

**MINUTES**  
**CITY COUNCIL MEETING – COLUMBIA, MISSOURI**  
**OCTOBER 1, 2007**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, October 1, 2007, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN and CRAYTON were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

Ms. Hoppe asked that the word “to” be inserted in the second to the last paragraph on page 7 so it would read, “...she might want to ask for a reimbursement...” She also referred to page 28 and stated she recalled Mr. Glascock indicating he would look into some other options in regard to the round-a-bout at Old 63 and Shepard Boulevard and that was not indicated. Ms. Amin stated she would listen to the tape in regard to the item on page 28.

The minutes, subject to review of the items raised by Ms. Hoppe, of the regular meeting of September 17, 2007 were approved unanimously by voice vote on a motion by Mr. Wade and a second by Mr. Skala.

**APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA**

Ms. Hoppe made the motion to move B323-07 from the Consent Agenda to Old Business. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

The agenda, as amended, to include the Consent Agenda, was approved unanimously by voice vote on a motion by Mr. Wade and a second by Mr. Janku.

**SPECIAL ITEMS**

**B327-07     Accepting a donation from Jim and Billie Silvey for the purchase and training of a patrol canine for the Police Department; appropriating funds.**

The bill was given second reading by the Clerk.

Chief Boehm explained the City wanted to acknowledge Mr. and Mrs. Silvey for their contributions to the Columbia Police Department (CPD). This evening they were asking the Council to accept a gift of \$11,500 for the purchase and training of a police canine. He noted the Silvey’s had been strong supporters of the CPD over the last twenty years and some of the items purchased due to funding provided by the Silvey’s were a Chevrolet van for the Crime Prevention Unit, two other canines, Harley Davidson motorcycles used by the Traffic Unit, a thermal vision imager, and virtually every notebook, banner, balloon and pencil handed out for the D.A.R.E. Program. He pointed out the Silvey’s were also Co-Chairs of the Columbia Police Foundation. He stated the CPD began its relationship with the Silvey’s due to Mrs. Silvey being a long time volunteer in the Crime Prevention Unit and active in the Neighborhood Watch Program.

Mayor Hindman noted that was a remarkable record and thought it was wonderful that these donations were being made for the public. He stated there was nothing more fundamentally important to a community than public safety and crime prevention was at the top of that list. He commented that if they wanted a livable City and a place that attracted people, crime prevention was needed and the Silvey's were making a huge contribution toward their quality of life. He thanked the Silvey's for their contributions.

B327-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

### **SCHEDULED PUBLIC COMMENT**

None.

### **PUBLIC HEARINGS**

#### **B317-07 Voluntary annexation of property located on the northeast side of Masonic Drive, west of Oakland Gravel Road; establishing permanent O-P and C-P zoning.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this involved the voluntary annexation and zoning of about 50 acres in north Columbia and was a result of a 2002 pre-annexation agreement whereby the property owners agreed to voluntarily annex when they became contiguous in return for being able to connect to City sewers. The Planning and Zoning Commission recommended approval.

Mr. Teddy explained there were two conditions of zoning approval, a traffic study and a 25 percent open space requirement, should future development occur and both were included in the ordinance.

Mayor Hindman opened the public hearing.

Brent Stewart, 4603 John Garry Drive, Suite 11, stated he was representing the various Masonic organizations and was available for questions.

Mr. Wade complimented them for addressing the concerns of the Planning and Zoning Commission and asked why they limited themselves to a building of one floor. He noted the kind of facility they wanted was amenable to 2-4 floors and would allow them to reduce impervious surface. Mr. Stewart asked if he was talking about Tract A. Mr. Wade replied yes and asked why they were limiting themselves to 28 feet. Mr. Stewart replied he thought there was a section for a club house or community center, which was a higher than the 28 feet. He commented that they did not have immediate plans, but their future plans involved a senior citizen retirement community and they believed a single story building would be best for that purpose. Mr. Wade stated he believed that was an appropriate location for a higher density use.

Ms. Hoppe asked about the addressing concern of 33 versus 6033. Mr. Stewart replied there were currently three different buildings there. The first was the Scottish Rite building with a location of 33 Masonic Drive for the 33<sup>rd</sup> degree of Mason. The second building constructed was the Masonic Home building, which was the larger building on Tract B, and the County gave it an address of 6033. The third building, which was the Masonic Lodge, had an address of 3 as in 3<sup>rd</sup> degree of Mason. There were some questions as to

whether they would have to modify the street numbering when they annexed into the City to be consistent for emergency services, but he understood what was there was fine and did not create a problem.

Ms. Hoppe asked if they were agreeable to the conditions from the Planning and Zoning Commission. Mr. Stewart replied yes. He noted they had always agreed with the traffic study. They increased the open space to 25 percent at the request of several Commissioners at the Planning and Zoning Commission meeting.

Mr. Skala asked for clarification regarding the addressing of 33, 6033 and 3. Mr. Stewart explained the County originally gave them those numbers and when they began the annexation process, City staff indicated it might be a problem with emergency dispatch and services. He understood staff had reviewed it and did not have a problem with them retaining their current addresses. Mr. Watkins stated the City did not see a reason to make them change stationary, etc. in this instance since there were only three buildings on a street that would likely not be extended much.

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

Mr. Janku commented that there was a reason for the street numbering system and he did not believe they wanted to get into a situation where they gave properties coming into the City a number just because they liked it. He noted emergency crews needed to be able to respond in a timely manner.

Mr. Skala stated he agreed with Mr. Janku. He did not mind having 33 in any of the addresses if that was a significant number, but thought it needed to be on a reasonable basis because numbers were assigned from the center of the City out to the periphery.

Mayor Hindman asked about JCIC's preference. Mr. Watkins replied JCIC would prefer numbers four or five digits long, but since this was a short street with no real chance of being extended, they decided not to complain too much.

B317-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

## **OLD BUSINESS**

### **B211-07 Approving the Final Plat of The Villages at Arbor Pointe Plat 3 located west of the intersection of Waco Road and Brown Station Road; authorizing a performance contract.**

The bill was read by the Clerk.

Mr. Watkins stated this was the first of three items under Old Business in regard to a development in the northeast part of the community. This was a final plat that would create 152 R-1 zoned lots. It had previously been tabled pending a development agreement for the extension of Waco Road.

Mr. Teddy explained the basic terms of the agreement were that the developer would construct Waco Road as an arterial roadway within and adjacent to the development. In addition, Arbor Pointe Parkway, which was a collector street, would run alongside the planned elementary school site to the west. The City would construct sidewalks, including a pedway with a sidewalk, on one side of Waco, which would be done in time for the school's

projected opening. The City would also construct trails in the future if sufficient funding was available and the applicant would provide the necessary trail easements for connectors within the subdivision.

Ms. Hoppe asked what the northern trail in the middle was connected to. Mr. Teddy replied it appeared to run toward the future Bear Creek extension. It would be a trail connector for the neighborhood.

Robert Hollis, an attorney with offices at 1103 E. Broadway, stated he was available to answer questions.

Mr. Janku made the motion to amend B211-07 per the amendment sheet. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

The vote on B211-07, as amended, was recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B318-07 Approving the Final Plat of Arbor Ridge located on the north side of Waco Road, extended, west of Brown Station Road; authorizing a performance contract.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a proposed final plat that would create one R-1 zoned lot for a new elementary school. It was immediately adjacent to the plat Council just approved and would be served by the Waco Road extension included in the development agreement. He noted it was about twenty-one acres.

Mr. Teddy stated the performance contract contained language similar to the aforementioned development agreement and indicated the owners would be responsible for the extension of Waco Road across the south frontage of the property.

Robert Hollis, an attorney with offices at 1103 E. Broadway, stated he was available to answer questions.

B318-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B320-07 Authorizing a development agreement with Fairway Meadows Corporation relating to development of Deerfield Ridge Subdivision Plat 2 and improvements to the Cascades Pump Station.**

The bill was given second reading by the Clerk.

