

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
JULY 2, 2007

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, July 2, 2007, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members SKALA, WADE, NAUSER, HINDMAN, CRAYTON and JANKU were present. Council Member HOPPE was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of June 18, 2007 were approved unanimously by voice vote on a motion by Ms. Crayton and a second by Mr. Janku.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

B195-07 Voluntary annexation of 31 lots within Prairie Hills Subdivision located on the east side of Creasy Springs Road, generally west of the City limits; establishing permanent R-1 zoning.

The bill was given second reading by the Clerk.

Mr. Watkins explained this annexation involved 31 developed lots in an existing subdivision. He noted that while the 31 lots included the vast majority of the subdivision, there were a number of people who did not petition to come into the City as illustrated by the map on the overhead. The Planning & Zoning Commission recommended approval of R-1 as permanent zoning on the subject property. Mr. Watkins pointed out there were originally 32 lots, but one property owner asked for his lot to be removed, which was his right.

Mayor Hindman opened the public hearing.

Larry Glabe, 816 West Prairie Lane, stated his property was Lot 25 on the map and encouraged the Council to approve the annexation on behalf of the 31 homeowners. He explained, in June of 2005, they began discussing specifics with staff in order to determine the pros and cons of annexation and decided to pursue annexation as a result. He noted they formed a Committee, which served as a catalyst in the neighborhood, and recruited

neighbors and worked through the annexation process. They believed this would be beneficial to both the City and the neighborhood. He commented that they became a peninsula when this property was developed and would become an island if the property to the west was acquired. He asked Council to approve the annexation request.

Larry Bossaller, 909 West Prairieview Drive, explained the lots to the left of Lots 31 and 43 and across the street from Lot 11, where he lived, were already in the City. He believed it would behoove the City for these lots to be annexed. He thought, for the future development of the area, it made sense in regard to coordination, streets, etc. if they were all in the City. He stated he was hopeful the Council would approve the annexation. He noted he promoted the City as a realtor and wanted to tell future clients he lived in the City.

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

Mr. Janku stated he wanted to welcome them into the City and would support the staff and Planning & Zoning Commission recommendations for approval of this annexation.

B195-07 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Bill declared enacted, reading as follows:

B196-07 Voluntary annexation of property located on the north side of Thompson Road, approximately 200 feet east of Spring Cress Drive (5701 Thompson Road); establishing permanent R-1 zoning.

The bill was given second reading by the Clerk.

Mr. Watkins stated this involved the annexation of approximately two acres in northeast Columbia. The Planning & Zoning Commission recommended approval of R-1 as permanent City zoning.

Mayor Hindman opened the public hearing.

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

B196-07 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Bill declared enacted, reading as follows:

B197-07 Voluntary annexation of property located on the southeast corner of Roosevelt Avenue and Lenoir Street; establishing permanent C-P zoning; setting forth conditions of approval.

The bill was given second reading by the Clerk.

Mr. Watkins explained this involved the voluntary annexation of an approximate 21 acre site in southeast Columbia. It was part of an island within the City limits. He noted the major difference between this annexation request and the others discussed tonight was that this request involved zoning that was different than current County zoning. The requested permanent zoning was C-P and was different than County R-M zoning. The Planning & Zoning Commission recommended approval of the C-P zoning subject to conditions that dealt with the traffic impact and a traffic study once the land use changed. He pointed out this area was already served by City sewer with water being provided by one of the water districts and power being provided by Boone Electric.

Mayor Hindman opened the public hearing.

Mary Hussmann, 5306 Rice Road, understood this would be in Ms. Hoppe's area and asked that a delay be taken into consideration due to her absence. She stated she was speaking on behalf of Grass Roots Organizing (GRO) who had been asked to make an appeal to the Council by some of the families living in Sunset and Ed's Mobile Home Parks. Over the year, GRO had consistently worked to improve living environments and to empower families living in mobile home parks. She commented that the Council had struggled with mobile home park issues before and thanked them for passing the legislation proposed by John Coffman which provided 120 days for park residents to vacate if the land was converted to another use. At the time it was passed, Columbia was the only community in the State that allowed the 120 days. Later, Representative Vicky Riback Wilson was instrumental in passing it into State law. She showed photographs of Sunset and Ed's Mobile Home Parks and commented that the land proposed for annexation and zoning was not a vacant area of grass, dirt and trees. She stated real men, women and children lived there. The families owned or were purchasing their homes, but the land those homes sat on was leased on a month to month basis. She pointed out one family at Sunset just moved in last week. The families living in the mobile home parks were a vulnerable population of Missouri's disabled, elderly, working poor, single adults, single parents, couples and children. She asked the Council to make people, not property, their priority. She asked the people in the audience to stand if they lived at Sunset or Ed's or were friends of people or supporting the protections of people living there and approximately 25 people stood. She stated this was affordable housing for families and if the Park closed, it would displace about 100 families. She noted affordable housing was already lacking and if these families were ousted, they would not move into another home or a decent apartment in Columbia. Those living in the mobile home parks were families of modest means who had invested in owning their mobile homes and many had lived there for years. If evicted, the cost of moving the homes was \$1,200 - \$1,500 or more. In addition, many were no longer mobile and could not be able to be moved. She pointed out the Council did not have an obligation to bring this area into the City or to change the zoning. This annexation and zoning plan did not come from the families or the voters. It was requested by the owner of the land. She believed the desire of the people who lived there and the lack of support by the Columbia Police Department should raise serious doubts about the owner's proposal. She understood the owner stated he wanted to help and wondered what that meant. He was verbally telling residents not to worry and was being evasive in his answers to the public, the Council and the families most affected. He had not given any solid commitment in regard to how long the Parks would remain open if the annexation and zoning was granted. She felt he had plans to commercialize the area and wanted everything from pet shops to barbershops. She understood the mobile home business was not on his list. She did not think this land should be annexed and thought more time was needed to study the pros and cons. If it was annexed, they would recommend a condition requiring the owner to keep the Mobile Home Parks open and operating for at least five years and that no new tenants be allowed to move into the Parks during the last year of operation. This would give the residents a clear time frame to work from and would allow more options for preparing, saving and assuring orderly withdrawal from the property. If the residents were forced to relocate this year, they would not have the resources to do it without

financial assistance. She felt Columbia residents and the Council needed to stand up for the fair treatment of the Park's residents. Many families living in mobile home parks were intimidated by owners and were often made to feel helpless. She stated there were reported incidents to GRO that this owner had told residents not to speak publicly about their concerns. She appreciated that some of the people from Sunset and Ed's Mobile Home Parks were present in spite of such perceived threats or repercussions. She believed the well being of the families should be the central focus in the Council's decision making and advised them to take more time if needed and to propose ideas for improving the situation if they had any. She asked the Council to be sure they had the needed commitments in writing before voting.

Brenda Boyd, 4130 South Lenoir Street, Lot #97 of Sunset Trailer Court, stated this was her home and that she worked very hard everyday as a home healthcare aide. She noted neither she nor her roommate could afford to move at this point. She commented that they liked where they lived and wanted it to stay that way.

Jim Nullman, Trailer #98, stated he felt the same way. He commented that he was working, but there was no way he could move his trailer. He asked Council to look at this issue as there was more than just grass out there. There were people who lived and worked there.

Cindy Snowden, stated she represented quite a few households in the Sunset Trailer Court. She noted she lived in #97, her mother lived in #80, her daughter in #6 in Ed's Trailer Court and she was selling trailer #91. They have had trailers in Sunset Trailer Court for 25 years. By allowing this annexation to go through, they would be wiping out a whole family and many others. She commented that there were others like herself that had three or four different trailers their children lived in. If they were forced to move, she wondered where they would take them. She pointed out her trailer was a 1966 trailer and according to City rules, she could not move that trailer. She would have to re-buy and start over again, which she could not do. She noted she just had major back surgery and if they gave her 120 days to get out, she would not be able to move because she could not pick up two pounds at this time. She felt the residents should have been considered before this was proposed.

Jason Shoot, 6250 East Gilmore Lane, stated he was co-owner of Sunset and Ed's Mobile Home Parks. He noted annexation did not mean the property was being sold and pointed out it could be sold or changed with the way it was. He noted he spent 16 years of his life in a mobile home park and Ron, his partner, grew up in Sunset Mobile Home Park. He stated that just because the property was being annexed did not mean there would be a change. He explained they invested \$50,000 in infrastructure and water lines in the last year and one-half. If they were planning on doing something else, they would not have spent that much. He noted the Parks were being cleaned up and were running better than they ever had. He thought they had done a good job in regard to concerns involving the Police Department and noted 149 of the calls were due to people who were no longer tenants. Another 30 calls were for people on probation. He stated he did not know of another situation of an island like this being surrounded by the City. He commented that he understood where everyone was coming from, but noted they did not have the property on the market. He stated they could not predict what would happen, but did not have any plans to sell the

property right now. If something came along, he noted they would do whatever they could to help everyone out.

Mayor Hindman commented that the primary concern involved the possibility of closing down and displacing the people who had trailers. He understood they had no plans, but were asking for commercial zoning. He asked if there was any kind of assurance they were able or willing to give indicating these people would not be displaced for a while. He assumed they would be displaced someday since they were asking for commercial zoning. Mr. Shoot replied he agreed they would be displaced someday due to growth. He was not sure when it would happen. He stated if someone came along and offered them a billion dollars, they would have to look at it. He reiterated they would try to do what they could to help the residents. He noted he had lived in a mobile home with his mom and could not imagine just kicking someone out. He understood it would cost more to move than some of the mobile homes that they were worth and they would do everything in their power to help. He did not think they could guarantee something as they did not know what would be available.

Ms. Crayton commented that without something being in black and white, the residents were stuck. She explained people in Columbia had been displaced before and people were buying trailers up to the date the property was sold. She believed something needed to be provided in writing in order, so they did not have to guess or wonder what the owners were going to do. She thought they should be made aware of a time frame, if there was one, so the residents could start saving their money. In another situation, some people lost their trailers. She recalled one company charging \$1,500 to move the trailers and some could not be moved. She reiterated having something on paper would go a long way. Mr. Shoot stated he understood and reiterated they had no plans right now. He pointed out it could be sold whether it was annexed or not. Ms. Crayton agreed, but noted the residents needed to know whether they would be required to move overnight or in six months. Mr. Shoot understood a six month notice was required by law. Mayor Hindman clarified a notice of 120 days was required by law.

Mr. Janku asked if Mr. Shoot was partners with Mr. Netemeyer. Mr. Shoot replied he was. Mr. Janku noted Mr. Netemeyer indicated they owned another trailer park in Boone County. Mr. Shoot replied they owned El-Ray Mobile Home Court on Mexico Gravel. Mr. Janku asked how many vacancies it had. Mr. Shoot replied there were seven now, but they had the opportunity to expand. He noted they might be able to fit a few, but not 100. He stated they would be willing to help move people by paying for it. They would do whatever they had to do.

Mr. Skala stated he believed the issue with regard to this request was that this was an annexation with an increase in zoning, which meant an increase in the value of the property. He agreed from a land use point of view, the zoning made some sense. He asked if Mr. Shoot would entertain the idea of some sort of rent reduction if they provided notice the tenants would be evicted so could start saving some money to be able to move. Mr. Shoot replied he thought they would. Mr. Skala asked if he would be willing to put that in writing. Mr. Shoot replied he thought they would. He clarified that if they had a time frame and knew something was going to happen, they did not have a problem with helping the residents save money to move. He noted another thing they discussed was if they had another place for the

people, they could help them with the cost of moving or provide a few months of free rent. Mr. Skala thought if they had something in writing, it would make their decision making process easier and would reassure people who lived at this property that it was not hopeless.

Mr. Wade asked how many lots they had. Mr. Shoot replied he thought there were 148 lots. Mr. Wade stated this one was different in terms of the transition of mobile home parks to higher value land because it was larger, had a more stable residential population and a much higher percentage of home ownership. He noted they were also dealing with affordable housing, which did not even address mobile home parks. He stated he and his wife started their life together in a mobile home. He did not think they should be called mobile home parks because the homes were manufactured homes and were not very mobile. He noted the trap was that people built equity in the home, but rented its location, which put them in a position of having no control. He understood per comments made that the owners were willing to make commitments in terms of notice and assistance in relocation and asked if they had specifics they would be willing to put in writing, such as three years before anyone would have to move with a one year notice. Mr. Shoot replied he could not guarantee that. Mr. Wade explained one of the problems was that anything said verbally did not have any meaning. It did not work unless there was an enforceable commitment. He asked what Mr. Shoot would be willing to do in regard to an enforceable commitment. Mr. Shoot replied he did not know without talking to his partner. He thought they could guarantee six months and possibly more, but he was not certain. Mr. Wade asked what they would be willing to commit in terms of relocations assistance. Mr. Shoot replied he would assume three to four months of lot rent. Mr. Wade asked how much that was. Mr. Shoot replied \$155-\$165 per month depending on the Park. Mr. Wade understood that was the equivalent of \$600. Mr. Shoot stated he understood that would not cover the entire cost of moving. Depending on what happened such as them purchasing another park, he thought they would be willing to do something. He would have to talk to his partner to determine exactly what might be done.

Mr. Skala stated he thought it was a mistake to try and negotiate these terms at the Council meeting. He suggested setting this issue aside for a short period of time so staff and the property owners could work out a written agreement with some acceptable guarantees. Mr. Shoot stated he was agreeable to that.

Ms. Nauser noted she was told by Mr. Netemeyer that he had submitted a letter after the Council packets had been delivered. Mr. Janku stated they received it at the pre-Council meeting and explained it was a summary of the calls to the Sheriff's Department associated with people who had been evicted. They were trying to show that with those people out, the impact on the police would be less than anticipated from previous history. Mr. Shoot thought the numbers went from 724 to 259 due to drive-throughs and 149 of those calls were associated with people who had been evicted. He pointed out he thought they had done a good job cleaning up and would continue.

John Clark, 403 N. Ninth Street, stated he believed this proposal raised many fundamental issues about policy in the City of Columbia, which had not been thought out. He felt any positive action on this issue was premature. He noted that in August of 2002, the City voters indicated they did not want to grow by annexation, but the Council had been in favor of voluntary annexation ever since. He understood Mr. Watkins had raised the

possibility of encouraging more volunteer annexation. He believed the reason the voters rejected involuntary annexation in 2002 were the same reasons hinted at by the Police Department. He noted it cost a lot of money to provide the infrastructure and services to populations coming into the City through annexation. He did not believe the City should annex any more property until long term growth management planning and infrastructure and service planning had been worked through because it was fiscally irresponsible. He agreed there might be a few specific narrow situations where it made sense. He suggested they hold off on this proposal. He commented that issues were raised at the Council Retreat, which indicated the Council was divided on whether to proceed and on how to proceed. He felt, even if they were united, it would take quite a bit of time. He noted the Affordable Housing Task Force was simply talking about constructing buildings. They had not worked on policy. He asked the Council to reject this proposal noting they did not have any legal obligation to approve the annexation request.

Eugene Elkin, 3406 Rangeline, stated he lived in a mobile home court and spoke to the Council before in regard to bringing Habitat for Humanity to Boone County. As a person who had pursued getting laws in the State of Missouri for mobile homes, he thanked the City for what they did four years ago involving the mess that came from Crestvale. He believed laws were needed and that the comments made this evening were very good. He commented that there were two daughters with no money, whose parents had to provide \$8,000 to move them from the Crestvale to Ed's and Sunset Mobile Home Parks. He noted tonight's focus was about people, which was also what Habitat was about.

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

Mr. Janku understood C-P zoning was being requested and it did not include R-M. He asked if it would be grandfathered when annexed. Mr. Boeckmann replied it would. Mr. Janku asked if they would have the right to rebuild to the level they were at, but not beyond, if something were to happen. Mr. Boeckmann replied, typically, a non-conforming use involved a building and if the building was destroyed by a fire, there were restrictions indicating, if the use changed, they could not change it back to what it was. He noted a mobile home park was a little different. He did not believe the non-conforming part necessarily restricted them to the number of lots they had or the use. Mr. Janku asked if this would limit their ability to change any infrastructure they had, such as water lines. Mr. Boeckmann replied he did not think it would be impacted. Mr. Janku understood if they wanted to rebuild because of damaged or expand in order to upgrade, they could do that. Mr. Boeckmann stated he was not sure of what Mr. Janku was asking and pointed out there was not a lot of infrastructure there. Mr. Janku noted they had water and sewer lines. Mr. Boeckmann stated none of that would be affected by the non-conforming use doctrine. Mr. Janku understood they could rebuild and expand if they needed. Mr. Boeckmann stated he was not sure there was room to expand. Mr. Janku clarified he was not talking about the number of lots. He was thinking about an upgrade to a water line or increasing their sewer capacity. Mr. Boeckmann stated that was not an issue. Mr. Janku explained he was concerned they would not have the rights to make improvements if they were grandfathered. He understood they were being provided enough authority to deal with their existing operation.

Mr. Skala noted he was disappointed in not finding any of these human issues when reading the Planning & Zoning Commission meeting minutes. In regard to the land use issue, he thought it was clear cut in that this property was eventually a candidate for commercial zoning and planned zoning was reasonable. The unique thing about this application was that there did not appear to be any time pressure in regard to it. He understood the argument made was that the equivalent zoning could be R-3 and the owner could evict the tenants at anytime since they had one month leases and could rebuild with multi-family structures. He believed the applicant in that they did not have any plans because there did not seem to be any pressure to do something immediately. Since they had the luxury of time and because the applicant indicated they might be able to go beyond the 120 days required by law, he thought he might be able to get something on paper if staff and the applicant got together in order to provide some comfort to those living there. He noted this was not only a land use decision. It was also a human decision. He believed the issue of how they treated the citizens of the community was important and thought they should take advantage of the lack of time pressure by delaying this to allow them to get their thoughts on paper in order to make all of their decisions easier.

Ms. Crayton stated she understood if they did not have it in writing, it would be as though nothing was said. She commented that she would not want someone dictating what would happen in regard to her life without it being in writing. She noted one could not go to court based on what they said. She stated the residents could not move in 120 days. She wanted the applicant, staff and residents to get together to determine what could be agreed upon and put in writing.

Mr. Janku understood there was a property in the County outside of the City limits where Ms. Crayton told the people there to anticipate this and asked her to explain that situation. Ms. Crayton replied when they were involved with the first trailer court, she asked about the other trailer court half a mile up the road and was told nothing would happen with it. Some of the people that moved from the first trailer court to the other had to move again. She commented that if they wanted to get rid of the trailer court, they needed to say they were. They should not put people in limbo.

Mr. Wade stated they had two fundamental issues. One was a land use question and the other was a social fairness/social equity question. He thought they had an opportunity to address both simultaneously. He believed this was a very appropriate request for annexation and zoning, but at the same time, there were some serious issues in terms of social fairness that needed to be dealt with. He thought one of the best ways to address issues of affordable housing was with mobile homes if it was a place with good design and 24 hour on-site aggressive management because it would provide good living conditions. Mr. Wade noted with the number of residents, the percentage of home ownership and the lack of mobility of manufactured homes, he was comfortable with having a commitment in writing which addressed a minimum time commitment and assistance for moving. He explained that due to the area and by making a decision to provide commercial zoning, they would instantly change the value of the land, so he was comfortable with a part of that increase in value going toward social fairness. He suggested they table the issue for one month to provide the opportunity

for the owners, staff and residents to work out an agreeable written commitment in regard to time and moving assistance.

Ms. Nauser agreed this was a difficult issue. She was concerned with Chief Boehm's comments regarding the increase in work for the Police Department. She noted the citizen survey indicated there was a perception of people feeling there was not enough police visibility in the community. She believed as they annexed further and further into the County, they were putting a burden on the Police Department, Fire Department, etc. even though it might take 10-15 years to develop out. She did not think infrastructure was keeping pace with the growth out into the communities. This was different because it was already built out with people living there. If they were going to table this, she wanted to see something in regard to extending Police services. She did not want services diverted to other areas as they were already occupied.

Mr. Janku asked if any of the programs they operated, such as CDBG or HOME, could be used for relocation assistance. Mr. Teddy replied that would be an eligible activity, but they would have to create a program. He noted they assisted with the Walnut Woods situation on Old 63, but it did not involve a large dollar amount. Mr. Janku asked if people would have to relocate within the City limits. Mr. Teddy replied he thought if the expenses were related to the destination, they would have to be within City limits. Mr. Janku asked if it would be limited to moving trailers or if they could move into another residence. He wondered what options, other than moving trailers, might be available, such as home ownership or rental assistance. He thought it would be helpful if they started thinking about that.

Mayor Hindman agreed this was a tough issue. In some respects, it would have an impact on the services they were able to provide to the rest of town unless they budgeted more money for those services, although, in reality, it would not be a permanent situation. As previously stated, they would instantly increase the value of the property and as the area built out, there would be a switch in use. As a result, the need for the extra policing would be temporary, but none of them knew how temporary it would be. He noted the fundamental issue brought up by this was affordable housing. If there were enough mobile home parks that these people could afford to move to, this would not be much of an issue because the market would absorb them. The issue was there was no market to absorb them. Mobile home parks were a means of providing affordable housing, but increases in property values were killing mobile home parks because there were more profitable uses for property. As they disappeared, that source of affordable housing went away. He commented that it was not the fault of the owners of the property because they were taking advantage of market demand of the property. The question was how they would deal with those kinds of issues in the long run and noted they would not be able to solve that in the length of time needed. He commented that regardless of what happened, he did not believe it would require a lot of infrastructure because it was located where a lot of infrastructure improvements were going on. The argument of annexation requiring new infrastructure and the infrastructure being a burden to the City was not an issue in this case as it was already being provided except for minor parts that would likely be required off-site improvements. He believed if they increased the value of this property for the owner and left the tenants scrambling to find housing of

equal affordability, which the market was not allowing easily, it would be fair for the owner of the property to contribute to some degree to help defray some of the inequities. He stated he was convinced the answer to the affordable housing problem would require City investment with City and private investments working together, but reiterated they could not solve that problem now. He thought the idea of providing time to come up with an equitable solution was good, but believed they were putting staff in a difficult situation because there was an issue of who they were representing. He wondered what position staff was to take.

Mr. Janku stated he believed it was appropriate and to the benefit of all parties for this to be annexed into the City for a variety of reasons. The people living there would come under the various City protections and services. He noted there was recent publicity regarding the lack of oversight in the County of rental property and he understood there have been problems with mobile home parks in the County. In addition, it was located in a sensitive area in terms of the environment with the lot draining into a lake and if it was redeveloped, the City had stronger oversight in regard to development. He noted the applicant had the right, under the County, to redevelop this property into R-3 development. They could put in an upscale condominium project that would blend well with Discovery Ridge and Bristol Lake. He believed the land already had a high value. He did not think the assumed increase with C-P was quite as dramatic as they might think. He thought they needed to be careful not to ask too much of the applicant because they could handle the tenant issue and then seek zoning and annexation. He explained when they enacted the four month waiting period, the City was by itself. He understood the State law mirrored City law, but did not know if it prevented them from going further. He pointed out that once notice was given, they would lose income regardless of whether or not they were required to forego rent because people would start moving or stop paying rent to save money to move. He felt if they pushed out the notice period too far, they would have a higher risk and might not be agreeable. In addition, he thought they needed to be careful with the dollar amount and was the reason he was asking about City programs. He thought they might be able to help support this with traditional on-going City programs. He believed that if they asked for too much they might be putting the residents at a greater risk for a dramatic change because the owner would want to move quickly in order to free up the property. He noted, if annexed, this or a future owner would have to come back with a plan before it could be developed, so they were not without some degree of leverage with regard to how things would work out.

Mr. Skala stated he agreed they needed to be careful and did not believe they or staff had to take an advocacy role. He commented that he was not sure staff should play a role other than recording what the applicant suggested he was willing to offer. He thought the applicant wanted this property to be annexed into the City with C-P zoning. He thought there was an opportunity for Council to do some homework in terms of a public/private partnership on the human scale with relocation and for the applicant to do something with staff under the auspices of the City Manager's Office in terms of guiding the process. He did not believe they were demanding anything. He just wanted to see something in writing that would make this decision making process easier and, perhaps, cushion some of the impact of what they all knew would be the eventual commercialization of this property. In that regard, he would put forward the idea of a one month tabling of this issue to allow it to happen.

Ms. Nauser agreed it would be nice if people came together to work out something more amicable rather than saying it would happen someday. In defense of the property owners, however, they were saying they did not know when it would happen. They were just looking into the future and they all concurred this would become some type of commercial property in the future due to what surrounded it. She was concerned with the philosophy of the Council requiring the property owner to split up a perceived windfall. She thought that was a bad idea. Mr. Janku stated they did this with infrastructure all of the time. It was just a different aspect of that. Ms. Nauser stated she believed infrastructure was a more community-wide perceived benefit. She pointed out she was not against people having notice in order to save money, but was uncomfortable with the Council saying they needed to come up with some kind of payment before approving the annexation request.

Mr. Wade thought Council's intent was very clear in that they wanted to see an agreement that addressed some of the fundamental people issues. He commented that they had a situation of a property owner that was willing to engage in that discussion. They did not know what would come out of it. He believed the wisdom of the involvement of staff, as determined by the City Manager, would define it. He thought they needed to give it a chance to see if they could come up with an agreement that worked for everybody.

Mr. Janku made a motion to table B197-07 to the August 6, 2007 Council meeting in order to address the issues of notice and resources that might be available from any source, such as public resources from programs the City operated, community agencies, and the applicant if he wanted to do something. The motion was seconded by Mr. Wade.

Mr. Skala noted the applicant indicated they would consider some incentives as well, which were not necessarily directed by Council.

Mayor Hindman stated he did not think they were trying to say they were trying to get a share of the potential windfall of increased profits. He thought they were saying where there had a situation with long term tenants and the lack of easily finding affordable housing, part of the cost of that problem should be born by the person asking for the change of use. He noted this was reflected in federal policy and explained if federal money was put into something that required relocation, it had to be paid for as part of the cost of the project. He thought this was part of the cost of the project. Ms. Nauser noted this was not a City project. Mayor Hindman believed the principal was the same. Ms. Nauser disagreed.

Mr. Skala agreed the police issue might be a temporary issue and the infrastructure was already there, but he did not think they should forget about the maintenance of existing infrastructure. Annexation would be an additional cost to the City one way or another and he did not think they should forget that.

The motion made by Mr. Janku and seconded by Mr. Wade to table B197-07 to the August 6, 2007 Council meeting in order to address the issues of notice and resources that might be available from any source, such as public resources from programs the City operated, community agencies, and the applicant if he wanted to do something, was approved unanimously by voice vote.

B209-07 Approving the C-P and O-P Development Plan of Blue Ridge Centre located south of the intersection of Blue Ridge Road and Providence Road; authorizing a development agreement.

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposed development would consist of nine commercial and office buildings with a combined total of about 79,400 square feet. He noted Providence Road was to be extended through the subject site and would divide the O-P portion from the C-P portion. The Planning & Zoning Commission recommended approval of the proposal subject to a development agreement involving roadway related improvements. He pointed out this development would provide the right-of-way through both this tract and the Patterson tract to the south for Providence Road and would construct the west lanes of Providence through the development tract, so they were contributing to part of the cost of the extension of Providence Road.

Mr. Janku understood there were two amendments. One was included with the Council packet and related primarily to infrastructure.

Mr. Janku made the motion to amend B209-07 per the amendment sheet. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku explained the second amendment would add to the landscape plan by adding street trees to Blue Ridge and Providence Road and would also provide screening for a dumpster on the proposed medical office site as indicated in an e-mail from Mr. Hollis to Mr. Boeckmann.

Mr. Janku made the motion to amend B209-07 per the e-mail from Mr. Hollis to Mr. Boeckmann dated July 2, 2007 in regard to landscaping. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mayor Hindman opened the public hearing.

Robert Hollis, 1103 East Broadway, provided a handout of his presentation and stated he was an attorney representing the applicant, Rampart Investments, LLC. He showed the Rampart development and the Patterson tracts on the overhead in an effort to represent all of the right-of-way for Providence Road, which included the portion that would not be constructed initially. He noted the applicant had agreed to grade that right-of-way, provide up to 50,000 cubic yards of dirt and build some of the stormwater structures on the Patterson tract. He noted there would also be an east west road and the applicant had secured the necessary right-of-way from the owner of the Patterson tract, so the right-of-way necessary for that road would be conveyed to the City at no cost. They would also build the road.

Mr. Hollis commented that there was a mistake in a 2005 staff report as it indicated most of this property was in a neighborhood district. He pointed out it was not in a neighborhood district. Only the far west portion, which was the small O-P portion, was in the neighborhood district. At the Council meeting in 2005 when this property was rezoned, Mr. Loveless mentioned a neighborhood marketplace, which was why he was clarifying this issue. He explained they worked with the Council, City staff, homeowner associations and neighborhood associations to come up with this development plan. He felt the reference to neighborhood marketplace in the rezoning ordinance was not intended to require a large anchor tenant on the C-P portion of the development plan or to require buildings to directly front the street. He noted Mr. Loveless made his remark regarding the neighborhood marketplace when Council was ready to vote and at that time he stated it sounded harmless.

He referred to comments made by Mr. Janku during the discussion for rezoning this property in 2005. He commented that regardless of the issue, he thought the plan substantially conformed to the neighborhood marketplace concept. Of the fifteen compatibility guidelines, they felt this plan met fourteen. One of the major descriptions of the neighborhood marketplace was that there be an anchor tenant. This was discussed, but it was not an option. With respect to the rezoning ordinance, he thought they met it perfectly. The large tenant was never an option, the area including Shakespeare's West was part of their model and this was not a neighborhood marketplace because it was not surrounded by neighborhoods. He noted directly to the east was a large portion of commercial property which was planned to have a grocery store, so it did not make sense to have a grocery store in this area. He showed the proposed language for the additional trees and the screening on the overhead.

Mr. Hollis asked for clarification on the amendment made in regard to infrastructure. Mr. Boeckmann replied that was the development agreement agreed upon, which dealt with more specificity in regard to the storm sewer. Mr. Hollis understood it was the amendment Mr. Boeckmann wrote. Mr. Boeckmann stated that was correct and noted it basically changed the development agreement introduced two weeks ago to the one they agreed on last week.

Mr. Janku understood, during discussions, the large grocery store was always intended to be located on Tract A, which was the tract along Rangeline and Blue Ridge as opposed to this tract, so there was anticipation for an anchor tenant. It would just be further to the east. Mr. Hollis stated that was correct.

Tim Crockett, Crockett Engineering Consultants, 2608 N. Stadium Boulevard, explained they started this plan in 2005 and had spent a substantial amount of time working with the neighbors and City staff in generating it. The stream buffer ordinance, which came into effect earlier this year, impacted this property. He pointed out the areas where the stream buffer would be located and stated the plan conformed with Article X – Chapter 12A. They were not asking for variances to that ordinance. The request for additional trees started with a request from the Planning & Zoning Commission for Providence Road. Mr. Janku asked if that could be expanded to Blue Ridge Road, which they thought was a great idea as it would provide more of a parkway feel to those two roadways, and were willing to do it. He pointed out they were proposing twice as many trees as required. In addition, they did a tree preservation plan for the entire development to include not only Tracts 2 and 3, but also Tract 1. They met with the City Arborist so they would have one master tree preservation plan that covered the entire development initially. This would allow them to avoid having to preserve small groups of trees here and there. Using the overhead, he showed where they were preserving the substantial portion of trees. Mr. Crockett pointed out this plan did not conform to the new stormwater regulations that would come into effect in the near future. It did, however, include several best management practices (BMP's) that had been introduced since the inception of the stormwater plan to help work with the new regulations. They included additional green space internal to the development, vegetative swales in several locations and internal curbless parking lots in various locations. They were also working with the Public Works Department for stormwater collection along Providence Road. Instead of Public

Works and developer building separate systems, they were working together. He noted most of the buildings were internal buildings. At this time, Building H was intended to front to the north, so it would have a side view along Providence Road. He stated they did not know if Building I would front to the east or west, but were committed to giving its frontage along Providence Road the appearance of a front of a building. They wanted it to be appealing as one drove by.

Robert Bushner, 3900 Mamba Drive, stated he was President of the Vanderveen Crossing Homeowner Association and the Vanderveen Crossing Neighborhood Association and felt the developers had kept them very well informed. They liked the looks of what was proposed. He noted the developers had been to their meetings more than once, so they were familiar with this drawing. He commented that they were excited about the revision of Providence Road and saw no reason to object to the plans. They asked the Council to act favorably.

Rudy Williams, President of Hunters Gate Homeowners Association, stated they had met with this team from the beginning and they had taken all of their suggestions into account. They saw no reason to object to anything they had come up with so far.

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

Mr. Wade stated it was a pleasure to see everyone in agreement with a quality design and that he looked forward to being able to support it.

Mr. Janku commented that he agreed with Mr. Wade and confirmed the developer met with the neighborhoods associations well before any plans were being formulated.

Mr. Skala wanted to ensure everyone understood there was a lot of cooperation here. He noted he initially had some concerns regarding the issue involving the 2020 Plan and the mention of the neighborhood marketplace. In many cases, lip service was provided to that Plan. He understood it was rendered as a guideline, but thought there was a lot of good information in it. He commended the applicant for cooperating with the neighborhood associations and stated he was also prepared to support it.

B209-07, as amended, was given third reading with the vote recorded as follows:
VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO:
NO ONE. ABSENT: HOPPE. Bill declared enacted, reading as follows:

OLD BUSINESS

B200-07 Authorizing acquisition of property located at 3545 North Creasy Springs Road to preserve the roadway corridor for the Creasy Springs Road Improvement Project.

The bill was given second reading by the Clerk.

Mr. Watkins stated this would allow staff to acquire the property necessary to straighten out Creasy Springs Road. Although this particular section was not in the City, it was now adjacent due to the annexation of Prairie Hills. He noted they had the property appraised and the appraisal indicated a value of \$202,000. The property owners accepted the appraised value, so they would not have to go through some of the things that were read as part of the ordinance.

Ms. Nauser commented that she liked the idea of the City taking a proactive stance in seeing where they would have a need in the future and acquiring the land now rather than trying to deal with it at a later date when the area became more developed. She stated she would like to see them take more proactive stances in the future.

B200-07 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Bill declared enacted, reading as follows:

B207-07 Authorizing an agreement with CxE Group LLC for engineering services to perform fundamental and enhanced commissioning for the City Hall/Daniel Boone Building expansion and renovation project; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins stated as they moved forward with the renovation and expansion of the Daniel Boone Building, they were pursuing LEED certification. As part of the certification, the City was required to hire an independent firm to oversee design, installation and operation of the energy use systems in the building. Proposals were sought and staff, with assistance from the architects, interviewed a number of firms. They selected the CxE Group, LLC from St. Louis to recommend to Council to fill that role. He noted they had a long history of doing this and staff felt their price of \$113,000 was competitive.

Mr. Wade stated he liked the character of LEED and asked if there was evidence indicating the City would get more than this amount of money back in the quality of the operation of the systems or if this was just to be able to say they were green. Mr. St. Romaine replied anytime this type of money was invested into a program such as this where there was specific oversight of the installation of the equipment, one of the goals of commissioning was to ensure the systems were installed correctly, the design perimeters were met and building maintenance staff was trained on operation, so they were not losing dollars. If the purpose was met by this commissioning agent, they should be able to easily recover what they invested. Mr. Wade noted that seemed like a lot of money to invest to get a certification and understood the City should expect to get a good return on it. Mr. Janku commented that LEED was not cheap. Mayor Hindman agreed, but noted the long term payback was the best.

B207-07 was given third reading with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

B198-07 Approving the Final Plat of Copperstone Plat 3 located generally south of Vawter School Road and east of Scott Boulevard; authorizing a performance contract.

B199-07 Vacating a portion of a drainage easement located north of the intersection of Beechwood Drive and Thompson Road within Gold Star Farms, Plat 2.

- B201-07 Confirming the contract with Wilcoxson Excavating and Construction, LLC for construction of Louisville Drive from north of Whitefish Drive to Smith Drive.
- B202-07 Authorizing application for FY 2008 transit planning, operating and capital assistance grants.
- B203-07 Authorizing Change Order No. 1 to the contract with Emery Sapp & Sons, Inc. for construction of a 36-inch water transmission main from the McBaine Water Treatment Plant to Scott Boulevard; authorizing a settlement agreement and release with Jacobs Civil Inc.
- B204-07 Accepting conveyance; authorizing payment of differential costs for water main serving Steeplechase Estates, Plat 1; approving the Engineer's Final Report.
- B205-07 Accepting conveyance; authorizing payment of differential costs for water main serving Bristol Lake Subdivision (southeastern tract); approving the Engineer's Final Report.
- B206-07 Amending Chapter 14 of the City Code as it relates to failure to exhibit proof of motor vehicle liability insurance.
- B208-07 Accepting a donation from the Wal-Mart Foundation for the purchase of the SentryKIDS Finger Tips Identification System; appropriating funds for Share the Light Program.
- R144-07 Setting a public hearing: voluntary annexation of property located approximately one-quarter mile east of Oakland Gravel Road, north of the Boone County Fairgrounds.
- R145-07 Accepting an emergency shelter grant program contract with the State of Missouri, Family Support Division; authorizing agreements with various human service agencies.
- R146-07 Accepting the donation of two Speedgun® radars from the Missouri Coalition on Roadway Safety to be used by the police department.
- R147-07 Authorizing an amendment to the agreement with the Missouri Highways and Transportation Commission for transportation planning services.
- R148-07 Authorizing a social service program agreement with The Curators of the University of Missouri, on behalf of the Truman School of Public Affairs, for agency training and evaluation.

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

NEW BUSINESS

- R149-07 Authorizing the City Manager to subordinate the City's deeds of trust on the McBaine Townhomes project.

The resolution was read by the Clerk.

Mr. Watkins stated this would revise an agreement originally approved by Council in May between the City and the Columbia Housing Authority (CHA) for the McBaine Townhomes project. CHA was able to obtain \$663,000 from the Missouri Housing

Development Commission for this project and they require sole possession of first position in terms of development. The City used \$150,000 of HOME money for the project. He commented that he was pleased they were able to leverage three times as much as the City was putting in and had no problems with taking second position as opposed to first position.

Mr. Janku understood this project came in over budget in that the cost was higher than the funding they currently had available and that they were trying to raise additional funds. He asked if the City could assist by reallocating some funds. Mr. Watkins explained the project had almost died and they were able to help pull it back together by adding money to get to the \$150,000. He noted this was substantially more per house than they would provide for most other projects and while they had the ability to add more, he felt they had done quite a bit for this project already.

The vote on R149-07 was recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Resolution declared adopted, reading as follows:

R150-07 Authorizing a wind energy anemometer study demonstration agreement with The Curators of the University of Missouri.

The resolution was read by the Clerk.

Mr. Watkins explained the only information available in terms of wind capacity in Boone County was inferential, which meant it was computed based on other calculations. The Water & Light Department included funds in their budget to test this. He understood they were able to work out an agreement with the Atmospheric Sciences Department to locate an anemometer in Columbia. The total contract cost was \$11,600.

Ms. Nauser wondered if there really was enough wind in mid-Missouri as she could think of other things they could spend \$11,000 on. Mr. Dasho explained the question involved what the wind regime in Boone County was. Based on calculations, some have determined what they think. In order to really find out what the wind regime was and whether it would be valuable for the City or individuals in Boone County, they needed to set up the meters to do the testing. For \$11,000, there was tower the City could take advantage of to obtain good information.

Mr. Skala commented that \$11,000 was a lot of money to the normal citizen for an anemometer. He noted there was a lot of other stuff that went along with it, such as the instrumentation and the site. Mr. Dasho replied that was correct and explained they also had to monitor it. It was more than just buying one device and installing it.

Ms. Nauser wondered if wind energy would be affordable for them to move to forward with. Mr. Skala stated the issue that came up with the renewable energy portfolio included a lot of wind energy. He believed there was quite a bit of support for looking into this. Ms. Nauser noted they purchased wind energy from north and that she was in full support of it.

Mr. Janku commended the Water & Light Department for taking initiative to test the assumptions. He noted 10-15 years ago, a report was issued about wind speeds and wind availability in the United States and it showed there was no potential wind energy in Missouri. Now, there was a functioning wind farm in northwest Missouri. He understood there were transmission troubles in getting it here, so if they could find some locally, they could save in

transmission costs. If it was determined it was not available here, it would answer the question when they debated future power needs. He believed this was a wise investment.

Ms. Nauser agreed the Water & Light Department did a great job as was illustrated by the awards they received and was not necessarily against this. She just did not see wind as an energy source in Columbia, but if they citizens wanted them to go down this path, that was fine.

Mr. Wade stated he believed \$11,000 was cheap for the data. He commented that initially, they might find the wind to not be adequate, but it would provide many years of data. It was a research project and there were significant changes taking place in wind generation efficiency. This would allow them to have the ability to know if and when the technology would become appropriate for the wind here. He noted it would allow them to make better decisions. He agreed that with current technology, it would probably not be efficient here. However, the changes that had taken place in the last 10-20 years were suggesting they might find it cost-effective in the future. This would allow them to have a database to make that analysis on a continuing basis. He thought it being an applied research project for decision making in the future justified the cost.

Mr. Skala understood some of the media outlets had weather stations and likely had anemometers. He wondered if they were not instrumented sufficiently to provide the City the information needed or if they did not want to share it. Mr. Dasho replied they might have them, but they might not be at the height necessary to gather the data. He pointed out they were looking for something in the 300 foot range.

The vote on R150-07 was recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Resolution declared adopted, reading as follows:

R151-07 Authorizing a co-application agreement with Covenant Community Development Corporation relating to redevelopment of property located at the intersection of Garth Avenue and Sexton Road.

The resolution was read by the Clerk.

Mr. Watkins stated the Covenant Community Development Corporation (CCDC) was a non-profit corporation that was proposing a \$3.5 million redevelopment project at the corner of Garth and Sexton. As part of the project, they obtained an Economic Development Administration (EDA) grant loan. Because the CCDC had not been in existence very long, they needed a partner to oversee some of the administration of the grant. If something happened to the CCDC, the City would be responsible for making sure EDA's interests were taken care of. He was pleased to recommend this because it was a neat public/private partnership. According to the agreement, there was no financial liability, but since they were dealing with federal regulations, at some point, someone might take a different tact. He stated he believed there was no financial liability, but pointed out Mr. Boeckmann did not believe it was a 100 percent absolute.

Mayor Hindman commented that even if there was a financial risk involved, he would favor of it because he believed it had the potential of doing an enormous amount of good in a neighborhood that needed it. He stated it would provide job training and small business incubation and was worth some risk even though he believed they were not taking any.

The vote on R151-07 was recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Resolution declared adopted, reading as follows:

R152-07 Approving the Preliminary Plat of Blue Ridge Centre located on the southwest corner of Blue Ridge Road and Rangeline Street (State Route 763).

The resolution was read by the Clerk.

Mr. Watkins stated this proposed preliminary plat would create two O-P and thirteen C-P zoned lots. The Planning & Zoning Commission recommended approval of the proposed preliminary plat. He noted this was the plat related to the plan they approved earlier in the evening.

Mr. Teddy pointed out the portion of the plat they saw the C-P and O-P plan for on the overhead.

Mr. Wade asked if they would see these lots as individual C-P plans or if this would be handled as one development. Mr. Teddy replied it depended on how the plan was put together in the future.

The vote on R152-07 was recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

- B210-07 Rezoning property located on the south side of Stadium Boulevard (State Route E), 2,000 feet west of Sunflower Street from A-1 to PUD-8; approving the PUD Development Plan for The Village at Monterey Hills.**
- B211-07 Approving the Final Plat of The Villages at Arbor Pointe Plat 3 located west of the intersection of Waco Road and Brown Station Road; authorizing a performance contract.**
- B212-07 Approving the Final Plat of Bellwood, Plat No. 2 located on the southwest side of Strawn Road (State Route ZZ), near the intersection of Strawn Road and West Worley Street; authorizing a performance contract.**
- B213-07 Approving the Final Plat of Blue Ridge Town Centre, Plat 1 located on the south side of Blue Ridge Road, along both sides of North Providence Road, extended; authorizing a performance contract.**
- B214-07 Amending Ordinance No. 019442 which amended Chapter 12A of the City Code as it relates to land preservation and stormwater management.**
- B215-07 Authorizing an agreement with Vangel Marketing Communication for consulting services for promotion and education of the Non-Motorized Transportation Pilot Program; appropriating funds.**
- B216-07 Amending the FY 2007 Pay Plan to add a Manager of Environmental Services position in the Public Works Department; amending the Classification Plan; amending the FY 2007 Annual Budget; appropriating funds.**

- B217-07 Accepting conveyances for temporary construction, drainage and temporary access purposes.
- B218-07 Establishing a capital project charge on coal traffic moving along the Columbia Terminal Railroad (COLT) to the Municipal Power Plant; appropriating funds.
- B219-07 Accepting conveyances for utility purposes.
- B220-07 Amending the FY 2007 Annual Budget to add a videographer position in Public Communications - The City Channel; amending the classification plan.
- B221-07 Authorizing an agreement with the Columbia School District to provide crosswalk guards at Derby Ridge, Field, Paxton Keeley, Mill Creek, Shepard Boulevard and West Boulevard Elementary Schools; appropriating funds.
- B222-07 Authorizing an agreement with the Columbia Area United Way for reimbursement of joint social services agency assessment, evaluation and training activities; appropriating funds.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Report accepted.

(B) Airport Advisory Board Recommendation to Distribute *Requests for Interest* Related to Air Service and T-Hangar Development.

Mr. Watkins explained this was a recommendation from the Airport Advisory Board. Staff felt they were already doing the requests for interest and were continuing to talk to a number of airlines. They believed this would be a duplicate what they were already doing. Staff was supportive of developing T-hangers at the Airport.

Mr. Janku made the motion to direct staff to draft requests for interest for additional air service and T-hanger development. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku understood staff would obtain input from the Airport Advisory Board.

Mr. Wade noted the report indicated interest in only two major centers, Dallas for American Airlines and Chicago for United, and wondered why there was no interest in connecting with Delta, which would be at either Atlanta or Cincinnati and something connecting to the west at Salt Lake City or Denver. He stated there were four main hubs that would connect someone with one stop to practically anywhere in North America. He asked why they were restricting themselves. Mr. Watkins replied that was the recommendation of the Airport Advisory Board. Staff was looking at a number of hubs and not just those two. Mr. Wade commented that there was also Minneapolis and Detroit that connected to Northwest and was one of the largest. Mayor Hindman stated staff was working hard on whatever might be possible. Mr. Wade asked that they not limit themselves to Dallas and Chicago.

(C) CO2 Emissions Study.

Mr. Watkins explained Council passed a resolution in July of last year which endorsed the U. S. Mayor’s Climate Protection Agreement. The first deliverable suggested creating an inventory or baseline of CO2 emissions for Columbia. That baseline inventory was created by the Water & Light Department. He stated the study was attached and had been discussed briefly at the Retreat. They were asking the Council to accept the report.

Mayor Hindman made the motion to accept the staff report. The motion was seconded by Ms. Crayton.

Mr. Skala asked if they could make the report available to the Environment and Energy Commission. Mr. Watkins stated they already had.

Mr. Wade asked what accepting the report implied as it had suggested Council actions. He wondered if they needed to come back and talk specifically about the Council action or if they were endorsing all of the recommendations under the suggested Council action when they accepted the report. Mr. Watkins thought acceptance of the report was just that. They prepared a CO2 emissions study and needed the Council to accept it so they could move forward. Mr. Wade understood the next step would be to start looking at specific actions the Council would need to take action on. Mr. Watkins stated that was correct.

The motion made by Mayor Hindman and seconded by Ms. Crayton to accept the report was unanimously approved by voice vote.

(D) Street Closure Requests - Tour of Missouri.

Mr. Watkins stated this was a world class bicycling tournament and he thought the Convention & Visitors Bureau was to be congratulated in pulling it all together in just a few months. As part of the race, some downtown streets needed to be closed and rolling closures were needed as the race progressed through various intersections. The City Manager had the authority to approve the rolling closures, but the closing of downtown streets required Council approval.

Ms. Steiner noted they had obtained signatures from all of the relevant downtown businesses that were part of the hard closure. The Special Business District Board also approved the closure.

Mr. Janku made the motion to approve street closures as requested. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(E) Internal Affairs Report.

Mr. Watkins stated Dr. Thompson, who prepared a report on some internal affairs issues at the Police Department a few months ago, was providing an interim status as to where the City was and where he thought the City needed to go next. He noted Dr. Thompson set some fairly aggressive time frames for getting it installed.

Chief Boehm explained they had made some substantial progress and had already formed an internal committee who had met several times and was in the process of reviewing and rewriting the general orders related to internal affairs. They were also in regular contact with Dr. Thompson, so he was still actively advising them as they moved forward. They did some things to clarify discrepancies found in reference to how complaints were accepted and anonymous complaints. They posted all of the written rules related to compliments and

complaints against officers on the website and in both lobbies. He felt they were making progress.

Ms. Nauser thanked the Police Department for moving forward on this as change was sometimes difficult. She commented that she reviewed the citizen survey and understood the overall quality of the local police services indicated over 75 percent of the community was very well satisfied. When they added the sub-sample information, it brought the statistics in regard to satisfaction down, but it still indicated 65 percent was satisfied. She noted Dr. Thompson stated in his letter that the department was well on its way to establishing standardized procedures which went a long way in establishing the trust of the citizens they served. She agreed they were moving forward to address the trust issue and wanted to point that out.

(F) Board of Health Membership Composition.

Mr. Watkins stated this was a recommendation from the Board of Health regarding potential amendments in regard to the membership qualification composition of the Board. The proposed change included adding two members from the County, which he felt reflected the breakdown of funding.

Ms. Browning explained this would expand the number from nine to eleven. In addition, they currently had two physician positions on the Board, but would go to one physician and one health professional position, which was broader as it could include someone with a background in mental health or any other area of interest. It also provided the County a little more of a say. She noted the Board looked at County ordinances with seven of the current members being City appointees and two being County appointees. She pointed out the County paid 35 percent of the budget. She stated she had spoken with Ms. Amin and the biggest issue would be how they would change the prescribed requirements. As an example, she noted the ordinance currently required a physician residing within the City limits and a veterinarian residing within the City limits. Ideally, they would like flexibility so that when there was an opening and a good candidate, the City or County could accept applications for that vacancy. She noted the County could appoint City residents because City residents were also County residents. She pointed out it was very hard to fill some of the positions and commented that the dentist position had been open since April. She stated the veterinarian position was currently filled by Dr. Tom Rose, who would be done in August and they had a County appointee who was a veterinarian and could bring the perspective of that discipline to the Board. If the Council was agreeable to the idea of what the Board put forth, she would work with Mr. Boeckmann in drafting changes to the ordinance for the Board to review in August, would work with Ms. Amin to ensure the process was workable, and would bring it to Council for review.

Mr. Wade commented that a rapidly growing health area in Columbia was nursing homes and asked if there had been any consideration for nursing home representation. Ms. Browning stated the ordinance currently had physicians, a nurse, a dentist, a veterinarian and lay members and they had a couple of nurses and some health policy expertise, but no one representing that area. She noted there was a fear of being too prescribed in the requirements. If he knew someone who was a good candidate, she thought they should be

encouraged to apply. She agreed it was certainly something the Health Department thought a lot about with the aging population. Mr. Wade noted they were covering a larger number of the elderly population and as the baby boomers started aging, it would get even larger.

Mr. Skala stated the request being made seemed to make a good deal of sense in order to provide more flexibility.

Mr. Skala made a motion directing staff to draft a proposed ordinance. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

(G) Assessment of Vacant Industrial-zoned Land in the City.

Mr. Watkins stated he asked the City's Director of Economic Development who also served as the Executive Director of REDI to do a comprehensive study in regard to how much industrial ground they had in the Columbia community. He noted they had a prospect not too long ago and could not find 40 acres of ground that was zoned properly, available for sale and had the utilities in place. Except for Discovery Ridge, which they had no control over, there was only one site in Columbia over 30 acres that had a willing seller, utilities on site and proper zoning, but it also had some sewer limitations in terms of capacity. He stated he asked the REDI Board to come up with some proposals on how they might address this hole in their economic development efforts.

Mr. Andrews stated prospect activity was considerably up the last several months over what it had been in past years. The last six prospects were looking for sites that were 35 acres and above, which was the type of site the community did not have in inventory here. If they wanted to try and save those, they would look in the County to find a suitable site. There were not many options within the City. He noted the REDI Board would reconvene the Industrial Land Committee in July and would look at some options on putting together a local public/private partnership or a private group for land acquisition, which had not been done in Columbia for a number of years.

Mr. Wade stated the Planning & Zoning Commission had been concerned about this for a number of years because the City did not have industrial sites appropriate for today's market. He suggested they consider asking a representative from the Planning & Zoning Commission to serve on this Industrial Site Committee. He thought they would find receptiveness and would create a linkage.

Mr. Janku stated there had been a number of sites zoned industrial, but some people did not want to part with it at this time. He believed they needed to find a way to increase the supply with infrastructure. Mr. Wade stated they had a lot of stale zoning on the industrial sites that did not work in today's world.

(H) Power Supply Task Force.

Mr. Watkins explained at the Retreat, they discussed adding members to the Water & Light Board to form a task force as they moved forward on the integrated resource plan, which would act as a guide in their discussions and deliberations for long term power supply needs. This report suggested four additional people and accepting applications for the positions with appointments to be made in August. They were also suggesting two criteria for membership. One, which was the same as that required for the Water & Light Advisory

Board, was that they be qualified voters of the City. Staff would also recommend they be customers of the City's Water and Light Department as a resident or through a business relationship.

Mr. Janku understood they had to be residents and customers. Mr. Watkins replied that was correct.

Mr. Wade asked if that would leave anyone living in Columbia out. Mr. Watkins replied it would. There were a number of Boone Electric customers within the City. Mr. Wade asked if this would only apply to electric customers. Mr. Watkins replied yes as this was only an electric study.

Mr. Dasho stated they built a very public process into this planning effort with meetings available for the public. They talked about having the Task Force oversee the group as well.

Mr. Janku asked if the Clerk's Office would advertise as it did with other Boards and Commissions. Ms. Amin replied she would if that was what they wanted. Mr. Janku asked if they wanted to give a month from the time the advertisement ran. Ms. Amin replied it could be advertised on the normal schedule or could accommodate something different. Mr. Janku commented that many people were out of town this time of year. In addition, it was not something regular people might be looking for. He stated he would give the City Clerk discretion to run the ads in anyway she felt was appropriate and wondered at what meeting they would want to make a decision. Ms. Amin noted the earliest with the normal schedule would be to advertise after the second meeting in July with appointments to be made at the second meeting in August. Mr. Skala thought that sounded reasonable.

Mr. Wade asked if this would be a permanent change in the number. Mr. Watkins replied no. Mr. Wade asked how long it would last. Mr. Watkins replied it was strictly for the purpose of this study. The Water and Light Advisory Board would also have its normal duties. Ms. Amin stated she would organize it as the Power Supply Task Force with the Water & Light Advisory Board members being automatically on it and then having four other members.

Mr. Janku made the motion to direct staff to advertise in a format where appointments could be made at the second meeting in August. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

(I) Police Report.

Mr. Watkins explained Ms. Hoppe asked for a report at the June 18, 2007 Council meeting showing the increase in population compared to the Police force in terms of the number of sworn officers. They also added the total number of City employees for perspective. He noted the report was provided for information only.

Ms. Nauser asked for the change in the size of Columbia in terms of the amount of land annexed. Mr. Watkins replied he did not have that information, but could look it up.

Mr. Janku stated the trend in police officers was pretty consistent going back 15 years. It had been about three per year.

(J) Update and Codify Street Lighting Standards.

Mr. Watkins stated his office had received several requests for street lighting, primarily in residential areas, and as he looked at the current policies that were put together in 1999, he thought it might be time to review them in terms of where they were put, what kind of luminaries were used, who paid for them, etc. They had good standards where they built new streets and those within subdivisions were governed by subdivision regulations. The void involved retrofitting. He suggested they put together a multi-department staff task force to come back with recommendations.

Mr. Janku asked if the recommendations would be sent to the three commissions mentioned in the report. Mr. Watkins replied they would.

Mr. Wade made the motion to direct the staff to assemble a multi-department staff task force to review and provide recommendations for further review and comment by the Water & Light Advisory Board, the Energy & Environment Commission and the Planning & Zoning Commission in regard to street lighting standards. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mr. Skala stated the date of 1994 should have been 2004 on page 31 of the minutes. He made the motion directing staff to change 1994 to 2004 on page 31 of the minutes. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Skala stated two of his constituents indicated difficulty in getting across the street in a reasonable manner from Boone Landing, which was the retirement home on Keene Street, due to a blind hill and wondered if the transit system could accommodate the people living there. He was not sure of a solution, but asked about the possibility of the bus going down the street in the opposite direction or turning around in the Boone Landing driveway. He understood those suggestions might not be feasible. Mr. Skala stated he would like someone to look into this issue and for a staff report to be provided. Mayor Hindman asked if there was a crosswalk at that location. Mr. Skala replied no. Mayor Hindman thought that might be a possibility. Mr. Watkins stated that as they moved forward with the CID in that area, issues, like the crosswalk, would be included. However, the transit issue was outside the scope of the CID, so they would be prepared to look at that.

Mr. Skala stated he was responsible for some of the street light requests mentioned earlier. He commended staff for looking into the issues he forwarded on behalf of his constituents. He noted whether or not the items were always resolved was not the issue. He was appreciative that it was at least addressed.

Mr. Wade stated he was contacted by Jack Wohlman, the President of the Katy Lake Homeowners Association, who indicated he had several residents express concern with regard to speeding, primarily on Lake Town Drive and Trailside Drive. Mr. Wohlman served as a volunteer for the Columbia Police Department and was able to check out a radar gun.

He observed traffic on June 27 and 28, 2007. The posted speed was 30 mph and only a couple of vehicles exceeded that limit. His concern was that the speed limit might be too high, especially if a child ran into the street.

Mr. Wade made the motion for staff to review the situation to determine if the speed limit should be lowered and/or whether one or more speed bumps should be installed. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Wade stated Mr. Teddy discussed the problem with certain kinds of planned commercial developments at the Council Retreat, such as the number of hearings and the inefficiency of the process. He thought they had an example of that this evening. He noted current zoning regulations allowed the platting of lots in planned districts prior to development plans. As a result, with certain kinds of developments, it required a long sequence of public hearings and ordinances before multi-lot, multi-phase developments were completed. In addition, the zoning ordinances did not require development with a master plan, so the necessary interconnections might not be made. The project approved tonight could end up being done that way. He noted the 20 acre project could be divided into 10 commercial sites before completion. Current regulations would require 38 public meetings and 22 public hearings assuming no major changes or tabling of cases. In addition, the present process would allow individual lots to be developed with no integration to the whole.

Mr. Wade made a motion directing the Planning & Zoning Commission to prepare proposed changes to the zoning ordinances that would require a master plan on the whole tract or subdivision with special emphasis on the statement of intent to specify the criteria the development of each lot would have to meet and would then allow each phase to be approved administratively.

Mr. Janku asked if the master plan would be the equivalent of a C-P plan now. Mr. Wade replied it would be a C-P plan for the entire 20 acres. The statement of intent would be upgraded to specify the criteria and qualities each lot had to meet. They would then have a situation where the professional planners could make administrative decisions on each individual lot. He noted they came in separately as it was developed a lot at a time.

Mr. Janku believed they required a plan at one point and changed that because the developers were saying they were sham plans since they did not know what would happen and would come back and change it. He suggested instead of requiring a “plan” such as a detailed C-P plan or an engineered plan that took a lot of time and money, they should require a different type of plan while making the statement of intent the thing that defined and guided all future individual plans. In regard to an administrative role, the options could be to go through staff or put it on the consent agenda. He liked the idea of having more controls and standards in place at the beginning. He commented that at one time, they required a lot more and were basically getting a lie since they did not know, but wanted to move forward.

Mr. Wade thought that issue was for C-P plans that did not get broken up. He did not believe that criticism was for this kind of commercial development. It was for a commercial development in which they received zoning but were not going to do anything with it. His suggestion was to try to improve quality and efficiency. He noted developers and the City paid huge costs with the current process. He stated there were three different ways this

could be done. After having a master plan with a statement of intent, it could be done administratively by the professional staff in Planning & Development, by the Director of Planning & Development making a recommendation that was confirmed by the Planning & Zoning Commission or by the Planning & Zoning Commission making a recommendation and placing it on the Council consent agenda. It would eliminate all of the unnecessary public hearings. If done correctly, public hearings would only be needed for the initial plan and the statement of intent. He wanted efficiency for the Council and the City.

Mr. Skala commented he was part of the process when this was discussed and they were known as conceptual plans. The developers did not want to go through the expense and the recommendation was made to take the front loading away while beefing up the statement of intent. He believed Mr. Wade was suggesting the statement of intent include some coordinating language with some of the other plans that fell within the rhetoric of the master plan. In regard to the how it was handled, he understood they would ask for recommendations to provide to Council in an effort to get rid of some of the extra expense.

Mr. Janku asked if they were suggesting they ask the Planning & Zoning Commission to provide recommendations to the Council to consider these various things. Mr. Skala stated they wanted to streamline the process. Mr. Janku understood they were not necessarily specifying one approach. Mr. Wade commented that they wanted to enhance the efficiency and reduce the costs for everyone.

Mr. Wade revised his earlier motion and was now directing the Planning & Zoning Commission to provide recommended changes to the zoning ordinances to streamline the process involved with planned commercial developments taking into consideration the suggestion of requiring a master plan on the whole tract or subdivision with special emphasis on the statement of intent to specify the criteria the development of each lot would have to meet and the suggestions previously discussed regarding how each phase would be approved. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Nauser stated a constituent contacted her regarding a neighbor that did not mow his lawn. They had to call regarding the lawn every year and it was a long drawn out process, so the grass would only get mowed once. She wondered if the nuisance property ordinance would address people who were chronic in this type of activity. She understood this had been a problem for 20 years. Mr. Janku commented that some people understood the system and waited to get their notice before mowing, which ended up being a month beyond when it should have been cut. He was not sure what they could do, but thought they could ask staff to think about it. He noted that if people intentionally wanted to be that way, it was hard to beat them. Ms. Nauser stated it sounded like these people were trying to intentionally buck the system. Mr. Janku thought the initial notice needed to be the violation. He understood Ms. Nauser was suggesting this be included on the chronic nuisance property list of violations.

Ms. Nauser made the motion for a staff report in regard to dealing with the chronic situations of people not taking care of their yards. The motion was seconded by Mr. Janku.

Mayor Hindman stated he thought making the first notice the violation was a very good idea because prosecution could move forward. Although they had to go through due process

to get the grass cut, with the prosecution moving forward, they would feel that and might be less likely to allow it to happen again. Mr. Boeckmann explained they could not do anything other than what they had in terms of the nuisance procedure because it was governed by State statute. He thought it could be an offense and could be prosecuted. He noted part of the problem was the offense was having a lawn 12 inches high and neighbors being upset before that point.

Mr. Janku agreed they needed to find a way to make repeat violators more accountable. Ms. Nauser understood they did not track whether people had prior offenses.

The motion made by Ms. Nauser and seconded by Mr. Janku for a staff report in regard to dealing with chronic situations of people not taking care of their yards was approved unanimously by voice vote.

Ms. Crayton passed around photos of some houses provided by a constituent. She noted one of the houses was on stilts and the owner had been working on the house for about a year. The constituent was concerned because it rained for about four days and she thought it might collapse with water running under it. There were three houses on this block with problems. The constituent asked the owner when he would be done and was told he had exhausted his permit, so it would remain like that. Ms. Crayton noted it was on planks and wondered how long it would last with another good rain. She believed this might be considered a chronic problem. The house next to the St. Francis House looked good from the front, but the back was really messed up. It involved an absentee landlord. She commented that it was difficult to fight someone who was not there. She asked for the photos to be provided to Protective Inspections. Mr. Watkins stated he would provide the two addresses to Protective Inspection to determine what they might be able to do. He explained part of the difficulty was that they needed to be able to see the violations from a public right-of-way, such as the sidewalk. Unless there was a specific complaint for a search warrant to be obtained, it was difficult for them to do anything in regard to the back of the house.

Ms. Crayton stated the dusk to dawn light on the curb near her neighbor needed to be fixed. Mr. Dasho stated he would get the address from her after the meeting.

Ms. Crayton stated she would be out for the Fourth of July again this year in hopes of keeping the children safe. She noted the First Ward Ambassadors would be on Trinity and officers would be riding around in an effort to keep the area safe. They would be out until 1:00 a.m. if anyone wanted to help.

Mr. Janku stated there was a leash free area or dog park at the Garth Nature Area which was very popular. A number of people in wheelchairs used it and although there was a gravel path leading to it, the path was sometimes hard to negotiate. Also, once one was inside, there was no way to get to the pond the dogs accessed.

Mr. Janku made the motion for a staff report to determine what might be done to improve ADA access to the Garth Nature Area. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku noted there would be a lot of tree planting in the Blue Ridge/Providence area. He pointed out he asked if they could rename the stretch of Providence north of the bridge to North Providence Parkway a few months back and asked about its status. He was hopeful they could do that and thought it would be good to get it in place for addressing purposes. He noted this stretch of Providence would be developed differently in terms of a parkway with a median in middle and when described, people would know where they were. In addition, it would accurately describe the layout of the street with the trees.

Mr. Janku commented that he asked for a report regarding angled parking on the street a while back as he understood it increased the number of vehicles that could be parked on the street, which would increase parking revenue. He wanted to add a possibility to it, although not necessarily with angled parking. He understood there was parking on one side of Conley Road across from Jesse Hall with meters. He noted there were three cars parked illegally on the other side with a yellow line the other day. He asked if they could put parking meters on the north side as well. He thought it would help generate revenue to build new parking structures.

Mayor Hindman asked if Conley was one of the streets they were talking about making pedestrian. Mr. Watkins replied he thought they were talking primarily about Rollins.

Mr. Janku asked staff to take a look at this as part of the study for parking revenue.

Ms. Crayton stated the neighbors were asking for the no parking signs put up on Lynn Street due to the nightclub to be removed since the club was no longer there. She asked if they could remove them. She noted the neighbors were the ones that petitioned for the signs initially and now wanted them removed.

Ms. Crayton made the motion for staff to prepare an ordinance to remove no parking for Lynn Street. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mayor Hindman made the motion for the Council to hold a closed meeting on Thursday, July 12, 2007 following the work session scheduled for 6:00 p.m. in the Daniel Boone Building, 701 E. Broadway, fourth floor conference room to discuss pending litigation and contract negotiations and that the meeting be closed as authorized by Section 610.021(1) and (12) of the Revised Statutes of Missouri.

The motion was seconded by Mr. Skala with the vote recorded as follows: VOTING YES: SKALA, WADE, NAUSER, HINDMAN, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HOPPE.

The meeting adjourned at 10:04 p.m.

Respectfully submitted,

Sheela Amin,
City Clerk