-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B37-05 Vacating unbuilt street right-of-way in conjunction with the proposed Replat of Lots 34, 35 and Eva Drive of Bodardville Subdivision Block II.**

The bill was given second reading by the Clerk.

Mr. Beck explained that this vacated street stubbed over to the park. Staff's suggestion was that the vacation be approved, but that the pedestrian right of entrance be retained. Mayor Hindman liked the concept, but asked about the width. Mr. Watkins explained there was 15 feet on either side, so it would be a total of 30 feet.

B37-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B38-05 Approving the Final Plat of the Replat of Lots 34, 35 and Eva Drive of Bodardville Subdivision Block II; authorizing a performance contract; granting variances to the Subdivision Regulations relating to cul-de-sacs.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this to be a proposed replat of a final plat that would create two R-2 zoned lots. Staff and the Commission both recommended approval of the replat.

Mr. Loveless asked about the other end of Eva on the north side of the park. Mr. Watkins explained that the lots on the north side had not yet been developed. If the two lots on the south were to be developed we would have to have a built street. Staff felt that to be an unwarranted and unnecessary expense. They felt they could achieve the same purpose. He commented that if the folks on the north side decided they wanted to develop, staff could work with them in a similar situation. Mr. Loveless asked if it had been platted on the north. Mr. Watkins was certain that it had, but that it was undeveloped.

B38-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B48-05      Confirming the contract with River City Construction, LLC for construction of the McBaine Water Treatment Plant expansion project.**

The bill was given second reading by the Clerk.

Mr. Dasho explained that Jacobs Engineering put together the bid specs on the expansion project for the Water Treatment Plant from 24 million gallons per day to 32 million gallons per day. Three very competitive bids were received with the lowest being \$8.3 million. The engineer's estimate was \$8.6 million.

B48-05 was given third reading with the vote recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

**B52-05      Amending Chapter 16 of the City code relating to firearms hunting.**

The bill was given second reading by the Clerk.

Mr. Beck explained that a public work session was held on this subject at which time the Council asked that an ordinance be drafted. The ordinance would allow firearm hunting on tracts 20 acres or larger, subject to several safety related restrictions. Mr. Boeckmann read the restrictions noted in the ordinance.

Susan Galloway, 3500 N. Forest View, spoke in opposition to the ordinance. She noted last year a similar ordinance was passed allowing bow hunting in four public areas, including two recreational parks. She stated that she and a friend conducted an informal survey of Twin Lakes and Grindstone users to see how many people were in favor of the ordinance. They found none who knew the ordinance had passed. In addition, none were in favor of it. She commented that in order to alleviate some of their concerns, they were told that the hunters would not be using the areas at the same time the recreational users would be using it. She found that to be untrue as she met camouflaged men on the same path while walking her dogs at 5:30. She stated they were not hunting on the path, but were on their way to a hunting area. Ms. Galloway commented that she was opposed to all hunting, but understood that everyone did not feel the same. She noted this was happening all over because the hunter population was declining and an easy argument could be made due to urban sprawl. She felt it was easy to say the animal population was exploding, when in reality, it was the human population that was exploding. She admitted the deer population had grown since the early implementation of the Department of Conservation, but felt the primary mode of intervening in that growth had been hunting. She stated that it clearly had not been working. She also commented that there were many reasons people did not want to annex, not just because of hunting, so she thought the annexation point was moot.

Daria Carriage, 216 S. Garth, saw the issue as one of public safety. Hunting within the City limits, she felt was dangerous and was sure many people would agree. She relayed a story about a young woman who was killed in 1984 by a bullet shot by a hunter on one side of I-70, while working at a nursery on the other side. She asked if the City was willing to take part, if such an accident were to occur as a result of this ordinance.

Sutu Forte, 627 Bluff Dale, spoke in opposition to the ordinance. She saw guns making bad situations worse instead of better. She felt the answer was not through guns and asked that a peaceful solution be found to deal with four legged creatures. She stated she wanted the City to maintain its safety and natural state.

Jackie Schneiderman, 2917 W. Rollins, spoke against the ordinance. She discussed ecological issues relating to deer habitat. She explained that deer herds had been growing for the last few decades and during that time hunting had been used as the primary method for managing their numbers. She stated that overwhelming facts proved that hunting was not an effective method. Urban sprawl, she commented, was rapidly taking over deer habitats and that suburban lawns, ornamental shrubs, and gardens were attracting deer. Ms. Schneiderman noted these were phenomenon created by human population growth, not deer population growth. Because their food sources had become increasingly enticing and abundant, the deer were adjusting and staying in these small areas. She felt it was food sources that controlled their population the most. When hunters killed 20 to 30% of the deer population in a given community, they were virtually guaranteeing less competition for food and increased nutritional health for the survivors. She noted that killing large numbers of deer produced even more deer than before and felt that hunting had contributed to the problem itself.

Katherine Erdel, 1415 Rosemary, spoke against the ordinance. Before the bow hunting ordinance was passed, she pointed out the Council had appointed a committee to discuss complaints of nuisance deer and the high number of vehicle accidents. Since the committee was comprised of City staff, Department of Conservation staff, and archers, she felt one had to wonder if humane alternatives were even considered. According to animal welfare agencies, she noted that communities that had considered kill options discovered, through surveys, that few of their residents considered there to be a deer problem to begin with. She commented that pro-hunting groups often sited vehicle accidents as a rationale for kill solutions. According to police records, she commented that there were 81 accidents in 2001, 58 in 2002, and 49 in 2003. From January to the end of September of 2004, she pointed out there were only 18 reported accidents. She noted there was a continual decline from 2001 to 2004, before the bow hunting ordinance was passed. Ms. Erdel stated that auto insurance companies reported that more deer related accidents occurred on the first day of hunting season than on any other day of the year. She felt this ordinance was more for the benefit of a small minority of hunters rather than the larger community.

Alyssa Chen, 1700 Forum, reiterated the feelings of earlier speakers about this being a public safety issue. She asked if we really wanted walkers, joggers, dog walkers, and unsuspecting children that were playing to be put at risk. She noted that bullets could travel long distances, especially with some of the more high powered rifles that were available today. If managing the deer population was a concern, she asked the Council to consider more humane alternatives. She suggested installing reflector systems on the highways to reduce the number of vehicle collisions with deer, putting up signs and flashing lights in heavy crossing areas, building fences, educating the public about which plants would attract deer and which repellents would effectively deter them, requiring developers to confer with wild life agencies before building, lowering speed limits in high deer traffic areas, and exploring wildlife conception. She asked that the Council consider the safety of the citizens of

Columbia when voting on this issue.

Larry Schuster, 3109 Hill Haven Lane, spoke in support of the ordinance and offered minor amendments that he felt would improve the ordinance and address some of the safety concerns. He noted that a box of 22 cartridges had a statement saying they were dangerous up to one mile on it. He suggested limiting this to only fire arms, such as a shot gun or a black powder rifle and to adapt some of the rules used in the Rock Bridge controlled hunts. He thought that included black powder muzzle loading and shot guns with slugs or a buck shot. He suggested including BB guns and air rifles to preserve the rights of the property owners and to be somewhat friendly toward the annexation proposals. He noted this was not just a deer control issue, but also an annexation issue.

Randy Simmerman, 3310 Ridgecrest, concurred with Mr. Schuster's suggestions. He believed the use of shot guns, rather than high powered rifles, or even hand guns, would work well. He thought bow hunting had been very effective and that shot guns, muzzle loaders, and hand guns would be very effective as well.

Mr. Loveless explained that he had worked for the Department of Conservation as a Wildlife Land Manager for nearly 30 years. His job was to administer state owned hunting areas, which meant that he had worked 30 deer seasons, walking out in the areas during firearms deer season. He noted that he has heard many people express a sincere fear of the danger of firearms deer season, which he understood, but felt was not substantiated by fact. The Conservation Department, as an agency for over 20 years, has investigated every hunting accident brought to their attention and since all firearm wound treatments must be reported to a law enforcement agency, the Conservation Department has investigated virtually every firearms deer accident. Last year, he stated, there were approximately 800,000 firearms deer permits sold, so there were hundreds of thousands of firearms deer hunters out during the 10 day firearms deer season. During that time there were eight hunting related accidents. Six of which were self-inflicted. He explained that this was what they typically saw with firearms related accidents. The incidents that concerned people the most was that someone would be hit by a stray bullet down range. He stated that this happened about once every other year. Mr. Loveless displayed graphs relating to reports he had accumulated over the years. One showed the growth in the sale of firearms deer hunting permits to give an idea of the volume of people involved in this recreational activity. One indicated a decline in the number of firearms deer accidents, which he attributed to the mandatory hunter safety course that every hunter born after 1967 was required to take to be able to purchase a hunting permit in Missouri and a firearms deer permit. He noted the accidents had declined from 17 firearms accidents in 1987 to 8 this year. A graph showed permit sales increasing over 50% and accidents decreasing by one-third. Of all the accidents, which averaged about 12 per season since 1987, 80% of them were self-inflicted.

Regarding deer control, Mr. Loveless stated that it was not a unique problem to Columbia and that it had been brought to the attention of the Council through Conservation Department personnel who had documented the increase in deer/automobile accidents and deer complaints in general from the residents of Columbia. Many complained they could not grow anything in their yard because the deer would eat it. He did not feel that Columbia had reached a deer population crisis point and stated that the Council was trying to avoid reaching that point. That was why they tried the experimental bow hunting season, recognizing it was a relatively inefficient way to remove deer. The only viable control of the deer population, he explained, was to remove mature does from the population. He stated there had been no other viable method of population control that any professional agency in the nation had found other than hunting. He understood people were working on it, but they had not found a viable solution yet.

Mayor Hindman commented that he was not a hunter and although he thought there was something to be said about the deer problem being caused by us moving out into their territory, he felt there must be some way to harvest deer. He liked the idea of limiting the types of guns that could be used because he understood some of them reduced the range greatly. Not only did they need to look at the statistics, but also at what would make the residents comfortable. Another suggestion he had was that only newly annexed areas be included. He noted that hunting was allowed on them right now, so there would be no change, and we would not be introducing hunting to areas where there was no hunting right now. Mayor Hindman did not want to allow hunting on public lands and wanted to restrict it to private lands where the property owner would have to give permission, like they did now. He also commented that someone had suggested that hunting be limited to tree stands only with the argument being one would have to shoot down from the tree, virtually eliminating the possibility of a stray bullet.

Mr. Loveless asked what Mayor Hindman meant by public lands. Mayor Hindman replied he was thinking about City owned parks and other City owned lands. Because of immunity rules, he understood we could not impose our ordinances on the State. He said they could possibly include school owned property. Mr. Loveless pointed out that any entity that owned property, public or private, would have their own option to restrict activity on it. To specifically exclude public property, he thought, would be redundant. Mayor Hindman believed the public wanted to know that there would not be guns in City parks. He wanted people to understand that City parks were not being opened up to firearms hunting.

Mr. Loveless liked the idea of allowing hunting on property annexed after this ordinance went into effect, should it be passed. He also agreed this should be looked upon as an experiment to see if there were problems with it and to see if it was effective. If they were to restrict it to shotgun or muzzle loader, they would have in effect decreased the public safety risk from what it was now, since hunting was currently allowed in the County without these restrictions.

Mayor Hindman offered a motion to restrict this to newly annexed land after this ordinance took effect and to limit it to black powder, slug shotguns, and BB guns. Mr. Janku seconded the motion. Mr. Boeckmann clarified the motion would change the wording of item (b) (3), which would now read . . . shall not apply to any person discharging a shotgun, muzzle loader or BB gun while lawfully hunting on a tract of land twenty acres or larger that was annexed into the city after February 21, 2005 . . . .

Mr. Loveless felt the wording primitive firearm should be used instead of muzzle loaders because there were other types of black powder firearms. Mayor Hindman and Mr. Janku agreed with this amendment to the motion.

Mr. Loveless asked if they wanted to allow people to use 22's, which were used to hunt rabbit and squirrels, because we had effectively eliminated their use. Mr. Ash felt they should not include 22's. Mayor Hindman felt they were primarily concerned with deer, so they could leave it out. Mr. Janku wanted it to be clear that this was not only for deer hunting. Mr. John realized we were doing this to decrease the deer population, but would also be getting rid of other hunting because they were narrowing it down to very limited types of weapons. He was concerned they were limiting it so much that this would basically have no affect as an annexation tool.

Mr. Ash asked if they wanted to allow 22's with the requirement that a tree-stand be used. Mr. Loveless did not see the value of reducing the recreational hunting of other creatures and felt if a choice had to be made between disallowing 22's or requiring a tree-stand, he recommended leaving the 22 out.

Mr. Boeckmann clarified the motion made by Mayor Hindman and seconded by Mr.

Janku as changing item (b) (3) to read . . . shall not apply to any person discharging a shotgun, primitive firearm or BB gun while lawfully hunting on a tract of land twenty acres or larger that was annexed into the city after February 21, 2005 . . . . The motion was approved unanimously by voice vote.

Mayor Hindman made the motion to further amend B52-05 by requiring the land to be privately owned. Mr. Boeckmann clarified the motion would change item (b) (3) to read . . . lawfully hunting on a privately owned tract of land . . . . The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Ash asked if they should restrict the property to A-1 zoning. Mr. Janku did not think they should because when people annexed, they usually wanted to ensure zoning and A-1 was rarely requested. Mr. John agreed.

Mr. Ash asked if everyone was comfortable passing the amended ordinance or if they should discuss it further at a work session. Mayor Hindman felt they had a good discussion and stated he was ready. Mr. John commented that the issue was brought up six years ago, when he first ran for City Council, and added that they have had work sessions on it with presentations from the Conservation Department, information on what Town and Country did, and numerous magazine articles on the subject. He thought it was time do something and that this was the right way to go about it.

B52-05, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Bill declared enacted, reading as follows:

## CONSENT AGENDA

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

- B35-05**      Approving the Final Plat of Timber Creek, Plat No. 4, a Replat of Lot 2 of Timber Creek Plat No. 1; authorizing a performance contract.
- B36-05**      Approving the Final Plat of Vanderveen Crossing, Plat No. 14; authorizing a performance contract.
- B39-05**      Vacating a utility easement in conjunction with the proposed Final Plat of Smithton Ridge Plat 4-A.
- B40-05**      Approving the Final Plat of Smithton Ridge Plat 4-A; authorizing a performance contract.
- B41-05**      Vacating a waterline easement located within CenterState Subdivision Plat 2.
- B42-05**      Authorizing a cooperative agreement with Boone County relating to 2005 revenue sharing funds for the Chapel Hill Road improvement project.
- B43-05**      Authorizing an agreement with Boone County relating to public education and implementation of the EPA Clean Water Act Phase II Storm Water Regulations; appropriating funds.
- B44-05**      Calling for bids for the Merideth Branch Detention Basin project.
- B49-05**      Accepting conveyance; authorizing payment of differential costs for water main serving Forest Ridge, Plat 1; approving the Engineer's Final Report.
- B50-05**      Accepting conveyance; authorizing payment of differential costs for water

main serving Smithton Ridge, Plats 5 and 6; approving the Engineer's Final Report.

- B51-05 Accepting conveyances for utility purposes.
- R27-05 Setting a public hearing: voluntary annexation of property located on the east side of Sinclair Road, approximately 700 feet south of Muirfield Drive.
- R28-05 Setting a public hearing: voluntary annexation of property located on the south side of State Route WW, east of the City limits.
- R29-05 Setting a public hearing: construction of Sewer District No. 149 (Edgewood Avenue).
- R30-05 Setting a public hearing: sidewalk construction in Auburn Hills Subdivision.
- R31-05 Setting a public hearing: construction of water main serving Thornbrook, Plat 13.
- R32-05 Authorizing a grant agreement with the March of Dimes for the Latino Home Visiting Expansion Project.
- R33-05 Authorizing an agreement with the Missouri Department of Health and Senior Services for the HIV Prevention Project.

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

## NEW BUSINESS

R34-05 Authorizing an amendment to the agreement with Chiodini Associates for architectural services relating to the renovation of the Howard and Gentry buildings.

The resolution was read by the Clerk.

Mr. Beck noted that a detailed report had been sent to the Council regarding this issue. This would increase the fee for architectural services by \$51,500.

Mr. John thought they were not going to pursue the Lifestyle Building, but would be renting space at the Bank of American building. He asked why this contained \$4,000 in space program development for the Lifestyle Building. Mr. Beck explained that a plan had been laid out on the building before things changed directions.

The vote on R34-05 was recorded as follows: VOTING YES: ASH, HINDMAN, CRAYTON, JANKU, LOVELESS, JOHN. VOTING NO: NO ONE. ABSENT: HUTTON. Resolution declared enacted, reading as follows:

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

- B53-05 Voluntary annexation of property located on the southeast corner of State Route KK and River Hills Road, establishing permanent R-1 zoning.
- B54-05 Rezoning property located west of Providence Road and south of Peach Tree Drive from C-1 to C-3.
- B55-05 Approving a revised C-P Development Plan for Columbia Mall (Dillard's).

- B56-05 Amending Chapter 29 of the City Code relating to the floodplain overlay district.
- B57-05 Approving the Final Plat of West Lawn Subdivision Plat 2; authorizing a performance contract.
- B58-05 Approving the Final Plat of Brookside Square Plat 1; authorizing a performance contract.
- B59-05 Vacating unbuilt street right-of-way within Oak Forest Subdivision Block 5-A.
- B60-05 Vacating a utility easement located within Concorde Office and Industrial Park Plat 1.
- B61-05 Authorizing a cost participation agreement with the Missouri Highways and Transportation Commission and Boone County for an environmental study relating to the extension of Route 740 (Stadium Boulevard).
- B62-05 Authorizing an agreement with Trabue, Hansen & Hinshaw, Inc. for engineering services for the Bear Creek Outfall Sewer project; appropriating funds.
- B63-05 Authorizing the acquisition of easements for the AT&T sewer extension project; appropriating funds.
- B64-05 Authorizing construction of water main serving Thornbrook, Plat 13; providing for payment of differential costs.
- B65-05 Authorizing an agreement with Missouri Joint Municipal Electric Utility Commission relating to the purchase of renewable energy.
- B66-05 Accepting conveyance; authorizing payment of differential costs for water main serving Lake Shire Estates, Plat 1; approving Engineer's Final Report.
- B67-05 Accepting conveyance; authorizing payment of differential costs for water main serving Norbury Hill Subdivision; Approving Engineer's Final Report.
- B68-05 Accepting conveyances for utility purposes.
- B69-05 Authorizing an amended economic development agreement with the Chamber of Commerce, Boone County, The Curators of the University of Missouri and REDI.

## REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Report accepted.

(B) Street Closure Requests.

Mr. Beck described the three street closure requests. Mr. John made the motion that the requests be allowed as requested. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

(C) Farmers Market.

Mr. Beck explained the lease would expire March 21, 2005 and that meetings had been held to discuss this with representatives from the group. Staff recommended that a new, one year agreement with Sustainable Farms for the same area they were using currently. He stated staff would be looking to see if parking would need to be expanded and whether or not we could have a joint partnership with the Farmers Market for more permanent facilities at that location. Also suggested was that the same \$2,100 per year rate be charged. Mr. Beck noted the next step would be a resolution authorizing an agreement.

Mr. Loveless made the motion that staff be directed to draft a resolution for Council adoption. The motion was seconded by Mr. John and approved unanimously by voice vote.

**(D) Potential Sanitary Sewer District on Ballenger Lane and Aztec Boulevard.**

Mr. Patterson explained that Mr. Hutton had asked staff to look into this potential sewer district. The property owners of the three lots were contacted and expressed interest. The next step would be authorization from the City Council in the form of a motion to allow staff to proceed with the work necessary to determine, more precisely, the cost and feasibility of the sewer district.

Mr. Loveless made the motion that staff be allowed to proceed with the work necessary. The motion was seconded by Mr. John and approved unanimously by voice vote.

**(E) Percent for Art Funding Sources.**

Ms. Hunter stated that she researched this, by putting out an inquiry to other public art administrators, and did not get a lot of ideas from them. Generally, she noted the funding was pretty straight forward and very similar to what we did with the one percent. She noted that she had also outlined the grant opportunities, which were few and far between and tended to be more toward the programming side, not the permanent installation. She stated that they had experienced a little success in seeking funding from private donors or corporations and from the foundation money, both with Jamboree and the MLK Memorial restoration.

Mr. Janku was appreciative of the report and stated he did not think they should go after every corporation or potential donor when the City had a project, but thought there might be a short list of trusts or maybe they could use The Share the Light Program or the utility bill approach, where we would let people know that a particular project was coming up and then ask if they wanted to donate. Because the lead time was lengthy on the one percent projects, he thought it might be possible to send out letters to some of the foundations.

Mr. Ash felt corporate donorship had the most potential. He thought it could be done in a tasteful way and could be a win/win for both the businesses and the City. He suggested looking at every opportunity to get private dollars to supplement City dollars.

**BOARDS AND COMMISSIONS**

Upon receiving the majority vote of the Council the following individuals were appointed to the following Board and Commissions:

**C.A.R.E. ADVISORY BOARD**

Rader, Jerome H., 2226 Shepard, Ward 6 - term to expire 3/1/08

**COMMUNITY DEVELOPMENT COMMISSION**

Scherrer, Elizabeth G., 506 F Columbia Drive, Ward 6 - term to expire 11/1/07

**HUMAN RIGHTS COMMISSION**

English, Noel Al., 1103 Sunset Drive, Ward 4 - term to expire 3/1/08

Morganfield, Lawrence, 2401 Parker, Ward 2 - term to expire 3/1/08

Thomas, Mark E., 608 Morningside Drive, Ward 6 - term to expire 3/1/08

**UNIVERSITY EXTENSION COUNCIL OF BOONE COUNTY**

Dykhouse, Charles J., 806 Locust, Ward 6 - term to expire 3/1/07

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Regarding park needs, Mr. Loveless did not think that revisions to the Parks Master Plan were being kept up as the City was annexing. He suggested staff send the Council regular updates on the part of the Master Plan that would address neighborhood park needs and accommodate newly annexed pieces. He noted they were picking up a lot of new housing developments on the edge of the City that were not considered when the Plan was updated.

Mr. Loveless made the motion that staff report back on the issue when applicable. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Janku commented that he had been working with constituents on the issue of street lights along Brown School Road, which had recently opened. There was some interest in that and they want to make sure the lighting accommodated the tree planting. He stated he would forward the e-mails to staff.

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

Mr. Janku stated he had not heard back about bike lanes on Smiley, west of 763 and made the motion that staff be directed to report back. The motion was seconded by Mr. Ash and approved unanimously by voice vote.

Regarding the rezoning and the development that had gone in on Barberry, west of Grayson, Mr. Janku thought as part of the development there was supposed to be a walking path/alternative sidewalk along Barberry.

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

Mr. Janku commented that he had communicated to Mr. Beck about whether or not anything could be done about landscaping the Interchange of I-70 and 63 once it was completed. He made the motion that staff be authorized to look into the issue and maybe have discussions with MoDOT about any feasible things the City might be able to do. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mayor Hindman explained that Karl Kruse had sent an e-mail to him regarding the design of the bridge on East Broadway. He noted that one could no longer look over the side to see the Creek. He asked if there was an alternative staff could look into. Mr. Loveless pointed out that the project had already been bid.

Mr. Beck stated he had sent the information to District 5 and to Mr. Patterson to obtain some feedback as to what could be done, if anything.

Mr. Patterson explained that the bridge was already under construction. He pointed

out that the railings were not Jersey barriers and that they had a concrete curb which was 2' 8" high and on top of that was a corral rail, which was a square tubing that had a horizontal and then vertical railing. He stated that was what separated the pedestrian accommodations from traffic lanes. On the outside of that, there was a requirement that there be screen fencing up to 5' 10" to keep pedestrians from falling into the Creek. Any changes would have to go back to MoDOT, since they were paying for it. Mr. Patterson pointed out they were MoDOT standards, similar to the screening seen on the I-70 pedestrian bridge on Providence. He commented that a bicyclist or pedestrian would have a very good view of the Creek.

Mr. Janku noted that the bridge on Garth had brown fencing so it would blend in, but that they put in aluminum poles. He suggested that consistent color, hopefully not aluminum, be used on the bridge.

The meeting adjourned at 10:34 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk