

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
APRIL 21, 2008

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, April 21, 2008, 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 STURTZ were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of April 7, 2008 and the special meeting of April 14, 2008 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Mr. Janku.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

Proclamation presented to Ken Anderson in memory of his son Phillip Anderson who served his country and was recently killed while serving in Iraq.

Mayor Hindman commented that Mr. Anderson had suffered an extreme loss as the loss of a child was everyone's worse nightmare, but noted he could be proud of Phillip for having served his country and providing the supreme sacrifice. He stated everyone in Columbia and Boone County was extremely proud and sorry for his loss. He read the proclamation and presented it to Mr. Anderson.

Mr. Anderson thanked his friends and co-workers for coming tonight. He noted Phillip had grown up in Columbia and intended to make Graham, Washington his home when he was released from the Army, as that was where Melanie and Warner resided. He thanked the Council for the proclamation.

Tim Rich, the District Director for Congressman Kenny Hulshof, read and presented a letter to Mr. Anderson on behalf of Congressman Hulshof, who was unable to attend. He noted he had a family member serving in Iraq and that Phillip Anderson represented the greatness of this land. He believed the fact they had men and women who were willing to put on the uniform with the flag on their sleeve, and in some instances, who were fighting for a people they might never know and future they might never see was the greatness of this land. He asked God to bless the family as they celebrated the life and service of Phillip Anderson and as they grieved this immeasurable loss. He stated they appreciated his sacrifice and service greatly.

National League of Cities 2008 City Diversity Award.

Mayor Hindman pointed out this award was originally presented at the National League of Cities Conference in February and because they were not able to attend, it was accepted by the President of the Missouri Municipal League. He stated he believed this was an award for which the City of Columbia should be extremely proud.

Mr. Hollis explained the National League of Cities and the National Black Caucus of Local Elected Officials recently bestowed the City of Columbia with the 2008 City Cultural Diversity Award. These awards were established in 1995 to promote cultural diversity and community governess through citizen and community participation. Columbia won for the 20,000-100,000 population group. The City was recognized in part for its Columbia Values Diversity Breakfast, the Columbia Values Diversity awards and other outreach programs and initiatives, such as Let's Talk Columbia. He gave special thanks to Nannette Ward, the Human Rights Investigator and Educator, who was not present due to an emergency, as she was single handedly responsible for much of the work done in the human rights arena for the City. He recognized Phil Steinhaus, the long time coordinator of these programs prior to himself, and former Mayor Mary Anne McCollum, who started the diversity celebration some time ago. He thanked the volunteers of the Human Rights Commission, the Columbia Values Diversity Celebration Planning Committee and Let's Talk Columbia and presented the award to the Mayor and Council.

Mayor Hindman thanked Mr. Hollis and congratulated him, Ms. Graham, Ms. Glaze and everyone else involved. He believed this award was extremely important because it said a lot about Columbia. He noted Columbia was one of a few cities of this size that had a Human Rights Commission and full time staff, and that was because the citizens of Columbia believed in diversity and demanded this kind of activity. He commented that ensuring they treated all citizens alike was not only the right thing to do, but it was also important in other ways, such as economic development. He noted he had read that when trying to attract innovative people to start businesses, create jobs and provide research, one of the most important selling points was a diverse and tolerant city. Receipt of this award was a huge economic development tool. He stated he and the Council were very proud and felt the citizens should be proud as well. He believed it was symbolic of what they did and needed to keep doing.

SCHEDULED PUBLIC COMMENT

Clyde Ruffin – J.W. Boone Heritage Foundation request that the Boone Home at 10 North 4th Street be recognized as Columbia's first city historic site and designated for funding to complete the restoration.

Clyde Ruffin, 400 Vieux Carre Court, commented that he was Chair of the John William Boone Heritage Foundation and that several members of the Board were in the audience. They were present in evidence of their solidarity and commitment to the total restoration of the home of J. W. Blind Boone and its designation as a City of Columbia historic site. The Boone home was located in the City's center, next to the historic Second Baptist Church and at the trail head of Flat Branch Park. Boone's most popular ragtime composition was entitled "Southern Rag Melody No. 2: Strains from the Flat Branch". That

body of water ran past his home when present day Fourth Street was known as River Street. In 1997, a group of dedicated citizens joined together to petition the City of Columbia to acquire the Boone Home in order to transform it into a cultural heritage center. They succeeded in their petition for the allocation of CDBG funds. The group formed the John William Boone Heritage Foundation and was awarded 501(c)(3) status in July, 1998. Soon afterward, the Foundation was successful in securing funding from the Missouri Historic Preservation Office for an architectural reuse plan with the City of Columbia as a collaborator. They also secured three additional grants requiring matching funds to stabilize and historically restore the most deteriorated portions of the structure. In 2003, the Board submitted significant documentation to the United States Secretary of the Interior causing the home to be elevated to the level of national significance on the National Register of Historic Places. Their purpose this evening was to formally request funding in the City's annual budget under the auspices of the Parks and Recreation System to allow restoration to proceed and to prohibit further deterioration of this historic building and adjacent grounds. While he believed the Boone Home should be restored for its own sake, it also had a symbolic significance. He commented that they could only imagine the challenges John William Boone had to endure as a blind African American born to a runaway slave in the midst of the Civil War. He felt they had to consider the home in which he lived from 1889–1927 as more than another crumbling Victorian house. It was a visual tribute to the greatness of the man and the community that nursed him. As a Board, they would continue to pursue grant funding and private fundraising. Budgetary support from the City would enable them to direct their efforts from brick and mortar to the establishment of a permanent endowment to ensure the house would be able to serve as an educational tool for the youth, a repository for local African American research and a means to tell the story of this inspiring Columbia musician and civic leader. He stated he was confident the total restoration of John William Boone's home would stand as a proud historic symbol for the City of Columbia by acknowledging the extraordinary history of the City and celebrating the life of one of its most notable African Americans.

Mayor Hindman noted the Council had already asked for a report with regard to the Blind Boone Home and what needed to be done next, the cost, where the money might come from, etc. He understood staff was working on the report.

Monta Welch - Thank you for the City's participation in Earth Hour and for the new program to distribute light bulbs to Water and Light customers developed at the request of and to work with the Columbia Climate Change Coalition.

Monta Welch, 2808 Greenbriar Drive, stated she was founder and President of the Columbia Climate Change Coalition and wanted to thank the Council for granting their request to proclaim Earth Hour Day and Hour in the City of Columbia, and for the assistance of City staff and Columbia Water and Light in promoting Earth Hour and tracking the results of Columbians' efforts to reduce Co₂ while raising awareness on global climate change both locally and globally. In Earth Hour's first global effort and with only six weeks of local preparation time, Columbians rallied to support Earth Hour and saved enough electricity to power 87 homes for a full 24 hours by turning off their lights, and in some cases, other non-essential power for one hour. Fun, creative activities, such as card and board games,

pajama parties, dinner parties and eating at one's favorite participating restaurant, were undertaken by candlelight and energy saving flashlights. She noted, local businesses joined in support of Earth Hour in different ways and provided a list of the larger participants. She thanked the Council and staff for creating a new program at their request in order to assist in supplying energy efficient compact florescent light bulbs to customers of Columbia Water and Light. She stated they wanted to continue working with the City in developing ideas such as these in addressing climate change and getting other organizations involved. She commented that she believed energy security contributed greatly to homeland security and was grateful Columbia had the renewable green energy program.

PUBLIC HEARINGS

B81-08 Voluntary annexation of I-70 right-of-way and property on the north side of I-70, east of the present city limits; establishing permanent O-P, M-P and M-C zoning.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a request for the voluntary annexation of about 92.5 acres of land. It involved I-70 right-of-way owned by MoDOT and land north of I-70 owned by ABC Labs. The I-70 right-of-way tract would not be zoned. The ABC Labs property was proposed to be zoned a combination of O-P, M-P and M-C. The Planning and Zoning Commission voted 6-2 and 7-1 in favor of the requested zonings. Staff felt it was important for this property be brought into the City as they worked with the School District to extend sanitary sewers to the new high school site. It would also provide the opportunity to provide sewers to Lake of the Woods Golf Course, which was City-owned property in need of additional sewer capacity.

Mr. Teddy stated the Planning and Zoning Commission conducted public hearings and was in favor of the proposed zoning. The two dissenting votes offered the opinion the zoning might be premature because the City and County Planning and Zoning Commissions were just getting started on an area plan north of I-70.

Mayor Hindman opened the public hearing.

Craig Van Matre, an attorney with offices at 1103 East Broadway, stated he was available to answer questions and pointed out their application for annexation was contingent on the proposed zoning.

Scott Ward, 3030 Big Timber Drive, stated he was Senior Vice President of Analytical Biochemistry Laboratories (ABC Labs) and explained they generally provided clients with product development services to support registrations of pharmaceutical and chemical products. He noted their services principally revolved around an analytical evaluation of products. He commented that they were finishing a new building in Discovery Ridge and would soon move two pharmaceutical units to that site. Two business units would still remain at ABC Lane. Those would be the chemical services division and the synthesis operation unit. They planned to seize operations in several of the smaller buildings and one laboratory building, but would continue consolidating into two larger laboratory buildings. At this time, ABC Labs did not have plans to develop the unoccupied tracts referred to as Tracts B and C. He explained the chemical services unit provided analytical testing of chemical products, crops, etc. and evaluated the environmental fate and effects of these products for

registration, generally, with the EPA or the Food and Drug Administration (FDA). The synthesis group built molecules requested by clients and typically incorporated a radioisotope, such as Carbon 14, into the molecule. In order to perform this work, ABC Labs was required to use chemicals to include some that were classified as hazardous. The use and storage of the chemicals was done under the auspices of a variety of State and Federal agencies. The hazardous substances were utilized in sample preparation and in analysis of the synthesis products requested by their clients. These substances typically included organic solvents, such as methylene chloride, acetone, and methanol. He pointed out ABC Labs was registered as a large waste generator with the EPA and DNR as a result of the use of these chemicals and noted they were also licensed by the Nuclear Regulatory Commission to use radioactive materials and by the Drug Enforcement Agency to store, handle and test controlled substances. He explained they maintained large volumes of liquid nitrogen and hydrochloric acid for analytical testing and in support of the water system. Although they did not have plans to develop the unused land areas of the site at this time, they wanted to ensure they had compatible zoning so they could expand similar services requiring hazardous materials to those tracts in the future if they desired.

Robin Remington, 503 Taylor Street, stated the territory involved did not affect her directly, but noted she had a continuous and basic concern with the issue of biochemical materials and the safety of those materials in Columbia. She wanted Mr. Ward to address the safety measures being taken to ensure these materials did not end up in the ground water.

Ms. Hoppe asked Mr. Ward to answer the question posed by Ms. Remington. Mr. Ward explained they were licensed by a variety of State and Federal agencies and noted all of the materials used were collected. They did not go down the sink and flow out onto the ground. They were containerized and picked up and hauled by licensed regulators.

Ms. Remington stated that addressed her question as it meant nothing touched the ground. She commented that she hoped the bio-level three lab measures were similar.

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

Mr. Wade noted the ordinance committed the City to provide normal municipal services to the area to be annexed. Mr. Boeckmann stated that it was a statutory requirement under State law. Mr. Wade understood ABC Labs would pay per the City's rate structure when normal municipal services were delivered, but wondered if there were unique start up costs the City was committed to pay. He understood ABC Labs was already on a sewer system and on water lines, so he assumed the City would not be committed to start up costs associated with those services, but wondered if it might commit the City to any start up costs with regard to service delivery. Mr. Watkins replied he could not think of any. He noted utilities were in place except for sewer and that would be provided as part of the extension to the new high school site and was environmentally positive. He stated they would have police and fire service, but did not anticipate marginal costs for it. Mr. Wade understood the marginal costs were involved when the site was originally developed. Mr. Watkins stated that was correct.

Mr. Skala understood there was disagreement with the 2020 Plan in terms of some industrial parts of this site. He asked if the change from commercial to industrial had to do

with the need for “shovel ready” industrial sites within the City. Mr. Watkins replied that was certainly a plus as they did not have ground for new businesses. Providing properly zoned property on I-70 with infrastructure in place was an advantage. He understood ABC Labs had no intent to develop it right now and noted, from staff’s prospective, the industrial zoning was a plus and the office zoning made sense as a buffer between the residential neighborhood to the west and the planned industrial zoning to the other side of the creek. Mr. Skala understood that was the rationale behind the pending annexation not matching or being similar to County zoning. Mr. Watkins stated that was correct.

Mr. Janku noted this was currently within the Boone County Sewer District. Treatment was currently by lagoon, so water flowed into the Grindstone Creek. With this agreement, they would tie it into the City sewer system so that would no longer occur. In addition, this property abutted the Grindstone Creek and the City had a stream buffer ordinance that would protect the creek if there was development. At the present time, the County did not have a stream buffer ordinance, so that protection would not be in place if it was developed in the County. He commented that he was comfortable voting in favor of this for those reasons.

Ms. Hoppe was hopeful the County would have a stream buffer ordinance soon.

Mr. Wade pointed out the water would still flow through Columbia. It would only be in a pipe instead of in the creek.

B81-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B82-08 Rezoning property located on the northeast corner of Old Highway 63 and Alfred Street from R-1 to O-P; approving the Landmark Hospital O-P Development Plan; setting forth conditions for approval.

The bill was given second reading by the Clerk.

Mr. Watkins explained this ordinance rezoned the subject property from R-1 to O-P and authorized the construction of a 42 bed 32,000 square foot long term acute care hospital. The Planning and Zoning Commission voted 5-3 to approve the rezoning subject to the allowed uses and provisions of their statement of intent and 6-2 to approve the O-P development plan subject to four conditions. Those conditions included the appearance of the building being in conformance with the architectural rendering, the subject property and land to the east, which would be used for stormwater management features, being final platted prior to the issuance of any building permit, the developer, at his expense, extending the City water line from East Walnut Street to the subject site prior to any occupancy permit being granted for the hospital facility and the section of Alfred Street adjacent to the subject property being improved to a curb and gutter local residential standard prior to any occupancy permit being granted.

Mr. Teddy noted the O-P zoning was exclusive, so the only use that could be built if zoning was approved would be a long term acute care hospital up to 32,000 square feet in size. Anything that exceeded the size of the building or was a different use would require a different hearing process before the Planning and Zoning Commission. He commented that the portion being proposed for rezoning was less than five acres and part of a larger tract. In addition, there would be some stormwater management improvements on the remaining R-1

as part of the referenced conditions of approval. The three Planning and Zoning Commissioners that voted against the rezoning felt the location was not appropriate for the use.

Mayor Hindman commented that there was a request by the opponents for this item to be tabled as they were arranging for another traffic study to be made, which they felt would have different conclusions than the traffic study conducted by the proponents. He suggested they hold the public hearing tonight even if they decided to table the issue. He thought the only thing they would be tabling was a final decision and the opportunity for a presentation to be made by the opponents and a response from the proponents.

Mr. Skala made a motion to table B82-08 to the May 5, 2008 Council meeting. The motion was seconded by Ms. Hoppe.

Mr. Janku asked that the traffic study information be shared in advance so they could obtain an analysis. Mr. Skala agreed that would be preferred.

Mr. Wade stated he believed a reason for tabling was the reasonable expectation there would be significant and relevant data beyond what was now available and noted he had not seen where that would necessarily be the case. He was not sure whether he wanted to support tabling this item or if he wanted to vote on the issue now or after testimony had been heard.

Mayor Hindman suggested they delay voting on this motion until after testimony was heard in order to make an informed decision on whether or not to table this item.

Mr. Skala noted they would not know whether the results would be significant until they received the final results. He understood there were preliminary results that suggested there was a difference, but he was unsure as to the extent of the difference.

Ms. Nauser asked when the first traffic study was presented and why they were not advised of this pending traffic study prior to 2:00 p.m. this afternoon.

Erick Seaman, 1906 Alfred Street, stated he had a preliminary letter from Crawford, Bunte, Brammeier (CBB), a consulting firm used by the City for large traffic studies, and noted his first contact with them was on March 29th. Mayor Hindman asked when that was relative to the Planning and Zoning Commission meeting. Mr. Seaman replied it was after the Planning and Zoning Commission meeting. He pointed out the traffic study was done on Old 63 and not on Alfred Street. He hired CBB to study Alfred Street. At the Planning and Zoning Commission meeting, the report indicated the 7-8 trips every 12 hours and CBB was saying facilities of this nature had approximately six times that amount. Ms. Nauser understood they were asking for a traffic study for a street that was not studied because they felt traffic would go down Alfred. Mr. Seaman stated that was correct and noted he felt Alfred Street was not evaluated for sight distance and traffic.

Mayor Hindman asked if they wanted to vote on the motion now or after the public hearing was held. Mr. Skala replied he preferred to vote on it now.

Ms. Hoppe commented that neighborhoods were usually at a disadvantage because they did not have the expertise or resources to hire experts. In this case, they had a neighborhood that had contacted an expert and her tendency was to give the neighborhood association the courtesy to get that information.

The motion made by Mr. Skala and seconded by Ms. Hoppe to table B82-08 to the May 5, 2008 Council meeting was approved by voice vote with only Mr. Wade, Ms. Nauser and Mr. Sturtz voting no.

Skip Walther, an attorney with offices at 700 Cherry Street, stated he represented the proponents and commented that since they decided to table the decision to the May 5, 2008 Council meeting, he would suggest they table the entire hearing to that meeting instead of bifurcating this hearing and discussing one piece of potentially negative evidence and in order to provide a more orderly presentation. He felt the proponent might be put at a disadvantage by engaging in this unusual procedure. He stated he did not mind giving the opponents time to conduct their study, but wanted an opportunity to present all of their information to the Council at one hearing.

Mayor Hindman stated it was an advertised public hearing, so anyone who wanted to speak would be allowed to speak. Mr. Skala agreed they had to allow people to speak to the issue because it was advertised. He also felt it was fair for the opponents and proponents to present their entire case at the May 5, 2008 Council meeting if they wanted to do so. Mr. Wade agreed and noted both sides would then have the full set of data. Ms. Nauser agreed as well.

Ms. Hoppe made the motion to table B82-08 to the May 5, 2008 Council meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman opened the public hearing.

Robin Remington, 503 Taylor Street, noted the report referred to stormwater without any indication as to how seriously the stormwater impact was taken as opposed to the traffic impact. She commented that she lived at the corner of Taylor and University and her back yard flooded every time there was a major rain. She felt there were people involved who might be affected in a similar fashion. She wondered if that had been a part of the debate and the outcome. She only wanted to alert those emphasizing traffic that damage to the constituents in the region might come from another component of the process.

Mayor Hindman stated stormwater was a factor they took into serious consideration and he understood this would have to comply with the new stormwater regulations.

Liz Graznak, 914 Fairway Drive, stated the reason for postponing the decision made sense, but she was frustrated as well because there were a number of elderly people who made a trip to attend the meeting. She explained it was very difficult for them to get here and to also get to the next meeting.

Mayor Hindman pointed out they were welcome to speak tonight.

Denise Phillips, 5 Club Court, asked if it would be a public hearing at the next meeting. Mayor Hindman replied yes. Ms. Phillips understood they could speak at the next meeting. Mayor Hindman replied yes.

Michael Ugarte, 1505 Windsor Street, stated his neighborhood association, the Benton-Stephens Neighborhood Association, met and voted in favor of this proposal. He understood some people were now having second thoughts, including the past President, Jay Hasheider. He commented that the Neighborhood Association meeting was not well organized and was represented by relatively few people. He pointed out he had not attended that meeting. As someone who had been living in the area since 1992, he was opposed to

the development. He felt it was disingenuous to say rezoning the area would not produce further development. He supported the people who lived in the area and did not want it in their neighborhood. He noted he jogged and biked in the area and wanted to keep it as a natural habitat.

There being no further comment, Mayor Hindman continued the public hearing to the May 5, 2008 Council meeting.

B86-08 Authorizing construction of a traffic calming speed hump on Rainbow Trout Drive between Golden Trout Drive and Coho Court; transferring funds.

The bill was given second reading by the Clerk.

Mr. Watkins stated this would allow a traffic calming speed hump at an estimated cost of about \$4,000. The work would be performed by City street personnel and funding for this project would come from City traffic safety funds. There was a request to table this item as well. He explained they sent letters out several weeks ago, but within the last day or two, they had heard from some people with objections to the proposal.

Ms. Lea noted they wanted the opportunity to get with those people to further explain this.

Mayor Hindman asked if the request was made by the neighborhood or staff. Mr. Watkins replied it was made by the neighborhood, but staff was supportive.

Mr. Wade made a motion to table B86-08 to the May 5, 2008 Council meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman opened the public hearing.

There being no comment, Mayor Hindman continued the public hearing to the May 5, 2008 Council meeting.

B87-08 Authorizing rehabilitation of portions of the general aviation apron and commercial service apron and enhanced centerline markings at the Columbia Regional Airport; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins explained this involved the rehabilitation and rebuilding of the general aviation apron at the Airport. He noted it was a fairly expensive proposition because they were building a thick piece of concrete. The estimated cost was almost \$2.1 million and the FAA had agreed to a 95 percent federal grant. The balance would be paid with transportation sales tax funds. In his opinion, this was major maintenance that had to be done. The FAA concurred as they were willing to put the vast majority of money into the project.

Mayor Hindman opened the public hearing.

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

B87-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Construction of a new parking garage located north of Broadway between Fifth Street and Sixth Street, on the south side of Walnut Street.

Item A was read by the Clerk.

Mr. Watkins stated this was the initial public hearing on a major parking facility to be located at Fifth and Walnut on a City-owned lot. In 2001, the City put together a master plan for parking needs north of Broadway. The original idea was to postpone this facility by adding to the existing parking garage known as the Plaza. While it was feasible, it was very expensive due to earthquake codes that had changed. Staff was now proposing they not move forward with the Plaza addition, but put those funds into a new facility at this location. The estimated cost of the project was \$12-\$15.5 million. A lot still needed to be done before that figure would be finalized. He noted they would bring more information to Council as they moved forward, but wanted to make these preliminary presentations to ensure they were headed in the right direction. He pointed out this project was paid for by parking utility funds, which were funds from the sale of parking spaces at the garage and parking meters. This would not be paid for by general tax money.

David Ryan, Walker Parking Consultants, commented that they did the original design for the Seventh Street Plaza parking structure. He pointed out this project site was bound by Fifth Street on the west, Sixth Street on the east, Walnut to the north and Broadway to the south and that the project had been broken up into two phases. The first phase was the programming phase and they had been asked to develop preliminary parking layouts and construction cost estimates for the three site options and one police parking option. Three meetings were included in this phase. The first meeting was with stakeholders to gather information. At the second meeting, they presented of preliminary layouts and costs and obtained feedback in order to modify the layouts as needed. This was the third meeting. He noted the second phase, with authorization from the City, would be to proceed with full design service of the selected option. He provided a preliminary outline of that 10-16 month process and commented that they understood there would be periodic City reviews and necessary meetings. He noted the schedule provided did not include those meetings, but that they would be held throughout the design process.

Mr. Ryan explained for option one, they had been asked to look at the existing surface lot on the north half of the site, which was bound by Walnut Street, Fifth Street, Sixth Street and the alley to the south. They were also asked to look at keeping retail on the first grade level along Walnut Street. Site options two and three incorporated an L-shaped structure and the properties now occupied by Commerce Bank and the Credit Union, along with the associated surface lots. Option four included police parking and would involve below grade parking on the east half of the site and a potential access tunnel or a future above grade pedestrian bridge across Sixth Street to the Police Station.

Mr. Wade asked who the stakeholders were. Mr. Koopmans replied they invited all of the businesses there, the Council and anyone else from the public. He noted they worked through the Special Business District to put out an e-mail out to all of their members.

Mr. Ryan explained they had developed preliminary estimates of construction costs by using their internal database of similar projects in similar regions on a cost per stall and a cost per square foot basis. They understood the parking efficiency might not be the same due to the retail component because it could make the cost per stall higher, so they also looked at it on a cost per square foot basis to verify they were in the range they needed to be in. He noted the costs were verified with general contractors by providing them the basic

geometry of the site. He explained they developed these costs based on low and high end ranges. The low end range was a pre-cast structural system with a basic facade treatment. The higher end was a cast-in-place structural system with a higher end facade treatment. He showed examples of parking structures of various ranges on the overhead.

Mr. Ryan noted for option one, they developed a two-bay, two-way traffic, 90 degree parking stall garage with the main entrance at Sixth Street. Approximately 600 parking spaces would be on eight supported levels and the preliminary estimate of construction costs were \$10.5 - \$13.9 million. The cost per stall was \$17,400 - \$22,100. It was a single threaded helix, which meant there was two-way traffic all of the way up. One would wind their way through the facility and back down using the same ramping system. The ground tier would have approximately 17,000 square feet of retail along Walnut Street and would wrap around towards the south with some possible service entrances. The typical floor level had a preliminary jump ramp at one end. He pointed out they might need to make up elevation grade at one or both ends due to the ramp lengths and that was included in the estimated costs. He explained the stair elevator core and the stair tower were very preliminary. They would present other options for other circulation systems in the schematic design phase. This was strictly done to determine the number of stalls they could get on the site.

Mr. Janku understood there would be only one access for the 600 stalls coming out on to Sixth Street. Mr. Ryan stated that was correct. Mr. Janku asked if anyone had looked at how that might affect traffic congestion on Sixth Street. Mr. Koopmans replied they would be asked to conduct a traffic study to assess the impact of a garage at the Fifth and Walnut intersection in the second phase. Mr. Janku asked if he meant Fifth or Sixth Street. Mr. Koopmans replied Fifth Street and explained it was because there was no signalization there. It was a two-way stop, so they would specifically ask them to address it as that was where the exit would be. They would also be asked to address the impact around the entire structure. Mr. Janku stated he thought the entrance and exit was on Sixth Street. Mr. Ryan replied the entry and exit were on Sixth at this time and explained it was part of what they would address as part of the schematic design phase. He pointed out one entry and exit could handle this volume of cars. He understood Mr. Janku's question involved the surrounding streets. Mr. Janku explained it also had to do with customer friendliness. He believed it was better to have multiple entrances to a facility. Mr. Ryan stated it was doable and they could look at alternate circulation systems and alternate exit/entry points during the schematic phase. The decision on retail and police parking would impact the circulation pattern. He noted currently the police entrance and exit was currently on Fifth Street.

Mr. Sturtz stated he appreciated the provision for retail as it was important and hoped it was provided in future garages. He understood it would involve 17,000 square feet of retail and asked if that was correct. Mr. Ryan replied yes. Mr. Sturtz thought that was high and wondered if it could be reduced. Mr. Ryan replied it could be reduced. At this time, they were providing that amount as shell space. Mr. Sturtz asked if there could be additional parking if it was reduced. Mr. Ryan replied yes, but noted they would have to review the circulation system to determine how to access the space.

Mr. Ryan showed where the police parking option would be located and noted it would be tucked underneath the parking structure itself and would provide approximately fifty spaces. It involved two-way traffic with the entrance and exit off of Fifth Street. The estimated construction costs of this portion would be \$1.5 - \$1.6 million or \$28,900 - \$30,900 per stall. He provided examples of retail incorporated along street frontages on the overhead.

Mr. Janku asked if someone wanted a larger portion of retail space, if it would be easier to accommodate in a repeating facade structure versus separate facade structures since they could move down along the frontage. He wondered what would be better in terms of flexibility. Mr. Ryan thought it would depend on whether the retailer wanted a specific facade. If they had a certain idea for the facades, they could break up the retail differently from that facade, so the internal retail could be a bigger piece than what the facade represented.

Mr. Janku asked if they could have pedestrian access in the middle so pedestrians could walk directly from the garage to the post office or other stores rather than going around the block. Mr. Ryan replied the core was located at the north, along Walnut Street, but if there was a desire for a mid-block crossing, they could look into it.

Mayor Hindman noted the last slide shown included only one or two levels above the retail and asked what that was considered. Mr. Ryan replied it was a medium facade. It was a cast-in-place with full brick. Mayor Hindman asked if that was upper-medium. Mr. Ryan replied yes.

Mr. Skala asked if he agreed that some of the higher end treatments were not as necessary for a stand-alone building and that they were a function of fitting in with existing buildings. He commented that he liked the idea of setting off the retail space, but felt the repeating design was not as dissonant on a stand-alone facility as it would be if it were attached to another building. Mr. Ryan replied that was true in general. He noted the two facilities he presented on the higher end were both in historical districts and a lot of the surrounding buildings looked the same as what they ended up having the parking structure look like. It drove that type of architectural treatment.

Mr. Janku asked for the price difference between the high and low end. Mr. Ryan replied it was difficult to determine, which was why they broke it off on a low end/high end basis. It depended upon the materials selected. The magnitude could be seen with the costs per stall. The low end was a pre-cast structural system with a pre-cast basic façade and the high end was a cast-in-place system with a more elaborate facade. The pre-cast was chosen for the lower end because it typically had a lower initial cost as opposed to cast-in-place. Mayor Hindman understood it involved a higher maintenance cost. Mr. Ryan stated there was a higher long term maintenance cost. The costs tended to equal out over time. Mayor Hindman commented that they would be paying for it with bonds over a long period of time, so he felt the discussion of equaling out was significant.

Ms. Hoppe understood it could be office space as opposed to retail space. Mr. Ryan stated that was correct.

Mayor Hindman asked what the next step would be after the Council provided a recommendation. Mr. Koopmans replied staff was recommending options one and four. It

involved constructing the garage within the footprint of City-owned property with reserved or regulated space for squad cars. Mayor Hindman asked how far the consultant would go before coming back to Council. Mr. Koopmans replied they would come back prior to developing constructible designs. Once the Council concurred with the final design, they would provide biddable documents for the bidding process. Mayor Hindman asked if they needed to make a decision on the facade, etc. tonight. Mr. Koopmans replied they needed to decide whether they were more inclined toward the high or low end. Mr. Watkins stated the more direction Council could provide, the more focused the consultant could be and the lower the cost would be because they would be bringing back fewer design options.

Mayor Hindman opened the public hearing.

Carrie Gartner, 11 S. Tenth Street, stated she was the Director of the Columbia Special Business District and noted they were very excited about this project. They liked parking garages as opposed to surface lots and retail on the ground level was something they had wanted for a while. She commented that they liked the footprint, height and number of spaces. She stated they wanted to ensure there was easy access from the inside of the parking garage to the stores. She did not want the stores to be too separated from where the customers parked. She believed it was important for the retail/restaurant space to be very flexible. It was a lot of space and allowing it to be broken down into different sizes was very helpful with regard to leasing. It was also helpful to a lot of start-up businesses who were looking for 1,000-1,500 square feet of space as it was more affordable. She commented that she felt it was important to look at the Fifth and Walnut intersection, particularly with the stopping and the parking outside of the post office. She felt it needed to be safer and might need crosswalks. She understood the need for balance between an appealing, aesthetic look and the cost as they all liked the look of high end garages, but wondered if that was feasible. She felt it was important for the ground level space to be architecturally interesting because people liked activity and something interesting to look at. She also believed it would help with street life. She stated they found that the spaces that were easier to rent were the ones that appeared to be unique and had some architecturally interesting features. If they were to put money into making parts of it architecturally interesting, they would recommend it go toward the ground level more so than the rest of the building.

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

Mr. Janku stated he found it troublesome that all of the traffic would be pulled in and out of Sixth Street when across Sixth Street was the Police Station. The stores and restaurants would be on the other side of Fifth Street and they might benefit more from that traffic as businesses liked exposure to traffic. He hoped they could find a way to make the entrances on both sides. With regard to the facade, he was suggesting mid-level.

Mr. Skala stated he agreed with the concept of options one and four and the comments of Ms. Gartner for some distinction for the ground level. He noted at least one of the slides showed a brick facade on the bottom. He had no objection to relatively aesthetic repetition on the upper levels, but thought the ground level needed some attention. He was also thinking mid-range.

Mayor Hindman understood the traffic issue, but felt the most important thing was pedestrian entrances. It was the pedestrians who went to the stores and ate in the

restaurants. He was not sure of the importance of an automobile entrance on Fifth Street, but believed there should be pedestrian entrances for the post office and the stores on Fifth and Sixth Streets. He pointed out this structure would be eight stories tall and the tallest building downtown with the exception of the Tiger Hotel, so it would be a very conspicuous building. He thought an upper medium range was acceptable. He did not think they wanted to go for the low end for an eight story structure as the aesthetics would be really important. He suggested they go for at least mid-range.

Mr. Skala agreed the upper stories would be important, but did not believe the design needed to be the same as it would not set off the retail space.

Mr. Wade thought this was an important set of decisions as they moved into a major effort of transformation and ideas in terms of rebuilding downtown. The City was responsible for the street structures, the streetscapes, the quality of infrastructure and the parking structures. He felt they needed to think about the quality of new parking structures being consistent with the kind of quality they wanted to achieve for the downtown through the revitalization process. With a downtown that was predominantly brick, he believed they needed to think about a brick facade, which was in the middle range. He also wanted the possibility of creating some variation on the retail level, so the retail stores would stand out from each other and be distinguishable. The rest could include the repetitious brick look. He commented that he believed they also needed to provide for secure police parking.

Ms. Nauser agreed with regard to the police option. She noted she worked in that area and it was difficult to find adequate parking close to the post office and employment areas due to competing with the Police Department. She suggested they aim for mid-range.

Ms. Hoppe commented that some of the examples shown included attractive, old fashion lighting on the retail level. She thought that was a relatively inexpensive way to provide a nice historic look. She believed retail was a great idea in terms of safety and economics. She noted people were more likely to visit other businesses when they had continuous retail versus an empty parking lot. She agreed with mid-range and having it look nice without wasting money.

Mayor Hindman understood they had LEED personnel on staff and asked if LEED garages could be built. Mr. Ryan replied a garage itself could not be certified, but they would get as many points as they could so it was considered to be LEED conscious design. With the retail component, they could study what it could add in terms of LEED points and possible accreditation. Mayor Hindman thought they needed look into that. Mr. Wade agreed and noted it had the benefit of lowering the operational costs for those retail businesses, which was a nice contribution.

Mr. Sturtz believed going up eight stories with a relatively small footprint was a positive idea and agreed they needed to attend to the look of it. He did not think they wanted anything that looked as dark as the Hitt Street project and noted this could be a trendsetter for that part of town, which was not very architecturally distinguished right now. In time, however, many of the lots would be redeveloped, so they would not want to set a low example.

Mr. Janku made the motion to pursue options one and four with excellent pedestrian access, a mid to mid-upper range facade and LEED certification or the maximum number of LEED points possible. The motion was seconded by Mayor Hindman.

Mr. Wade thought it was important that the mid to mid-upper range facade have a brick image consistent with the downtown and suggested that be added to the motion. Mr. Janku and Mayor Hindman were agreeable to the amendment. The motion made by Mr. Janku, amended by Mr. Wade and seconded by Mayor Hindman to pursue options one and four with excellent pedestrian access, a mid to mid-upper range brick facade consistent with the downtown and LEED certification or the maximum number of LEED points possible was approved unanimously by voice vote.

(B) Considering proposals for Essential Air Service at Columbia Regional Airport.

Item B was read by the Clerk.

Mr. Watkins noted the City's current air service provider had asked the federal government to let them out of their contract. The FAA had taken proposals for air service to Columbia and several other communities that were served by Mesa Airlines and was asking for community input. Traditionally, the Council, by motion, directed staff to recommend a particular option. He explained they had shared information with a number of their partners of the airport to include Jefferson City, the Chamber of Commerce and University of Missouri. Four options had been received by the FAA. One involved Hawaiian Airlines and they believed it had some difficulties. Another option involved Great Lakes Airlines going to Kansas City four times per day. Mesaba Airlines, which was owned by Northwest, provided two options. Both involved going to their hub in Memphis. He pointed out Northwest and Delta were talking about a merger. Staff believed, based on the information they had, Memphis would not be downgraded if that occurred. They thought it would happen elsewhere in the Delta facilities. By being a hub, Memphis would allow baggage to be checked all of the way through. Customers would not have to go through security twice or change airlines. With Mesa in Kansas City, the customer had to leave the secured area and go back through security. He commented that Great Lakes and Hawaiian were proposing 19 seat planes. Mesaba was proposing 32 seat propeller driven crafts.

Mr. Sturtz asked if the U.S. Department of Transportation would be amenable to either the more expense Mesaba option or if this was a case they would have to make. Mr. Glascock replied he believed it was a case they would have to make. He explained the FAA listened to them, but in the end it was their decision. It was not a decision the City could make.

Mr. Skala asked if they had to select one of these options or if they could provide more than one option or a list. Mr. Glascock replied they could provide a list of preferences. Mr. Watkins stated the Council could rank the options or indicate what they favored. He pointed out the Airport Advisory Board considered this at their last meeting and was split 4-4. Since that time, he had received an e-mail from one of the Board members who had changed his mind, so if a vote was taken again, there was the potential for a recommendation to go with Memphis as opposed to the Kansas City connection.

Mayor Hindman opened the public hearing.

Jeff Brant stated he was a National Sales Representative for Northwest Airlines, but was not in attendance on official capacity. He was present in order to represent his customer base, which included northern Missouri, Columbia, Jefferson City, Springfield, Joplin, Kansas City and Topeka. He thought it was key that Mesaba was Northwest because joint planning and pricing was important. It allowed customers to purchase through-fares to final destination. When flying to Kansas City, the customer, many times, had to purchase two tickets. In addition, Kansas City was not meant to be a hub airport. It was only great for origins. He noted Memphis was a hub airport with everything under one roof. The minimum connection was 30 minutes, which was good compared to other airports. International connections had a one hour minimum connection time. He explained it was a one stop flight from here to Europe via Memphis because it went to Amsterdam. From there it was two stops to many destinations in Africa, Russia, other places in Europe and the Middle East. He thought it made sense for customers to have those options. He commented that airlines had come and gone in Columbia because they were commuter airlines with an interline agreement for baggage and ticketing. This was one airline, so they had sales support for one airline. He stated his job, as a customer service and sales support person, did not end with the connection between Columbia and Memphis. It covered the entire global scope of Northwest Airlines.

Mr. Wade understood Northwest had a very large Asian route system and asked if there was a single flight to a key Asian hub. Mr. Brant replied not at this time. The most logical route would be to go from Memphis to Detroit and take the polar route. Mr. Wade understood it would go through Detroit versus Minneapolis. Mr. Brant stated it could be either one, but Detroit was a bigger hub.

David Rosman, 104 Clinkscales, stated he was a member of the Airport Advisory Board, but had been not present in that capacity. He referred to his Columbia Missourian article of April 10, 2008 and commented that as an individual, his background was in aviation and aviation management. He noted he was a risk manager for a number airlines. He stated this was a very volatile industry, especially in Columbia where they had a bad reputation in the airline industry. He felt they needed to promote the use of the airport. He noted they were not flying to Chicago or Dallas. Columbia was not a destination city, but a lead city. People wanted to go from here to someplace else. Until Columbia became a destination city, people would not want to come here. He understood some thought they wanted to come here for the University and hospitals, but that was minor. He believed the City, in cooperation with Jefferson City, the Lake of the Ozarks, etc., needed to come up with a financial plan to promote the airport. He thought the City also needed to promote the airport from within asking their own people and people from the University, Stephens College and Columbia College to use the airport on a regular basis and to make it their first consideration regardless of which airline was chosen. In addition and in cooperation with the downtown and the Chamber of Commerce, they needed to make Columbia a destination. There were a lot of good things going on in this area and he believed they could do that as an organization. He commented that the Council's role was to not just choose an airline, and he recommended Mesaba, but to be diligent on the promotional side as well.

Byron Hill, 3712 Woodrail on the Green, stated he served on the Airport Committee during the Visioning process and had heard favorable testimony with regard to a desire to have hub transportation in air traffic. He pointed out his company, ABC Labs, was a destination. Last year, they generated over 450 employee trips out and back into Columbia for a total of 900 individual legs. In addition, their pharmaceutical group had 72 site visits that averaged about four individuals per visit. Most of that traffic was not identified as Columbia Airport traffic because people went into another city and drove to the airport. Speaking for himself and his company, he wanted to see this first step of engaging with a hub city. He believed business would come once a good product was in place.

Mike Naughton, 600 Crestland Avenue, agreed they had had a bad experience with the present airline and wondered if staff had researched the airlines they were currently considering. He commented that he was also a participant of the Airport sub-topic group for the Visioning process and noted essential air service was not intended to be the solution to the problem. It needed to be considered as a stop gap measure until Mid-Missouri communities could unite to secure an air service that was commensurate with the economic importance of this area and would truly serve the needs of its citizens. Of the options currently being offered, he urged the Council to recommend the Mesaba Aviation option with three daily flights to Memphis. This option offered the opportunity to put passengers on a bigger plane to a larger hub with a much greater chance of connecting directly to their destination. He believed this option had the potential to increase ridership and popularity of flying from Columbia.

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

Ms. Nauser stated she favored the Mesaba connection into Memphis because it provided more opportunities. She believed they needed to decide where they wanted to go with regard to the airport as it related to economic development and develop a visioning plan. She felt a lot of work needed to be done at the airport if it was going to be viable. She commented that she flew out of it as often as possible to support Columbia whenever she traveled and agreed they needed to lead by example by having City employees using it whenever possible. She understood it was sometimes impossible due to connecting flights. She felt this should be done in the interim while they developed a long range visioning plan, so they could bring in more business to the community so it would become a destination. She noted they were working on arts, culture and other things that could draw people to Columbia. She believed this was an opportunity to start a discussion of where they wanted to go and to commit funding on the City level to make it happen.

Mr. Sturtz asked how the EAS would affect the efforts of the regional consortium in attracting a carrier that would go to Chicago. Mr. Watkins replied this was an interim step. He felt it was critical for them to keep a passenger load of 10,000 people per year in order to retain federal money and believed the right EAS could do that. He noted Mesaba had a strong potential to keep them over 10,000 people. With regard to getting to Chicago O'Hare and Dallas, as a secondary point, they were continuing discussions with major carriers that could do that. He explained presentations had been made with members of the consortium. He pointed out he used the term consortium very loosely because there were no written agreements and there had been only one meeting of the entire group. He noted they were

selling and not buying because they had a lousy track record and the only way to overcome that was to provide some risk guarantees. He commented that the industry was currently in a constricting mode. He believed that if they had a good track record for one year, it would strongly help their ability to attract other carriers.

Mayor Hindman stated he felt Mesaba was interested in more than EAS and was probably testing Columbia as a viable market. He noted he had some experience flying out of Duluth, Minnesota, which was a City about the size of Columbia, and Mesaba flew out of Duluth as part of Northwest. Duluth had direct service to Minneapolis, Detroit and another major hub. They had flights everyday to these different places. He commented that flying to Minneapolis was about the same as flying from Columbia to St. Louis. He understood they were sustaining these flights without EAS, so he was hopeful that Mesaba was taking a look at Columbia because it resembled the Duluth market. He explained this option also appealed to him because it was different than what they had previously tried.

Mr. Wade noted he was excited about the Mesaba option and thought the third option should be dropped. He saw no reason to continue trying to go to Kansas City or St. Louis. He liked the Mesaba option because it was a direct flight to a major hub. The key would be whether Memphis remained a hub with the joining of Northwest and Delta. If it did, he believed they would be better off in Memphis than in Chicago with United because it would provide more direct flight options with an integrated ticket. He stated having three flights per day versus two flights per day was important and would help build the viability of the airport. They would then need to build the quality of the airport before it fell apart. He thought having a connection to a hub was an exciting first step.

Mr. Skala stated he liked the Mesaba options due to the convenience for the traveler with a larger plane and less security issues. The Great Lakes option was discounted because of their inability to provide enough planes. He suggested they include both Mesaba options. He noted they had been trying Kansas City and St. Louis for a long time and needed to do something else.

Mr. Janku made a motion directing the City Manager to send a letter to the USDOT setting forth Columbia's priority of Mesaba option three as their strong first preference and Mesaba option one as their second preference. The motions was seconded by Mr. Skala and approved unanimously by voice vote.

OLD BUSINESS

B83-08 Approving the PUD Development Plan of Rock Quarry PUD – Phases I & II located on the west side of Rock Quarry Road, between Stadium Boulevard and Grindstone Parkway; granting a variance to the Subdivision Regulations relating to construction of a cul-de-sac bulb; setting forth conditions for approval.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would approve a new residential development consisting of two two-family and seven three-family attached dwelling units for a total of 25 dwelling units on about 10.5 acres and was Phase II. This also made some modifications to an earlier approved development known as Phase 1.

Mr. Teddy reiterated this was Phase II and Phase I only came into play because there were some conditions associated with the approval of Phase II that involved retroactive

improvements to the already existing Phase I, such as additional landscaping and screening and access to refuge collection areas. This was mostly about the plan approval for Phase II of the Rock Quarry PUD. The variance that was part of the request involved waiving the usual requirement for a street that dead ended at a development tract to either be extended through the site or be terminated in a cul-de-sac. In this case, the applicant, staff and Planning and Zoning Commission agreed it would not make sense to do either. The variance would relieve them of any requirement to make an improvement off of the dead end of Norman Drive. He noted it was half of the site length away, was the length of one lot and might be intrusive to some of the residents. It was a looped configuration street, so there was no need for a turn around to promote good access. He commented that the topography was also fairly difficult at that location. He pointed out a large number of conditions were put on this development in the rezoning phase and the applicant had addressed them all. Both staff and the Planning and Zoning Commission were recommending approval subject to several conditions. One was a payment of cash in lieu of improvement to Rock Quarry Road. Since it was an unimproved collector, they had consistently collected \$25 per linear foot from PUD's on unimproved collector roads. It would amount to \$6,250. Staff was recommending the street name of "Rocky Springs Court" be changed because there were several other street names in Boone County it duplicated. The owner and his consultants would also coordinate with the City arborist and a representative of the Rock Quarry Road Neighborhood Association to ensure the intersection and site distance requirements for the intersection of the main street at Rock Quarry Road were met and no unnecessary clearing of trees occurred.

Mr. Skala noted the Council received an e-mail from one of the stakeholder residents asking them to address deviations from the statement of intent as referenced in the staff report. He asked if there were deviations from the statement of intent, and if so, what they were. Mr. Teddy replied those were addressed at the Planning and Zoning Commission meeting. He noted the building elevations were not exactly the same building elevations as indicated as part of the PUD zoning approval. The building elevation was a self-imposed condition and was not recommended by staff. They pointed out any details that differed, such as a squared off entryway instead of an arched entryway and a building on the east side with brick not going all of the way up.

Mr. Skala understood the cost per linear foot had been discussed with regard to coming up with alternatives and asked if there had been any progress in generating new ideas. Mr. Teddy replied they had looked at three different methods for this area, the Rock Quarry Special Area from Route AC to Stadium. They looked at apportionment by linear feet of frontage, by square feet of the development compared to the entire area and by percentage of total traffic generated by the development. All three came out to be about 1-2 percent. The frontage was the lowest with just over one percent of total frontage in the special area and traffic generation equaled about two percent of the total traffic there now. Mr. Skala asked if that was a report they could expect in the future. Mr. Teddy replied they had discussed a response to the request with Public Works, but it was still on the tracker list.

Mayor Hindman asked for clarification regarding Norman Drive. Mr. Teddy replied that whenever a property was subdivided and there was a stub street or dead end, the subdivision

regulations required the dead end street to be brought into the tract being subdivided or terminated as a cul-de-sac, so even though the Seven Oaks development was not done by this developer, the strict letter of the code indicated that street had to be dealt with somehow. This could be done by putting a cul-de-sac bulb there for a permanent turn around or by bringing it into the site. He explained some time ago, they had talked about bringing the street through so Rock Quarry would connect indirectly to Carter Lane and Providence Road, but the terrain was very difficult. If they wanted a turn around, this dead end street that was one lot frontage long would require a 70-foot wide concrete/asphalt turn around, disturbing more terrain. He pointed out the Fire Department could use the loop to turnaround if needed. Staff felt they had a good case for the variance. Mayor Hindman asked about a pedestrian or bicycle connection between the developments. Mr. Teddy replied a trail easement was one of the conditions of the applicant. Mayor Hindman asked if that would go to the end of Norman Drive. Mr. Teddy replied yes. Mayor Hindman asked how rough the terrain was there. Mr. Teddy replied it was a quite a fall in vertical relief from the west edge of the development to the Seven Oaks Subdivision. Mr. Teddy stated it would be a nature trail, not a paved trail.

Ms. Hoppe noted the neighbors were concerned about the trees off of Rock Quarry Road and understood there was a provision for the City arborist to get together with the developer and the neighborhood association. She also understood the clearing and trimming limits would be delineated on site prior to any clearing on the site triangle and asked how that would be delineated. Mr. Teddy replied that was not specifically stated, but he thought they might use construction tape or something bright in color.

Dan Simon, an attorney with 203 Executive Building, stated he represented the applicant and commented that this was controversial when it came up last May. He noted Ms. Hoppe and Mr. Wade helped facilitate discussion with the neighbors, which lead to an extensive statement of intent, and pointed out all of its requirements had been complied with. With regard to Ms. Hoppe's question, he commented that the statement of intent provided for three options for dealing with the vegetation associated with the setback. One was to leave the vegetation as it was other than for the required site distance. They could also selectively thin it or replace it with native species. He noted all of that had to be done with approvals of the owner, the officers of the Rock Quarry Road Neighborhood Association and the City arborist, so before anything could be done within the setback, all three parties had to come to a consensus. With regard to Mr. Skala's question, there were two issues. They felt one was minor and involved having a flat doorway as opposed to an arched doorway. With regard to one of the buildings on the east side, the owner had agreed to put it in brick from ground to roof, so they were meeting that requirement. He believed they had done exactly what they said they would do. They had combined the two developments into one and subjected it to a very extensive declaration of covenants, which had to be imposed on the property.

Ms. Hoppe understood the building on Lot 20 would consist primarily of vinyl siding. Mr. Simon stated that had been eliminated and one of the conditions in the ordinance indicated the side of it would be brick.

Julie Youmans, 2101 Rock Quarry Road, stated she was concerned about the scenic road ordinance as they added driveways and entrances, eliminating the buffer. She

commented that Rock Quarry Road had extreme topography and unique topographical conditions up and down the entire road and due to that they were supportive of the variance to not do the cul-de-sac. She reiterated their concern was for the scenic road and for the buffer to be cared for and protected. The staggering of the facades, the doorways being arched or straight and the use of vinyl siding was fine with them if it could not be seen from the road. She noted they had worked with the developer and his representatives. In addition, Mr. Simon's notes were extensive, so that made them confident that this development would work out differently for the scenic road buffer. She understood the letter of intent included a suggestion by the developer to put additional trees on the east/west entrance road for further screening along the road and asked for that to be included in the ordinance. She commented that what was shown on the website showed five conifers and four deciduous trees and was not sure if there was an exact requirement or if there would be more, but noted that would only create a visual barrier for the upper story. They hoped there would be a buffer at the shrub level as well, if they were taking material out. She stated she was not in favor of a five foot wide sidewalk and the clearance it demanded because it would take out a lot of buffer. They were happy to see the meandering plan, but wanted to see any plans for a sidewalk tabled. They preferred it to be developed with other changes to the road and with other exploration for suitable sidewalks and trails that were responsive to the unusual topography. She also requested the communication to the neighborhood be clear and to provide them plenty of time so other people could get into the discussion. She commented that she received an e-mail late last week from the City arborist indicating they were meeting tomorrow regarding how they were taking the trees down. She was the only one who could attend and was unclear as to whether this was the time they were marking the trees or not. She needed to know information would come in a clear and timely way.

Ms. Hoppe asked if any amendments or specific changes were being requested, such as ensuring the bushes on the east side were lower. Ms. Youmans replied the letter of intent mentioned trees going along the new entrance road going east and west at the corner and it was not clear to her whether it was part of the ordinance and required. She hoped it was required. She commented that she had drawings from the website and asked if it was the final plan being approved and voted on tonight. Mayor Hindman replied he thought it was. Mr. Teddy provided a copy of the landscape plan on the overhead screen. Ms. Youmans asked if that was the extent of what would be planted there. Those were nine tall trees and did not constitute a visual buffer, nor a buffer in the same character as was there. She explained they wanted trees of varying heights and shrubs so a visual buffer was created up and down the road.

Glen Strothmann, with offices at 33 East Broadway, stated he was one of the developers of the tract and noted the intent was to work with the Rock Quarry Neighborhood Association and the City arborist. If something was removed and it was deemed appropriate to put something back, the item being removed would dictate what the replacement would be. He explained if they removed nothing and needed to put in more shrubs, they would. He commented that landscaping would not be an issue. He noted Public Works had to approve the items with regard to site line distance, etc., but he was confident they could come to

agreement. He stated they were agreeable to putting in lower shrubs to help filter the lower areas.

Mr. Wade asked for clarification regarding the sidewalk. Ms. Youmans noted it mentioned a five foot wide sidewalk. Mr. Wade understood she was hoping a five foot typical straight sidewalk would not be required. Ms. Youmans stated that was correct and explained they liked the meandering sidewalk. She felt a five foot sidewalk was too wide when leading into these topographical steep hills. She commented that a wheelchair could not go down the hills and was not sure why it needed to be so a wide sidewalk. Mr. Wade asked what she wanted Council to do. Ms. Youmans replied she wanted them to delay the decision on the exact nature of the sidewalk and to integrate it into plans for widening the road because the issue of saving the buffer would come up again at that time. She thought they might be able to save more of the buffer by working the sidewalk plan into the street plan.

Mr. Skala stated he had followed this process very closely and appreciated the cooperation between the developer and the neighborhood association. He believed this was one of the better examples of the development process.

Mr. Wade believed this was also a message to neighborhood associations. Both parties were willing to talk and listen to each other. When it did not work, there was plenty of blame to go around on both sides. He commented that he hoped they would deal with the question regarding the sidewalk. He understood there were City regulations concerning sidewalk standards, but given the scenic roadway designation and the buffer, it did not make sense to impose those standards on each individual development. He thought Ms. Youmans was correct in that a sidewalk pathway needed to be done as part of the total design when and if something was done with Rock Quarry Road versus imposing a set of standards created for a different kind of development and terrain on the buffer. He believed it needed to be integrated versus being a piecemeal process. It was a requirement that did not make sense in terms of the geographic and aesthetic character of that area.

Mayor Hindman stated he agreed with Mr. Wade to a certain degree, but noted there was no requirement for it to be exactly parallel to the street. It could be a meandering sidewalk. He pointed out there was a lot of student housing on the south end of Rock Quarry and the University was essentially at the north end of Rock Quarry. He did not believe it was safe for pedestrians or bicyclists to use Rock Quarry Road and felt it was unacceptable to duplicate what had been done. He noted cars were moving fast and it was a windy road, so it was not safe for pedestrians. He did not think letting the sidewalk go until they had a future plan for widening that road was acceptable because it was a public safety hazard. He thought they might want to advance the plans for the road. He reiterated safety was primary. He pointed out he was anxious to preserve the buffer area and the scenic road, but did not believe they were incompatible.

Mr. Janku understood the trees proposed to be planted would provide a buffer between the street and sidewalk. He noted people had to walk and there would be pedestrian traffic, particularly if development occurred on adjacent tracts. He commented that he felt pedestrian safety was the type of thing that would drive the reconstruction of that road and as long as they could provide for pedestrian safety, there would be a lot less pressure for something to be done. With this plan, they would have a meandering sidewalk

with buffering to preserve the scenic road. In addition, he felt it would enhance the long term situation of the road.

Mr. Wade stated he did not disagree with the issue of safety, but did not believe requiring the sidewalk to be built now on this little stretch would address pedestrian safety. Pedestrian safety would not be addressed until the entire road was addressed.

Mr. Janku asked what would happen when the adjacent tract was developed and noted developments occurred in pieces and were linked together over time.

Mr. Wade stated he believed due to the scenic overlay and the character of this road, this needed to happen as a whole versus piece by piece in order to maintain the character they were wanting. He did not think this one could be done piece by piece. He noted there were huge strips at the bottom that would never be developed.

Ms. Hoppe stated she believed the goal was to preserve the beauty of this scenic area and to create some pedestrian access. She understood the neighbors had various ideas with regard to how that could happen. She agreed with Mr. Wade in that until they had an overall total plan, they should not put in a piece of the sidewalk. She wanted the neighborhood association to have input with regard to what they wanted so the street would be preserved as a scenic area. She agreed they needed pedestrian access, but pointed out it involved unique topography, so they needed to be flexible and needed a plan.

Mayor Hindman stated he was in favor of the neighbors and developers getting together on what they think should be done with respect to the sidewalk, but believed it needed to be built. He noted safety was a significant factor. He commented that there was likely to be more development as they went south and that would lead to the sidewalks along Grindstone. He believed it needed to be connected. He agreed going north was challenge and development in that direction would be slow. He stated he was in favor of preserving the character of the street, but was not in favor of continuing an unsafe condition.

Mr. Skala pointed out the notes of the Planning and Zoning Commission minutes suggested Rock Quarry Road be made into a one-way street. It could then accommodate a sidewalk or pedway next to the street. He thought that might preserve the integrity of the beauty while obviating the need for this difference of opinion.

Mr. Janku asked if the language associated with the City arborist could be used for the sidewalk issue as well.

Mr. Glascock noted that if the road was reconstructed in any fashion, they would wipe out the trees. He thought they would overlay the road, leaving the ditches and trees, and he wondered how they would build sidewalks if they were not required to be built today. Mr. Skala stated it could be done if it was a one-way street. Mr. Glascock commented that they would have to buy the right-of-way because it would not be platted. Mr. Skala noted if it was one-way street, there would be enough room to provide some pedestrian access as well. Mr. Glascock pointed out that would leave them without a major north/south corridor between Providence and Old 63. Mr. Skala understood.

Mr. Janku asked about the language for the neighbors to work with the developer with regard to the sidewalk. Mr. Boeckmann replied it was already in the ordinance. He pointed out there was a note on the plan that dealt with the sidewalk. It indicated the five foot sidewalk being proposed along Rock Quarry Road would be constructed in a meandering

manner to avoid trees and that the actual location would be agreed upon by the City and the Rock Quarry Road Homeowners Association.

Mr. Wade commented that in this kind of setting, they had options within the sidewalk regulations to allow other kinds of surfaces that were more congenial to that environment and asked if they had to impose upon the developer and neighborhood a requirement of a five foot concrete strip. Mayor Hindman replied he did not know and asked if there was a requirement that the sidewalk be concrete. Mr. Glascock replied he would recommend concrete due to maintenance. Mr. Skala agreed in that there was an opportunity to provide a different kind of surface in some areas. Ms. Hoppe understood Mr. Wade was suggesting they not specify concrete.

Ms. Nauser understood they had a list of criteria for allowing a variance for a sidewalk and that there had been many times people had pleaded their case of it being a sidewalk leading to no where with the Council staying firm. She commented that it appeared to her the piece in question was in Phase II because it looked as though the sidewalk would meander through already cleared areas in existing subdivisions. In addition, it appeared as though most of the property toward the south did not have a lot of tree cover. She believed since it did not meet the criteria to not require a sidewalk and in fairness to others, they had to require the sidewalk. She suggested it be a policy issue they look at for the rest of the development, but as it stood now, they did not meet the criteria for a variance to not build a sidewalk. She noted it would also meander to alleviate taking down excess trees.

B83-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B84-08 Changing the name of “Lenoir Street” within the Discovery Ridge University Research Park to “Discovery Drive” and changing the name of the new extension of “Gans Road” to “Discovery Parkway.”

The bill was given second reading by the Clerk.

Mr. Watkins stated this ordinance would name two new roads the City was in the process of constructing. The various stakeholders in the area had made recommendations in terms of names. He pointed out they were new roads, so no existing address would be impacted. In terms of the long range plan, they were suggesting they move the name further to the north as properties redeveloped so in time they would eliminate Lenoir as a street. He thought they could go with the historic name as well as the regular name as it had been done on College and other places. This would allow them to still remember the Lenoir name, but to call it Discovery from a practical perspective. He pointed out staff had some concerns about the names sounding the same, but he did not believe it would be an issue. He noted he had spoken with the County Commission about the name changes. While they were a little concerned about the Lenoir piece, they understood there was a plan in the future to begin moving that back to the north and were comfortable with it. They had no concerns with the name involving the extension of the new road across the interchange from Gans to Rolling Hills. He felt this was a reasonable approach and recommended Council support of the proposal.

Mr. Teddy referred to the overhead and explained the name proposed for the segment of Lenoir in green was Discovery Drive. The segment highlighted in blue was proposed to go from Gans to Discovery Parkway. He noted there was a future alignment, but since that roadway did not yet exist, it would not be named. It was staff's recommendation to carry Discovery Parkway all of the way to Rolling Hills.

Mr. Skala asked if it would help or create more of a problem by putting in the term "Ridge" in one of these in order to distinguish it from the other. Mr. Teddy understood the various staff that had worked on addressing guidelines felt "Ridge" was overused because it was used as a name and a street type. They had draft guidelines indicating "Ridge" could only be used as a street type.

Mike Nichols stated he was the Vice President for Research and Economic Development at the University of Missouri and asked the Council to support the name changes. He noted Discovery Ridge was a unique facility and had grown with support from the private industry, the State and the City. They had invested \$15 million to put infrastructure in place. He commented that it was unique because they were growing together, not only the Discovery Ridge research aspect of the park, but also the retail development across the street. They had worked together to come up with these names. He asked for Council support in maintaining the uniqueness of the facility.

B84-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B91-08 Authorizing a right of use permit with Columbia Orthopaedic Group for construction, improvement, operation and maintenance of a monument sign within Keene Street right-of-way.

The bill was given second reading by the Clerk.

Mr. Watkins stated this was a request to put a sign within the right-of-way and required Council approval.

Ms. Lea explained this did not cause a sight distance problem and noted it was a wide right-of-way.

Ben Ross, an engineer with Engineering Surveys and Services, 1113 Fay Street, stated he was available to answer questions.

B91-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B92-08 Amending Chapter 27 of the City Code as it relates to electric rates.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a proposed change to the large electric rates they had. The proposal was to reduce the minimum of 75 percent of the peak demand amount paid by the customer to 50 percent. The ordinance would also alter the thermal storage rider, which was used by large electric users. Under the electric demand rates, customers were required to pay for a minimum of 75 percent of the peak demand set during the preceding summer months, so there was a minimum that carried forward for twelve months based on 75 percent

of peak. This would allow the minimum to be reduced to 50 percent when the customer significantly altered operations from the previous year. He noted the Water and Light Advisory Board had reviewed the proposal and recommended approval of the change.

Mr. Janku asked what was happening with regard to the thermal rider. Mr. Glascock replied certain customers had water storage on their site. During non-peak times, they chilled that water and during peak times, they used the water to cool the facility, which reduced their draw during peak times. The City provided them with a benefit when they did that because it kept the City's peak lower. Mr. Janku asked what was being changed. Mr. Glascock replied there was some load shedding and it used to be done on a 16 hour block, which meant they had to stay off peak for eight hours. This was being reduced to four hours because they had identified peak as being between 3:00 p.m. and 7:00 p.m. and because they wanted them to use the chilled water system during that time. He noted they would not get credit for load shedding if this was done. He pointed out it provided them with more control.

B92-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B95-08 Authorizing an agreement with the Columbia School District for a playground improvement project at Parkade Elementary School.

The bill was given second reading by the Clerk.

Mr. Watkins explained that since 1998, the City had assisted with the funding of outdoor play equipment at 11 elementary schools within the Columbia Public School District with the idea that the equipment could be used by neighbors after hours and maintenance was being provided for by the School District. The 2008 CIP budget included \$15,000 for Field Elementary School, but recently it had been determined Field would not be used as a K-5 elementary school, so they were requesting the money be shifted to their next priority, which was Parkade Elementary. Staff had no objections and believed it was a reasonable approach. This ordinance would authorize a new agreement to spend the \$15,000 at Parkade.

B95-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B97-08 Appropriating funds relating to the Walton Building remodeling project.

The bill was given second reading by the Clerk.

Mr. Watkins noted the Walton building was built in 1987 and since that time, it had not undergone any major repairs, renovations or remodeling. Last fall, REDI relocated in order to provide room for expansion of the Chamber and CVB, who jointly owned the building. They were now ready to move ahead with renovations. The cost would be shared 50/50 by the City and the Chamber. The City's share would be about \$270,000.

B97-08 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. 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.

- B85-08** Authorizing an annexation agreement with Traci L. Best and Clara Busenbark for property located on the south side of I-70 Drive Southeast, approximately 800 feet east of East Park Lane (8060 and 8070 I-70 Drive Southeast).
- B88-08** Amending Chapter 22 of the City Code as it relates to the definition of a residential unit with regard to refuse collection.
- B89-08** Authorizing the purchase and installation of a security camera system and wiring in City parking garages; appropriating funds.
- B90-08** Authorizing Change Order #1 with J.C. Industries, Inc.; approving the Engineer’s Final Report relating to construction of the F-1 Relief Sewer (UMC South Campus Relief Sewer) and Maryland Avenue and Richmond Avenue Drainage Project - Phase 2.
- B93-08** Accepting conveyances for utility purposes.
- B94-08** Authorizing an agreement with Sustainable Farms & Communities, Inc. for an option to lease city-owned property located at the intersection of Ash Street and Clinkscapes Road for the operation of a farmers’ market.
- B96-08** Accepting a Land and Water Conservation Fund grant from the Missouri Department of Natural Resources relating to construction of the Stephens Lake Park amphitheater; appropriating funds.
- R82-08** Setting a public hearing: construction of improvements to Scott Boulevard from Rollins Road to Brookview Terrace.
- R83-08** Setting a public hearing: construction of sidewalks along portions of Smiley Lane, West Ash Street and Leeway Drive.
- R84-08** Setting a public hearing: considering the Water and Light 2008 Renewable Energy Report.
- R85-08** Setting a public hearing: construction of water mains serving The Villages at Arbor Pointe, Plat 3 (Phase 1).
- R86-08** Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for the WIC Supplemental Food Program.
- R87-08** Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for Maternal Child Health Services.
- R88-08** Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for Core Public Health Functions.
- R89-08** Authorizing an amendment to an agreement with The Curators of the University of Missouri on behalf of the Department of Family and Community Medicine for medical director services.

- R90-08 Authorizing an amendment to the agreement with The Curators of the University of Missouri on behalf of the Department of Family and Community Medicine for back-up physician services.
- R91-08 Authorizing Adopt A Spot agreements with the McDonald Family and Bob Walters, Virtual Realty.
- R92-08 Authorizing CDBG and HOME agreements with various community agencies.
- R93-08 Transferring funds to the CARE program.

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, STURTZ. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

- R94-08 Authorizing the sale of Special Obligation Improvement Bonds (Annual Appropriation Obligation), Series 2008B relating to the Downtown Government Center Capital Improvement Project.

The resolution was read by the Clerk.

Mr. Watkins explained Council authorized the staff to proceed with the renovation and expansion of the building on January 7, 2008. Included with that resolution was the City's intent to finance this project with the issuance of special obligation bonds. These were different from general obligation bonds in which a property tax levy supported them or revenue bonds, which were basically supported by the revenues of the utility. These were bonds the City promised to pay. They were starting the process to go out for bids on the bond issue necessary to do this building. The proposed principle amount was \$26,795,000 and included a debt reserve fund causing it to be higher than project costs. He noted they had received good bids on the actual project and intended to bring the financing and project approvals together on May 5, 2008.

The vote on R94-08 was recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

- R95-08 Authorizing Amendment No. 1 to the agreement with URS Corporation for engineering services for the design and reconstruction of Clark Lane from Route PP to St. Charles Road.

The resolution was read by the Clerk.

Mr. Watkins stated URS was the design firm involved with the improvements to Clark Lane. A public hearing had been held and they had met with the County Commission and some property owners, so they now knew what needed to be done for the redesign. This was an amendment to the contract to redesign Clark Lane in order to take the various comments received into consideration. The amount of the amendment was about \$63,320.

Mr. Janku felt this showed the City listened when people made comments at public hearings.

Mr. Skala stated he was curious to see the drawing of the redesign of the round-a-bout and asked if the stripe on the west side of the round-a-bout was to accommodate traffic getting to an inner lane when the others were trying to exit. He thought it was an unusual configuration for a round-a-bout. Mr. Glascock replied the striped configuration was more of a truck lane. It was more oblong versus a true circle like the one at Creasy Springs, so it needed to be striped differently. Mr. Skala understood it was to prohibit cars from using it, but would allow for spillover from a truck making the turn. Mr. Glascock stated that was correct.

Mr. Watkins pointed out they had originally proposed bidding this project this summer and due to the redesign, it would take a couple more months.

The vote on R95-08 was recorded as follows: VOTING YES: JANKU, SKALA, WADE, NAUSER, HOPPE, HINDMAN, STURTZ. 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.

- B98-08** Authorizing the issuance of Special Obligation Improvement Bonds (Annual Appropriation Obligation), Series 2008B relating to the Downtown Government Center Capital Improvement Project.
- B99-08** Appropriating bond proceeds for the Downtown Government Center Capital Improvement Project.
- B100-08** Rezoning property located on the south side of Locust Street, between Hitt Street and Waugh Street (1110 and 1112 Locust Street) from R-3 to C-P; allowing less stringent yard, parking and screening requirements.
- B101-08** Amending permitted uses on property in District C-P located on the south side of Cooper Drive North, across from Rockman Lane; approving the Creative Car Audio C-P Development Plan; approving a revised statement of intent.
- B102-08** Approving the Final Plat of Crosscreek Center Plat 1 located on the east side of U.S. Highway 63, on both sides of Stadium Boulevard; authorizing a performance contract.
- B103-08** Approving the Final Plat of McMickle Ridge, Plat No. 1 located on the east side of Reedsport Ridge, approximately 150 feet north of West Broadway; authorizing a performance contract.
- B104-08** Authorizing an annexation agreement with Estil D. Poff and Susan L. Hawkins-Poff.
- B105-08** Vacating easements located within The Villas at Old Hawthorne Plat 1.
- B106-08** Vacating a utility easement located on the east side of Paris Road (State Route B), generally north of East Brown Station Road.
- B107-08** Vacating a utility easement located along the south side of Lot 1 within Keene Estates Subdivision, Plat No. 7.
- B108-08** Vacating a permanent sewer easement and temporary construction easement located northeast of the intersection of Stadium Boulevard and College Park Drive.

- B109-08 Amending Chapter 14 of the City Code to set the speed limit along portions of State Route B.
- B110-08 Calling for bids relating to construction of street improvements on Vandiver Drive, from the U.S. Highway 63 interchange to Mexico Gravel Road and construction of the Upper Hinkson Creek Outfall Relief Sewer.
- B111-08 Accepting conveyances for utility, sewer and ingress and egress purposes.
- B112-08 Approving the Water and Light 2008 Renewable Energy Report.
- B113-08 Authorizing construction of water mains serving The Villages at Arbor Pointe, Plat 3 (Phase 1); providing for payment of differential costs.
- B114-08 Authorizing a supplemental agreement with the Missouri Department of Transportation and the City of Centralia for the installation of highway-rail crossing signal improvements at Columbia Terminal Railroad's (COLT) intersection with Lakeview Street in Centralia; appropriating funds.
- B115-08 Accepting conveyances for utility purposes.
- B116-08 Amending Chapter 17 of the City Code as it relates to liability insurance requirements for permits for special use or activities.
- B117-08 Accepting an Enforcing Underage Drinking Laws Grant from the Missouri Department of Public Safety; appropriating funds.
- B118-08 Appropriating federal forfeiture funds for the purchase of a replacement vehicle in the narcotics unit within the Police Department.
- B119-08 Appropriating funds for the police training facility.
- B120-08 Amending the FY 2008 Annual Budget and the Classification Plan to add and reorganize positions in the Finance Department.
- B121-08 Amending the FY 2008 Annual Budget to add engineering positions in the Public Works Department; amending the Classification Plan; appropriating funds.
- B122-08 Amending the FY 2008 Pay Plan to add an Operations and Maintenance Technician Supervisor position in the Water & Light Department; amending the Classification Plan; amending the FY 2008 Annual Budget.
- B123-08 Amending the FY 2008 Pay Plan and Classification Plan by changing a position in the Planning and Development Department.
- B124-08 Amending the FY 2008 Pay Plan, the Classification Plan and the FY 2008 Annual Budget to add two new positions in the Convention and Visitors Bureau Department.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Mayor Hindman noted this report was for informational purposes.

(B) C.A.R.E. Lease Agreement – Parks & Recreation Program Space.

Mr. Watkins explained the Parks and Recreation Department had taken proposals for office space for the C.A.R.E. program and gallery. Staff was recommending an ordinance

authorizing the City Manager to enter into a lease agreement with Ash Street Arts, LLC for the C.A.R.E. program and gallery be brought forward.

Mr. Hood noted there were several positives about this potential new location. The biggest positive was that it would offer a “one stop shop” for C.A.R.E. In addition, it was across the street from the Wabash Station and accessible by bus. The biggest draw back was that it was further away from Hickman High School than the current location, but it was still accessible.

Mr. Wade made a motion authorizing staff to draft an ordinance authorizing the City Manager to enter into a lease agreement with Ash Street Arts, LLC for the purpose of renting the facility at 1101 E. Walnut Street for use by the Parks and Recreation Department for its C.A.R.E. program. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(C) Executive Drive Parking and Crosswalk Across Southampton.

Mr. Watkins explained this report was provided at the request of Rock Bridge High School representatives. They were asking for parking along one side of Executive Drive along with a mid-block crosswalk along Southampton Drive. Staff reviewed it and did not feel it was unreasonable. Letters were sent to area property owners and negative feedback had not been received.

Ms. Lea stated Garry Lewis, a major property owner in the area, asked them to watch what might happen on Santana Circle as students were parking there due to the lack of parking on Executive Drive.

Ms. Nauser commented that she had asked about this as well and was not sure they had resolved the problem. She thought they might have pushed the problem further away from the school. In talking with Dr. Ritter, she understood with the “no parking” signs there now, people could not park there for events either.

Ms. Nauser made a motion for approval of allowing parking on the west side of the street, painting a mid-block crosswalk and including the installation of flashing yellow lights in the FY09 budget. She did not believe a crosswalk without the lights would be sufficient in warning motorists of people crossing the street. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

(D) North-South Connectivity New Haven to Stadium Boulevard Near US 63.

Mr. Watkins explained this was an informational report requested by Council. It was in response to suggestions regarding connectivity without constructing Maguire Boulevard. They asked the consultants to provide their opinion with information they had versus doing a full blown traffic study with traffic counts, etc.

Mayor Hindman understood this was provided for informational purposes only.

(E) Clustering of “Sex Shops”.

Mr. Watkins stated this report was requested by Council due to the clustering of two “sex shops” in the Benton-Stephens neighborhood near the Business Loop and Old Highway 63. He explained they had some conditional use standards and minimum spacing for live

adult entertainment, but not for other types of sexually oriented businesses, so they were in compliance with current City ordinances. Staff was suggesting broadening the current ordinances to subject sexually-oriented book and video stores and theaters to similar standards as a method of reducing their concentration near neighborhoods. He reiterated the two that were already there complied with current ordinances.

Mr. Skala stated constituents had contacted him regarding this situation, but he did not want to give the impression that he thought these two shops were doing anything illegal. They were abiding by the rules. He thought it might be necessary to broaden the live entertainment ordinance to include these sexually oriented shops in order to ensure there was not a continuation of the clustering of those stores in certain areas. He felt the guidelines that were in existence for live entertainment was adequate for this as well. He suggested staff provide an ordinance to include those changes for their consideration.

Mr. Wade understood Mr. Skala wanted to adapt the adult live entertainment ordinance, but thought this would need to be a separate ordinance. He noted he was on the Planning and Zoning Commission when they developed the adult live entertainment ordinance and believed it targeted massage parlors. Mr. Janku thought it involved more than that. Mr. Skala understood it included cabarets. Mr. Wade stated “sex shops” were a different type of business, so it might need to be separate rather than an expansion of the adult live entertainment ordinance.

Mr. Boeckmann asked if Mr. Skala wanted a report or if they wanted to go ahead and refer this issue to the Planning and Zoning Commission. Mr. Skala stated from his perspective this report was adequate, so he was ready to proceed.

Mr. Skala made a motion directing the Planning and Zoning Commission to prepare a draft ordinance with regard to the issue of the clustering of “sex shops” as discussed. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(F) Calls for Service - Bars.

Mr. Watkins stated this was a request by Council. They listed the various drinking establishments with their calls for service by the Police Department over the last year. They also provided a list of bars that had five or more calls for service with a month.

Ms. Hoppe noted this was an interesting report and asked if they had any plans to do anything or if there had been any intervention with regard to the establishment, Generic, which had 21 call for service within one month. Chief Boehm replied they stayed in close contact with all of the bars, especially those involving numerous calls. He explained they were in contact with management of the bars with significant calls and were working with them to address issues in cooperation with the Business License Office.

Ms. Nauser stated this was interesting data and thought they were moving forward by looking at nuisance business issues. She thought this information would be useful when they moved forward on that issue.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

BOARD OF ADJUSTMENT

Campbell Rex, 905 Edgewood, Ward 4, Term to expire May 1, 2013

AIRPORT ADVISORY BOARD

Carner, William, 4813 Norfolk Court, Ward 5, Term to expire May 16, 2012

Hoffsette, Leon, 2501 Woodberry Court, Ward 5, Term to expire May 16, 2012

BUILDING CONSTRUCTION CODES COMMISSION

Webber, David, 2804 Wild Plum Court, Ward 6, Term to expire August 1, 2010

C.A.R.E. ADVISORY BOARD

Baxter, Karen, 117 Fourth Avenue, Ward 1, Term to expire March 1, 2011

DOWNTOWN COLUMBIA LEADERSHIP COUNCIL

Gray, Randy, 301 Edgewood, Ward 4, Term to expire May 1, 2010

Peckham, Nick, 15 South 10th Street, County, Term to expire May 1, 2009

Treece, Brian, 2301 Bluff Pointe, Ward 6, Term to expire May 1, 2011

FINANCE AUDIT AND ADVISORY COMMITTEE

Scavone, Edward, 2806 Moss Oak Court, Ward 5, Term to expire December 31, 2010

MAYOR'S COMMITTEE ON PHYSICAL FITNESS

Graves, Jr., Ronald, 3805 Bent Oak Drive, Ward 5, Term to expire November 30, 2009

PUBLIC COMMUNICATIONS RESOURCE ADVISORY COMMITTEE

Mustard, Cindy, 600 S. Greenwood, Ward 4, Term to expire December 31, 2008

Waddell, Nathan, 2504 Bellingham Drive, Ward 5, Term to expire December 31, 2008

COMMENTS BY PUBLIC, COUNCIL AND STAFF

David Finke, 1106 Maplewood, stated he had the privilege of working on the Human Rights Commission for six years and had intense pride in the work done by that Commission and the 40-50 volunteers of the expanding movement of dialogue circles known as "Let's Talk Columbia". When he heard of the increased amount of work going into it, he was concerned to learn those extra hours were not being met with increased compensated pay, benefits and support. There were two different, complimentary roles assigned to the Commission. One was the educational, preventive work and the other was enforcement of the Human Rights ordinance, which took a great deal of investigation. He was concerned staff was being stretched thin by trying to meet the two sets of responsibilities. He asked the Council to be aware of the vital need for both roles during the budget process and not expect more work to be done by the same staff at limited hours.

Mr. Janku stated he participated in the groundbreaking ceremony for Highway 763 and one of the entryways of the community was at the roundabout at the north end. He understood they postponed their plans for all of the entryways, but asked if they would look

into doing this one as part of the road construction project as it was a better time to get it done versus doing it after traffic was flowing around it.

Mr. Janku made a motion directing staff to provide a report indicating how the landscaping for the entryway of Highway 763 could be done in a fiscally responsible way with low maintenance costs. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Mr. Janku commented that he was glad they came up with a crossing plan for Southampton for Rock Bridge students and noted there was an issue with Hickman students crossing Providence and the Business Loop. He understood there was talk about doing something to make it easier for them to cross at Seventh Street.

Mr. Janku made a motion directing staff to provide a report with options of how to make it safer for Hickman students to cross Providence and the Business Loop. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Janku understood there was a policy regarding sidewalk gaps and asked if this was the appropriate time to mention possibilities for the annual sidewalk program. Mr. Watkins replied yes. Mr. Janku noted there was a gap on the south side of Smiley, west of Rangeline as one neared Providence. Another gap was on the south side of Proctor Drive, along Proctor Park. He wanted Proctor Drive to connect with the Bear Creek Village Subdivision sidewalk. He thought that would make it easier for people to walk to and from Parkade Elementary and Parkade Park.

Mr. Skala stated he appreciated the report with regard to alternatives suggested by the Sierra Club for the Maguire extension and could see the wisdom and expense of some of those alternatives. He wanted a report with the estimated cost of Warren Road continuing north. Mr. Watkins thought they had that and would provide it.

Mr. Skala noted he received an e-mail from Brian Treece of the Historic Preservation Commission regarding the demolition of the Guitar House. Mr. Treece thought the Historic Preservation Commission was supposed to receive notification before a demolition permit was issued and that did not happen. As a result, he suggested the possibility of a demolition impact fee, which could go into a fund to make up the difference between demolition and historic preservation. Mr. Skala suggested a report looking into that be provided.

Ms. Hoppe stated she was interested in knowing if there was a requirement for the Historic Preservation Commission to be notified, so they could provide input. Mr. Watkins replied he thought they did have a requirement, but only if the structure was on some list. He noted that building was not on any list. Mr. Skala recalled it being discussed extensively with the Planning and Zoning Commission. Mr. Watkins stated he had the opportunity to walk through it and the family that took ownership of it after Mr. Guitar had stripped it, so there was nothing left inside. Mr. Skala felt it was a shame for it to be knocked down.

Mr. Wade commented that when this issue came before the Planning and Zoning Commission, the only reason they knew anything about it was because a teacher who had a real interest in historic properties alerted them to it. As a result, they communicated with the

Historic Preservation Commission. He recalled the issue of things only being triggered if they were on lists and there were a limited number of lists. One discussion, which had not been followed up, involved not having a list of structures over 50 years old unless there had been an application for a historic designation. He suggested they obtain the Historic Preservation Commission's assessment of the value of creating a list of buildings over 50 years old. He noted there was a danger in this as there were a lot of buildings over 50 years old needing to be torn down versus preserved. They had nothing that triggered attention to a house if it was not on the limited lists they kept. He thought they needed to keep an inventory, so an old house within a proposal would trigger an assessment by the Historic Preservation Commission if there was a historical characteristic meriting attention. He stated they needed a recommendation from the Historic Preservation Commission with regard to whether they needed another kind of inventory other than what they currently had.

Mr. Skala made a motion directing staff to provide a report regarding the possibility of a demolition impact fee in creating a fund to make up the difference between demolition and historic preservation. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mr. Skala stated a constituent brought to his attention that the sidewalks across from Lions-Stephens Park along Walnut near some housing for disabled people were impassible. He asked for staff to look into this spot as it really affected the disabled community. Mr. Janku asked for clarification of the area. Mr. Skala replied it was on the north side of Walnut and west side of Williams. Mr. Janku understood it was the stretch near the houses. Mr. Skala stated yes. Mr. Janku thought the Stephens side had been suggested in the past because there was more room to do a better sidewalk. Mr. Skala stated he was unsure of the solution. He was only reporting the problem. He suggested staff look into the issue and provide a report.

Mr. Skala noted there were some places on the West Coast that were charging for bags at stores. He thought that might be a way to get a handle on the issue of the plastic bags. He asked for a report. Mr. Watkins explained they were doing a survey, which they were using to prepare a report and thought this would fit well into it.

Mr. Skala commented that a while back, they had received a report regarding the Clark and Ballenger Lane corridor, but the part of the corridor they received the report on was not the critical part. The critical part was the two lane unimproved portion. He asked about the status of that report as it was something he was very much interested in. Mr. Watkins stated they were also interested in it.

Mr. Wade made a motion to direct the Historic Preservation Commission to assess the value of creating a list of buildings over 50 years old, so they would be identified if they were part of a development proposal, as discussed earlier with regard to the Guitar Building. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Nauser commented that over the past few months she had been researching national and local statistics and what other communities were doing with regard to crime.

She stated Columbia was no longer a small community and was starting to have problems similar to larger communities. She was frustrated by the fact they were not vocally addressing the issue. She noted there was a recent shooting in Douglas Park at 6:30 p.m. in broad daylight. Children were out playing, people were going home from work, people were going to downtown restaurants, etc. and she found this to be very disturbing. She stated she felt the police did a great job in solving a lot of crime after they happened. She was concerned with the failure to address or admit there was a problem. One phrase she had been hearing was “a loose affiliation of people” which was not necessarily a gang. She noted on March 10, 2008, she spent 30 minutes taking photos in downtown and found over 20 gang graffiti marks notifying people of drugs being sold at that location, gang member names, etc. She stated she saw this in other wards as well. She did not believe this was “a loose affiliation of people”. She pointed out they could not begin to solve problems until they admitted they had problems. She thought the crime issue needed to be addressed as an overall policy with proactive measures, intervention and enforcement. She was submitting a report she created with 28 suggestions of what other communities had done from adopting the National League of Cities policy of strengthening families and improving outcomes of children and youth to economic development to new ordinances dealing with these emerging problems. She provided a copy of the report to the Council and wanted them to start discussing these issues as they were not going away and needed to be addressed. She agreed they would never solve crime, but thought they needed to be proactive in addressing some of the systematic problems associated with crime.

Ms. Nauser stated the graffiti was a concern as it had been around for at least six weeks without anyone removing it. She noted this was a message board and how that culture communicated. She felt they could not allow people to continue defacing the community, especially in the downtown as they were trying to revitalize it.

Ms. Nauser made a motion for staff to provide a report regarding what other communities were doing with regard to the removal of graffiti from community, government and public buildings and properties. She noted there was graffiti on the dumpster behind this building. She stated they could not allow them to continue defacing the community and make people feel unsafe. She pointed out she did not like walking around graffiti.

Ms. Nauser asked the Council to look at the report she provided so they could address some of the issues in the future. There were a lot of ideas and some could be implemented with little or no funding. Other ideas would require a change in philosophy and the reassessment of funding priorities.

The motion made by Ms. Nauser regarding a report on what other communities were doing to remove graffiti from community, government and public buildings and properties was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Hoppe stated she was a participant of a panel for Stephens College regarding “green life” and sustainability. Dave Mars of the Water and Light Department mentioned that while the City was doing well in encouraging people to use florescent lights in saving energy, those bulbs contained mercury and the City did not have a proper way of disposing of them.

Ms. Hoppe made a motion directing staff to provide a report indicating what they currently did with those light bulbs and what they could do better with regard to the disposal of those light bulbs. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Hoppe understood there was a state statute that allowed for the expungement of one offense of a minor in possession, but under the City ordinance they were not given the same opportunity.

Ms. Hoppe made a motion directing staff to prepare an ordinance for Council to consider expunging one violation of a minor of possession on the City charge. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Ms. Hoppe stated she was active in getting the renewable energy petitions signed and the ordinance passed. In the Visioning document, one of the recommendations was for the City to increase the requirement from 15 percent to 20 percent. She understood the City was exceeding the time requirement, so she felt the increase could be accommodated. She wanted an ordinance increasing the renewable energy requirement to 20 percent while keeping the costs capped at 3 percent to be prepared for Council consideration. Mr. Janku asked what the time frame would be as it was currently different percentages for different years. Ms. Hoppe stated she was suggesting they change the 15 percent to 20 percent. Mr. Janku understood this would not move the requirement five years further out.

Mr. Janku suggested the Water and Light Department provide a staff report along with the ordinance so they understood what the options were.

Mr. Watkins understood the IRP was almost complete and thought it would address a number of questions as it included different scenarios. They also had a meeting recently with Dow, who was helping them with solar issues, and noted they were working with some phenomenal technologies that in five years could have a major impact on the City's ability to use solar energy. He suggested they hold off until they had a chance to review the IRP. He would hate for them to approve an ordinance and then decide it was not the direction they wanted to go. Ms. Hoppe asked for a time frame for receipt of the IRP. Mr. Watkins replied he thought it would be early summer. He pointed out it was up to Council, but they had a task force and consultant that had spent a lot of time and money with regard to some of these issues. Ms. Hoppe understood they might be able to do 25 percent. Mr. Watkins stated anything was possible. He reiterated it would outline a lot of scenarios with many being dependent upon the carbon tax. Mr. Skala understood he was saying if they provided a report prior to then, it would be an incomplete report. Mr. Watkins stated he would wait for the task force to finish its report for presentation to the Water and Light Advisory Board before providing it to Council. Ms. Hoppe commented that her thought was that it would provide Council direction on where they wanted to go and how they wanted to proceed.

Mr. Wade stated he preferred to wait for the IRP because they might find the marginal added cost to go from 15 to 20 percent renewable had twice the impact if they went toward efficiency instead. He thought they had a series of analyses on how they might meet their future energy needs beyond continuing to raise one piece of it. He believed they wanted to

get the greatest energy impact for their dollar while moving away from high carbon impact sources. Ms. Hoppe stated she would defer until the IRP was received.

Mr. Sturtz stated the Metro 2020 Plan discussed the idea of a black historic district and commented that centered around Fifth Street was the Blind Boone Home and three historic churches, Second Baptist, St. Paul AME and Fifth Street Christian. Now there was another possibility with regard to moving the shotgun house from Garth and Worley. He understood the back up plan was to move it to Nifong Park to be part of a historic village, which was sound, but noted a number of the neighbors and other people would prefer it to remain in the context of the historic black neighborhood. He wondered if the Historic Preservation Commission could issue a report regarding its feasibility in tandem with staff looking into the idea of moving the shotgun house to a City-owned lot, just east of Douglas Park. His preference was a district versus different landmarks that stood alone.

Mr. Sturtz made a motion directing staff to provide a report regarding the feasibility of moving the shotgun house to a City-owned lot as discussed and directing the Historic Preservation Commission provide a report regarding the potential of a black historic district as outlined in the Metro 2020 Plan. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mr. Wade understood Mr. Ruffin had a specific recommendation with regard to the Blind Boone Home and asked if they had anything that would help them address the recommendation or if they needed to ask for something. Mayor Hindman replied they had previously requested a report with respect to what they could do with the Blind Boone House. Mr. Wade asked if that would include the kind of opportunities they presented. Mr. Watkins replied that during his conversations with Mr. Ruffin, he understood the Foundation would take on programming if the City could find a way to renovate the building. He noted he would provide some costs at the mini-retreat. The budget this year would be a zero sum gain, so if they wanted to add something, they would need to subtract something else.

Mayor Hindman stated he had discovered a couple of sidewalk gaps he thought might be easy to fix. One was on the south side of the Business Loop, west of the roundabout. The other was along Forum in front of the new shopping area with Maly Realty and Edible Bouquets. He explained there was a 10-15 foot gap between the shoulder and the end of the brand new sidewalk.

Mr. Janku noted there was also a gap on Mexico Gravel Road before Woodard.

Mayor Hindman commented that he was not asking for a report. He was just pointing them out.

Mayor Hindman noted they discussed the tearing down of the Guitar House, but pointed out there was also a picture of the totally stripped land. He stated people had already been upset with the Crosscreek stripping and now they had this. He did not know what went through some developers' minds with regard to public relations. He understood the Environment and Energy Commission was looking into the land clearance ordinance issue and would just ask that they put a lot of attention toward it.

Mayor Hindman stated in a neighborhood near his, people were storing seven old, licensed automobiles, a huge motor home and a boat in their yard. He asked if they had an ordinance that dealt with that as he felt it was destructive to a neighborhood. Mr. Wade stated he had been working closely with the neighborhood that had those issues and the Health Department and Protective Inspection were working on it. He thought they needed to look to see if current ordinances were adequate. Mayor Hindman agreed.

Mayor Hindman made a motion directing staff to provide a report regarding the issue of vehicles, motor homes and boats in neighborhood yards. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

Ms. Hoppe noted construction equipment and trailers were being kept on land on Rock Quarry Road. Mr. Janku thought he had brought up that issue in the past with regard to construction halting with items being left behind. Ms. Hoppe understood they were waiting for a report. She wondered if they had an existing ordinance that would deal with the issue of storing construction equipment and trailers on property. Mr. Janku wondered if that was a zoning violation because there was a Board of Adjustment case involving property on the Business Loop. If this was not allowed on the Business Loop, he would assume it was not allowed in a residentially zoned area.

Mayor Hindman thought they were all asking for what they had to help deal with the storage of cars, motor homes, boats, construction equipment, etc. and revised his motion to include all of those topics. The motion was seconded by Mr. Skala and approved by voice vote.

Mayor Hindman understood they had an ordinance which indicated a car could not be left parked on a street for more than 24 hours, but apparently things could be parked in the yard forever. Mr. Janku thought they could not park on grass. Mayor Hindman stated he believed that was a violation.

Mr. Skala stated there was an awful pothole at the unimproved section of Clark Lane where it met the widening as it approached Highway 63. He noted there were several holes at that junction.

The meeting adjourned at 12:08 a.m.

Respectfully submitted,

Sheela Amin
City Clerk