

**MINUTES**  
**CITY COUNCIL MEETING – COLUMBIA, MISSOURI**  
**NOVEMBER 19, 2007**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, November 19, 2007, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA and WADE were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

Due to the submission of an initiative petition, the minutes of the regular meeting of November 5, 2007 were not completed in time for this meeting. They will be provided for review and approval at the December 3, 2007 Council meeting.

**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 Mr. Wade.

**SPECIAL ITEMS**

None.

**SCHEDULED PUBLIC COMMENT**

**Darrell Black - Need for Sidewalks on Mexico Gravel Road.**

Darrell Black, 3201 Martha Drive, Apt. D, stated he was present to discuss the construction of sidewalks along one side of Mexico Gravel Road, from Route B/Paris Road to the end, and along one side of Pioneer Drive where it connected to Mexico Gravel Road to the end.

Mr. Wade asked for a few more comments as to why he thought it was important to have a sidewalk at this location. Mr. Black replied they needed sidewalks in this area because children were in the streets and motorists were driving beyond the speed limit almost running over pedestrians. He stated he and his wife walked up and down Mexico Gravel to catch the bus at the corner and they were almost run over by speeding motorist. He was thinking about the safety of the children and others that used the road to go to the grocery store or wherever.

Mr. Wade asked if the children used the road to play on it or if they walked to school. He wondered why there were so many children in the road. Mr. Black replied there were apartment complexes on one side of the road and houses on the other. The children were mainly at the apartment complexes.

Mayor Hindman asked where he caught the bus. Mr. Black replied he caught it at the corner of Mexico Gravel and Paris, near the Midwest Petroleum Company convenience store.

Mr. Skala stated this was in the Third Ward and he had talked to Mr. Black before. He noted they had been trying to push for improvements for the Ballinger/Clark Lane/PP corridor all of the way out to Highway 63 and thought it might be useful to obtain some background material from staff in regard to the Mexico Gravel improvements and how this would fit in.

Mr. Watkins suggested they ask for a staff report and staff could then provide maps, etc. Mr. Skala stated he would ask staff to provide some information so Mr. Black would know where it was in the plan.

**Robert Tucker - Historic West Broadway Neighborhood.**

Robert Tucker provided a handout and explained he was speaking on behalf of the neighbors on Broadway from West Boulevard to the library at Garth in order to provide a formal response to the traffic study that was performed in March. He stated they had a positive response to the traffic study and were offering some minor adjustments. This was in addition to the infrastructure they proposed nearly two years ago for that section of Broadway. He noted signatures from most of the neighbors on Broadway were attached to the formal response.

Mayor Hindman asked if he could briefly summarize the changes being suggested. Mr. Tucker understood the traffic study completed in March included ways to increase traffic flow and take care of the infrastructure improvements, to include the sidewalks, curbs, gutters, driveway approaches, utilities, etc. They were proposing to make the island in the center narrower and to include raised crosswalks and bulbout medians at particular intervals. They were hopeful City staff would provide suggestions with regard to locations for those items. They were also proposing to add grass parkways between the sidewalks and street improvements.

**PUBLIC HEARINGS**

**PR260-07            Adopting the Bonne Femme Watershed Plan.**

The policy resolution was read by the Clerk.

Mr. Watkins explained this policy resolution would recognize the recently completed Bonne Femme Watershed Plan as a City policy in the watershed area. He pointed out this Plan was a product of a three year process of planning, public education and technical assistance and was coordinated with Boone County and the City of Ashland. He understood the County had adopted the Plan on November 13, 2007 and their adoption was simply a statement indicating they would regard it as a supplement to existing County Master Plans. He stated that might be at different level than what the Council thought should be done. He understood Ashland had also approved the Plan. He noted they had received communication from the County Planning Director indicating that once all three parties had adopted it, the County planned on conducting a charrette to prioritize which goals to pursue and how to pursue them. He suggested they work together as three entities to come up with how to put the Plan in place. He did not think they wanted to get too far in front one way or another or have the County get too far in front either.

Mr. Teddy noted the City's Planning & Zoning Commission held a hearing on the Bonne Femme Watershed Plan on September 20, 2007 and unanimously recommended

approval. He displayed a map on the overhead that showed which watersheds made up the Bonne Femme Watershed and illustrated how much of the City of Columbia was within the watershed area. He explained the entire area was ninety-three square miles and the City, at this time, occupied a relatively small share of the area. Twelve goals and various strategies and recommendations associated with each goal were provided in the Plan as policy guidance and for how to proceed.

Ms. Hoppe understood the study was funded with part of a Section 319 - Clean Water Act grant and some money was still available for cost sharing. She asked when that money needed to be used by. Mr. Teddy replied he was not certain of the expiration date. He understood the project had technically ended, but County staff would consult with any governmental body or individual that was interested in the 60/40 cost share program. Ms. Hoppe asked if they had discussed with the County the possibility of using some of those funds to enact ordinances to implement the Plan. Mr. Teddy replied no.

Mr. Wade understood the Council was being asked to consider adopting a policy resolution recognizing the Plan as City policy and asked what that meant. He wondered what they were being asked to commit to. Mr. Teddy replied adopting this Plan would not change City regulations to any degree and did not change the way the City did business. It would commit the City to look at additional steps of which some were regulations, public education, on-going practices, etc. to promote quality of streams in the area. The implementation charrette was the suggested next step and would be organized by the County. He noted the entire watershed was within County jurisdiction. The cities of Columbia and Ashland had a small part and the Village of Pierpont was in the area. He thought all of the governmental units would be participants and would together to decide what kind of implementation measures should come first. He pointed out the City had probably accomplished some of the things referenced in the Plan since it had a stream buffer requirement and storm water design manual. Mr. Wade understood if they passed the policy resolution, it meant they would set a policy indicating they would, with the other interested parties, look at the elements of this Plan to determine what they would implement as regulation. Mr. Watkins stated that was how he would interpret it.

Mr. Skala understood this was an alignment of a search for information and defined the direction they wanted to go. Mr. Watkins stated he considered this direction definition. He explained they would, as all three of the primary partners agreed, bring to Council the steps for implementation. He noted the City was ahead of the other two partners in some significant areas, such as the stream bank and the manual.

Mr. Skala commented that this was also an opportunity to cultivate relationships with the County and others.

Mr. Wade noted there were three legislative bodies, but this would ensure the process included a wide range of stakeholders to participate in the discussions on the regulations and ordinances. Mr. Watkins stated he thought it would be a mistake for the City of Columbia to unilaterally move forward toward adopting additional regulations. He believed they needed to move cooperatively with the other two partners.

Mr. Janku asked if the recommendation to limit new sanitary sewers to no discharge systems was already a City policy since central sewer was essentially required. Mr. Teddy

replied yes. He noted the City was not set up to consider new construction using on-site systems.

Mayor Hindman opened the public hearing.

Jeff Barrow stated he was representing the Greenbelt Land Trust with offices at 812 E. Broadway. He noted the Greenbelt Land Trust was a private, not-for-profit organization with the mission of protecting open space and agricultural land in Mid-Missouri for the primary purpose of protecting water quality and water resources. This was done by owning land and owning rights to land, such as conservation easements. He stated they owned two conservation easements and two tracts of land in Boone County. He explained they recently received a grant from the Department of Conservation's Wildlife Diversity Fund to pay for a half time program manager working in the Bonne Femme conservation opportunity area, which was the essentially same area as indicated on the map they were being shown tonight. He encouraged the Council to adopt a resolution and to work as hard as they could to implement the Plan. He noted one of the components of the Plan was to work with land trusts and private land owners to protect the land and he had spoken with several land owners in the watershed. In regard to the Section 319 grant Boone County received to draft this Plan, he understood it had been extended for one year, so they would have money available for cost sharing until June 30, 2008. He also understood the Department of Natural Resources indicated it was fine to use the money to purchase land and the rights to land through conservations easements. He explained he was working on identifying land owners in the watershed to see if they could work out a deal. He was hoping they could partner with the communities involved. He noted he was also working closely with the Department of Conservation and Department of Natural Resources. He stated he saw this as an opportunity to have a multi-layered cooperative effort in doing something that could be positive for the water resources in the County.

Ben Londeree, 2601 Chapel Wood Terrace, stated he had been a Co-Chair of the Bonne Femme Watershed project and urged the Council to approve it. He noted, at this point, there was nothing binding. He understood things would occur in the future for implementation and that was when particular changes would be adopted. He explained this was basically in line with the watershed ordinance and stream buffer ordinance. The major difference was in the cross-hatched and diagonal lined areas shown on the map as those two areas were recharged areas to underground cave systems and the project was suggesting special protections for the recharged areas. He noted the upper one drained into Devil's Icebox where there were endangered species. The project recommended different categories with regard to the quality of work that was done in terms of improving or maintaining the land after development. For these situations, they were suggesting there be an improvement by one or two levels over what it was before it was developed. He urged the Council to approve this document and to continue working with the other organizations involved to implement this as quickly as possible.

Mr. Skala understood Mr. Londeree was saying some of the suggestions went further than what was there before meaning an improvement over what was there before it was even considered to be developed. Mr. Londeree replied that was the recommendation proposed. He explained the storm water ordinance had eight levels. If someone was at level five before

development, they needed to be at level five at the end of development. The Committee had recommended that if it was five in the beginning, they would have to be at level two or three, which was more stringent. He noted the Committee had wide representation with different interests represented.

Mayor Hindman thought the idea of improving something over what it was today might be a challenge as the baseline would have to be determined. The baseline could be based on bad development, intensive use or making it better than nature had it in the first place. He asked to what extent they would be committing themselves to that being the end result if they adopted this policy resolution. He thought that needed to be looked at carefully before it was determined whether they would go with the recommendation or not. He asked if they would have that flexibility if the policy resolution was passed. Mr. Londeree replied he understood this document was not binding and did not require the City to do anything. It had suggestions. He was encouraging them to make those changes, but implementation was up to the governing body at the time. He noted these would only be brought into play with an ordinance. He explained a recharge area was an area from which water ended up in the cave system. The only time this would come into play was when there was a change in the use of that property. He stated it would not require action until it was developed. At that point, if the Council was to adopt the part involving the improvement of the run off situation, the developer would have to show how they would achieve an improvement by one or two levels over the current conditions. This might mean an additional BMP. He stated the storm water engineers would have to be involved as there was a wide range of possibilities. Ms. Hoppe asked for a brief explanation of the theory or rationale to improve the level in this Plan. Mr. Londeree replied he felt the issue of dealing with sensitive areas was one aspect missing from the storm water ordinance. The Bonne Femme proposal was suggesting improving the condition of the storm water as it left and making it better than it was in the recharge areas. Ms. Hoppe understood the recharge areas were very sensitive and the recommendation of the Committee was that improvement was needed. Mr. Londeree stated, as a citizen versus a member of the Committee, he would suggest they do this for any sensitive area in the City.

Mayor Hindman thanked Mr. Londeree and all of the other members of the Bonne Femme Watershed Plan Committee for all of the work they had done.

Meredith Donaldson stated she was representing the Friends of Rockbridge Memorial State Park whose offices were located at 200 Old 63, Suite 305. She noted their mission was to protect the resources of the State Park and this Plan addressed the protection of all of the streams in the Park. It would protect the watershed of the Devil's Icebox branch stream which supported a diverse ecosystem within the Devil's Icebox Cave to include the pink planaria, a species of special global significance since its only known habitat was the Devil's Icebox. The Plan would also protect the Clear and Gans Creeks as many visitors of the State Park enjoyed these streams on the surface and underground. She stated hundreds of people enjoyed the underground stream in the Devil's Icebox Cave during wild cave tours, so water quality was a health issue. She noted they supported this Plan because it included needed interjurisdictional cooperation, it was planning at the watershed level, the recommendations were written in general terms and it made a commitment for protecting the watershed in the area. She understood the specifics would be worked out by City and County staff. She

stated the Friends of Rockbridge Memorial State Park urged Council support and adoption of the Bonne Femme Plan.

Don Stamper, 2604 N. Stadium Boulevard, stated he was representing the Central Missouri Development Council (CMDC) and was hoping to gain some clarity. He understood the policy was advisory in nature, but noted the use of words such as “must” and “have to” no longer made it advisory. He wondered if this would be City policy when approved or if they would simply be endorsing the recommendation of another group of citizens. He explained his involvement with this issue started in 1991 when he accepted an invitation from former County Commissioner, Kay Roberts, to tour Devil’s Icebox and a series of caves with Rockbridge State Park staff. The purpose of the tour was to show the direct impact of pollutants on the environment of the Cave. He noted he was involved when the application was made by the County Commission to the Department of Natural Resources to fund the study and group. The intent was to do watershed planning of the Bonne Femme area, in particular, since it had creeks that were at threat. He noted they saw this as an opportunity to take a look at how they grew and developed as well as an opportunity to develop around the environment without making it worse when they were done. He stated there were many recommendations, but they were simply recommendations. He commented that after reviewing the draft policy, he did not interpret it the same way as was expressed by Mr. Watkins or Mr. Londeree. The words used were not the same as what had been implied. In addition, he understood the recommendations were left out of the executive summary, which he received by fax from Mr. Teddy. The CMDC wanted it to be clear this was a recommendation. It included recommendations for jurisdictions within the watershed to sample and choose from as they went forward with policy recommendations. He thought the recommendations could be achieved through a direct correction of problems in the site plan, with mitigation, by purchasing land and setting it aside in a conservation easement, etc. He noted there were a variety of ways to solve issues in the watershed. They thought the report was meaningful, but not good regulation. It was simply a series of recommendations to guide public bodies as they made policy recommendations. He stated he believed it would be wrong to adopt additional regulation that had not been completely reviewed as it could impact City sewer and water projects, Discovery Ridge, street projects, etc. If adopted as a wholesale policy of the City, it could bind them to things that could not be achieved. He thought it needed to be studied, considered and reviewed further as policies were adopted in the area. He noted he served on the Committee on behalf of the CMDC for about half its existence before Rob Wolverton took his place. He wanted the Council to be cautious as they moved forward so they knew exactly what they were getting into. He understood this was simply an advisory document and the acceptance of such.

Mayor Hindman asked how Mr. Stamper interpreted the ordinance. Mr. Stamper asked it could be read. Mr. Boeckmann pointed out it was not an ordinance. It was a policy resolution, so it did not have the effect of law. He stated the main part of it was essentially two lines “the City Council hereby adopts a Bonne Femme Watershed Plan, dated February, 2007, a copy of which is attached hereto and marked Exhibit A.” He explained they were adopting the Plan, but no one could enforce anything in the Plan.

Mr. Stamper pointed out the use of words like “must” and “have to” provided a different implication. Mr. Skala clarified the Council was not using the words “must” and “have to.” He understood it was the recommendations of the people that had testified. He agreed this was a series of recommendations.

Dee Dokken, 804 Again, stated she had been a volunteer water quality monitor in the Little Bonne Femme Watershed for several years and agreed with Mr. Stamper in that these were just recommendations. She believed this was a good first step. She felt the idea of having a lot of economic development in this area while protecting the watershed was yet to be seen. She referred to page 78 and noted it indicated it was important to have a follow up program to assess the effectiveness of the Plan’s implementation to determine if the Plan was being followed and its effect. She believed this was important because even if everyone followed this Plan, it might not protect the watershed. They hoped it would, but noted it was a compromise. She referred to Appendix G and stated the Committee hired Applied Ecological Services to do a subwatershed sensitivity analysis and they had many good suggestions which were not part of the Plan, but worth reading.

Mayor Hindman asked if that was attached to the Plan. Ms. Dokken replied yes and noted it was and was the last part in the full Plan.

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

Mr. Janku noted the resolution indicated this had been adopted by the Boone County Planning and Zoning Commission and wondered if it should say the Boone County Commission instead. Mr. Watkins explained it had not been adopted by the Commission when this policy resolution was written. It was adopted by the Commission on November 13 and could be updated if they wanted it to be.

Mayor Hindman stated he was very impressed by the work that had been done. He understood there were criticisms from two different perspectives, but believed it represented a tremendous amount of citizen work, compromise and the best of intentions with respect to an area they all were interested in. He noted he was in favor of adopting the resolution. He understood the City would have little impact at this time. If the City expanded in this area, they might have more impact.

Mr. Skala stated he saw this as an opportunity for intergovernmental cooperation. He commented that the testimony given by Mr. Stamper and Ms. Dokken illustrated there was a different way of looking at the recommendations included in the report. It would be the task of the Council to go through some of the recommendations and make decisions. At this point, since it was not binding, he saw no down side and believed it was the way to proceed.

Ms. Hoppe commented that she was on the Committee and believed this was an important step in intergovernmental cooperation in terms of planning and getting in front of development. She noted they had a great natural asset in the Bonne Femme area and she wanted to make sure it was protected and preserved for future generations. She did not want it wasted and ruined. The stakeholders, which were a diverse group, had spent a long time talking about the pros and cons of different elements and had come up with recommendations. In addition, there was a paid consultant who provided some detailed and scientific information about the area. As a result, she felt they had the foundation for making good decisions in the future.

Mayor Hindman noted this project was a result of cooperation. Ms. Hoppe agreed and stated this was an example of good cooperation between the different governmental agencies. Mr. Skala agreed and stated he was not trying to imply there was not any cooperation.

Mr. Wade recalled when he was on the Planning and Zoning Commission, there had been considerable discussion between the City and County Planning Commissions of the need to have an experiment in watershed planning before this project had been granted. It did not turn out that way. It ended up being more of a storm water management plan. He hoped this would provide some direction in the future as a model of watershed planning as it brought all of the jurisdictions together in a positive way. He commented that this was a foundation set of data for the City, the County, Ashland and Pierpont as they moved forward with decisions in this area. He believed this was a model in terms of how to build quality information as a foundation from which to build actual policy and ordinances. The quality of leadership in bringing all of the interested parties together in agreement was very important as he did not think it could be done when they first started. He thought they needed to move forward. There were some lessons to be learned from it with regard to intergovernmental cooperation and building a strong foundation of information to build policy. He thought they also needed to understand the importance of that specific area. It was a recharge area for the underground water system. He stated watershed management was important when seeing the pollutants in the underground water. He believed it was important to the City even though there was not a lot of area within the City now. He thought they needed to have a clear set of cooperative guidelines with the County as the area developed and as the City had greater responsibility for the area.

The vote on PR260-07 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Policy Resolution declared adopted, reading as follows:

**B356-07      Rezoning property located on the north side of Locust Street, between Hitt Street and Waugh Street (1109 Locust Street), from R-3 to C-P; approving lesser building setbacks, lesser parking requirements and less stringent screening requirements.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a request to rezone 8,250 square feet in downtown. The parcel was about fifty feet wide and included approximately two-tenths of an acre. The previous request had been to rezone to C-2 and was rejected. The Planning and Zoning Commission recommended approval of C-P zoning and added three additional items dealing with off-street parking, setbacks and screening.

Mr. Teddy stated the intent was to enable a central business district style of future development while putting some reasonable limits on it. It would require a plan to be provided later when there was a specific project for review.

Mr. Janku understood no packaged liquor sales would be allowed, but restaurants could have liquor sales on the premises. Mr. Teddy replied that was correct.

Mr. Janku understood there was no requirement for off-street parking and it would not allow commercial parking lots. He wanted to ensure nothing would permit it to be a commercial parking lot. Mr. Teddy replied it was not listed as a C-P use.

Mayor Hindman opened the public hearing.

Jon T.K. Livingston, 1109 Locust, stated he had been working with the Planning Department and the Council to redevelop this area according to the Sasaki study. He understood the City was still doing a study and he was waiting to see its outcome before proceeding with development. He wanted to start the rezoning process since it took so long. He noted he owned property on the south side he intentionally left off since no one knew what would be happening.

Mr. Wade stated he thought the Planning and Zoning Commission in conjunction with Mr. Livingston did a very good job in beginning to identify the appropriate C-2 components that should be a part of this. He asked why they kept the building height at fifty feet. He understood that was not a requirement in C-2, but was a requirement of C-P. Mr. Livingston replied he took the recommendations of the Planning and Zoning Commission and the City.

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

Mr. Wade stated he was on the Planning and Zoning Commission when this previously came up and was supportive of C-2. He disagreed with the Council's decision back then. He commented that he appreciated the stipulations made by the Planning and Zoning Commission to make it a C-P similar to a C-2. He noted he would support this, but pointed out he was uncomfortable with restricting building heights in the downtown until they were further into the downtown planning process. He would prefer not to see the fifty foot building height restriction as part of the statement of intent.

Mayor Hindman stated he thought this was a great compromise and C-P was what it should be. He agreed with the removal of parking restrictions and the setback requirement although a setback would be required to widen the street to allow for a wider sidewalk. He also agreed with Mr. Wade with regard to the building height. He was not sure why there was a restriction on the height. He wondered if it had to do with residences being nearby. Mr. Teddy explained they were looking at this as if it was an interim zoning regulation. This was a very narrow parcel in a middle of a block with predominantly R-3 zoning and uses. They felt, given Council's direction to look at something other than C-2 at this time, the fifty foot height was a reasonable compromise between the unlimited C-2 height and thirty-five foot height requirement for R-3. Mayor Hindman asked how many stories were in a fifty foot building. Mr. Teddy replied there could be as many as five. He pointed out there was a 24,000 square foot limit on development and their initial analysis was a three story building. The fifty foot would give the option of a taller structure while cutting back somewhat on the building envelope.

Mr. Janku stated he preferred C-P over C-2 because they were at the beginning of the Sasaki process where there were a lot of ideas with regard to overlay zoning and how the downtown might look in the future. There was an issue as to whether they needed to develop policy before allowing people to move forward or impose a moratorium on downtown development until the Sasaki Plan was completed. He thought this was a middle ground. He agreed it was not perfect, but noted it would allow some development to move forward with

some degree of control until a policy or the Sasaki Plan could be put into place. Mayor Hindman pointed out this applied only to this piece of property. Mr. Janku stated anyone could come forward as they did not impose a moratorium. He thought they needed to exercise some degree of care until a policy was in place. This allowed development to go forward with reasonable standards.

Ms. Nauser stated she was the only one that voted to allow Mr. Livingston to go forward with C-2 zoning in February. She wondered what they had controlled. They knew a little more in regard to the parameters of what he was going to build, but still did not know how this would fit in an overall plan for the area. She agreed with Mr. Wade. She stated she wished they could move quicker on the process of policy decision making so they did not have questionable policy decisions.

Mr. Janku noted the Sasaki study made it clear they did not want surface parking in downtown Columbia. With this being zoned C-P, they could be comfortable that this would not become a commercial parking lot. They could not have been comfortable with that under the original application, so he felt that was a significant change.

Mr. Skala stated he wished they could proceed quicker in putting policy in place as well. He noted he saw this as a reasonable compromise given the nature of the dynamism with regard to the downtown. There were still a lot of things up in the air. He saw the statement of intent as coming to some middle ground that would suit all of their purposes. He agreed it might not be the perfect solution, but felt it was the best given the circumstances. He believed once they were able to expedite policy decisions based on the reports and discussion of where they wanted to go with downtown, they would head in that direction. He stated he was in support of the plan.

Ms. Nauser commented that if the concern was surface parking, it be addressed.

Mr. Skala stated it was difficult for him, without a really good reason, to contradict an 8-0 vote of the Planning and Zoning Commission. He understood they had considered this thoroughly.

B356-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B362-07 Authorizing construction of the Chateau Road extension project; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a public hearing for a public improvement that would allow a second way out for an existing industry in north Columbia near the landfill. He noted Honeywell had agreed to reimburse the City a maximum of \$185,000, which they believed was more than it would take to build the road. The difficulty with regard to this was that they could not contact the property owner in order to obtain permission to purchase some property. Therefore, the extension of this road had to go through the City process. He reiterated this would allow an industry to have a second way out, which improved the safety of their suppliers and employees.

Mayor Hindman opened the public hearing.

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

Ms. Nauser understood there were portions of Chateau Road that were in disrepair and asked if they would ensure the entire road was up to standard. Mr. Glascock replied yes and noted they would correct some of the deficiencies.

B362-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B372-07 Authorizing replacement of two restroom buildings at the Columbia Cosmopolitan Recreation Area; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a public hearing on a public improvement project to replace two restroom buildings at the Cosmopolitan Recreation Area. They were approximately thirty years old and serviced the Nickell/Lamb and Burford/Dexheimer shelters. The project cost was estimated to be \$175,000 and would be paid with parks sales tax. If Council elected to proceed, construction would be scheduled to begin this winter with an estimated opening date of spring 2008. The project would be completed using contract labor and final landscaping would be done by the Parks and Recreation Department. The new restrooms would be similar to those constructed recently at Stephens Lake Park.

Mr. Hood showed a picture on the overhead illustrating the type of facility they were recommending.

Mayor Hindman commented that when they were at the NLC meeting, they saw prefabricated restrooms on display and asked if those were considered. Mr. Hood replied yes and noted they set five prefabricated restrooms, which were approved by Council a few months ago, at MKT/Scott, MKT/Forum, Fairview Park, Kiwanis Park and the Lake of the Woods Golf Course. He explained they considered these a step up in quality and placed them in the premier, larger parks.

Ms. Hoppe stated some citizens had asked her when Columbia would start putting solar panels on shelters or restrooms in parks similar to what they did with the light in the parking lot at Stephens Lake. She asked if they had looked into that in terms of cost. Mr. Hood replied they had not looked at it extensively. It was something they were just starting to look at in order to determine if it would assist with energy needs of the facilities. He pointed out they were looking at keeping the restrooms open longer and throughout the year because they were seeing more use in the winter months, so they needed to look at how they could heat the facilities and the energy sources that could be used. He thought they needed to do more research as they had not looked at it extensively.

Mayor Hindman opened the public hearing.

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

B372-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B373-07 Authorizing replacement of a picnic shelter and restroom building at Cosmo-Bethel Park; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a public hearing for a public improvement. The Parks and Recreation Department was requesting authorization to proceed with the replacement of another thirty-plus year old picnic shelter and restroom at Cosmo-Bethel Park in south Columbia. The estimated project cost was \$225,000 with funding to be provided with parks sales tax. If Council elected to proceed with the project, construction would begin this winter with an estimated completion and opening in spring of 2008. The restroom and shelter would be similar to those constructed at Stephens Lake Park.

Mr. Hood showed the Council a standard picnic shelter design on the overhead. He noted the restroom would be the same as what was previously shown for Cosmo Park. He stated they wanted to bid the projects together for economies of scale.

Mayor Hindman opened the public hearing.

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

Ms. Nauser commended staff for the great job they had done with improvements at this Park.

Ms. Hoppe stated she wanted the Parks and Recreation Department to look into the possibility of using solar if there was a long term cost savings or benefit for the shelter and restroom. She asked if she needed to amend the ordinance or if they could just proceed. Mr. Boeckmann stated that did not belong in the ordinance. He suggested she do that by motion. Ms. Hoppe asked if that should be done during Council comments. Mayor Hindman and Mr. Skala thought that would be the best time to do that.

B373-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, JANKU, SKALA, WADE. VOTING NO: NO ONE. ABSENT: CRAYTON. (Ms. Crayton stepped out during the discussion for B373-07 and did not return until after the official vote was taken.) Bill declared enacted, reading as follows:

**B374-07 Authorizing construction of improvements to the Park Management Center facility located in the Columbia Cosmopolitan Recreation Area.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a public hearing for a public improvement project at the Parks Management Center, which was located at Cosmo Park. He noted it was actually major maintenance and was the second of two phases. The first phase was the replacement of the roof. This would involve repairs to the facility that resulted from the roof leaking. They were asking to spend \$120,000 from the parks sales tax. Construction was scheduled for this winter when the Parks and Recreation staff did not have the ability, due to weather, to do outside construction.

Mr. Hood noted they had water damage occurring for many years, but it became much more significant after the large hail storm 1-2 years ago. They had since put on the new roof that was planned and budgeted in FY 2006. Now they were taking a serious look at the damage to the walls. He pointed out they did not know the extent of the damage because they had not torn off all of the interior walls. They suspected significant damage. He stated they would take care of that first. They also needed to create a new office work space for the engineering aide that would be hired after the first of the year.

Mayor Hindman asked how old the building was. Mr. Hood replied the original building was a large hanger for the airport. They added the front to the building in the 1980's. He thought the original hanger probably went back 50-60 years. Mayor Hindman suspected it went back to the 1920's.

Mayor Hindman opened the public hearing.

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

Mr. Skala stated he thought anything having to do with taking care of what they already had was a maintenance issue and needed to be taken care of.

B374-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

## **OLD BUSINESS**

### **B357-07 Approving the Final Plat of Hunter and Lucas Addition Plat Two, a Replat of Lot One of Hunter and Lucas Addition; located on the northwest side of Hinkson Creek Road; granting variances to the Subdivision Regulations.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposed replat would create two large A-1 zoned lots along Hinkson Creek Road, an unimproved gravel road within the City limits. He noted this was a difficult subdivision variance case. The property was annexed thirty-eight years ago and City services were still not available in the vicinity. In addition, the City's subdivision regulations did not have rural development standards. The request was for four variances. The Planning and Zoning Commission and staff agreed with the two involving the east outer loop and sidewalk construction along Hinkson Creek. The real issue was whether they should be required to extend water and sewer for two lots as it would be very expensive. Another issue would be whether the City would be able to provide adequate City services, including fire protection, without water. He noted the Planning and Zoning Commission with a split vote recommended approval of the second two as well.

Mr. Teddy pointed out this was difficult for staff to process because the City did not have a two tier standard for a large rural pocket within the City limits which might allow them to make exemptions for on-site treatment or a well on larger lot sizes.

Mr. Skala asked if the lake located nearby was a viable alternative in regard to pumping water for fire protection. Mr. Sapp replied the Columbia Fire Department had the abilities to draft water, but it was not something they were used to doing. He noted it would depend on access and how close they could get to the lake.

Mr. Janku understood this was one lot that was being replatted into two lots. He asked what the lot size requirement was for A-1 zoning. Mr. Teddy replied the City would allow 7,000 square feet, which was the same as R-1. Mr. Janku understood this could be replatted again in the future. Mr. Teddy agreed there was a potential for further subdivision requests.

Brian Dollar, a land surveyor with offices at 1204 Rogers, asked the Council to grant the variances and approve the plat. He felt the Planning and Zoning Commission had done a thorough job of examining the issues. He explained these were small farm tracts. One was nine acres, but the average was over twenty acres. He noted in rural Boone County, four or

more parcels of less than five acres in close proximity needed a fire hydrant, but tracts of this size did not. He commented that he lived eight miles from a fire hydrant and did not believe it was a significant risk as insurance was not high and fires did not spread from house to house due to the rural setting. He pointed out the applicant had owned this property for twenty years. When he purchased the property, he understood it was within the City and without utilities, but did not anticipate being in the same situation now. He commented that it might be another twenty years before utilities were available in the area. Extending water and sewer was not only expensive, but would cause him to not to be able to sell the nine acres and build the house he wanted.

Gerald Lucas stated he and his wife owned the property in question. He explained that after graduating from Columbia College in 1987, he and his family moved to Tennessee. The following year, the Hunter's asked them to move back to Columbia and to join them in the purchase of the ninety acres. The property was split in equal tracts to establish separate ownership. The Hunter's built their home on the northernmost tract several years ago, however, financial difficulties had prevented them from doing the same. They reluctantly decided to sell the southern nine acres to help fund the building of a small home on the land. Council approval would allow them to realize their dream. He asked the Council to consider the rural nature of the area, which was annexed in 1969 but still without City utilities. He commented that since owners of such areas had to bear the burden of providing their own services, a fair and separate set of guidelines would be beneficial.

Nate Cole of Nathaniel Surveys and Designs, 1080 Route Y, Harrisburg, Missouri, stated he was asked to determine if on-site sewer would work on the nine acre portion of the property. He noted it did not look good on topographic maps and the City engineer did not think the site was conducive to on-site sewer. After walking the site, he found three pocket areas that could allow different types of alternative on-site systems to be developed. He thought some could be non-discharge systems. He pointed out the final design was not done as it would be completed by the purchaser of the property, but felt there was room on the nine acres to have an adequate on-site system.

Mr. Janku stated he thought it was unfortunate City services had not been extended to that point. He understood they were coming that way since development was moving toward the northeast. His concern was that this could be one of several steps in terms of the lots being further subdivided. The ability to plan and implement infrastructure was possible at this point. If infrastructure was not developed before the lot was parceled off in smaller pieces, it would never be done. Now was when they needed to make that decision. He referred to Council's decision involving the Korean Baptist Church where they allowed them to begin down the road several years ago and they were now back expecting the City to allow them to continue. He noted they made a policy decision indicating that should not happen. He believed now was the time to make the tough policy decision of not allowing this to be incrementally developed. He stated there were reasons for development standards to include environmental standards. Unless they were willing to expect future requests, he thought they needed to make the tough decision.

Mr. Wade stated he concurred with Mr. Janku. He noted this argument was well thought through during the Planning and Zoning Commission discussions and felt the

conclusions made by Ms. Peters and Ms. Anthony were correct. He was also concerned with setting standards one case at a time. He agreed they seemed to be doing too much of that and it needed to stop. He stated he agreed with the staff recommendation and would vote that way.

Mr. Skala commented that he was torn. He understood the staff and Planning and Zoning Commission were in unanimous agreement with regard to a couple of the variances so those were not an issue. There was an issue with sewer extension. He thought there might be solutions to that, but was not certain since they were options. He thought the fire issue, which dealt with health and safety, was another issue. He believed that involved individual risk given the circumstances. He understood they did not have the ability to unannex the property or undo that decision. He commented that he had a hard time understanding how this area would develop and, if it did develop, what it would look like. He stated he would generally not be inclined to allow the exceptions, but would go along with Mr. Lucas in this case.

Ms. Nauser noted Mr. Wade had reminded her of her on-going issues with setting policy at the table. In reading this, she believed they had put these people in an unfair situation. This had been annexed into the City over thirty years ago, but they were still on a gravel road with no other services in the area. They were being expected to invest thousands of dollars to build one more house. She asked if he could build a house on his forty-four acres without having to do anything. Mr. Teddy replied he could build one house on one lot and noted A-1 allowed a second house by conditional use if there was at least two and one-half acres for the second house. Ms. Nauser understood if he was not proposing to subdivide the lot to sell nine acres, he would not have to meet the requirement to put in the expensive infrastructure which was not in the vicinity of his location. She commented that she was leaning toward allowing this. She noted they had authority for situations down the road. In addition, she thought they might want to set some standards as there were many pockets within the City with similar situations.

Ms. Hoppe stated Mr. Skala and Ms. Nauser had expressed her thoughts on this.

Mayor Hindman commented that he thought this was an example of policy not taking into consideration everything that needed to be considered in a particular case, which was why they had a legislature who could deal with those issues. He did not believe they should be bound to a policy too strictly. He noted he liked the reason for the policy and believed there needed to be a good reason to deviate from it. He found this difficult because, when the City annexed, they represented the ability to provide City services to an area within a reasonable length of time. It had been thirty-eight years in this instance and he thought they had to take that into consideration. He thought they had a choice of saying they would get those City services out there, but the burden on the community to do so would be extreme. He assumed this was a rare situation and believed they should allow it. He noted Mr. Janku had made a great point in that someone could further subdivide it. He thought they were making an exception because of the unusual circumstances that existed right now. In addition, he did not believe those circumstances would exist if they had further subdivision. He understood the Korean Baptist Church situation was raised and explained they made exceptions because they were building a church of a certain size and it was difficult to get

services out there. Now they wanted to increase the church to allow for more people out there and this was creating a more hazardous situation. He thought the two situations were highly distinguishable. He did not like the idea of making these exceptions, but thought it was the right thing to do.

Mr. Janku commented that he was glad they had this policy in place for the last thirty-eight years. He explained they were putting special protections in for Bonne Femme, but not on the Hinkson Creek and would be allowing on-site sewage treatment. If they would not have had those protections and standards in place, he thought there would have been many homes along there with less sophisticated sewage systems. He felt they were fortunate with development being constrained in this area because they would likely have had low quality development similar to what they had on the outskirts of the City limits. He noted they had to rebuild a water line in the Indian Hills area because it was built to rural development standards. He reiterated he thought they were fortunate this was not developed because they would likely have to rebuild with public dollars if they did not have adequate infrastructure. He pointed out there were many people that had made tough decisions and sold off property due to these standards. They developed in a more dense way because they could not have large lot developments. He thought there would be others on the outskirts of the City wanting to sell off some of their land for retirement to create large lot developments around them. That would eliminate dense, compact development and the consistent extension of water and sewer lines. He reiterated he thought others with large tracts that preferred not to have the up-front major infrastructure costs would request this as well and wondered what they would say to them.

Mayor Hindman wondered how many of those would have been in the City for thirty-eight years without utilities nearby.

Mr. Skala did not think Indian Hills was a good comparison as there was no guarantee a development of that scale would have happened in this area. He stated he was glad they had these policies in place because it might have prevented some of the things suggested. He agreed policy, generally, protected public interest, but felt some difficult decisions fell under the category of exceptions as long as they had some modicum of input with regard to the issue of further subdivision. He hoped they would not be facing a problem relating to this in the future. He felt there was a responsibility on behalf of the City. This was a long time to promise someone something as a result of an annexation. It was something they had not been able to do nor wanted to do since it would come at great expense to the rest of the public. He thought this was a case where it was appropriate to make an exception.

Mr. Wade commented that he wanted to vote for the exception, but had not seen any reasonable response to staff's concerns, which would still exist if this was approved. If there was a clear understanding with regard to the Fire Department that the lake could be used, it would begin moderating those questions. He thought there needed to be clear standards for the on-site sanitary systems to meet as opposed to providing assertions indicating there were technologies that could meet them. He stated he could not support the exception until the staff's concerns were addressed and noted they did not have to be met with large water and sewer lines.

Mr. Janku noted there was recently a County development adjacent to the City, near the Perche Creek. The City's comment to the County Planning and Zoning Commission was that this involved on-site sewage treatment and a City sewer was near the area. He wondered what incentive people in the County would have to go to City sewer service if the City indicated it did not think it was important.

Mayor Hindman stated he thought it was important, but noted thirty-eight years without City services was significant.

Mr. Janku noted they dealt with this issue on Mexico Gravel Road which led to a policy capping the costs with regard to sewer districts. He explained a neighborhood on Mexico Gravel did not have sewer and wanted to form a sewer district, but the price was extremely high. The City developed a policy of tax billing with a cap of \$5,000 until the land was redeveloped. At the point it was redeveloped, the City would recover the remaining by tax bill. If the land did not redevelop, they would never recover the remaining amount. He pointed out they had responded to provide services to areas that were difficult to reach while maintaining a pretty strict standard. This was how they encouraged people to develop in an orderly manner. He thought they could look at a policy that provided a different type of cost share than what they had now. He understood it might be more expensive than the community wanted to bear, but pointed out they had reacted to these type of situations in the past.

Mr. Skala agreed the issue might be that the cost was too much for the community to want to bear. He thought the intention, when annexed, was that these services would be extended and there would be growth in this area, but that did not happen. He liked Mr. Janku's suggestion and thought it might need to be raised later and noted his growth management idea involved accommodating the urban fringe in terms of larger and smaller tracts. He thought this was a case in which they would either penalize the citizens of the community by extending these kinds of services to a relatively isolated piece of property or the property owner by not allowing him to realize his vision. He felt it would be wrong to deny him the opportunity to do what he wanted just because the Council wanted to set a City policy to ensure they had extended the lines for things intended thirty-eight years ago.

Mayor Hindman stated this was a tough one. Ms. Nauser agreed and felt the arguments on each side were valid. If it was someone who was subdividing it into twenty lots, there would be no question with regard to having sewer and water.

Mr. Janku asked for the estimated cost of the extension. Mr. Glascock replied he did not have a cost. He noted the sewer would come from Route B which was a long distance. Mr. Wade stated the distance cited at the Planning and Zoning Commission meeting was 1,500 feet. Mr. Dasho noted the cost to extend water was about \$100 per foot. He understood it would be about 3,000 feet for an estimated cost of \$300,000.

Mayor Hindman asked, if they accepted this, if they could require it to be a no discharge system. Mr. Skala noted that was an interesting idea and wondered if they had any control. Mr. Wade asked if they had any policy that would let them make that a requirement. Mayor Hindman thought they could make it a requirement since they were making exceptions. Mr. Janku agreed and pointed out that was what variances were based on. Mr. Boeckmann stated he did not know whether the City's ordinances dealt with that. Mr.

Glascock thought they might have to follow the Health Department guidelines for on-site sewer. Mayor Hindman understood that was what the County did. They just did not have any examples of it in the City. He asked if it was fair to say that a no discharge system was a better system. Mr. Glascock replied yes because the Hinkson Creek was on the 303D. Mr. Skala asked if that was justification for this kind of restriction. Mr. Glascock replied he thought they should be cleaning it up if they could. Mayor Hindman asked what would be required if it were in the County and near Hinkson Creek. Mr. Glascock replied they would be allowed to put in a lagoon or a septic tank as long as the soil allowed. They would have to run a perk test. With the rocky soil, he suspected a lagoon would be allowed. Mayor Hindman asked if that was a no discharge system. Mr. Glascock replied no. Mr. Wade asked if the health regulations dealt with this. Mayor Hindman replied it did for the County. Mr. Janku thought the County standards could be applied since the City did not have standards. Mayor Hindman understood they could, in this case, require a no discharge system. Mr. Boeckmann pointed out the City could not enforce County regulations just because the City did not have anything to cover it. County regulations did not apply in the City. Mayor Hindman understood they would have to pass a regulation. Ms. Browning explained the County on-site sewage ordinance, which dated back to 1992, was enforced the Health Department. She thought it was the model ordinance for the State as State Codes were built on Boone County's ordinance. Most places now did not build lagoons. They were extremely rare in the County as were the regular septic systems. Most people were engineering state of the art on-site sewage systems. The Health Department would work with any property being developed in the County to determine what the best system would be for it. She noted its proximity to the Hinkson would be very important. Mr. Wade understood that would happen anyway. Ms. Browning stated if it was a County piece of property being developed, they would be involved and would issue the permits. Mayor Hindman asked if that was based on State law. Ms. Browning replied it was a Boone County ordinance. Mayor Hindman understood Boone County ordinances did not apply to property within the City, so the City was without any type of ordinance or standard. If they were going to allow this, they needed to provide some specifications. Mr. Skala suggested they specify following the County guidelines.

Mr. Wade thought they could alter Section 6 where the variance was being granted by saying "...and that the County regulations concerning on-site sewage would be met in the City in this case." Mr. Boeckmann suggested they add "...provided that any sewer treatment system constructed on the property shall be constructed and maintained in accordance with Boone County ordinances."

Mr. Wade pointed out they had still not addressed the issue of fire protection. Ms. Hoppe asked how the County dealt with fire prevention. Mr. Wade replied they had tanker trucks and got there later than the Columbia Fire Department. Ms. Hoppe understood the City did not have any tanker trucks. Mr. Skala pointed out they had a 3.5 minute, 450 gallon capacity and drew 125 gallons per minute from a hydrant. Ms. Hoppe asked if there was a cooperation agreement. Mayor Hindman replied yes. He understood the County would have to bring the tanker truck even though it was within the City. It would delay fire fighting while the tanker truck arrived according to the report. Mr. Skala stated there was testimony

indicating the cost of insurance under these circumstances was not prohibitive. Mr. Janku thought insurance was rated uniformly, so it was based on standards throughout the community. Once the community's standard started going down, it would down for everyone. The fact they had bad response times or less ability to provide water was the key. Mr. Skala understood Mr. Janku was suggesting they might be reducing community standards. Mr. Janku pointed out they received a report from the ISO a while back and he thought water was one of the key things with regard to ratings. Mayor Hindman stated it was the key thing.

Mayor Hindman made the motion to amend B357-07 by adding "...provided that any sewer treatment system constructed on the property shall be constructed and maintained in accordance with Boone County ordinances" to Section 6. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B357-07, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, SKALA. VOTING NO: JANKU, WADE. Bill declared enacted, reading as follows:

**B358-07      Changing the name of "Fellows Place" to "Stadium Place".**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a request by the owners of the Hampton Inn, which was presently under construction at the southwest corner of Stadium and Rock Quarry Road. The applicants were requesting the name change for name recognition and way finding purposes. Current City ordinance and process indicated the address should be where access was. There was no access from this property to Stadium. The access was from Fellows Place, so they would have a Fellows Place address. He noted the applicant had provided letters signed by the owners of all of the properties affected by the proposed street name change. This request had been reviewed by several City departments and there were objections to the name of Stadium Place from the Fire Department, Joint Communications and the Public Works Department. The proliferation of the word "stadium" in several streets and property names throughout the City caused some concern. Staff's recommendation was to not approve this item.

Mr. Teddy pointed out the addresses potentially affected by this proposed name change were 1300, 1400 and 1500 Fellows Place, which were on the south side of the cul-de-sac street off of Rock Quarry Road. The site of the New Hampton Inn, which had been given an address of 1225 Fellows Place, was formerly known as 1112 Stadium Boulevard when it was the Campus Inn. Staff would support a name change to Stadium only if the cul-de-sac connected directly to Stadium because it would have a different orientation. In this case, it would be another east/west street with a range of east/west addresses on Stadium Boulevard and Stadium Place.

Ms. Hoppe understood when this was Campus Inn, the address was Stadium. She asked if they had access off of Stadium. Mr. Glascock replied no. Ms. Hoppe understood this was a change. She commented that she could see why they wanted it to be called Stadium because it would be easily located by the public. She thought one alternative would be to allow it to have a Stadium address. She asked if there was any historic significance to Fellows Place. Mayor Hindman replied there was. He noted the Fellows family was well

known and had roots that went quite far back. Mr. Janku asked if they had been notified of this possible change. Mayor Hindman replied he did not know. He stated they lived in the house on Ashland Gravel that became a bed and breakfast. Mr. Skala asked how the street was named. Mayor Hindman replied he did not know and stated they might have owned the property.

Ms. Hoppe understood to keep the status quo for when it was Campus Inn, it would be Stadium. They could keep Fellows Place, but give this a Stadium address just as Campus Inn had with no access from Stadium. Mr. Janku pointed out that misidentified it as well because that indicated there was access. If a first responder heard a Stadium address, they would think it could be accessed by that road. He noted this had happened up and down Providence. None of the businesses on the outer road were on South Providence, but had a South Providence street address. A few years ago, the Rockbridge High School students wanted to name the outer road to Bruin Boulevard and the businesses were opposed because they wanted the Providence address.

David Parmley stated he was with AP Investors, the owner of Stadium Lodging, and thanked them for considering their street name change. He explained they were building a new Hampton Inn and Suites Hotel and Conference Center at the site of the old Campus Inn hotel. They had also purchased the adjacent Cliff View Apartments. He noted the old Campus Inn hotel had become had become a blighted area with some crime nearby. They believed this project would significantly enhance this prominent location in the City. In addition, when the Stadium Boulevard extension to Lake of the Woods occurred, this would be the front door to the University. He pointed out that unlike other proposed projects in downtown Columbia, they had not approached the City with regard to any special financing incentives and would appreciate Council consideration with the minor request of renaming the street to Stadium Place. He explained Campus Inn's address for its entire existence was 1122 Stadium Boulevard. They assumed the new hotel would have the same address. It was not until they applied for a building permit that they found out the address would need to be changed to 1225 Fellows Place. Fellows Place was an island surrounded by the University of Missouri and had four parcels. He felt it was a fairly obscure name and not geographically specific. As a means for way finding for out of town visitors, they believed Stadium Place was geographically specific and preferred it from a marketing standpoint. He understood and respected the views of Public Works, the Fire Department and Joint Communications and noted if it were approved, the numbering system would fall in line with Stadium Boulevard. He thought a concern EMS had was possible confusion when responding to emergencies. They did not want to hinder their capabilities and felt the numbers being in line on Stadium Boulevard would help reduce confusion. In addition, today's technology and GPS tools would make it easier to find Stadium Place. It was also more location specific in many ways.

Mr. Janku asked if they had considered any other names. Mr. Parmley replied they had not.

Greg Ahrens commented that since there were no other addresses along that section of Stadium, it could be found if it had a number consistent with that part of Stadium.

Mr. Wade thought they were spending time for a solution to a non-problem. He noted he stayed in hotels all of the time and none were ever on a street where he knew because they were at places he had never been. He stated he could look at the Hampton Inn book or go to the website to find directions. He did not think it would make a difference one way or the other and would rather follow the staff report by leaving it as Fellows Place.

Mr. Janku stated he understood the reason for the request, but wanted to respect the request of JCIC as it would make their difficult jobs under stressful conditions a little easier. If someone just indicated Stadium, it would be hard to determine which Stadium.

Mayor Hindman agreed with Mr. Janku and suggested a possibility would be to name the hotel Stadium Inn on Fellows. He understood why they wanted the change as it gave an indication it was near that major road for anyone who knew something about Columbia, but felt the other arguments outweighed that.

Mr. Skala pointed out Stadium was a long road, so it could be confusing for responders when dealing with all of the places with the Stadium stem.

Ms. Hoppe wondered why they were changing the address now. She understood the rationale for the change in policy and having the address reflect the street it had access off of, but noted Campus Inn, which was at the same exact location, previously had an address of 1122 Stadium. This was allowed and everyone found it. Mayor Hindman pointed out that was before the policy was changed. Ms. Hoppe understood they were enacting the new policy because a new building was being constructed in that location. Mr. Skala stated new construction, typically, triggered changes.

B358-07 was given third reading with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. Bill declared defeated.

**B366-07 Authorizing a right of use permit with Delta Roads Development Corporation for construction, improvement, operation and maintenance of a balcony to extend within the right-of way from the building located at 904 E. Broadway.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would allow a right of use permit to be granted over and into the City right-of-way of Broadway for a balcony at 904 E. Broadway. It allowed the construction, operation and maintenance of it as well.

Mr. Janku if there was a reason they were comfortable with this one as opposed to the other one that raised concerns in terms of people passing by. Mr. Watkins thought there were two concerns with the one on Ninth Street. Staff wondered if someone should be able to use right-of-way that was not their own without the permission of the property owner. They had never run into that before since C-2 zoning was the only zoning that would allow something that close. Their issue was whether this should be allowed without Council review and approval as was required with irrigations systems on street systems. They were also concerned with the actual design of the balcony, which was resolved. Mr. Janku understood staff was comfortable with this design and they were waiting for policy to come forward on future items.

B366-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B376-07 Amending Chapter 11 of the City Code as it relates to the composition of the Board of Health.**

The bill was given second reading by the Clerk.

Mr. Watkins explained the Board of Health sent Council and the County Commission a report in July with recommended changes to the structure of the Board. There were three major recommendations. One was that the Board would be expanded from nine to eleven members. The two additional members would be appointed by the County. This would give the City seven appointments and the County four appointments. It also changed how the various disciplines were appointed. Instead of saying the City had to appoint a veterinarian, it stated a veterinarian must be on the Board. In addition, it deleted the requirement that the members of the Board be registered voters.

Mr. Skala commented that often times with a change in the number of members, it presented issues of increasing the quorum and asked if that would be a problem. Ms. Browning replied no. She explained the Board met monthly and they had not had issues in years with regard to meeting a quorum. Mr. Skala understood they had very regular members. Ms. Browning stated they did.

Mr. Janku asked for the reason for deleting the registered voter requirement. Ms. Browning replied that before they had to be a registered City voter or registered County voter, so they were trying to allow for greater flexibility. She explained that if the Council was filling an appointment and the qualified applicant lived in the County, they would now be able to make that appointment. She noted some positions, such as the veterinarian position, were hard to fill since many of the interested veterinarians lived in the County. She felt this allowed them the ability to have a good pool of applicants. Mr. Janku thought it could just say “registered voter” without specifying a location. Ms. Browning agreed.

Ms. Hoppe asked why the requirement for two physicians was reduced to one. Ms. Browning replied the Board of Health dated back to the early 1900’s and explained during the pandemic influenza era, they were making decisions to close business, schools, etc. They had a specific requirement in those early days. She did not see an issue of a physician versus a person involved in healthcare policy or another health professional. She thought they just needed diversity within the Board so they received good, sound advice and opinions. She pointed out there was a range of things covered in public health to include animal issues. She noted there was no reason they could not appoint more physicians if they wanted since this was less prescribed.

B376-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B379-07 Adopting the City of Columbia 2008 Employee Medical Plan; establishing new group insurance premiums for the retiree health and dental care plans.**

The bill was given second reading by the Clerk.

Mr. Watkins explained the City of Columbia was self insured in terms of health care and insurance risks. They looked at the plan document every year and brought the various rates to Council. For the last two years, they were dealing with GASB/OPEB Standard 45, which basically stated health insurance provided for retirees must be considered like a pension with an accrued liability. The accrued liability had to be reviewed by an actuary firm every year. Last year, they found the accrued liability was in the tens of millions of dollars. Generally, it would not mean a lot except that the bonding people looked at that, so it impacted the City's bond rating. Because of the size of the City's budget, Columbia was about a year ahead of some of the smaller entities. Boone County would face this regulation next year. He stated they had set up a series of objectives for this plan to include getting the liability down to something manageable and eliminating all of the implicit subsidies they had by getting to the point where the various classes of insurees paid their own way over a five year period. He noted they also wanted to ensure there was no sticker shock to any of the groups (active employees, Medicare eligible retirees and non-Medicare eligible retirees) and that it was as fair as possible to all. He explained Ms. Fleming and Ms. Buckler worked with a committee of retirees for over a year in an effort to reduce the accrued liability to something that was manageable. There was still a concern with regard to one of the retiree groups for the future. The concern was that the group might be small enough to cause problems in terms of maintaining a reasonable rate. The reason for this was because the subsidy adopted this year was it, so they would not change the subsidies annually because the accrued liability would come back if they did. The actuaries have indicated the trends were showing no distinction. He pointed out as the retirees aged, their health care costs would go up and they would start at a higher rate. The actuaries, however, did not show a significantly higher increase for any one sector. He noted this was the final document and stated he felt they had come up with about as fair and equitable of a program as they possibly could.

Mr. Janku asked if there was any eligibility under Medicare for disabled people. Ms. Buckler replied there was and they had been discussing where the disabled Medicare eligible people would fall. If there was not a difference in the actuarial assumptions, they would leave the Medicare disabled in the current pre-65 group. Mr. Janku understood they would not be eligible to participate in the supplement. Ms. Buckler replied they would not, but pointed out that would be revisited next year. She noted it would impact the rates quoted a little. Mr. Janku asked for clarification. Ms. Buckler explained she was referring to the premium rates they would have to pay the insurance company. The City was not insuring the Medicare supplement plan. They were sponsoring a fully insured plan where Medicare eligible people would pay premiums that would be passed on. The City was not the insurer on the supplement plan. Mr. Janku understood the City would consider allowing the group that was disabled but under sixty-five years of age to participate next year. Ms. Buckler explained they would still be in Medicare under the City's plan as they already were. The City was the secondary payer for anyone in Medicare right now. For the coming year starting January 1, the Medicare eligible retirees who were not in it because they were disabled would move to the supplement plan. The Medicare eligible because of disability would stay in the City's insured plan and would still get Medicare under their disability Medicare with the City still being secondary. It did not affect their Medicare eligibility. It only affected where they were.

Mr. Janku understood they would be a part of the non-Medicare eligible retiree pool which was a separate risk group. Ms. Buckler explained they were a little different because they were eligible for Medicare because of a disability.

Mr. Janku asked for the number of non-Medicare eligible retirees. Ms. Buckler replied there were 103 insured non-Medicare eligible retirees, not including spouses or dependents. Mr. Janku understood some might be disabled within that group, but they would not have that number. Ms. Buckler stated that was correct.

Mr. Janku noted the active plan included stop loss insurance and asked how that worked. Ms. Buckler replied the stop loss insurance was purchased insurance and would cover the pre-65 non-Medicare eligible retirees as well. It would not be rated separately. When they had the stop loss renewals, they would rate over both groups. The pre-65 group would not be singled out for stop loss. Mr. Janku understood the non-Medicare eligible retirees would get the benefit of the stop loss insurance. Ms. Buckler stated that was correct. They would not be separate from active stop loss because it was all one policy under one umbrella. It would not be rated separately. She noted it was accounted for in the actuarial assumptions.

Dan Hemmelgarn, 412 Thilly Avenue, stated he retired from the Columbia Fire Department in 2004 and now served on the Retire Insurance Task Force. On behalf of the Task Force, he thanked staff for working with them to find realistic solutions to the challenges created by GASB 45. They recommended moving Medical eligible retirees out of the City's health insurance plan and into a private plan in order to reduce the unfunded liability identified by GASB 45. This move addressed nearly 87 percent of that unfunded liability without increasing the risk of those retirees becoming uninsured. He stated he was one of about one hundred retirees who still carried health insurance through the City, but had not yet reached 65 years of age and Medicare eligibility. This was the group the Task Force was most concerned with because of the City's plan to move them to a separate risk pool. They opposed separating this group from the risk pool of active employees. He understood staff was recommending the creation of a separate risk pool to save over \$5 million in unfunded liability and over \$500,000 in annual City contributions, but felt this move shifted the financial burden to those 100 or so employees that served the community for a full career and retired under the premise their existing health insurance plan would continue. He pointed out this plan had been financially supported by those employees during their career with the City. They believed splitting pre-Medicare retirees into a separate risk pool would lead to unaffordable insurance rates. Those with pre-existing conditions, whether disabled or not, might find themselves without health care if they could no longer afford health insurance. The Task Force was strongly recommending pre-Medicare retirees be kept in the same risk pool as active employees. They wondered if the potential impact of this proposed change was clear to staff and Council. He asked the Council to reconsider this aspect of the proposal and keep the non-Medicare eligible retirees in same risk pool as active employees. If this was not possible at this late date, they were requesting the group be allowed to continue working with staff during the upcoming year to see if a mutually agreeable alternative might exist. The Task Force was willing to work with staff in exploring other ways

to limit what could be extraordinary increases in these premiums above and beyond that experienced by the active employee group.

Mayor Hindman asked if anyone had checked what the premiums would be under a separate risk pool for this coming year. Mr. Hemmelgarn replied for the upcoming year, the premiums seemed in line with what they expected. They were concerned about the future years.

Mayor Hindman asked if the Council adopted the recommendation of staff and allowed the group of 100 or so to be put into a separate risk pool and negotiations occurred during the year with a compromise or solution being reached to put them back into the active employee risk pool, if that was possible or if someone would be cut out because they were no longer eligible for insurance. Ms. Buckler replied moving them between risk pools was not an issue with regard to whether they would be covered or not. Ms. Fleming pointed out the issue was with GASB 45. If they indicated they were going to negotiate, the actuary would go back to the original assumption of not having an agreement and the liability would go back to \$77 million, which was not fully funded in FY08, so it could have an affect on the City's bond rating. Mayor Hindman asked what would happen if this was passed without saying they would negotiate, but with them negotiating anyway. Ms. Fleming stated she and the City Manager would have to tell the auditors there was not any liability that had not been disclosed. She could not sign the papers for the auditors in good conscience if that was not the case. Mayor Hindman wondered how there could be a liability if they had not agreed to anything.

Mr. Hemmelgarn stated he did not understand the full \$77 million in liability. He thought they were talking about a \$5 million liability. Mr. Janku asked how he got the \$5 million figure. Mr. Hemmelgarn referred to the staff report and noted it was the difference in the liability. Ms. Buckler explained if they were at the same rate, it was \$9 million. Mr. Hemmelgarn stated the \$9 million went down to \$4 million when they were removed, so the difference was about \$5 million. He understood the \$5 million was the difference between keeping them in the same group as the actives and taking them out of that group. Ms. Buckler noted it was \$500,000 to fund the annual required contribution, which they did not have. Mr. Janku understood that was in addition to the \$5 million liability. Mr. Hemmelgarn thought that would address the \$5 million. Ms. Fleming explained that meant the City would not meet the actuarial required contribution because it was not in the new budget.

Mr. Janku asked if they knew the period of time it would take for some of the 100 or so to be eligible for Medicare. Mr. Hemmelgarn replied he did not have access to that information. Ms. Buckler noted Police and Fire could retire in their 40's if they started when they were young. Mr. Hemmelgarn explained they could retire after twenty years with normal retirement.

Mayor Hindman understood people retiring before age 65 would be added to that group. Ms. Buckler stated they would have people coming and going. As people reached Medicare eligibility, they would leave and others would be added. Mayor Hindman thought they could expect the group to include about 100 people all of the time. Ms. Buckler stated that was not true because as they grew, they would have more of everything.

Mr. Hemmelgarn stated he had talked to several retirees in the pre-65 group who were planning on getting out on January 1 because they could get comparable health insurance through a private firm. He noted they did not have pre-existing conditions that would prevent them from making that move. He commented that this was part of the concern. If more people chose to get out or not get in when they retired due to the costs being higher than what they could get elsewhere, it would leave only those people with pre-existing conditions who did not have the opportunity to go anywhere else. This would further reduce the size of the pool and put more of a burden on the unfunded liability. It would create a pool of higher risk on average. Ms. Buckler pointed out half of the pre-65 retirees took the City's insurance. The other half took it from another employer or from a spouse's employer plan. Mayor Hindman understood the group of about 100 took the City's plan and another 100 already went to other health insurance providers.

Mr. Janku understood the goal was to eliminate the subsidy to the active retirees in five years and asked if that was realistic or if it was something that could be accomplished sooner. Ms. Buckler replied she could not guess what would happen in five years, but noted that when they went through the calculations for the budget, five years seemed to be reasonable. Ms. Fleming explained it was part of the overall personnel package, so they would have to make choices with regard to the benefits being provided. They could not treat health insurance by itself. It was all a part of the total pay and benefit package.

Mr. Janku understood pre-65 people that were currently employed would be eligible to participate in this separate pool being established when they elected to retire. Ms. Buckler stated that was correct. She explained they would just go to a different rate plan than the active employee. Mr. Janku noted new people could be coming in. Ms. Buckler stated new people would be coming in, some people would chose to go out and some would become Medicare eligible moving out to the supplemental plan.

Mr. Janku asked if the City did not have a subsidy for active employees, if they could put non-Medicare eligible retirees into the same pool. Ms. Buckler replied the subsidy to the active employees was not a GASB concern at all. Mr. Janku thought the problem involved the City charging a premium to the retirees that was equal to the active employee premium. Ms. Bucker stated the retirees were paying the same amount for insurance as the active employees paid. Ms. Fleming explained GASB was interested in the premium structure – i.e. what the premium should be for active employees and what a premium should be for retired employees. The City, as a budget decision, decided to subsidize dependant coverage for active employees. This had nothing to do with GASB because they knew what the premium structure should be for active employees and their various types of coverage. They were two totally separate issues.

Mr. Watkins explained before GASB, there was one insurance pool for all employees and any retiree who elected to stay with the City. There was one rate for an employee, another rate for an employee and spouse, and various rates for combinations of dependants. These were the same across the pool. As people aged, their health care costs generally went up. The City found they were subsidizing the spouse coverage and the dependant coverage because the City contributed the cost of the employee. If the employee elected to have spouse or dependent coverage, the employee paid for that. If the City put more in than

they should have or needed to, they could charge less for dependant and spouse coverage. Retirees just paid the cost that was charged to everyone else. The City was not paying for the cost of health insurance for the retirees. They were allowing the retirees to piggyback on the pool.

Mr. Janku wondered if they eliminated the subsidy to the employees if that meant there would not be a subsidy to the rate charged to the employee individually. He wondered why the same rate could not be charged to an employee and retiree of the same age, health history, etc. He did not think that would involve a subsidy. Ms. Fleming explained if they eliminated the subsidy for dependant coverage, the premiums would have to be picked up by the active employee so the active employee would have less take home pay. They could redirect those resources they were allocating toward a subsidy for dependant coverage for active employees and use it to further subsidize the retirees, but the premium structure was the premium structure and GASB would separate the pools and calculate what the premium structure should be regardless of what they charged. In addition, the actuaries would say this was the liability for this group. The liability was determined by who was paying what. Mr. Janku thought they were already trying to eliminate the subsidy for active employees over a five year period. Ms. Fleming stated the City could have done that this year and had a cost savings because the City's obligation was to pay for the health cost of active employees and that premium went down. If the City had decided to only contribute for active employees, they would have had money in the budget to spend somewhere else.

Mr. Janku asked what was meant by eliminating the subsidy over five years. He wondered if it would apply to single, spousal or dependent coverage. Ms. Buckler replied subsidies were only for dependant coverage. The single coverage was currently paid completely by the City. That amount went down from about \$500 to about \$300 when they looked at what the rate should have been. Ms. Fleming stated the only thing eliminating the subsidy for active dependant coverage would do was increase the cost to active employees and save the City money. That money could be redirected to fund this liability, but it did not change the amount of the GASB liability. Mr. Janku thought if they had an unsubsidized employee rate, they could establish that was not a subsidy to the equal retiree. Mayor Hindman thought Mr. Janku was asking if they had an active employee and it cost a certain amount to insure that active employee, why it did not cost the same for the retired employee of the same age, etc. Ms. Fleming stated the actuaries took that into consideration when calculating the premium. She pointed out the City did not charge different premiums by age. They were either active or retired. Mayor Hindman wondered why the premium was different if they were the same age. Ms. Fleming replied it was because the retiree was in a pool of people who were older and the active employee was in a pool of people who were younger.

Mr. Janku understood the State of Texas was leading a movement to repeal GASB 45. Ms. Fleming stated the State of Texas had made the decision that the State financial statements would not reflect the GASB liability. They were going to ignore it. The City was waiting to see what the financial market would say about that. She pointed out the cities in Texas did not have the clout or financial resources to do the same. They asked that the legislation be changed to allow them to recognize this liability because although the State of Texas had resources and a AAA rating to absorb the liability on the balance sheet, the cities

did not. Mr. Janku asked for an explanation of GASB. Ms. Fleming replied GASB stood for the Governmental Accounting Standards Board and they determined generally acceptable accounting principles. She explained that when the State of Texas had their audit, the auditors would give them a qualified opinion because they were not following these generally accepted accounting principals and a qualified opinion had an effect on bond rating.

Mr. Skala understood this was determined by the pool they were associated with, so if younger people were in the group one was associated with, there would be a difference. Ms. Buckler agreed and noted it was the make up of the group.

Mr. Janku thought this could impact a person's decision of whether or not they should retire. Ms. Buckler agreed it could have an impact on retirement patterns, but did not feel she could predict the pattern. Mayor Hindman asked about a person with disabilities because he assumed they would have a higher rate. Ms. Buckler replied the person would not. Their premium calculation would be dependent on the group they were in. Mayor Hindman asked about a retiree under the age of 65 with disabilities. Ms. Buckler replied they would be on social security disability and would be Medicare eligible. Mayor Hindman asked if that person would be in the pool with the active employee. Ms. Buckler replied no. That person would be in the pool of pre-65 retirees until they hit 65 years of age. She reiterated the City was a secondary payer for that. Medicare was the primary insurer. Mr. Janku thought that meant they would less likely impact the premium since the City was the secondary payer. Ms. Buckler stated it should not hurt the City.

Mr. Wade asked if the retired Medicare eligible were currently in a separate class. Ms. Buckler replied no. She explained they were in the City health insurance plan, but would pay a lower premium when they became Medicare eligible. She reiterated they were in the same pool today.

Mr. Wade understood to meet the requirements of GASB, the City would create three rate groups - Medicare eligible, retirees under 65 years of age and active employees. Ms. Buckler explained they would have two rate groups in the City plan. Those that were eligible for Medicare at age 65 and were not disabled would move completely out of the City's health plan and into a Medicare supplement plan that the City would sponsor. Mr. Wade understood a retiree automatically went into that when they became 65. Ms. Buckler stated that was correct. Mr. Wade understood the two rate plans would be for the under 65 non-Medicare eligible retiree and the active employees. Ms. Buckler stated that was correct and noted those two rate structures would be in the City plan.

Mr. Wade stated the data from the City's actuary indicated the medical premium rate increases would not be much different between the two groups. He understood the Retiree Insurance Task Force was not accepting that data and wondered why. Mr. Hemmelgarn explained the shift of liability would go somewhere and he thought it would go to the group of retirees left in that pool. In addition, they were on the margin of being more expensive than going to private insurance. This would cause less people to join the group and some people to leave the group, so the group would get smaller and the concentration of the group would include people with disabilities or health problems preventing them from going to a private plan. This smaller group with higher risks would increase the rates.

Ms. Fleming pointed out the \$500,000 was not the excess cost of just the 100 or so people. It was so the City had the money set aside in a trust or plan for an active employee when the active employee retired. It was similar to the requirement of paying into a pension plan. GASB was requiring health care costs to be fully funded when active employees retired as well. Saying the \$500,000 liability would fall only on the group of 100 or so was not an accurate statement. A significant portion of the liability was to make up the difference of what was needed in the bank for the active employees when they retired.

Mr. Wade understood the actuarial data was dependant upon the change in health care system costs which was shared by both groups versus a change in the funding of the medical plan for the retirees. Ms. Fleming stated the actuarial data depended on a number of assumptions to include an assumption of increased costs in health care and trends on those costs. It also assumed the number of people in the pool, mortality rates, etc. Ms. Buckler explained this was why it had to be recalculated every year.

Mr. Wade asked if a pre-65 retiree in good health left the system, if they could come back into the system at a later date. Ms. Buckler replied no and noted that was considered in the assumptions. She pointed out those that were out would have six months to come back in if they chose to do so.

Mr. Hemmelgarn stated he thought the difference in liability was \$5 million and funding that liability was \$500,000 annually. Ms. Fleming commented that the majority of that portion of the liability was for active employees. It was not on the group of retirees. The City was required to recognize the entire cost of the employee during their working lifetime.

Mr. Janku commented that he agreed with Mr. Hemmelgarn with regard to how the pool would behave. The people with possibilities of lower premiums would leave or not join, so the group would be left with a higher premium. Ms. Buckler noted they were all assuming the plan would stay the way it was forever. She pointed out the cost of the insurance was high for everyone, not just retirees. For the 2009 plan year, the City would be going through a benchmarking process with other municipalities of the same size to look at benefit structures, etc. in an effort to bring the premium down for everyone. She pointed out this would not just hurt retirees. It would hurt actives as well. She commented that if the subsidies were taken away, there would be active employees that could not afford health care.

Mr. Wade understood the Council needed to decide whether to go with this recommendation or make some accommodation to the concern of the current pre-65 retirement group. Mr. Watkins pointed out that would necessitate a significant change in the budget.

Mr. Janku commented that he agreed with what Ms. Fleming stated with regard to the negotiation issue. He did not think these people would be acceptable to that. He understood this year was not the problem as the rates were relatively stable. He did not believe they could direct staff to negotiate further without causing problems. He noted they were free to lobby their Council representatives to express their concerns.

Ms. Buckler pointed out that when this was completed, the Council would need to adopt a resolution indicating how this issue would be addressed. She thought she shared a

draft of what was being proposed at a previous Council work session. The resolution would come to Council for consideration in December because it was needed for bonding.

Mr. Janku understood something would be done for the FY 2009 budget to potentially hold down premium increases for employees. Ms. Buckler stated they would go through a process to see what the benefit structure looked like and whether they were paying too much or too little for coverage for things they paid claims on. They would also look at ways they might change things to save the plan money because if they saved the plan money, the premiums would not have to increase. They would look at things like deductibles, etc.

Mr. Skala noted this had been going on for over a year with a lot of time spent by staff and other participants in its analysis, so he was having a hard time coming up with a solution that had not already been thought of given the budget constraints.

Ms. Hoppe understood if they approved this, it would come before them again with revisions next year. Ms. Buckler stated the health plan came before Council every year with revisions.

Ms. Nauser understood the premiums would not change too substantially for retirees this year. Ms. Buckler stated premiums increased 10 percent for everyone on November 1. This would put an additional five percent on the pre-65 retiree group. Ms. Nauser asked how much that was. Ms. Buckler replied for single coverage the total difference was \$61 and the other difference was about \$20 per month.

Mayor Hindman stated one of the issues they faced was the lowest paid employee would face the same premiums as the highest paid employee, which was a serious injustice because they would be receiving a pension based on a lower pay scale, and the cost of medical after retirement could be a very substantial part of that pension.

Mr. Wade stated he was sympathetic with the agreements from the pre-65 group, but felt they needed to move toward the adoption of this Council bill. He noted the City was continuing to provide substantial medical premiums unlike many private companies that were looking for any way to get out from under medical care for retirees and hoped they never had to treat employees like some of the private corporations had. He pointed out they had to meet the GASB requirement and move on. Until data started to change, he would accept the analysis of the City's actuary. He noted they would look at this annually. He wished he saw a way out that would give more consideration to the concerns raised, but since he did not, he would support the adoption of this bill.

B379-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B380-07 Amending Chapter 24 of the City Code to add a new section on use of alleys for primary access to buildings or units of buildings.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this would change the Code to allow the use of alleys for primary entrances if the City Manager determined the alley could accommodate emergency vehicles, water and ice did not accumulate in the alley, satisfactory arrangements had been made for snow removal and the proposed use of the building or unit would not interfere with the use of

the alley for trash collection or utility services. He noted they tried to set standards for when an alley could appropriately be used for its primary entrance.

Mr. Janku asked if they would develop standards through staff and/or boards and commissions, such as the Building Construction Codes Commission. With regard to emergency vehicle access being restricted, he thought the Building Construction Codes Commission could discuss a sprinkler requirement being added to the Codes to adjust for it. He believed there might be other options to address other concerns as well.

Ms. Nauser asked if this was an interim policy because she envisioned this being more intricate with clear specifications, so everyone was on the same playing field. If an alley needed to accommodate emergency vehicles, she thought specific widths would be provided. She felt these standards were subjective. Mr. Watkins suggested the Council defeat this item. Mayor Hindman asked if that was with the idea of more work being done. Mr. Watkins replied no. He stated he did not see any reason to do anymore work since they had just issued two permits to the most problematic alley they had in that it would not meet any reasonable standard. He did not think it was appropriate to hold someone else to a different standard. Ms. Nauser noted this was her concern when this was previously discussed.

Ms. Nauser asked if the naming of the alleys was with the Historic Preservation Commission. Mr. Watkins thought it was.

Mr. Skala stated he thought the decision made at the last meeting was based on a promise being made several months ago contingent upon the alleys being named. He asked if that was justification for providing some future guidelines as to how they wanted the alleys to develop since no one else was waiting or promised something that was not delivered. Mr. Watkins wondered what they would do with someone next to the properties already approved that wanted a primary entrance off of the alley. Mr. Skala agreed if it was in this particular alley, there was no choice. Mr. Watkins pointed out staff believed this was the most problematic alley. He commented that the issues were raised, there was a good discussion of those issues and the Council elected to proceed because they felt the positive outweighed the negative. Mr. Skala understood he was suggesting there would not be any problems in any other alleys. Mr. Watkins stated no, but noted these were the worst. Ms. Nauser pointed out that was her argument at the last meeting. They allowed people do things without policies in place and this was the result. No one wanted to stop and put a policy in place based on what was perceived as promised to someone several months before.

Mr. Wade stated he did not want to move ahead at the last meeting without this in place. He wondered why they had dealt with only one alley regardless of it being considered the worst or the best and why they would still not want criteria in place for the future twenty-one alleys. Ms. Nauser explained they enacted, by defacto, an ordinance that made a set of people exempt to any criteria that would be placed on anyone in the future, which was unfair. Mr. Wade noted the Council changed laws all of the time. Mr. Janku thought there needed to be a mechanism to exert some control so when there were problems, they could be corrected as part of the process.

Mr. Wade thought this potentially did two things. It set criteria and took it away from Council and made it a function of operations, which was where the decision should be made.

He did not think the Council should be determining whether an alley was eligible or not. Staff should be doing that.

Ms. Nauser commented that with regard to balconies, they had decided to approve right of use permits until a policy was established. She did not think they needed to scrap this because there were twenty-three other alleys. She did not like the fact they let a couple people move forward making them exempt. She noted if there was any type of redevelopment, they would then have to come into compliance with the established criteria. She thought these were issues they needed to discuss because there were a lot of alleys that were not in good condition.

Ms. Hoppe stated when reading these categories, she felt they were holding alleys to a higher standard than streets. She commented that water and ice accumulated in the street and there were some sidewalks without snow removal. In terms of emergency vehicles, they could look at the width of the street or at their vehicle fleet to determine if flexibility could be created there. With regard to trash collection, she thought there were creative and innovative ways to deal with it. She suggested they get the stakeholders together to come up with a working plan for the use for the alleys, determine what improvements needed to be made, how the improvements would be paid for, etc. She noted she felt there was great potential in the alleys. She understood costs were involved, but those costs could be shared. She did not believe this was a plan.

Mayor Hindman stated he agreed with Ms. Hoppe. He noted he had promoted allowing the permit to be issued and believed they did the right thing. He felt the alleys were an opportunity for some real innovative activity. He did not think they wanted to create obstacles to innovation with a policy that would prevent it and the use of the alleys. He agreed they needed to look at some sort of standards, but did not believe this was it. They needed standards that did not stop innovation, but still dealt with public safety and health. He stated he was opposed to adopting these as they were, but was in favor of working with the downtown people to come up with some standards.

Ms. Nauser understood they were shifting the use of alleys from cars to pedestrians and believed there needed to be things to accommodate that, such as the snow removal. She noted they required people to clear snow on the downtown sidewalks. Mayor Hindman pointed out they required snow be removed from the sidewalk, but did not require someone to have a satisfactory arrangement for it to obtain a building permit. Ms. Nauser agreed and stated she was suggesting an ordinance indicating snow would be removed, but how it was done was up to them. Mayor Hindman commented that they would have to decide whose obligation that would be.

Mr. Skala stated the business community, a majority of the Council and many citizens were headed in the same direction in trying to have a better downtown, so the stakeholders group would get together to try to address some of these issues. He felt some of these things might not be able to be accommodated. He did not think they had a broad enough outlook to determine where they wanted to go and how they might solve problems in getting there. He noted he agreed with Ms. Hoppe and the Mayor Hindman in that this was a much better approach in getting utility and benefit to the community.

Mr. Janku understood there would be no opportunity for people to apply for building permits until the alleys were named even if this were defeated, so there was time for the stakeholders to get together. Mr. Skala agreed that was true for alleys other than Alley A. Mr. Janku felt once the alleys became more active areas, this detriment would be taken away from the downtown. He thought it was a positive to move forward and believed they had some time to develop this.

Mr. Wade stated he was perplexed that people were looking at this as a stakeholders planning process. He did not believe they were planning alleys as that would be done by the private sector in terms of the decisions they made. They were determining whether there were any fundamental issues with regard to public health and safety that needed to be in place for private sector planning because they did not have anything now. He commented that these were not streets, but alleys. He believed the City should be determining the minimum standards of health and safety that needed to be in place as the innovation and planning was done by the private sector with regard to their investment.

Ms. Hoppe stated she did not feel this was any more a private sector decision as the Sasaki plan was. The City had an opportunity to guide, direct and create a vision and encourage implementation and development in these areas in a way the community would like to see it developed to include it not being an eyesore, walkability, etc.

B380-07 was given third reading with the vote recorded as follows: VOTING YES: WADE. VOTING NO: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA. Bill declared defeated.

**B381-07 Confirming the contract with GBH Construction for construction of Fire Station No. 7 located at the northeast corner of Green Meadows Road and Green Meadows Circle; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Watkins explained a public hearing had been held earlier this year with regard to the replacement of Fire Station No. 7 at Green Meadows. Based on the plans approved by Council, staff went out for bids. The resolution estimate for the project was \$1,450,000, but the low bid came in at approximately \$2,011,000. He noted they did not have the additional money available for this project. He stated this was a ballot issue project approved by the voters in 2005. Staff was proposing a cut of \$245,000 from the project. A substantial part of the cut involved changing the LEED certification from Silver to just LEED certified. Mayor Hindman asked if they called that LEED Bronze. Mr. Watkins did not believe there was a Bronze. Ms. Hoppe understood that was the lowest level. Mr. Watkins agreed. He noted they were complying with the new storm water ordinance, which they technically did not have to comply with but elected to do, and were suggesting to cut out the underground tanks with pumps and cut back on the pervious pavement. He stated they were also suggesting they apply the appraised value of the land of the current fire station to this project as a revenue source to offset some of the expenditures. He noted they also looked for other places to apply funding. He pointed out the Fire Department creatively replaced their bus by purchasing and retrofitting it without a lot of money, so the money that was associated with it would be applied to this project. He commented that the lot was bigger than originally anticipated and required more sidewalk, so they were proposing to fund the extra sidewalk

from the sidewalk program. With those suggestions implemented, the project would be budget balanced.

Mr. Glascock pointed out some storm water money was included in the budget for innovative design and they were asking Council to consider using those funds to put some of the storm water features that were cut out back in.

Erik Miller of Peckham & Wright Architects, 15 S. Tenth Street, explained they used Fire Station No. 8 as the prototype for the design of this fire station while taking the concerns of the neighborhood and LEED certification into account and made some comprehensive changes. He noted they made collective presentations to the neighborhood for input and opinions with regard to how this station should be comprised on the site. In utilizing the LEED guidelines, they worked to design a project that would be certified through the U. S. Green Building Council. He believed this process gave the City a station that would last for the next 50-100 years. He commented that the bids were over budget, but the three low bids were within 3 percent of each other and the eight low bids were within 10 percent of each other. He thought the important thing to remember about a fire station was that it was a tool for firefighters to protect lives and health safety, so it was important these buildings met certain criteria. He commented that through the value engineering process, they were able to identify possible deducts for the project by omissions or changes of about \$245,000 without affecting the ability for LEED certification. He pointed out part of LEED certification was the responsibility of the contractor and they would follow the contractor to continue to look at things in an attempt to achieve points wherever possible. If they could make this a LEED Silver building, they would do so. He noted they were also continuing, as a team, to look at ways of reducing costs for the project. The list of items they put together was substantial and helped them get the project back to where they were comfortable.

Ms. Hoppe asked what they were now not doing that they would have otherwise done in going from Silver to the base LEED certification. Mr. Miller referred to the overhead and noted there were four definable items. Those included a reduction in landscaping, a reduction in porous concrete, although they wanted to get that back as an innovative item, the removal of a bio detention/retention basin and the removal of an underground storage tank. These were the largest expenditures within the bids. He noted the underground storage tank was to be used to capture rainwater from the roof, which would then be used in the process of irrigation for native plantings.

Ms. Nauser asked if the bio detention was the rain garden. Mr. Miller replied yes. He stated they were trying to find ways to bring that back into the project because they wanted to provide innovation for LEED and better meet the storm water criteria.

Ms. Hoppe asked when this would be constructed. Mr. Miller replied the designated completion date was October 1, 2008. Ms. Hoppe understood there would be funds available for rain gardens by June of 2008. Mr. Miller stated they believed the site was within the Hinkson Creek Watershed and had expressed an interest in different grant opportunities, but had to run through the processes.

Mr. Skala stated a few months ago there was a project in front of the Council for the Columbia Mall that involved a parking lot with porous pavement and underground tanks and asked if that was the same technology he was referring to with this project. Mr. Miller replied

yes. Mr. Skala noted that would be a public/private demonstration. Mr. Miller understood that was exactly what staff wanted it to be. They were looking for new and different ways to solve storm water issues and this was a product that seemed promising.

Ms. Nauser understood they would be meeting the storm water ordinance. Mr. Miller replied yes. It was one of the goals. Ms. Nauser asked how that would be accomplished. Mr. Miller replied there were other ways apart from creating a bio detention basin. They could work with the actual plantings. He noted their civil engineer was working with Public Works in an attempt to define the appropriate BMP's. This would have been a way to demonstrate the types of things they could do while giving them LEED innovation points. They dropped it because of the price and the fact they could meet the ordinance and other LEED requirements with a lesser basis.

Ms. Nauser understood staff was recommending the porous pavement as opposed to the water detention. Mr. Glascock stated they wanted to review it to determine which would give them the most for their money with regard to water quality. They liked the bio detention cell and the pervious pavement. They felt either one of those would give them good water quality. He noted water drained to this site from other sites, so they needed to manage that water as well.

Ms. Hoppe asked if they were doing anything with the U. S. Environmental Protection Agency (EPA) with regard to the Energy Star building program. Mr. Miller stated he was aware of those standards and there were very few things they could affect with the exception of Energy Star appliances, which were not in the contract. He commented that they had not looked into that process for the project, but could. Ms. Hoppe stated at the National League of Cities Conference, a representative of the EPA addressed this program and indicated people typically thought of Energy Star in appliances, but there were Energy Star buildings with passive solar, etc. Mr. Miller explained there were not as many opportunities in this project for them to institute some of those things. The most cost effective solar item would have been solar water heat, which they discussed, but could not support since they were close on budget. Mr. Watkins explained they were salvaging quite a bit out of the existing Station No. 7 with regard to appliances, generators, etc. Ms. Nauser thought that was prudent of them in these tight budget times. Mr. Miller noted one of the points they would try to garner was "reuse" since they were moving switch gears, generators, appliances, etc., but was not sure they would be able to get it.

Mr. Janku understood a second station was planned and wondered if they would be able to fund it. Mr. Watkins commented that they had discussed what this would do to Fire Station No. 9 at Blue Ridge. They thought there were some differences in the sites with Station No. 9 having less site costs. Mr. Janku noted the sidewalks were in place. Mr. Watkins agreed and noted the site sat higher, so they would not have to deal with storm water from other lots. They still felt there would be a significant gap and were working on how to fund it. Mr. Janku stated he wanted to make sure when it was built, it had the same standards in terms of LEED certification, etc. as this station. He commented that it was nice to think about what they could do for this one, but they had a second one they needed to consider. Mr. Watkins noted they also had another station scheduled for 2014 and pointed out he was more concerned about having funds to operate the stations.

Mayor Hindman understood there was a possibility of using storm water funds to assist with this. Mr. Glascock stated funds were set aside in the budget for an innovative storm water feature and they were suggesting it be used toward this project. They thought the bio retention cell or the porous pavement would be a good feature for City property. Mayor Hindman asked what would need to be done to accomplish that. Mr. Glascock replied he would check to see if it needed to be appropriated, so it might have to come through a separate bill. Mr. Janku asked if that was what started out as the rain garden initiative. Mr. Glascock replied yes and noted a bio retention cell was a big rain garden.

Mayor Hindman understood they would also be looking for money from other sources. Mr. Glascock stated yes and explained they could talk to people at the 319 and the Hinkson as suggested by Ms. Hoppe. Mayor Hindman understood they could go ahead and pass this without interfering with those activities.

B381-07 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

## CONSENT AGENDA

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

- B359-07**     Authorizing Safe Routes to School Program Agreements with the Missouri Highways and Transportation Commission.
- B360-07**     Vacating a drainage easement located within Madison Park Plat 1; accepting a conveyance for drainage purposes.
- B361-07**     Vacating a sanitary sewer easement located within Madison Park Plat 1; accepting a conveyance for sewer purposes.
- B363-07**     Authorizing the City Manager to apply to the United States Department of Transportation Federal Aviation Administration for airport capital assistance grants.
- B364-07**     Authorizing a right of use permit with Woodland Hills Properties, LLC for construction, improvement, operation and maintenance of landscaping, including an irrigation system, lighting, electrical conduits and water service lines, within Frontgate Drive right-of-way.
- B365-07**     Authorizing a right of use permit with Fairway Meadows Corporation for construction, improvement, operation and maintenance of landscaping, including an irrigation system, lighting, electrical conduits and water service lines, within Duckhorn Way, Fitz Court and Ivanhoe Boulevard rights-of-way.
- B367-07**     Authorizing a right of use permit with Old Hawthorne Community Association, Inc. for construction and placement of customized street naming signs located in the public rights-of-way located within the Old Hawthorne subdivision.
- B368-07**     Accepting conveyances for scenic conservation and temporary access purposes.
- B369-07**     Authorizing Change Order No. 1 to the contract with Emery Sapp & Sons, Inc. for construction of water mains along Holly Avenue from Parker

**Street to Oakland Gravel Road and Oakland Gravel Road from Paris Road to Grace Ellen Drive.**

- B370-07 Authorizing Change Order No. 1 to the contract with Emery Sapp & Sons, Inc. for construction of the Hillsdale Pump Station and 24-inch discharge main under I-70.**
- B371-07 Accepting conveyances for utility purposes.**
- B375-07 Accepting a Trim II Grant from the Missouri Department of Conservation; appropriating funds.**
- B377-07 Authorizing an agreement with Boone County for Joint Communications clerical services.**
- B378-07 Accepting a donation from the Stafford Family Trust through the Columbia Police Foundation to be used by the Police Department in a proactive auto theft program (Bait Car Program); appropriating funds.**
- R261-07 Setting a public hearing: construction of the Maguire Extension Project (replacing the LeMone Industrial Boulevard Extension Project).**
- R262-07 Setting a public hearing: construction of the Brandon Road Phase I storm water management project.**
- R263-07 Setting a public hearing: considering an amendment to the FY 2007 Action Plan for HOME funds.**
- R264-07 Authorizing the City Manager to make FY 2008 Certifications and Assurances for Federal Transit Administration assistance programs.**
- R265-07 Authorizing an agreement with The Curators of the University of Missouri relating to the extension of Gans Road through the South Farm property.**
- R266-07 Authorizing an agreement with Consolidated Public Water Supply District #1 relating to the relocation of water mains as part of the Gans Road interchange project.**

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

**NEW BUSINESS**

- R267-07 Authorizing an agreement with First Night Columbia, Inc. for support of the New Year's Eve Celebration; authorizing the City Manager to provide City support services.**

The resolution was read by the Clerk.

Mr. Watkins stated this was a resolution authorizing staff to contract with First Night Columbia, Incorporated, which was a non-profit organization, to conduct the First Night festivities, to disburse the \$9,000 in this year's budget and to provide support services for the event. As in the past, First Night Columbia would provide 800 passes to various social service agencies for distributions to their clients. In addition, anyone who volunteered received a free pass.

Ms. Hoppe asked if this was the same amount as last year. Mr. Watkins replied yes.

Linda Green, 206 Anderson Avenue, stated she appreciated the hard work of the First Night Committee in bringing quality events to First Night in Columbia. She commented that the City taxpayers were again being asked to contribute to the First Night event next month. She understood the stated goals of First Night were to bring the community together and to unite the community through a shared cultural experience. It was a time to celebrate the New Year, strengthen diversity and use the power of the arts to engage and inspire. It was also a time to transcend the boundaries of age, gender and social status. To meet these goals, she believed everyone in the community needed to be invited and be economically able to attend. Currently, the admission fee was \$8 per person in advance and \$10 per person on the night of the event. Children ages seven and under were free, but could not attend unaccompanied. She felt this economic barrier prevented many of Columbia's citizens from attending, particularly families in the First Ward. They understood it would be impossible to make First Night free to everyone this year and asked the City to grant the \$9,000 and the extensive in-kind taxpayer contribution for this year's event with the stipulation that thousands of free vouchers be advertised and made available to the public between now and the end of December through increased locations and organizations. They were also requesting the contract between the City and First Night Columbia, Inc. require the First Night Board to meet with concerned individuals and organizations, so they could together pursue adequate funding to allow a free First Night event for 2008 into 2009 and thereafter. A public event that allowed everyone to participate and celebrate would truly create a sense of community they all wanted for Columbia. She commented that the letter she read was signed by Grass Roots Organizing, the Ridgeway Neighborhood Association, and the Imani Center and Destiny of Hope. She provided a copy of the letter to Council and noted the paragraph with the stipulation they wanted added to the agreement was marked.

Greg Ahrens, 1504 Sylvan Lane, stated he was the President of the Board of Directors of First Night Columbia, Incorporated, a not-for-profit corporation and 501(c)(3) organization, and thanked the City for its long term support of this festival as the City was integral in the success of the event. Without the support of the City, the event would be difficult, if not impossible, to produce. They were also thankful for the volunteers, who spent the entire year planning the event and worked the night of the event, the sponsors, churches, Stephens College, Boone County, etc. that provided spaces for them to use. He noted he had been involved with First Night since 1993. He explained First Night provided a safe way for many to celebrate the New Year. This concept was created in Boston in 1976 and there were more than 120 First Night celebrations nationally and internationally. This year, in Columbia, there would be more than 70 high quality performances, activities, etc. in the District and at Stephens College. There would also be two fireworks displays, two processions and a venue for teens at the Armory. This event attracted 12,000 people last year and generated over \$1 million. The audience included all ages, ethnic backgrounds and abilities. A survey indicated 18.6 percent of attendees were children, 11.5 percent were teens, 57.6 percent were adults ages 20-64 and 12.3 percent were seniors. He pointed out 20.5 percent of attendees were from outside of Boone County and 38 percent of those stayed in a hotel room. He noted First Night had seen steady growth and was featured in Midwest Living magazine as one of three notable New Year's Eve celebrations in the Midwest. Support for this event came from the

City, the State through the Missouri Arts Council, private businesses, foundations and the people who purchased admission buttons. He stated numerous passes were distributed each year with 225 going to the Voluntary Action Center for its Christmas baskets. Passes were also distributed to other organization that supported people of low incomes, disabilities and drug or alcohol addictions. He commented that they had not received complaints regarding the price as \$8 was a bargain for the quality and abundance of entertainment available. The First Night Board listened to GRO's proposal of making First Night a free event in June and decided against it because the buttons and passes provided a way to control crowds that could otherwise cause unsafe and overcrowded conditions. He noted First Night was a safe festival with little police involvement. In addition, space was limited for the indoor events. He reiterated they provided numerous passes and also gave free passes to those who volunteered. Sponsors, performers and the 5K run participants also received free passes. He asked the Council to pass the resolution as written and pointed out the buttons went on sale on December 1, 2007 and were available on-line at [www.firstnight.missouri.org](http://www.firstnight.missouri.org).

Ms. Hoppe understood the City was allocating \$9,000 and wondered what the total cost of the event was. Mr. Ahrens replied this year's proposed budget was about \$83,500. Ms. Hoppe asked if that included free advertising. Mr. Ahrens replied that was the actual money budgeted. In-kind was not written into it. Mr. Janku asked if the free space provided was included. Mr. Ahrens replied no.

Ms. Hoppe asked where free tickets were advertised for those who did not have the funds to purchase them. She wanted to ensure those who could not afford to attend had access to these tickets and that there were enough for those who might want to attend. Mr. Ahrens replied they did not advertise, but tried to get more information out over the years. He noted the flyers they passed out during the parade indicated volunteers could obtain free passes. Mr. Janku asked if people could contact First Night to inquire about the passes. Mr. Ahrens replied they could and contact information was available at their website.

Jane Accurso, 601 Spring Valley Road, stated she was the Director of Entertainment for First Night, a member of the Ironwood Bluegrass Band and the mother of five children. With regard to families on challenged budgets, she explained her children, while growing up, were in a one income family home in the First Ward and there were a lot of things the family wanted to attend. She stated she chose to teach her children the importance of volunteering at a young age in order to realize their self value. She noted a lot of families to include children had volunteered for this event and that enabled them to receive free passes to the festival. She noted the volunteer time was only for half of the evening, so they could enjoy the rest of the evening together as a family.

Ms. Hoppe asked if 800 was a consistent number of free passes over the past few years. Ms. Accurso replied they hovered around that number. Ms. Hoppe thought as the population increased, that number should increase and wondered if that was possible. Ms. Accurso replied it was a possibility and would be something for them to look at. Ms. Hoppe asked if it would be a problem to obtain a list of which agencies had been given free tickets, so people knew where to go to apply for those. Ms. Accurso replied she could discuss that with the Board. From a personal view with regard to her work ethic, she explained she

preferred to stress the volunteer route because she felt that gave more to the community and individual as a whole. She realized not everyone could volunteer for that length of time and thought that was an issue they could discuss with the Board.

Mayor Hindman asked if there had been a demand for free passes they had not been able to fill. Ms. Accurso replied not to her knowledge.

Mary Hussman, 5306 Rice Road, stated First Night was a fun activity and should be available for everyone. She believed the reason the free pass did not have much demand was because they were not listed on the internet. Many did not know they were available or how to obtain them. She thought they should ultimately have a free First Night like Austin, Texas so everyone could take full advantage of it.

Mayor Hindman stated he thought First Night was a great event. He noted it provided a tremendous amount of benefit to the arts community, was a community wide and safe event, was a way to avoid the use of alcohol and was heavily subsidized. He understood there were paid people in charge, but the volunteers were everywhere and space was free. They did have to pay for the entertainers. He believed volunteering was a great way to handle admissions for those who could volunteer for a couple of hours. He agreed it would be nice if it was a totally free event and that might be possible as it grew and had more sponsors. The City put in about 10 percent of the cash budget. He did not think there was anything wrong with making the availability of free tickets more widely known, but did not believe they could make it a free event at this time. In addition, he agreed they needed to have a certain amount of control over the amount of free tickets available because if it was too widely available, they would not be able to sell any badges.

Mr. Janku stated he asked the City to look into this many years ago. He thought the people involved had heard the comments and would do the right thing. He noted they had a tough job in trying to convince people to give them money, space, etc. He reiterated he thought they would do the right thing without the Council needing to micromanage.

Ms. Hoppe stated this was a great way to enjoy the New Year and believed the event organizers would take all of the comments made into account to try to ensure no one, who truly could not afford it or could not volunteer, was left out.

The vote on R267-07 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R268-07 Authorizing a project name and logo change for the non-motorized transportation pilot program.**

The resolution was read by the Clerk.

Mr. Watkins explained this was an attempt to broaden the umbrella under which the nonmotorized transportation pilot program occupied. The new name being proposed was "Getabout Columbia."

Mr. Glascock stated the nonmotorized project was for a modal shift. It was not just for bikes and pedestrians. It also involved transit and getting people to do other things. The previous name did not reflect what they were trying to do. The proposed logo shown on the

overhead screen was more of an action. The previous name was confusing for the PedNet Coalition and the Committee, so they were trying to make some separation.

Mayor Hindman understood the overall system to include the bus, the nonmotorized program, bicycle and street standards, etc. would all come under the name “Getabout Columbia,” but wondered if other things such as Bike, Walk and Wheel week would stay the same. Mr. Glascock replied it would. Mayor Hindman asked if it eliminated those kinds of names. Mr. Glascock replied no. Mayor Hindman understood the part where they had the trails might be designated within this program as the PedNet. Mr. Glascock agreed. Mayor Hindman noted there was some confusion with regard to where the money was coming from and how it was being spent. He suggested they put up signs indicating the money was coming from the federal nonmotorized pilot project when it did so people would understand. Mr. Glascock stated more items would come forward to include way finding, etc.

Ms. Hoppe noted the resolution language indicated this was authorizing a project name and logo for the nonmotorized transportation pilot program, but this would apply to mass transit as well. She felt there was a disconnect. Mr. Glascock explained the federal government called it the nonmotorized transportation pilot program, but the intent was for a modal shift – i.e. to get people out of cars with mass transit, sidewalks, bikes and other forms of transportation.

The vote on R268-07 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R269-07 Authorizing demolition of a dilapidated structure located at 2913 West Henley Drive; authorizing a special tax bill against the property.**

The resolution was read by the Clerk.

Mr. Watkins explained this was the end of the road for the City when dealing with a dilapidated property. The last thing they wanted to do was obtain permission from the Council to demolish a structure and place a tax bill against it, but in this case the owner had failed to respond to orders to bring the building into compliance. An administrative hearing was held in September. Staff’s recommendation was to demolish the property. He noted photographs of the property were on the overhead.

Mr. Janku asked if the exterior of a structure indicated the interior might have problems, if they could seek a search warrant for the interior. Mayor Hindman did not believe it was called a search warrant. Mr. Glascock stated it was a right of entry. Mr. Watkins stated it allowed them to go onto the property. He explained that most of what the staff did was from the public right-of-way, sidewalk and street. Mr. Janku asked if they could get a right of entry. Mayor Hindman replied they needed to get a court order. Mr. Janku understood. Mr. Boeckmann stated they were called administrative search warrants.

Mr. Skala understood there had been multiple attempts for contact and asked if there had ever been any response. Mr. Watkins replied he was not aware of any. Mr. Glascock thought the owner was in a home and siblings were taking care of it.

Mayor Hindman stated he was surprised it had been allowed to be this way for as long as it had. He noted the building, itself, could barely be seen because of the trees and bushes

that had grown up around it. It looked as though it was previously a really nice house as it had a lot of interesting features. He thought something should have been done a long time ago. He felt it could have been saved if something had been done sooner. He agreed this was a case of last resort but felt they should have arrived at it sooner. He thought it would be great if they could extract a history of the complaints that had been made about this property. He believed there was something wrong with the system to allow this to exist for so long.

Mr. Skala commented that since the City's system was complaint driven, the entire neighborhood might have been neglected. Mayor Hindman stated it was a nice neighborhood. Mr. Skala wondered how it could have gotten to this point if complaints had been filed. Mayor Hindman asked if there was a way to investigate the number of complaints filed on this property over the years. He thought the City's system was too timid in that they did not act as fast and thoroughly as they could. He noted with the receivership system, this could have been taken over a long time ago and saved.

Ms. Crayton stated there were several homes in the City that had been in that shape for a long time and they continued to sit. She noted there were two on Garth.

Mayor Hindman stated there was one behind this one on Isherwood and noted he had complained about that one several times. He thought they needed to step up this process somehow. Ms. Hoppe wondered if a work session was needed. Mr. Watkins stated more inspectors would be helpful. Mayor Hindman agreed and noted the inspectors should be paid out of inspection fees. Mr. Janku explained the inspectors kept coming by, but the problems never went away. He thought if they could get something done, the inspectors would not need to make repeat visits.

Ms. Crayton thought it was the same people each time not taking care of their property.

The vote on R269-07 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R270-07     Approving the Preliminary Plat of Moreau Meadows located on the north side of Thompson Road, east of Spring Cress Drive; granting a variance to the Subdivision Regulations.**

The resolution was read by the Clerk.

Mr. Watkins stated this was a preliminary plat for an eight lot R-1 zoned subdivision and noted the City had recently extended a sanitary sewer, which eliminated a lagoon. A variance was being requested to allow street construction without curb and gutter to enable them to meet storm water requirements. The Planning and Zoning Commission recommended approval of the plat and the variance for construction without curb and gutter.

Mr. Glascock pointed out the curb and gutter was removed because this was on a ridge. The water would drain toward other lots that had been platted, so they could receive complaints once this was built with regard to water draining from one property to another.

Mr. Wade understood the new street standards allowed for curbless streets. Mr. Glascock stated it did and they were in support. He just wanted to let them know they might receive complaints. Mr. Wade asked why a variance was necessary if the option in the street

standards allowed for curb and gutterless streets. Mr. Glascock stated it was not allowed on a local twenty-eight foot street. It was allowed on a minor arterial.

Tim Crockett of Crockett Engineering Consultants with offices at 2608 N. Stadium stated he was available to answer any questions regarding the variance.

The vote on R270-07 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

## **INTRODUCTION AND FIRST READING**

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

- B382-07**     Establishing a sidewalk maintenance and construction policy.
- B383-07**     Amending Chapter 29 of the City Code as it relates to light industrial and live/work units in District C-P and C-1 uses in District M-R.
- B384-07**     Approving the Final Plat of Vintage Falls Plat 2; authorizing a performance contract.
- B385-07**     Approving the Final Plat of Westchester Village Plat 1-A, a Replat of Lot 67 Westchester Village Planned Unit Development, located on the southwest side of South Village Circle, west of Bethel Street.
- B386-07**     Vacating electric, utility and water easements within First Tier Plat 1 Subdivision.
- B387-07**     Authorizing an amendment to performance contract for Bluff Creek Estates, Plat 7 with B & E Investment, Inc.
- B388-07**     Accepting certain streets for ownership and maintenance from the Missouri Department of Transportation.
- B389-07**     Authorizing acquisition of property for storm water control and for construction of Brown School Road, from approximately 300 feet west of Highway 763/Rangeline Street westward to Providence Road.
- B390-07**     Amending Chapter 14 of the City Code to establish an all-way stop at the intersection of Silvey Street and Worley Street.
- B391-07**     Authorizing a right of use permit with Mill Creek Manor, Inc. for construction, improvement, operation and maintenance of landscaping, including an irrigation system, lighting, electrical conduits and water service lines, within Thornbrook Terrace and Abbingdon Terrace rights-of-way.
- B392-07**     Amending Chapter 10 of the City Code as it relates to placement, screening and relocation of video service provider facilities.
- B393-07**     Appropriating funds from The Missouri Foundation for Health grant relating to Local Health Department Infrastructure Enhancement.
- B394-07**     Appropriating funds from The Missouri Foundation for Health grant relating to the 2007 Healthy and Active Communities Project.
- B395-07**     Appropriating donated funds for supplies for the D.A.R.E. program.

**B396-07**     Authorizing an amendment to the Cooperative Agreement with Boone County and Boone Electric Cooperative relating to establishment and operation of a Geographic Information System (GIS).

**B397-07**     Adopting the City of Columbia, Missouri, Money Purchase Plan; authorizing the Director of Finance to administer the plan.

**REPORTS AND PETITIONS**

**(A)    Intra-departmental Transfer of Funds.**

Report accepted.

**(B)    Statue of Liberty Replica.**

Mr. Janku stated there was one outside in a very public place in Jefferson City and wondered why the City's was inside.

Mr. Janku commented that he wanted a staff report indicating the cost of maintenance if they were to place it outside. He agreed it was a concern. Ms. Hunter stated the cost of the most recent repairs was \$8,000. She did not think the annual maintenance would be that high. Mr. Janku stated this was the type of monument that could be displayed publicly in an appropriate place. He suggested they look at ways to raise funds through grants, contributions or through the Boy Scouts since it was their gift to the community.

**(C)    25 mph "Residential" Speed Limits.**

Mr. Watkins stated this was a report requested by Council with regard to what it would take and what would be involved in changing the residential speed limit from 30 to 25 mph. Staff was recommending no action be taken for a number of reasons to include the budget.

Mr. Janku noted a comment made indicating the regulations might need to be more robust to control speeds in subdivisions and asked for an explanation. Mr. Glascock explained Public Works received a lot of requests for traffic calming projects due to speeding and if they lowered the speed limit to 25 mph, he believed they would have to do more traffic calming projects. Mr. Janku thought the comments were suggesting tougher and more robust regulations in the design of new subdivisions, so there would be less speeding. Mr. Glascock commented that leaving parking on twenty-eight foot wide streets would help. They sometimes removed parking due to complaints and people not being comfortable driving in the narrow space.

Ms. Hoppe noted the study was phrased as reducing residential areas to 25 mph, but she actually phrased it as pursuing an ordinance establishing a 25 mph speed limit for Columbia unless otherwise posted. She felt she was receiving a "Cadillac" version with regard to expense. She commented that they did not need increased enforcement. She believed the speed limit of 30 mph was not safe and by posting that speed, they were telling people it was safe and encouraging them to drive that speed. She stated Council and staff time was spent addressing speed related complaints individually. She thought this was a way to address it as a City-wide policy. She agreed it would not solve all of the problems, but was a step forward. She explained on her street, the 30 mph sign was removed and people slowed down. She thought one step was to remove the 30 mph signs in residential areas, which would be a cost savings. She did not believe this report accurately reflected the costs

or the savings. She noted a study on speed limits was done in 2002 and 19 of the comparable cities had 25 mph speed limits unless otherwise posted. She thought the trend was for communities going to a lower speed limit. She stated community members were telling her they wanted this. She commented that they were going toward being a walkable and bikable community and believed the PedNet group would be supportive. She wanted to move forward with a basic version versus the “Cadillac” version with an ordinance drafted.

Mr. Skala stated he agreed with Ms. Hoppe. He noted one of the conclusions in the report indicated the enactment of an unposted speed limit of 25 mph would not be inconsistent with other communities, so he wondered why they would not do it. He understood there were a lot of expensive ways to reduce the speed limit to include enforcement, but did not feel that was necessary. He believed perception and getting the word out had a lot of value. If people had it in their heads that going more than 25 mph in residential areas was too fast, he thought there would be some tangible results. In addition, it would not cost anything to do it.

Mayor Hindman stated he had been hoping this would happen for a long time and wanted to see it move forward. He noted there appeared to be a misunderstanding by staff as to what was being requested. It was written as though the residential areas would only be affected versus the provision of it being 25 mph except as otherwise posted. He noted he was interested in getting a better picture of what would be involved if it were set up that way. He commented that one of the most common complaints he received was speeding in neighborhoods, so he believed whatever could be done to reduce that would be good. He understood putting up speed limit signs did not reduce speed, but noted the people wanted something.

Mr. Janku thought it might be good to have a work session on the topic. Ms. Hoppe agreed. Mr. Wade stated he would also like to have a work session before requesting an ordinance be prepared. Mr. Janku suggested they receive supplemental information at that point. Mayor Hindman agreed and noted the supplemental information should be based on 25 mph unless otherwise posted.

**(D) Animal Control Facility.**

Ms. Browning understood Council requested a status of the animal control space as well as the possibility of using some discretionary funds to help the Humane Society get through some tough times. The first section of the report involved space needs and facility improvements. She explained she and the City Manager met with the Treasurer and Executive Director of the Human Society over the summer to discuss facility planning. They were well aware they needed a new facility. The City indicated they would like to partner with them, but their Board needed to make some decisions with regard to location and various other things. She noted the City recently received infrastructure grant funding that could only be used for one time costs for things such as significant improvements to facilities and the purchase of vehicles. They could not be staff related. One of the City’s highest priorities for that money was to make improvements at Animal Control. With regard to the Humane Society recently adding a drop off charge, there were some concerns it would have an impact on City operations because, historically, in other communities when a drop off charge was

implemented, work went up for Animal Control since it was a free service paid by taxes. With Animal Control picking up the animal, it used one of their allotted caged spaces under the annual contract. They would be monitoring this to see its impact on the City. The Humane Society anticipated conservatively that this fee would bring in \$55,000-\$60,000 per year in revenue. She stated the Humane Society was a worthwhile organization, but she was concerned that providing funding now would prohibit them from spending money later when they might be ready to move on a facility.

Ms. Nauser stated her concerns involved an increase cost to the City with having to send people out to pick up the animals. She asked what their funding shortfalls were to determine whether they could make up some of that gap to prevent them from charging the fee during the winter months. Ms. Browning stated she did not know what the funding shortfalls were, but knew about 173-183 animals per week were dropped off at the Human Society, so the revenue could be substantial.

Ms. Nauser stated she talked to someone with the Humane Society who indicated they were in the process of establishing a building committee and starting a capital fundraising campaign, but that it would be somewhere down the line. She thought they would either end up paying for it in front end or the back end. She commented that she was looking at this as a way to show them the City was behind them. She stated she thought it was a government and community responsibility to make donations to the Human Society to help support that function. Ms. Browning explained that no matter what the outcome, they should feel good about the fact they were able to provide a six percent increase in the annual contract even though funding was tight.

Mr. Janku asked if other communities had ways to raise fund on the front end with licensing fees or other special fees. Ms. Browning replied they had a license fee, but a small percentage of people actually licensed their pets. In addition, when a dog was adopted at the Humane Society, they paid for adoption, which included spaying and neutering. She noted as long as they had animals that were not being spayed and neutered, they would have unwanted pets being dropped off. If they wanted real prevention they needed to put resources into spaying and neutering in the community.

Mr. Janku asked if they had evaluated potential sites that might be appropriate to provide the Board some options. He believed this would be a difficult operation to locate as development occurred due to issues with noise, etc. Ms. Browning stated at this point, there was no one set location and there had been discussion with regard to rebuilding on the existing site. Ms. Nauser understood that had been discussed because it was centrally located and easy for people to get to since it was right off of the highway.

Ms. Nauser pointed out she had recently adopted a dog and the cost was almost \$100, which she thought was cost prohibitive for many people.

Ms. Hoppe asked if someone wanted to drop off an animal and did not have the \$20, if they would have to leave with the animal. Ms. Browning replied she had heard that if someone went to the Humane Society to drop off an animal and indicated they did not have the resources to pay, they would take the animal. She did not know to what degree they would be pressured to give what they could. Ms. Nauser noted it would be cost prohibitive if

someone came in with a litter of puppies. Ms. Browning stated she did not know if the cost was per litter or per puppy because puppies were relatively adoptable.

Mayor Hindman understood at this time, they were accepting the report.

Ms. Nauser asked if staff would come back if there was an increased cost to the City due to this new policy. Ms. Browning replied yes.

**(E) Quaker Oats/Solar Business Model.**

Mr. Dasho stated Ray McGruder of Quaker Oats wanted to make some comments.

Ray McGruder, 1821 Tremont Court, stated he worked for Quaker Oats and would be reading a prepared statement on behalf of Quaker Oats and the Columbia site. As the Health, Safety and Environmental Manager of the Quaker Oats Company, a division of Pepsico, he thanked the Council for considering the Solar One concept being presented. He thought the Water and Light Department staff and others that had put a lot of time and energy into this proposal should be commended for their efforts. He explained Pepsico was a company with environmental initiatives as part of their business strategy and he, as a member of the Columbia Quaker Oats facility, wanted to be part of that initiative, so he contacted the City to determine what they could do for the environment and community. As a result, the City responded by asking if they would consider participating in a pilot project with solar renewable energy. He and other members of the Columbia Quaker site agreed to the concept and worked diligently with the Water and Light Department to develop a process that would assist Columbia in its initiatives for renewable energy and solar power. He noted Pepsico was the largest purchaser of renewable energy credits evidenced by the company's purchase of over 1 billion renewal energy credits in early 2007. The Quaker Oats Company, along with all Pepsico divisions, was committed to environmental sustainability for the benefit of the communities and people they served throughout the world. By accepting the Solar One proposal, Columbia would be closer to fulfilling its goals as related to renewable energy and solar power. He noted they were hopeful the Council would accept the concept of Solar One and looked forward to working with the City in receiving a purchase power agreement in the near future.

Mayor Hindman stated he thought this initiative was terrific and noted it was very much appreciated.

Jeffrey Owens, 18571 S. Alma Court, Hartsburg, Missouri, stated he found out about this Sunday at the holiday parade and although he was not a customer of Columbia Water & Light, he was interested as someone who worked in the community and might become a resident of the City if he were able to purchase solar blocks. He commented that he was in support of this. After reviewing the report, he thought it was reasonable for a customer to pay 48 cents per kilowatt hour and wanted to learn more. He questioned why they would not extend this to residents who wanted to make their solar electricity available on the grid in addition to local businesses. Mr. Janku noted they allowed net metering. Mr. Owens understood net metering was just one to one. It would not be at six times the rate. He understood the current cost was around 8 cents per kilowatt hour. Mr. Watkins thought that was about right. Mr. Owens stated it would make a big difference as a homeowner if he knew he would receive more for the electricity he produced so it could go toward the cost of

installing solar. With one to one net metering, he was not sure it made sense to invest in a solar system. He was hopeful renewables would grow in this area so he might have a future to work in this area.

Mr. Dasho noted staff had worked closely with Quaker in developing this proposal with the idea they would get one percent of their energy from solar by the year 2023. He believed this was a good pilot project to see how it grew and how much support the community would give to it.

Mayor Hindman made the motion to accept the concept described in the report.

Ms. Hoppe asked how people would sign up. She understood only 70 people could sign up for the program. Mr. Dasho replied the idea was that it would only take 70 people to sign up to get this program with Quaker Oats up and running. If more people signed up, they would approach other businesses in trying to get additional solar set up in the City.

Mr. Skala explained at a conference, he was talking about renewable energy with the Mayor of Chicago, who mentioned the cooperation of the enlightened business community, and he believed this was a good example for Columbia. He thought this was a step in the right direction and hoped other people were recruited to the idea.

The motion made by Mayor Hindman was seconded by Ms. Hoppe and approved unanimously by voice vote.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Upon receiving the majority vote of the Council, the following individuals were appointed to the following Boards and Commissions.

### COMMUNITY DEVELOPMENT COMMISSION

Ukoha, O. U., 2207 Lafayette Court, Ward 3, Term to expire November 1, 2010.

### DISABILITIES COMMISSION

Weinschenk, Kathleen, 1504 Sylvan Lane, Ward 3, Term to expire June 15, 2009.

### ENVIRONMENT AND ENERGY COMMISSION

Goldstein, Daniel, 604 Redbud Lane, Ward 4, Term to expire June 1, 2008

### INTERNET CITIZENS ADVISORY GROUP

Sobieck, Thomas, 1001 University Avenue, Apt. 107, Term to expire October 15, 2008

### PLANNING AND ZONING COMMISSION

Reichlin, Stephen, 4208 Fall River Drive, Ward 5, Term to expire May 31, 2011

### SUBSTANCE ABUSE ADVISORY COMMISSION

Armistead, Teri, 5000 Lillian Drive, Ward 3, Term to expire October 31, 2010

Ms. Amin explained with regard to the Board of Mechanical Examiners, a motion was needed to appoint someone who was already serving as general contractor not in the HVACR business to a professional engineer since that person was a registered professional

engineer as well. Staff would then advertise for the general contractor position. Since the terms were different, this change had to be approved by motion.

Mr. Janku made the motion to appoint Dennis Kidwell to category of professional engineer on the Board of Mechanical Examiners with a term expiring on June 17, 2009. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

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

Mr. Skala noted earlier in the evening Darrell Black made a presentation regarding sidewalks on Mexico Gravel Road and thought reports regarding Mexico Gravel, Ballenger Road and Clark Lane as an entire corridor were needed.

Mr. Skala made a motion directing staff to provide a report regarding sidewalks on Mexico Gravel Road and a modification to reports previously requested involving sidewalks on Ballenger Lane and Clark Lane and to copy Mr. Black on the report specifically addressing the Mexico Gravel Road sidewalk issue. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Skala commented that he was involved in a show on CAT-TV called Counterpoint and they were filming another segment tomorrow night with regard to infrastructure financing, which would be shown for the remainder of the month.

Mr. Wade expressed his appreciation for the opportunity to attend the National League of Cities Conference as there were a lot of good sessions and learning that would be of great value to the City of Columbia.

Mr. Wade noted a report was provided at the beginning of the meeting with regard to the rebuilding of West Broadway from Garth to the west. He thought it was time for it to begin moving. He understood there were a number of segments of West Broadway they needed to move forward with, but noted he wanted that section moved forward first and wondered how that could happen. Mr. Watkins stated the preliminary traffic analysis was done, so the next step would be for Council to approve a design. He did not know if Council wanted to hold another public hearing. Mr. Janku asked how they would decide what the design would be. Mr. Wade asked what they needed to do to move the design forward. Mr. Watkins replied they needed to have a work session to discuss the details.

Mr. Wade made a motion, in the format of a resolution, stating “whereas the City Council of the City of Columbia is proud to represent the home of the best football team in the north conference of the Big 12; whereas not everyone in neighboring states understands that but that would be demonstrated before the next Council meeting; therefore be it resolved a heartiest congratulations to the coaching staff and the football team for a year well done, number one and number two, flip the bird and beat KU.” The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Nauser stated her appreciation to the community for allowing her to go to the National League of Cities Conference as she found it to be very informational and learned a lot.

Ms. Nauser noted with regard to the alley, she wondered if they wanted the Planning and Zoning Commission to look at some of those issues and determine the criteria or guidelines they might want to bring forth in the future. Mayor Hindman thought it was important to obtain input from the downtown. Mr. Janku suggested involving the Special Business District (SBD). Mayor Hindman agreed it might be a good idea to start with the SBD and then pass their ideas to the Planning and Zoning Commission. Ms. Nauser thought they just needed to get the process started. Mr. Watkins asked if they were limiting this strictly to the downtown area. Ms. Nauser replied yes. Mr. Watkins asked about alleys in other areas. Ms. Nauser thought this was in conjunction with the naming of the alleys and the redevelopment of the downtown.

Ms. Nauser made a motion directing the SBD to discuss potential issues, criteria and guidelines with regard to the downtown alleys, which would then be passed on to the Planning and Zoning Commission for their review. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Hoppe stated she echoed the comments of Ms. Nauser and Mr. Wade with regard to the National League of Cities Conference as it was a good educational opportunity and she hoped to use a lot of what she learned to serve the citizens.

Ms. Hoppe made a motion directing staff to place the issue of 25 mph unless otherwise posted in the City on a work session and suggested January. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Crayton thanked the community for allowing her to attend the National League of Cities Conference and noted she was able to talk to people about gang problems. She hoped they could discuss this issue at a work session in an effort to strategize how they could combat this issue. She believed this issue would pick up unless they intervened.

Ms. Crayton made a motion directing staff to place the issue of gang problems on the work session schedule. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Janku noted they had received correspondence about a potential drainage issue affecting the Heibel Building and Field School Park wondering what the Parks and Recreation Department could do and suggested requesting a staff report. Mayor Hindman thought they had already asked for that report. Mr. Watkins agreed.

Mr. Janku stated he saw a story in the *Missourian* about sweet spots at the intersections where bicyclist could trigger a light change.

Mr. Janku made a motion directing staff to contact MoDOT to adjust the intersections that had signals on Rangeline to accommodate this trigger as it was being rebuilt. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku noted the dog park at the Garth Nature Area was used heavily and daylight savings time had compressed the time it could be used creating a serious parking problem with people parking in places they should not.

Mr. Janku made a motion directing staff to provide a report in regard to what could be done to address the parking problem at the Garth Nature Area. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mayor Hindman suggested people get trailers for their bicycles to take their dogs to the park. Mr. Janku noted a variety of people walked, but since there were only two dog parks in the City, some had to drive to get there. Mayor Hindman thought there were three. He noted they were Twin Lakes, Grindstone and Garth.

The meeting adjourned at 12:54 a.m.

Respectfully submitted,

Sheela Amin  
City Clerk