Mr. Watkins stated Fairway Meadows was a subdivision within the City limits of Columbia and was located at the intersection of Route K and Scott Boulevard. He explained this was a unique development agreement in that they had a “not to exceed \$1,000 per lot” special tie in fee to go toward the cost of increasing the capacity of the Cascades pump station. It was an agreement worked out with the developer and the Regional Sewer District. They were attempting to eliminate some other mechanical stations, etc., so it was a positive development agreement. Mr. Glascock presented a map on the overhead and explained the areas being discussed.

Ms. Hoppe noticed the payments would be in five installments, one every year for five years with no interest, and asked for an explanation on the rationale. Mr. Glascock replied it was done so it would not be burdensome to the developer.

Mr. Wade asked if this would recover the cost of increasing the capacity. Mr. Watkins replied this and the agreements already approved dealing with the Regional Sewer District areas of Arrowhead Lakes and Deerfield Subdivision were involved. Mr. Glascock pointed out it covered their portion of the cost.

B320-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B321-07 Amending Chapter 14 of the City Code to prohibit parking along a section of Big Bear Boulevard.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this was a request from staff to prohibit parking along Big Bear Boulevard in north central Columbia for the months of December through March. This was the area of the new salt storage facility, which would be put into use for the first time this winter, and they wanted to be able to expedite moving the plows and trucks through the facility. Parking on that side would potentially cause a problem.

B321-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B328-07 Amending Chapter 22 of the City Code as it relates to wastewater connection fees.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this and the next bill were an outgrowth of the rate studies done by the consultants. They recommended increasing the connection fees \$312. Staff thought this should be done over a period of years rather than at one time, so they were recommending a \$100 increase in the connection fees. It would go from \$500 to \$600. He pointed out this was only for new construction and had nothing to do with existing customers. The philosophy of the rate consultant was that this was an equity buy into the sewer system. He noted these were based on meter size, so larger water meters would pay a proportionately higher rate. Traditionally, all of the connection fees had gone into the capital portion of the budget, so this would assist with the City's capital improvement program in terms of the wastewater utility.

Annie Pope, 204 Peach Way, stated she was representing the Home Builders Association and they were appreciative of the recommendation to phase the increases in rather than assessing them all at once. She thought the Council was aware of the fact this was not a good time in the construction industry. Building permits were substantially down all over the Country and in Columbia. She understood builders, who had never been without a project before, did not have projects now. She noted the timing on these increases was hard for the industry, even though they were well thought out. She explained one of the biggest dialogues in the community right now involved the question of who paid for infrastructure and

whether the existing community should bear part of that cost or if new construction should bear the entire cost. She understood it was a very complex subject and noted the notion that there were significant development exactions in communities with high growth rates did not establish a causal rate between those development exactions and growth rates. She did not think they could talk about cause until they saw data comparing growth rates in those communities before development exactions were put into place and the impact those development exactions had on the growth rate. She thought they should stop attributing cause to increased development fees until they could establish it. She believed that was an important part of the debate and that there was a distortion of facts being used to influence thinking in one direction, which might not be a completely honest use of the data.

Mr. Skala commented that he looked at this as a cost of service issue and asked how infrastructure fit into cost of service. Ms. Pope replied development agreements approved by Council usually involved a developer contributing to off-site improvements. In addition, the 2005 engineering report showed developers paid for three-quarters of the streets built in the community, while the City paid for one-quarter. She did not think that was being factored into the dialogue as the public did not hear about those numbers. She noted there were a lot of ways development was already paying for new infrastructure, which was invisible in the community. In addition, there were already a lot of development fees on the books. She understood the Council had the burden of determining how infrastructure would be funded and increasing fees was one way to do it, but felt they were moving in a direction of more fees being shifted to development for infrastructure that everyone used, which was driving them to a point where people would not be able to afford to buy a house in the community. Mr. Skala thought the approach to take was to determine what everyone was using and what that meant. He agreed the development community should get credit for the infrastructure they provided and understood they provided all of the infrastructure within their own development and a substantial amount of infrastructure off-site with off-site improvements.

Dee Dokken, 804 Again, stated she was Co-Chair of the Boone County Smart Growth Coalition (BCSGC) and noted BCSGC had been vocal about sharing infrastructure costs with development and the most they had suggested was a 50/50 split. They never stated the developers should pay 100 percent. She understood the 50/50 split was considered way too much. She reiterated they were not saying one group should pay for all and one group should pay nothing.

John Clark, 403 N. Ninth, thanked the Council and staff for undertaking the cost of service study, which indicated he who caused the cost to be incurred would pay for them unless there was a specific policy that stated otherwise. He commented that the cost of service analysis was somewhat different than what the BCSGC Infrastructure Cost Committee did, but noted he was pleased with the direction and momentum of the equity method that had been recommended. He believed this was a great step forward in determining how to equitably finance the cost of development. He encouraged the Council to approve the bill before them.

Ms. Hoppe stated she believed this was a good start in providing funds in an equitable and fair fashion to finance services the City needed to provide.

Mr. Wade asked if one of the tools they received from the study was the model that would let them do their own cost of service each year, so they could continue to keep the cost of service on connection fees current. Mr. Watkins replied yes.

B328-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B329-07 Amending Chapter 27 of the City Code as it relates to water connection fees.**

The bill was given second reading by the Clerk.

Mr. Watkins stated based on the consultant's recommendation, this would be doing two things. First, the current fee was \$400 and the recommendation was to take it to \$670. Staff was recommending this be done over a period of years. This would also spread the cost differently depending upon meter size, so a larger meter would pay a proportionately higher amount than the \$670 residential fee. This, along with the previous one, would go into effect January 1, 2008 and provide plenty of time to make changes in terms of home building plans. Staff was recommending an increase of \$100 so the fee would go from \$400 to \$500 for a residential meter.

Ms. Hoppe commented that during the rating of objectives for these studies, one of the top concerns was in regard to elderly and low income people and asked if one option for the future included reducing these fees for low income housing. Mr. Watkins replied that was an option. Mr. Janku stated there would be different options they could explore. He noted they still had the cost of infrastructure to recover, so if they reduced it for one part, they would have to figure out where that money would come from. Mr. Skala agreed they had to balance subsidies and incentives with other revenues. Mr. Wade understood some communities used the reduction in these kinds of fees as incentives to stimulate particular kinds of affordable housing and agreed they would then have to deal with the question of where the money came from that was used as the incentive. Mayor Hindman thought that was one of the few incentives they had.

B329-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B323-07 Appropriating funds relating to the Gans Road interchange project.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this would appropriate approximately \$202,000 relating to the Gans Road interchange project by allowing them to make a contribution to the Stream Stewardship Fund to take advantage of the Army Corp of Engineers "in lieu of fee" option for 401 and 404 Corp and DNR permits. This "in lieu of fee" option was granted when it was determined there was no on-site mitigation choices to offset the project impacts. He noted, for this project, there was no way to mitigate this blue line stream or ditch that ran into the Gans Creek. He commented that they received notice in July that the Corp would require this. It was not something the City was aware of. MoDOT opened bids on Friday and due to

the intense timeframe, they felt this was the appropriate way to proceed to meet their obligations for the 401 and 404 permits.

Ms. Hoppe wondered what would be happening to the unnamed tributary that it had to be mitigated and asked what damage was being done to that tributary and to Gans Creek further downstream toward Rock Bridge State Park. Mr. Glascock replied the damage was being caused by building the interchange next to the stream. He stated they were not moving the stream, but were taking some of the sinuosity out of the roadside ditch that was put in with Route 63. He noted it had meandered over time and drained from a lake, so there was a detention possibility upstream. He explained there were no on-site places for mitigation, which was a requirement of the Corp. He stated there would be some type of impact, but did not know what it would be. In regard to the impacts of the water coming out of the stream, it would be armored with grass growing in the rocks, so it would slow the water down, which was better for it.

Ms. Hoppe asked how much of the unnamed tributary would be involved or damaged. Mr. Glascock replied only the portion where the fill slope would be put in for the ramp and acceleration lane along Highway 63. Ms. Hoppe asked how many feet this involved. Mr. Glascock replied 1,523 linear feet.

Ms. Hoppe asked how this would affect Gans Creek toward Rock Bridge State Park. She noted \$202,000 seemed like a lot of mitigation. Mr. Glascock replied they had a way of calculating it if on-site mitigation was not done. It was essentially an extraction for this to be done somewhere else in the State. Ms. Hoppe asked if it would have a negative effect on Gans Creek downstream. Mr. Glascock replied that was hard for him to answer. With regard to moving the Creek, he did not see any degradation. The interchange would involve more impervious pavement, so there might be more runoff, but he did not know in which direction the runoff would occur, i.e. toward the developer's site or the University's site.

Ms. Hoppe understood they were contributing \$202,000 for damage done and asked if there was a way to allocate those funds to an improvement in the Bonne Femme and Gans Creek area versus an area outside of Boone County. Mr. Glascock replied no. When they paid into the fund, it was up to the Corp as to how it would be spent. Mr. Janku asked if they could request it be used in this area. Mr. Glascock replied they could, but noted he did not know if it would be approved. He pointed out they had done other mitigation plans, but because this project was aggressive in regard to when it had to be done, they did not have time to put together a plan. He noted there was nothing on site though.

Mr. Janku asked if the University was putting in some sort of detention facility. Mr. Glascock replied he understood they were doing stormwater quality, but he had not seen any plans. Mr. Janku understood they were not subject to the City's regulations. Mr. Glascock stated correct.

Mr. Skala commented that part of the problem was a function of the language and stated he was not sure where a ditch ended and a waterway began. He recalled a fine being assessed on something some considered a ditch and others considered a waterway. He thought they needed to clean up the language because it divided the community. Mr. Glascock agreed and pointed out they never knew what the Corp would take jurisdiction on. They might take jurisdiction over something small, which staff considered insignificant, or

they might not take any jurisdiction on something large. They could not tell. Mr. Skala asked how they might be able to solve that problem or who they needed to ask. Mr. Glascock replied they had asked and noted there was a technical term, but they had to specifically tell the City.

Ms. Hoppe stated that when looking at the map, it was clearly a stream going from a lake at a significant distance. She noted part of it was by the road, which she assumed was why some people called it a ditch, but she felt it was clearly an unnamed tributary for a long distance. Mr. Wade understood it drained from one of the South Farm lakes. Mr. Glascock replied that was correct. He commented that the question was where it went before the road was there and noted it probably went straight across the road and not along it. He thought it was cut off when Highway 63 was built.

Mr. Wade explained the Stream Stewardship Trust Fund was not a Corp of Engineers fund. It was a Missouri Conservation Heritage fund and all of the money was spent in Missouri. He noted they had a project application process and were fairly active in funding conservation projects in Missouri. Mr. Glascock understood, but noted the Corp was the one who gave the authorization to use it.

Mayor Hindman stated there was mitigation for the Wal-Mart project and that mitigation was done at Stephens Lake Park. He asked how the City was able obtain the benefits of mitigation in that situation. Mr. Glascock replied they had a much greater time period to do it. This was a fast track project through MoDOT because the money had to be spent within a certain time frame. He explained he worked with them on the Stephens Lake project and it took many months to complete. Mr. Janku understood it was possible to have a local project if they went to the State and started the process. Mr. Wade stated this was not quite a State agency. It was a free-standing foundation and he believed they would be delighted to work with the City on community conservation projects that fit within the purpose of the Stream Stewardship Trust Fund.

Ms. Hoppe asked why this project was on the fast track. Mr. Watkins replied it was part of ABC Labs and Discovery Ridge and they had made commitments to ABC Labs in that they would move the project as quickly as they could. They had also received a substantial amount of Federal and State earmarks with expiration dates, so they needed to get those started. In addition, they were unaware the Corp would be requiring this until they were almost out to bid. The original thoughts by the designers were that this was not an issue that needed mitigation. If they had known earlier in the year, they would have proposed a mitigation project. Since they were almost ready for bid, they felt they needed to move it ahead. This seemed to be a reasonable approach and the Corp approved of it.

Mr. Skala commented that timing was important and sometimes critical, but did not feel that was a justification for making a mistake. Mr. Watkins replied he did not think this was a mistake. He stated he did not think they would have designed the project any differently. If they had known six month earlier, they would have proposed a mitigation project some where along Gans Creek. It would not have been within the interchange. He noted the Corp did not allow one to make a contribution if one could mitigate on-site. The Corp concurred mitigation on-site was not possible in this instance. Therefore, they could make a contribution. The alternative would have been to get plans approved for a project

some place else along Gans and move forward with that project. He noted they would probably have done that if they would have had the time. Mr. Skala understood this was the best option they had given the time frame, but thought there might be another way to mitigate this. Mr. Watkins suggested they talk to the appropriate State officials and ask if they could design a project some place along the Gans Creek and use some or all of the money for that project. Given some time, he was sure they could develop a good project.

Ken Midkiff, 1005 Belleview Court, stated he was representing the Osage Group of the Sierra Club and were in agreement with the recommendation that they speak with the Stream Stewardship Trust Fund people to see if something could be worked out for a local project. He noted their website indicated they would try to develop something in the area where the impact had occurred. He pointed out the stream buffer ordinance indicated waterways or natural channels for type three streams. Neither he nor anyone else knew what that meant, so he asked for that to be further defined. He commented that after driving down to Gans Creek on Ponderosa, he was somewhat appalled by the stream being so muddy and was concerned this site would add to an existing problem. He suggested that it be mitigated, although he did not believe it would cost \$202,000. He felt this payment was essentially used to obtain the 401 water quality and 404 permits. He noted his concern would be relieved somewhat if they could get a local project that would make up for or mitigate these damages.

Ben Londeree, 2601 Chapel Wood Terrace, stated he was a Co-Chair of the Bonne Femme Watershed project and thought he could safely say his group would ask them to go to whatever lengths needed to try to get these funds applied locally although they had not met to discuss this issue. He preferred the funds be applied to Gans Creek, but noted the entire watershed had problems. He pointed out the Committee was most concerned with the recharge areas for Rock Bridge Park and Hunter's Cave. He stated a possibility was the purchase of development rights and noted a number of possibilities were presented in their final report. He felt it was important to do whatever it took to work this out so this money would be used in an area where it obviously was needed.

Tina Bernskoetter of the Columbia Chamber of Commerce, 300 South Providence, thanked staff for looking into this project, which was a priority for the Chamber, and hoped the Council would vote to move it forward.

Jan Weaver, 412 ½ W. Walnut, stated she was speaking on behalf of Friends of Rock Bridge Memorial State Park and noted the Board was concerned because whether it was a pristine headwater stream or a ditch that was carrying water into the Gans Creek, it could still impact the plants and animals that lived there. In addition, the stream had the opportunity to adapt to the average quantity and quality of water that was flowing into it over the last couple of decades and when that changed in a significant way, they become concerned. She commented that 5,787 units of mitigation credits seemed like a lot and the \$202,000 the City was expected to pay was a concern. She stated she was glad to hear an effort would be made to see that this money was applied to the Gans Creek watershed because they believed the mitigation should occur where the damage had occurred.

Dee Dokken, 804 Again, stated they all understood Discovery Ridge, the Philips tract and the interchange were going in and asked for openness with environmental problems so everyone would be able to try to solve these problems in the best way. She noted there were

funds left over in the Bonne Femme Watershed project, which she hoped would be used for stream protection or easements, but the problem with those funds was that it required a 60/40 match. The landowners had to pay 40 percent, which was why it was not used up. She explained there was plenty of need in the Bonne Femme watershed and suggested the money be used to help landowners with that match. She hoped it would stay in the Gans Creek or the Bonne Femme watershed and be used for something to significantly help with water quality.

Ms. Hoppe stated she was glad they had this discussion and thought they should direct staff to request these funds be used for something in the Gans Creek area at the end of the meeting. Mayor Hindman agreed and noted it was appropriate for this to have been taken off of the Consent Agenda as it was a matter of considerable concern to the community.

B323-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. 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.

- B319-07**     **Approving the Final Plat of Discovery Church Plat 1 located on the northwest corner of Mexico Gravel Road and U.S. Highway 63; authorizing a performance contract.**
- B322-07**     **Amending Chapter 14 of the City Code to set the speed limit along State Farm Parkway.**
- B324-07**     **Confirming the contract with T-N-T Excavating, Inc. for construction of the Bear Creek Outfall Sewer Extension project.**
- B325-07**     **Authorizing acquisition of easements for construction of the Providence Road improvement project, from Vandiver Drive northward to Blue Ridge Road.**
- B326-07**     **Accepting conveyances for temporary construction, street and sewer purposes.**
- R214-07**     **Setting a public hearing: construction of street improvements on Hunt Avenue, from Worley Street to I-70 Drive Southwest.**
- R215-07**     **Setting a public hearing: relocation of 8-inch and 12-inch water mains along U.S. Highway 763, between Prathersville Road and Big Bear Boulevard.**
- R216-07**     **Setting a public hearing: construction of a water slide at the Oakland Family Aquatic Center.**
- R217-07**     **Setting a public hearing: sale of alcohol on City park property by private organizations and individuals.**
- R218-07**     **Setting a public hearing: consider the FY 2008 Action Plan for CDBG and HOME funds.**

- R219-07 Authorizing Amendment No. 10 to the agreement with the Missouri Department of Health and Senior Services for the Local Public Health Agency Consolidated Contract.
- R220-07 Authorizing a memorandum of understanding with the Howard County Public Health Department relating to emergency planning, preparedness and epidemiology services.
- R221-07 Authorizing Amendment No. 3 to the agreement with the Missouri Department of Health and Senior Services for the WIC Supplemental Food Program.
- R222-07 Authorizing Amendment No. 3 to the agreement with the Missouri Department of Health and Senior Services for the LPHA teen outreach program.
- R223-07 Authorizing the City Manager to execute an agreement with the Missouri Department of Health and Senior Services for the WIC Program.
- R224-07 Authorizing an agreement with the Missouri Department of Health and Senior Services for child care health consultation services.
- R225-07 Authorizing an agreement with the Missouri Department of Health and Senior Services for maternal child health services.
- R226-07 Authorizing an agreement with The Curators of the University of Missouri to allow use of University property for the annual Halloween event.
- R227-07 Authorizing agreements with various cultural arts organizations.
- R228-07 Authorizing agreements with various organizations for events that increase tourism.
- R229-07 Authorizing a cooperation and funding agreement with the Missouri Department of Natural Resources for the Building Operator Certification Program.
- R230-07 Declaring intent to reimburse certain project costs with proceeds of bonds.
- R231-07 Authorizing Amendment No. 1 to the agreement with Virchow, Krause & Company, LLP for the wastewater cost-of-service study.
- R232-07 Expressing support for the Bethel Ridge housing development for senior citizens.
- R233-07 Authorizing the City Manager to petition for annexation of City-owned property.

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

#### **NEW BUSINESS**

- R234-07 Authorizing an escrow agreement with Columbia Mall Transportation Development District.

The resolution was read by the Clerk.

Mr. Watkins explained the Council approved an intergovernmental cooperation agreement with the Columbia Mall TDD as a funding source for improvements to Stadium at its last meeting. The Columbia Mall TDD had begun authorizing the additional sales tax, but the intergovernmental agreement had not been signed because the major anchors were located elsewhere. The other two TDD's were already collecting the tax. In order to meet the cash flow projections, they needed to get started. This agreement would allow the tax to be collected and escrowed until such time they received the final agreement signed by everyone.

The vote on R234-07 was recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, CRAYTON. 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.

- B330-07**     **Naming five east-west alleys in the downtown area.**
- B331-07**     **Amending Chapter 6 of the City Code to add to the 2006 Edition of the International Building Code a new provision on encroachment of structures into the public right-of-way.**
- B332-07**     **Amending Chapter 22 of the City Code as it relates to landfill large volume discounts.**
- B333-07**     **Authorizing acquisition of easements in connection with the construction of Brown School Road from approximately 300 feet west of Highway 763/Rangeline Street to Providence Road.**
- B334-07**     **Authorizing a right of use permit with Woodland Hills Properties, LLC for construction, improvement, operation and maintenance of brick pavers in crosswalks and adjoining handicap ramps in street rights-of-way located in Copperstone Subdivision Plats 1, 2, 3 and 4 and Copperstone Commercial Plat 1 located south of Vawter School Road and east of Scott Boulevard.**
- B335-07**     **Authorizing a right of use permit with Woodland Hills Properties, LLC for construction, improvement, operation and maintenance of decorative street name signs, sign posts and decorative regulatory traffic sign posts in street rights-of-way located in Copperstone Subdivision Plats 1, 2, 3 and 4 and Copperstone Commercial Plat 1 located south of Vawter School Road and east of Scott Boulevard.**
- B336-07**     **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.**
- B337-07**     **Authorizing the Ponderosa Street Customer Transfer agreement with Consolidated Public Water Supply District No. 1.**
- B338-07**     **Authorizing conveyance of water line easement to Consolidated Public Water Supply District No. 1 of Boone County, Missouri relating to the Gans Road interchange project.**
- B339-07**     **Calling for bids for the relocation of existing 8-inch and 12-inch water mains along U.S. Highway 763 between Prathersville Road and Big Bear Boulevard; appropriating funds.**

- B340-07**     Accepting conveyances for utility purposes.
- B341-07**     Authorizing construction of a water slide at the Oakland Family Aquatic Center; calling for bids through the purchasing division.
- B342-07**     Amending Chapter 17 of the City Code as it relates to the sale of alcohol on City park property by private organizations and individuals.
- B343-07**     Authorizing the issuance of Sewerage System Revenue Bonds (State Revolving Fund Program), Series 2007.

**REPORTS AND PETITIONS**

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

Report accepted.

**(B)    Street Lighting on Brown School Road.**

Mr. Janku stated he spoke with the representative of the homeowners association and the management company which worked with the association and understood they were familiar with and supportive of this. He noted this was in a Boone Electric service area and asked if they placed the electric wire underground. Mr. Glascock replied he did not know. He thought they would do what they had done in the past. Mr. Janku did not know what their standards were and asked if the City could verify that was the case. Mr. Glascock replied yes. Mr. Janku stated he thought they should proceed with this project. He understood there was interest in lighting the entire stretch of road. He noted it was currently two lanes through that stretch, but was planned to be extended to four lanes. In addition, the part to the west was a four lane arterial at the present time.

Mr. Janku made the motion to direct staff to authorize Boone Electric Cooperative to proceed. The motion was seconded by Ms. Crayton.

Ms. Hoppe noted the report indicated the cost would be \$32.55 per pole per month and asked if that was how much it would cost to light one pole per month. Mr. Watkins replied that was correct and explained that every time they added street lights, it came out of the City's general fund. He commented that Boone Electric was designing and installing the street lights, but the City was paying for it. Ms. Hoppe asked if the lights the City installed cost less. Mr. Watkins replied he thought the cost was about the same.

Mr. Skala asked if Boone Electric and the City's Water and Light Department communicated. Mr. Watkins replied he thought the respective staffs talked on a regular basis and understood Mr. Dasho and their General Manager met periodically.

Mr. Skala stated they previously discussed having the Environment and Energy Commission (EEC) provide recommendations regarding the types of street lighting, etc. and thought this might fall under the purview of some of those recommendations.

Mr. Janku commented that they had a territorial agreement with Boone Electric for not only providing street lights but also electric service, so he was not sure the Council could mandate certain things as they did with the Water and Light Department. He noted they were willing to proceed and were the ones incurring the capital costs associated with this lighting. He reiterated there was interest in having the street lit through that area.

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

**(C) Silvey Street & Worley Street All-Way Stop.**

Mr. Watkins stated staff prepared a report recommending a modification to the Silvey and Worley intersection from a 2-way stop to a 4-way stop. If Council concurred, staff should be directed to prepare an ordinance modifying the street traffic control ordinance to reflect the change. He understood this was a request by residents in the area and that staff conducted the necessary studies to determine it was warranted.

Mr. Janku stated he had received a number of e-mails about this and thought it would be appreciated by the neighborhood.

Mr. Janku made a motion directing staff to prepare an ordinance to reflect the change. The motion was seconded by Ms. Hoppe.

Mr. Wade wondered what the cost of a 4-way stop compared to a traffic circle was. He understood the report discussed the need for a traffic circle in about ten years and asked if there was a huge difference in cost. Mr. Glascock replied yes. It involved the difference in signs and a traffic circle might involve the need for right-of-way. Mr. Wade stated a traffic circle reduced gas consumption and explained the cost of a traffic circle was larger to the City but less to the users of the street while the stop signs were of less cost to the City but increased gas consumption. Mayor Hindman thought a good part of the problem was the right-of-way issue in that it involved people's yards.

Mayor Hindman understood there would be a round-a-bout on Worley and Fairview.

Mr. Skala noted there was a good deal of controversy in terms of the design of a round-a-bout in regard to inner lane and outer lane round-a-bouts.

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

**(D) Greyhound Over-the-Road Operations out of the Wabash Bus Station.**

Mr. Watkins stated the Council had asked for an update on the potential of moving the Greyhound Bus Station to Wabash. They, initially, thought this could be accomplished as a future phase of the Wabash Station, but currently, they did not have any funds available. He noted one requirement, which they did not have at this time, was restaurant space, so this would be difficult to do this in the short term.

Mr. Glascock pointed out this was part of the Master Plan and noted that they intended to try to get this type of transportation to the downtown. It was just a matter of time before they would be able to do it.

Mr. Janku stated he recently went to the current Greyhound Station site and as Ms. Crayton had indicated, it was an embarrassment to the community. In addition, there was no restaurant. There was only a bar. He thought it was a charade if they were stating that met the requirement. He believed the facility could function quite well at the Wabash without a restaurant there.

Mayor Hindman stated he had been out there and thought it was a sorry situation. He noted it was away from everything. He commented that the people who rode the Greyhound

were, generally, people of low income and would have problems getting out there. He noted he did not think it connected with the City's public transportation system. In addition, it came in the middle of the night at times. He agreed in that there was not a restaurant at that site. Mr. Janku stated there was a bar and he was not sure any patrons used it. Mayor Hindman thought they could put in machines with hot sandwiches, etc.

Ms. Crayton stated she would not want to have to use the facility and was embarrassed by it for the City. She thought it needed to be located in town where it was decently lit. She explained that when one was dropped off at eleven or twelve o'clock at night, there was nothing open, so one had to stand in the dark waiting for a cab if the cab was not already there. She stated it went from being centrally located in the downtown to the Ice Chalet and now to this location. She did not think anyone would eat at the location discussed and felt they could do better in the Wabash with vending machines.

Mr. Skala stated he agreed and asked if part of the iridescence was with the ability of the Greyhound buses to come downtown. He thought they should try to accommodate the system as much as possible as he believed it was natural to have it at the Wabash Station regardless of the requirements.

Mayor Hindman made a motion directing staff to make a concerted effort to see what could be done to get the Greyhound bus service into the Wabash Station.

Mayor Hindman stated he did not like the idea of moving the offices out of there, but thought having the Greyhound Station there would make it a more multi-transportation facility.

The motion made by Mayor Hindman was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Wade commented that if this did not work, he thought they might be able to find a different location that would be decent until they could make the Wabash work. Mayor Hindman agreed.

**(E) Missouri Housing Development Commission (MHDC) HOME Repair Opportunities (HeRO) Program.**

Mr. Watkins stated this was a request by Council to look into this new program, which essentially set aside \$1 million of additional HOME funds for the major metropolitan areas to include St. Louis, Kansas City, Columbia, Springfield, etc. After looking at all of the requirements, staff did not feel this was something they wanted to pursue this year.

Mr. Teddy stated this was an appealing opportunity for the City since it involved housing rehabilitation, which was a need of the community, and additional funding, but explained with the characteristics of the program, they would not be able to sustain the \$20,000 limit per dwelling. They would have to layer the different sources of HOME funds on a typical rehabilitation job, which would create some administrative difficulties. He noted there was not a lot of local control with the way these funds could be administered. They would be dependant on MHDC staff to do a lot of the functions they were used to doing on their own. The funding appeared to be available six months out of the year, but the City operated the owner occupied rehab program year round and had several rounds each year. There would be some uncertainty about when and what funds would be available to an individual applicant since these projects moved at an unpredictable pace. As they

understood the program, he did not think they could deliver the kind of customer service they wanted.

Ms. Crayton asked if this was just for repairs. Mr. Teddy replied this was for existing single family dwellings that were owner occupied. The applicant would have to stay in the home for three years and the funds would be in the form of a forgivable loan, which was like a grant and was in contrast with City policy. He explained if any loan funds were used from HOME or CDBG to improve the value of the home, they tried to recover and recycle those dollars into other housing activities. He noted anything that used HOME Investment Partnership funds had to be brought completely up to the standard condition, which was a concern. Often, it was not possible for a house in need of repairs to be brought entirely up to housing quality standards with the \$20,000 limit.

Ms. Crayton asked if there were any other programs in town that could be a match to the money. Mr. Teddy replied if they were to apply, they would use this as a resource to do other things with the houses, such as weatherization, preservation if the house had historic significance or improvements for disabled access.

Ms. Crayton asked if they had any priority programs for senior citizens because they were usually in their houses longer and if Boone County on Aging had match money or if it had to be City money. Mr. Teddy replied the City would be an applicant and noted other not-for-profits could apply as well.

Ms. Crayton understood it could be used for lead abatement in houses. Mr. Teddy explained any house built before 1978 had to be tested for lead paint and, if necessary, abatement had to be done. They found that three-quarters of housing rehabs required some lead abatement. He noted there were only two contractors, locally, that were qualified to do the abatement, so there tended to be a bottleneck in the system. He pointed out that would be another area where they would be dependant upon MHDC to do the certifications for the lead work.

Mr. Janku understood this program might not work in its present state and asked if they could lobby MHDC and/or the Department of Economic Development to see if they would be willing to address the City's concerns for future years. Mr. Teddy replied he thought that was a good suggestion and that they should provide feedback with the reasons they were not applying. Mr. Janku stated he thought it would be a welcomed addition to the City's resources if they could make it work. He felt they should convey that they might be interested in the future. Mr. Skala stated he thought that was a good idea.

Mr. Wade asked if it would be appropriate for the City's legislators to be aware of the problems of the City using this program. He understood this program was designed for a specific need in rural America and it would cost more to get this money than the City would gain in benefit. If that was the case, he thought it would be useful for legislators to have that critique, so they understood the problems of a program they thought they were designing to help the urban areas of the State.

Ms. Crayton stated Columbia might not be as big as St. Louis and Kansas City, but they had the same problems and if these programs were not useful, they were not appropriate. She noted she was concerned about lead in the houses affecting kids.

Ms. Nauser asked if they had any discussions with other communities that might be applying for these funds in terms of how they were incorporating this into their current structure. Mr. Teddy replied no, but noted he did not believe all of those named municipalities defined as metro areas had owner occupied rehab programs. He commented that it would not surprise him if there were not many large cities that applied for funding. He noted they checked with the Mid-Missouri Regional Planning Commission and they were not interested in scattered location projects, so they did not intend to apply. He believed, in the Kansas City area, it was mostly not-for-profits that would apply as he did not think Independence and the City of Kansas City had owner occupied rehab programs.

Ms. Nauser asked if the decision to not to apply would have a negative effect on the City in the future. Mr. Teddy replied no, but thought the suggestion to provide feedback to the agency was good. He explained the City's HOME certified staff person attended the training session and provided some feedback at that time. He understood they acknowledged the \$20,000 limit per house was difficult since everything in the house had to be brought up to standard condition.

Ms. Hoppe understood there was also a problem with meeting the October 3, 2007 application deadline. Mr. Teddy stated if the Council wanted them to apply, he thought they could turn the application.

Mr. Wade thanked staff for this careful analysis and hoped they could begin using this in the future in a positive way. Mayor Hindman stated the idea of providing feedback was good.

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

None.

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

Mayor Hindman made the motion for the Council to adjourn to closed session on Monday, October 8, 2007, immediately following the work session scheduled at 6:00 p.m., in the fourth floor conference room of the Daniel Boone Building, 701 E. Broadway, to discuss litigation and that the meeting be closed as authorized by Section 610.021(1) of the Revised Statutes of Missouri and for the Council adjourn to closed session on Monday, October 15, 2007 at 6:00 p.m. in the fourth floor conference room of the Daniel Boone Building, 701 E. Broadway, to discuss personnel matters and that the meeting be closed as authorized by Section 610.021(3) of the Revised Statutes of Missouri.

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

Dee Dokken, 804 Again Street, asked the Council to not to put the mitigation money into the trust fund because she was afraid it would disappear from this watershed. She thought they could have spent a couple days negotiating to see if they could keep it in the County without putting it into that fund at all.

Ms. Dokken stated she rode the Greyhound bus to Wichita and it had been an adventure. It had been good most of the time. She explained in July she took the City bus from about a block from her door and was there within 30 minutes. She commented that she had bought her ticket about a week in advance. At the Greyhound bus station, they were waiting in the sun for a late bus. When the bus finally arrived, they could only take a couple of people and left ten people with tickets out in the sun with no where to go. They then walked over to Rangeline at the City bus stop. Since she had a bus schedule, she was helping people, but the City bus would not be there for another hour or more. They had to stand out in the heat because the store did not want them hanging around inside. She stated she got home about 2 ½ hours later. Since she had a car, she rested up and went to Wichita by car. The other people were given the option of waiting several hours for the next bus or trying to get a City bus to take them home. She explained one lady was going to miss part of the activities of her class reunion and a young man dressed for an interview might miss that. She thought if the City ever had any negotiating power with Greyhound, they needed to see if they would take responsibility for people who bought tickets ahead of time as she thought this was unacceptable. She understood airlines did that as well and Greyhound probably did not think they needed to any better. She stated she was looking forward to it being at Wabash because they would not be stranded and because she would feel safer when getting in during the night. She reiterated that if they could put pressure on Greyhound to make them more responsive to their customers, she would like the City to do so.

Mayor Hindman made a motion directing staff to request the mitigation funds from the Gans project that were destined for the Stream Stewardship Trust Fund be directed toward a suitable mitigation project in the Gans Creek or some other nearby area that would be beneficial to Columbia and its streams or Boone County and its streams. The motion was seconded by Ms. Hoppe.

Mr. Wade stated he agreed with the motion but asked what would happen if they could not work out this agreement. Mayor Hindman replied they had already voted for the mitigation, so they were trying to salvage it. Mr. Wade understood his motion would not require staff to not pay it. Mayor Hindman stated he did not think they could do that. Mr. Skala understood the default position was that it would go into the Fund.

Ms. Hoppe stated she wanted the application to be focused on the Gans Creek and its immediate area. Mayor Hindman thought that was included in the motion.

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

Mr. Skala stated he received a call from a constituent regarding a parking issue on Portland and Lansing behind Regional Hospital. He understood the Hospital and some of the professional offices charged \$18.00 per month for parking which was forcing many people to park in the street.

Mr. Skala made a motion directing staff to provide a report regarding the parking issues on Portland and Lansing in the Regional Hospital area. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Mr. Skala stated he received a petition dated September 26, 2007 whereby the residents of Vista Place were requesting a street light for their street. He noted they had provided some detail as to why it was necessary and that six people had signed it.

Mr. Skala made a motion directing staff to provide a report advising Council on the Vista Place street light placement issue. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Skala explained he was contacted by an individual with the LGBT group that had received a letter from Mr. Boeckmann regarding liability insurance for certain events in parks and still had some questions. He understood the cost was \$600 per year for the \$2 million liability insurance that was necessary, but the Art in the Park folks did not have to pay that much. He did not know if they received a better deal, but thought there was a question as to whether the \$2 million liability insurance issue dealt with individual events or was overall. Since both he and his constituent were unsure, he thought a report clarifying whether this was an issue of going to a particular insuring agent or a City policy in regard to how much liability insurance was necessary would be beneficial. He noted there was a vast increase in cost in the last year or two causing the question.

Mr. Skala made a motion directing staff to provide a report regarding the liability insurance issue for events in City parks. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Skala commented that the street lighting issue was discussed in the pre-Council session, so he thought it would be appropriate to involve the Environment and Energy Commission (EEC). They had previously worked on it and he thought there was a comprehensive report. He noted when he was on the EEC, they had shied away from this when the lighting issues for parking lots was discussed since street lighting was so different. Since there had been some issues on Chapel Hill and a few other places, he thought the EEC should look into the types and spacing of street lighting to supplement the input received from City staff and to determine what might be the best approach from this point forward.

Mr. Skala made a motion directing the Environment and Energy Commission to provide a report regarding the street lighting issue to include the types and spacing of street lights. Mr. Wade asked if he wanted an analysis of the street lighting standards and recommendations. Mr. Skala replied yes. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Skala noted he had received several requests from the Columbia School Board Committee with regard to submitting infrastructure estimates on some of the sites, which in the near future could become part of the City. He was not sure how to proceed and stated the City Manager had raised legitimate points, such as the kind of infrastructure involved, what the estimates should consist of and who should provide the estimates. He commented that he was representing a lot of constituents, who had a huge stake in the site selection process, and thought the Council needed to have some input in trying to figure out what these costs would be given the six choices under consideration. He stated he wanted some information in terms of what the potential costs might be.

Mr. Wade stated he was also struggling with this issue and had constituents asking him to ensure infrastructure costs were part of the total cost package the Committee was reviewing. He felt this was a complex issue with at least five public entities, the City, the County, the rural water districts, the Regional Sewer District and Boone Electric, involved. In addition, every site had a different mix of those entities. He thought it was important for the Committee to have the best estimate since there was no way to estimate the accurate cost. He commented that he felt the engineering firm with Dave Bennett was very competent and was as qualified to do those estimates as anyone. He thought the City should just offer to provide assistance as appropriate as he believed the engineering firm should remain the lead entity in the process.

Mr. Watkins stated they had made the offer to provide assistance on several occasions already. He explained Mr. Teddy had offered and he had talked to the Superintendent as well, so everyone was aware the City was prepared to assist. Mr. Skala stated that was satisfactory for him. He just wanted to ensure the City had some input.

Mr. Watkins stated he agreed with Mr. Wade in that it would be hard, if not inappropriate for the City to estimate the costs of the Regional Sewer District or Boone Electric. With regard to the sites that were within the City limits, he thought they could look at what roads might be needed, but for the other sites, they would not have as strong a feel for that need. He understood the Superintendent's intention was to have Mr. Bennett put together a matrix or report and distribute it publicly so it could be reviewed and commented on. Mr. Skala noted everyone was on a deadline and he thought there would only be a couple more meetings, so he did not want to miss the opportunity to make sure this information was forthcoming.

Mr. Janku stated he agreed with Mr. Wade's comments in that the firm had a good reputation. In addition, the firm had the incentive to make accurate data available because it was for their client. He noted it would be difficult for City staff to evaluate all of the sites with variables, such as right-of-way, utility relocations, etc. and still provide meaningful information with short notice. Mr. Skala commented that everyone was struggling with this and these were only estimates at this time.

Mr. Wade stated, as a member of the Council, it was incumbent on him to respect the School District's process, but he hoped the Committee, itself, would insist on that information being a part of their deliberation process.

Mayor Hindman noted there were many interesting issues with regard to this, which would make anything calculated questionable. He explained if the school was built, infrastructure would be needed around the school, but there would also be development around the school, so there was a question of whether they were building it a little in advance of what they would do with a normal development. He felt there were also sustainability questions, such as the amount of fuel that would be burned to get people to and from the school, which he thought depended upon the development that occurred near the school in the long run. It would be difficult because one could not determine what the future development would be with or without the school. It might direct where development would go and they liked the idea of determining where development would go. He stated he could come up with a lot of different questions that conflicted with each other. Mr. Janku pointed

out they still did not have appropriate infrastructure in respect to pedestrian improvements for Hickman and Rock Bridge. Mr. Wade thought this was a classic example of a major public decision that would be greatly informed if they had a quality growth management plan. Mr. Skala agreed.

Ms. Hoppe commented that she had received many inquiries as well and hoped the members of the Committee would ask questions if there were gaps and know they could come to the City, if needed, for information the City had.

Mr. Wade stated he would be at the Rendezvous Coffee House next Saturday, which was the first Saturday of the month, and welcomed citizens to visit him from 10:30 a.m. – 12:00 p.m.

Mr. Wade noted there would be an interested parties meeting on the plans for the remainder of the Chapel Hill extension in the Mezzanine on Friday at 4:00 p.m. He understood it would include discussion of things, such as the proposed tree planting program, the median landscaping to include water availability and street lighting.

Mr. Wade made a motion to hold the naming of the alleys with, perhaps, the exception of one alley, until they received a recommendation from the Historic Preservation Commission on whether this should be a broader historical project. He explained they had the opportunity to do this as a historical project with the purpose of recognizing important people, families and events in Columbia's past and educating the public about them. He did not want to miss this chance and noted this was especially important since Columbia was a community with high turnover that did not have a tradition of keeping connected to its historical roots. He noted he expected the Commission to consider several different options. He thought one possibility was to proceed with what they presently had before them, but wanted the decision to be made in the context of other possibilities. A second approach would be for each block to have its own unique designation as was successfully done in Europe and some of the Caribbean communities. He pointed out the mail was delivered quite successfully and there seemed to be no problem finding addresses. He suggested they consider having plaques explaining the historic significance of the name as part of the project. If there were a couple of different proposals for names, he wanted to have a short write up of the historic significance of each to choose between names. He believed this would add significantly to a positive ambience in the District. He thought they would want to encourage the Commission to include the Central Business District Association and others in their effort and to use creativity in providing a recommendation on the "Naming the Alleys Project" to best achieve the outcomes of effectively designating the alleys for addressing, recognizing people, families or events important in Columbia's history, educating Columbians about their past, and adding a unique, positive quality to the character of downtown.

Mr. Janku asked if they should do this after the public hearing, since they had already voted to have the public hearing at the next meeting. In addition, if they were going to forward this to the Historic Preservation Commission, he wondered if they also wanted to include the Special Business District and the Planning and Zoning Commission for issues related to infrastructure and the items staff commented on, such as the uses of downtown

alleys. He reiterated that he thought they might want to do this after the public hearing because if they did not, they would be holding a public hearing after already deciding. Mr. Wade stated that was why he brought up the possibility of delaying that item in the work session.

Mr. Skala thought this might serve the purpose of generating some impetus for the public hearing as there was nothing indicating they could not pursue this. Mr. Wade suggested they forward this on to the Historic Preservation Commission and if they named the alleys at the next meeting, they could retract it. He thought this would provide a different perspective for the public hearing. He commented that after the public hearing, he would like a separate recommendation for the Special Business District, the Historic Preservation Commission and the Planning and Zoning Commission to deal with the issues of alley use.

The motion made by Mr. Wade was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Nauser thanked the Council for going along with her request to discuss goal setting at the October 29<sup>th</sup> work session. She commented that she had brought this issue up prior to interviewing for the City Manager position and was happy they would be discussing it and possibly moving forward as it was important to her.

Ms. Nauser commented that they had received a couple of letters, one dated September 14<sup>th</sup> and one dated September 21<sup>st</sup>, from the Environment and Energy Commission (EEC) in regard to tree preservation. She stated the September 21<sup>st</sup> letter peaked her interest as it discussed moving the tree preservation ordinances under one chapter rather than those being scattered throughout the building codes. They also had some other interesting suggestions and ideas and were asking the Council for direction.

Ms. Nauser made a motion directing the EEC to move forward on some of their ideas and to look at putting the tree preservation ordinances under one chapter of the Code and then moving it through the Planning and Zoning Commission process. The motion was seconded by Mr. Skala.

Mr. Janku asked if consolidation of the ordinances was content neutral and could be done without the Commission. Mr. Skala thought it was far more than reshuffling. Ms. Nauser explained they had some other ideas about policy issues and suggested first looking at the forthcoming ideas and changes and then, as a final product, putting them into a chapter if that was what they decided to adopt. She thought this could remove the tree ordinance issue off of their work session list until they received something back.

Mr. Janku asked if this affected the proposed tree board. Mayor Hindman replied he saw that as being a very specialized committee that could advise the Planning and Zoning Commission on this. Ms. Nauser thought they might not need the tree board.

Ms. Nauser stated she was appreciative of the EEC sending something and wanted to hear from other commissions with suggestions of things they might or might not want to work on.

The motion made by Ms. Nauser and seconded by Mr. Skala was approved unanimously by voice vote.

Ms. Hoppe asked for a status on the Committee for Review of Citizen Oversight for the Police Department. Mayor Hindman replied he was working with a person he had asked to be Chair in determining the membership. He noted they had about fifty applications. Ms. Hoppe asked if the Council would have input. Mayor Hindman thought the Council had to approve the membership. Ms. Hoppe asked if he had a timeframe. Mayor Hindman replied he did not have a date, but assured her he was working on it.

Mr. Wade asked if they would be asked to approve a slate or if they had input in the selection. Mayor Hindman replied he had asked for suggestions from the Council, so if they had suggestions, he wanted them. He noted he had received some suggestions from some Council Members. Mr. Wade asked if he would be asking for feedback on the applicants from the Council. Mayor Hindman replied he was not planning on doing that. He was going to try to select a well-balanced committee to offer to the Council. Mr. Skala understood he had the authority to do that, if he wanted, but thought it might be a good idea to receive feedback since most of them did not know who those people were. Mayor Hindman stated they could get the applications from the City Clerk's office. Mr. Skala asked if he could have the list of applicants. Ms. Amin asked if he wanted a list or a copy of the applications. Mr. Skala replied he would like the applications. Mr. Wade stated he would like to see it also. Ms. Amin stated she would provide it to the entire Council.

Ms. Hoppe noted during the approval of the minutes, she had brought up the issue of the engineering services for the round-a-bout at Shepard and Old 63 as it was her understanding that options would be included. She understood Ms. Amin would look into that, but in the event, options were not included she wanted to ensure other options to the round-a-bout, such as Mr. Janku's suggestion of a walkway similar to one at Columbia College and a pedestrian traffic light, were pursued.

Ms. Hoppe made a motion directing staff to pursue other options to the round-a-bout to include a walkway similar to the one at Columbia College and a pedestrian traffic light. The motion was seconded by Mr. Janku and was approved unanimously by voice vote.

Ms. Hoppe explained that on Green Meadows, west of Providence, by the gas station, there was a bus stop and at certain times of the day, there were a lot of people waiting for the bus. The bus stop was very close to the outer drive and Providence Road, causing a back up of traffic on to Providence Road as people were boarding the bus. She thought the bus stop might need to be moved further down.

Ms. Hoppe made a motion directing staff to provide a report regarding the location and traffic issues caused by the bus stop at Green Meadows, just west of Providence Road. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Hoppe commented that at the last Council meeting, she requested a report regarding an ordinance setting the speed limit for the City to 25 mph unless otherwise indicated and was disappointed about not receiving that report as she did not want to wait too long. She suggested an ordinance be drafted to that effect or be given a time frame for when she would receive the report. Mr. Watkins stated he understood the traffic engineer was swamped at this point with a lot of different requests and issues, but would try to find out

where it was and determine if it could be moved up on his agenda. He pointed out that meant other things would not move forward. He explained it was not as simple as passing an ordinance. It would be expensive in terms of signs, enforcement, etc. He understood the Public Works staff wanted to give some serious time and thought to it. Ms. Hoppe stated she hoped, in the long term, it would result in less work for staff, so they would not have to approach individual problem spots. Mr. Watkins understood this was for neighborhood streets, not collectors and arterials, and they would have to go back and look at those, so it was complicated.

Ms. Hoppe made a motion directing staff to write a letter to the State Representatives in regard to the City's problems with the HeRO program to include providing feedback. Mr. Watkins suggested the motion be more general because he was not sure it was the Legislators they needed to talk with. He thought it might be members of the Housing Commission.

Ms. Hoppe revised her motion by directing staff to write a letter to the appropriate people in regard to the City's problems with the HeRO program to include providing feedback. The motion was seconded by Ms. Nauser and was approved unanimously by voice vote.

Ms. Crayton commented that the old blue route that ran on Saturday's and used to go up Worley had changed and was now coming down Oak Street from Sexton Road. One of her constituents was asking why it was coming down that little street when it did not have any bus stops. She asked for the reason for the change. Mr. Watkins replied he was not sure, but noted he would find out and provide her an answer.

Ms. Crayton noted she worked at Gentry and while waiting for the bus, she noticed cars were speeding through the school zone. She thought something needed to be done. Mr. Watkins understood Gentry was on the list to be funded this year. Ms. Nauser asked if it would be the same type of system as used at Mill Creek, which had a flashing light at the beginning and end of school with the speed limit being normal during off hours. Mr. Watkins replied he was not sure. Ms. Nauser thought that type of unit worked well on a busy street like Nifong. Mr. Watkins explained it could be an issue as those were generally activated by someone in the school and at times, they did not have an overwhelming desire for that responsibility. He noted it was difficult to program due to days off, so they were done manually.

Ms. Crayton stated on October 18, 2007, she would be participating in a roundtable discussion about affordable housing at the St. Luke Church. She believed this would enable them to honestly talk about the issues. She stated City officials, elected officials, people who were involved due to their jobs, etc. were invited. In addition, the public was invited to listen. She was hopeful they could come to an understanding of where they needed to be. She did not believe they had enough housing and some agencies were thinking about cutting back on some of government housing programs. With the housing market as it was and the lay off of over 200 people, it would be a hardship for many. She thought they needed to get ahead of

the problem. The discussion would start at 9:00 a.m. and end at 3:00 p.m. She asked the Council to attend.

Mr. Janku stated a lot of things had come before them with regard to the Non-Motorized Grant and at the last meeting, they approved an agreement involving Rangeline to include pedestrian facilities along the new part of the road. He stated he wanted a report regarding what was planned south of the improvements being made and at the intersection of I-70 and Rangeline as there would be vehicle, pedestrian and bicycle conflicts there. He did not think that intersection was included as one being looked at by the engineers.

Mr. Janku made a motion directing staff to provide a report on what was planned south of the improvements being made on Rangeline and at the intersection of I-70 and Rangeline. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Mr. Janku noted, when he was on the radio, he received a call about the COLT railroad crossing at Highway 63 North. He understood the long term goal included a bridge, but asked if anything was in the CIP to address the issue in the short term. He thought it was getting rough and causing traffic problems. Mr. Watkins replied MoDOT had asked the City to consider putting about \$500,000 aside to fix it. He was hoping they would have received an earmark this year for the bridge, but it did not survive the Senate process. He noted they would have to come up with a couple million dollars to redo the bridge or some money to maintain the crossing. He pointed out the COLT did not have that kind of money, so it would have to come from a road fund. Mr. Janku asked if anything could be done in the short term. Mr. Watkins replied he thought the \$500,000 estimate involved the short term fix.

Mr. Janku stated he understood the street lighting along Brown School Road was not under the jurisdiction of the City, but noted he wanted to initiate a discussion with the neighborhood to the west of Derby Ridge, which was Auburn Hills, to see what they would be interested in having in terms of street lighting. He was hopeful they could work with Boone Electric as well. He stated a question that needed to be answered involved the amount of flexibility Boone Electric had in terms of what they would be able or willing to do. He wanted staff to work with Auburn Hills to facilitate ideas and then work with Boone Electric.

Mr. Janku made a motion directing staff to begin working with the Auburn Hills Neighborhood in regard to street lighting and to bring Boone Electric into the discussion. The motion was seconded by Mayor Hindman and was approved unanimously by voice vote.

Mr. Janku stated he was contacted by a constituent who was concerned about the impact of trash service on Spencer's Crest condominiums, which was along Route 763 and abutted a commercial area with new businesses. He explained the trash was picked up early in the morning and woke her and her neighbors up. He wondered if anything could be done to reschedule trash pick up at that location. He felt this was a significant issue. Currently, there were a limited number of businesses, but eventually that road would have a series of businesses. He noted the trash container was well screened and off the road, so it was not visible to the street, but was near the residential area. He thought this would be a reoccurring problem on both sides of the corridor. They had approved plats near Spencer's Crest on the

east side of the highway and Vanderveen was on the west side of the highway and would abut commercial. He noted they recently approved a plan for a commercial development at Brown School Road and 763, which would have an apartment complex behind it. He felt this situation would get worse since they had a lot of commercial abutting residential.

Mr. Janku made a motion directing staff to provide report in regard to how they could better accommodate trash pick up in terms of timing in the Route 763 corridor. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor Hindman asked if he had checked with staff in regard to a change in the schedule. Mr. Watkins explained staff felt this was a dangerous precedent. He noted they did not control commercial trash pick up, so the City would be put at a disadvantage because they would have to reschedule for non-peak times or more peak times. They were concerned this would be an issue in other areas and did not want to have to schedule each individual commercial delivery so it did not interfere with a neighbor because their competitors would not have to do that. Mr. Janku commented that the City regulated noise and if it was truly a problem, he wondered if they could regulate the timing of trash pick up by commercial owners as well. He did not want to put the City at a disadvantage, but thought it would be a problem. He believed they should try to be accommodating and felt that was an advantage of the City being a service provider.

Ms. Nauser stated it appeared as though they would be solving a problem in one area, but creating a problem in a different area where they did not have a problem before. She thought trash pick up was impacted by the noise ordinance with pick up being from 7:00 a.m. to 3:00 p.m. Mr. Janku noted this was commercial and the pick up was at 4:00 a.m. Mr. Watkins explained most businesses did not want their trash picked up while they were conducting business and receiving supplies.

Mr. Janku stated he believed there should be some flexibility because in the long term that whole corridor would have commercial abutting residential. Mayor Hindman commented that noise was part of what one lived with if they lived next to commercial. Mr. Janku noted there was an ordinance about music. He thought the City, as a service provider, should attempt to resolve the issue. He pointed out this would be a major conflict. Ms. Hoppe suggested trash pick up later in the evening might be a better option. Mr. Janku thought they might be able to do it later in the morning or work with other routes. Mr. Watkins explained they tried not to run trash trucks during peak traffic hours. He noted there were a lot of things to be considered, but that they would look at it. Ms. Nauser commented that she agreed with Mayor Hindman in that if one bought a home or lived in an apartment next to a dumpster, they should expect to hear a trash truck at some point. Mr. Skala thought they might be able to ask for things to be done a little differently as they were sometimes accommodating. Mr. Janku noted this complex existed before the commercial property came in.

Ms. Hoppe wondered what other communities did in regard to this situation and whether they made adjustments.

Mr. Wade pointed out this was one of the reasons there was a layering of zoning. Early on in zoning, not putting residential and commercial together was the standard. They had left that, so this was one of the impacts. They were not paying attention to the zoning and buffering of types of zoning.

Mr. Skala understood there was an informational session at Blue Ridge School last Wednesday regarding potential solutions for the Clark Lane improvement area. He was unable to attend and noted some of his constituents were unable to attend. He asked if there would be any other opportunity to discuss this issue. Mr. Watkins stated the efforts made at these public meetings were rather expensive and extensive. If a briefing was needed, staff would be glad to do that. If he knew of some interested constituents, staff could sit down with them as well. He stated he did not think they wanted to go through another formal, advertised, organized session. Mr. Skala thought that would be fine.

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk