

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
JANUARY 7, 2008

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, January 7, 2008, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: CRAYTON, JANKU, SKALA, NAUSER, HOPPE and HINDMAN were present. Council Member WADE was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of December 17, 2007 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

Mayor Hindman understood there was a request to move R10-08 from New Business to Special Items.

The agenda, including the Consent Agenda and moving R10-08 from New Business to Special Items, was approved unanimously by voice vote on a motion by Mr. Janku and a second by Mr. Skala.

SPECIAL ITEMS

R10-08 Celebrating the success of the University of Missouri Football Tigers.

Mayor Hindman presented a framed copy of the resolution to Mike Alden, the Athletic Director of the University of Missouri, and Mike Middleton, the Deputy Chancellor of the University of Missouri, and noted the team had provided the City a lot of excitement. He commented that they had learned how much fun it was to have a winning season. This was great for the athletic department, the University and the community. He stated the Council wanted them to know how much they were appreciated and read the resolution.

Mr. Middleton stated the University was proud of its relationship with the City of Columbia and appreciated the congratulations. The Tigers did a wonderful job and they were proud of them, but they were also proud of the relationship between the University and the City. He noted this was a perfect City and a perfect partner for the University and he appreciated the support. He stated the University would continue doing what they could and thanked the City of Columbia.

Mr. Alden thanked the Mayor and leadership of the City of Columbia for this honor and recognition. He noted the football team had four terrific captains this year - Martin Rucker, Lorenzo Williams, Cornelius "Pig" Brown and Jason Ray. They had the opportunity to set the standard for the most successful season in the history of Mizzou Football with a 12-2 record and in beating Arkansas in the Cotton Bowl. He thought they would finish the season in the top five or ten in the Country. He stated this was an honor for the University of Missouri,

Coach Pinkel and the athletes of the University of Missouri and it was a privilege to accept the award on behalf of the University.

Mayor Hindman commented that the athletes of the University participated in community events, which was not well known, and they made a difference in a lot of lives. He stated they very much appreciated it.

The resolution was read by the Clerk.

The vote on R10-08 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Resolution declared adopted, reading as follows:

SCHEDULED PUBLIC COMMENT

Manuel and Sybil Camargo – Septic System

The request to speak was withdrawn.

PUBLIC HEARINGS

B412-07 Rezoning property located on the north side of Timber Lane, approximately 165 feet west of Ballenger Lane (State Route PP) from A-1 to R-1.

The bill was given second reading by the Clerk.

Mr. Watkins noted this proposed rezoning would allow for resubdivision and development of property with three relatively narrow lots for single family residential construction. The R-1 zoning would allow for six foot side yards on each of the three lots, whereas A-1 zoning would have required twenty-five foot side yards. The Planning and Zoning Commission recommended approval of the rezoning request.

Mayor Hindman opened the public hearing.

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

Mr. Skala stated he thought this was a straight forward request and since it had the unanimous endorsement of the Planning and Zoning Commission, he would vote in favor of it.

B412-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B413-07 Rezoning property located on the northeast corner of Heriford Road and Burlington Street from R-1 to M-1.

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposed rezoning would clean up zoning on a small remnant of R-1 property that was within an industrial area. It was located north of and in close proximity to I-70. The Planning and Zoning Commission recommended approval of the request.

Mayor Hindman opened the public hearing.

Tim Reed, a land surveyor with Engineering Surveys and Services, 1113 Fay Street, stated he was representing the Taylor family and was available for questions.

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

B413-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B414-07 Approving the O-P development plan of Centerstate Lot 1C located on the southeast corner of Woodard Drive and Amron Court.

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposed office development in the Centerstate area would allow for approximately 8,600 square feet of medical office space. The Planning and Zoning Commission recommended approval of the O-P development plan.

Mayor Hindman opened the public hearing.

Kevin Murphy, A Civil Group, 1123 Wilkes Boulevard, stated Retina Associates was currently located in the Doctor's Park across from the Public Library and wished to build their own facility in the Centerstate Development, which was a mix of C-P and O-P developments. He noted they exceeded the 15 percent landscape requirement and thought they had 20-25 percent. The plan also met the new stormwater quality and management model with the use of pervious pavements. He explained the plan had changed a little. Some ornamental trees that were to be planted in the parking lot were now not being planted because they had to expand the gravel for the reservoirs areas underneath the planting beds in the parking lot. As a result, they exchanged those trees with shrubs that would do good in well drained soils and not interfere with stormwater management. He noted the minimum requirement for trees was being met by adding them in other areas, but they would no longer be in the middle of the parking lot as originally intended. He thought the Council would see this issue more often due to the conflict between the stormwater management ordinance and the landscaping ordinance.

Ms. Hoppe asked if they would have fewer trees. Mr. Murphy replied no and noted they would have the same amount of trees. He explained the intent of the landscaping ordinance was to provide trees within parking areas. In this case, they had to remove trees from the parking area and place them on the periphery of the parking area.

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

Mayor Hindman asked why trees could not be where the water would be going. Mr. Murphy replied it was because there was a rock reservoir storage bed underneath the pervious pavement with 30 inches of gravel. They did not want deep rooted plants clogging up the rock reservoir below, so they had shallow rooted plantings in the parking area instead.

Mr. Skala stated he was happy to see compliance with the stormwater ordinance as well as innovative ideas, such as the pervious pavement.

B414-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B416-07 Approving a revision to the C-P development plan of Timber Creek Community Building located on the west side of Stadium Boulevard, approximately 200 feet south of the intersection of Stadium Boulevard and Aaron Drive; approving revised design parameters.

The bill was given second reading by the Clerk.

Mr. Watkins stated this was a proposed amendment to a C-P plan and would allow for an additional freestanding sign located along the Stadium Boulevard frontage. The purpose of the sign was to direct northbound Stadium Boulevard traffic to enter the Timber Creek development via Aaron Drive since the northern entrance to the development was restricted to right-in/right-out turning movements. The proposed sign met C-3 district height and area requirements. The Planning and Zoning Commission recommended approval of the proposed amendment.

Mayor Hindman opened the public hearing.

Nathan Eckhoff, Crockett Engineering, 2608 North Stadium, stated he was available for questions.

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

B416-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B419-07 Authorizing construction of the Mill Creek Phase II storm water management project; calling for bids through the Purchasing Division.

The bill was given second reading by the Clerk.

Mr. Watkins explained the project goal was to reduce the incidents of house, street and some yard flooding throughout the project area. The estimated cost was \$215,500 and would be paid for from stormwater utility funds.

Ms. Lea stated this was originally put in without any stormwater facilities and inlets. The additional inlets, piping and structures were needed to handle the flooding that was occurring.

Mayor Hindman opened the public hearing.

Doug Bradley stated he was a homeowner affected by this project and asked what had been decided about the rain garden. Ms. Lea replied they would get back with the homeowners association and property owners to discuss the rain garden in detail prior to making decisions with regard to the plantings for the rain garden.

Tom Fuller stated he was a co-signer for the owner of the home. The owner was not present because he was in Liberty studying to be a doctor. He explained they lived at 3600 Valencia and noted Attachment D showed a crosspatch area as an infiltration area. He asked what that was. Ms. Lea replied the infiltration area was basically a swale. It was an area where the water would go and infiltrate into the ground. They would be discussing the type of grass, etc. with the homeowners. Mr. Fuller understood the proposed system would go between the lots identified as 3600 and 3516. The existing piping was between the lots identified as 3515 and 3601. He asked if it was underground. Ms. Lea replied all of the piping was underground. Mr. Fuller asked if he had a garden house at that location if it would be moved and put back. He wondered how that process would work. Ms. Lea replied they would have to obtain temporary construction easements and would work with the property owners in obtaining those. Mr. Fuller noted he had spent \$11,000 over the last two years in trying to keep water out of the basement, so he believed anything would help.

Norbert Schumann, 205 E. El Cortez, stated he was at the meeting at the middle school and generally agreed with everything they planned to do in attempting to deal with stormwater with one exception. He noted he received a document in the mail from the City and read the part he was concerned with indicating the stormwater inflow from illicit connections such as exterior floor drains, roof drains, foundation drains, etc. might contribute to backup problems and the proposed stormwater project would not directly address this issue, but would reduce the surface water runoff to foundation and exterior floor drains. It stated that to address the backup problems, the sanitary sewer utility had started an investigation to discover the sources of stormwater inflow. He explained he moved to the neighborhood in 1978 and it was annexed into the City as it was. He thought there would be a considerable expense if they were forced to come up with a sump pump and backup battery system. He thought it would involve \$3,000-\$5,000. He assumed, when the property was annexed into the City, everything would be grandfathered. He did not think it was fair for them to have this additional expense. He asked the Council to grandfather this and to let them deal with it on their own versus levying a punitive expense against them.

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

Mr. Janku asked what would happen that would cost the homeowners more money. Mr. Glascock replied they were looking at where they could correct some of the inflow and infiltration issues, which was where stormwater was getting into the sewer system. They wanted to stop that because it caused them to have to treat stormwater at the sewer system, which cost money. They had not determined who would pay for this yet. They were only doing an investigation at this time. He thought there were foundation drains and, possibly, roof drains attached to these systems. Ms. Nauser understood the improvements they were deciding on now were being paid for from the stormwater utility funds. Mr. Glascock replied yes. He noted they were not impacting the sanitary sewer at this time.

Mr. Janku understood there was nothing as part of this project that would cost the gentleman with concerns any money, but something might come down the road later. Mr. Glascock noted they were investigating the issue while they were there and things were torn up. Ms. Nauser understood they would go through the public meeting process if anything came of the investigation. Mr. Glascock stated that was correct.

Mr. Janku understood there would be above ground inlets for the water to flow into. Ms. Lea stated the inlets were planned on the streets, at the intersections. Mr. Janku asked if they would also be in the backyards. Mr. Glascock replied some would be in the backyards.

B419-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared adopted, reading as follows:

B420-07 Authorizing replacement of the tennis court fencing at Hickman High School and replacement of a shelter at Grindstone Nature Area; calling for bids through the Purchasing Division.

The bill was given second reading by the Clerk.

Mr. Watkins stated this was the required public hearing for two projects. The first involved the replacement of fencing along Hickman High School at a cost of \$18,000. The second involved replacing a 30+ year old wooden shelter at the Grindstone Nature Area at a

cost of \$23,000. These projects were not in the City's CIP. He explained the budget included a flat amount for annual projects and they brought projects to Council, individually, as priorities were determined.

Mr. Hood explained the Hickman project was a joint project with the School District. The School District had done some improvements to the courts, so the City was proposing to do improvements for the fence. There would be an agreement between the City and the School District to ensure the courts were available for public use during non-school hours. This would include public play and the right for the Parks and Recreation Department to program it for lessons, tournaments, etc. He thought this was positive because it allowed for tennis courts for public play in the central part of the City. He noted they would also be replacing a 30 year old shelter that had considerable structural problems with a metal shelter similar to the one in Paquin Park.

Ms. Hoppe thought the shelter at Grindstone only needed to be re-roofed and asked about its structural problems. Mr. Hood replied they had to add temporary supports to many of the support posts as they were rotting at the point they entered the concrete slab in the ground. Four of these shelters were built in the 1970's and this was the third one being replaced. He noted they were all due for replacement.

Mayor Hindman opened the public hearing.

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

B420-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B425-07 Calling a special election relating to the issuance of Sewer System Revenue Bonds for the purpose of constructing improvements to the City's wastewater treatment facility and sanitary sewer collection system.

The bill was given second reading by the Clerk.

Mr. Watkins explained the City of Columbia traditionally went to the voters every five years for capital improvements necessary for all utilities. Last year, it was the electric utility, they were talking about the sewer utility for the April ballot tonight, and the Council would decide whether to move forward with a water ballot issue later this year. If this ordinance was approved, the election would be held Tuesday, April 8, which was a regularly scheduled election date.

Mr. Glascock noted the consultant would make a presentation on the treatment facility and Steve Hunt of Public Works would make a presentation on the collection system.

Larry Chapel, a senior engineering manager with Black & Veatch, stated they had been working with the City over the last six months on a conceptual design project to determine what improvements were needed at the wastewater treatment plant. He explained a Master Plan, which included improvements needed in the wastewater collection and treatment plant facility, was completed in 2004. He understood the Council approved that Master Plan about a year ago. He pointed out they were currently completing the conceptual design, which was where they looked to identify the liquids and solids improvements needed for the wastewater treatment facilities. They wanted to ensure they met needs with good processes and design of facilities. He explained, if they continued moving forward, the

preliminary design work would start in mid-February and the detailed design would start mid-year 2008, followed by a Missouri Department of Natural Resources (DNR) review before moving into construction. He reiterated they were at the end of the conceptual design phase and noted they were looking at costs for the April 8th bond issue. They were also working with DNR on sampling and determining the kind of permitting process that would be necessary.

Mr. Chapel stated the existing treatment facility was about 25 years old, had two mechanical process trains and handled 12.6 million gallons of flow per day. In addition, wet weather treatment facilities were located there. He noted a key component was the constructed wetlands, which was added to the tail end. It involved about 130 acres of wetlands and allowed them to increase the treatment capacity of the facility from 12.6 to 20.6 million gallons per day. It provided some TSS performance, BOD removal and disinfection improvement. The wetlands treatment units had been a valuable asset to Columbia and the surrounding area. They performed as designed and as intended. They did a good job of removing BOD and TSS and provided a natural disinfection of effluent that had gone through the mechanical plant. He noted it did not remove ammonia or phosphorus. This was important because they anticipated tighter limits being placed on ammonia, nitrogen and phosphorus. He commented that the wetlands had been used to sustain the Eagle Bluffs Wetlands Conservation Area by producing an effluent of beneficial reuse. He explained that since the completion of the 2004 Master Plan, the mechanical plant had reached its design capacity of 12.6 million gallons per day and was actually operating at a range of 14.4-15.0 million gallons per day. He explained DNR had reviewed the Eagle Bluffs Conservation Area as a receiving stream as the basis for establishing limits instead of the Missouri River, which had been used in the past, so that change was being considered in the design of the improvements. The cost of construction had also changed since the Master Plan was completed. He noted these changes were accounted for in the conceptual design. He pointed out they wanted to continue to use the wetland treatment units in the treatment process and send all of the effluent to the Eagle Bluffs Wetlands as it was a valuable asset. As they moved forward, they identified key items that needed to be looked into to include improving plant reliability. He thought this would be accomplished by adding another 6.3 million gallons per day treatment train. They also needed to address regulatory requirements, which he thought involved an ammonia limit in the range of 6 milligrams per liter. He explained that by continuing to send the effluent to Eagle Bluffs, there would not be a disinfection requirement for the treatment process. They needed to continue to rehabilitate aging facilities, do process enhancement on grit technology, improve bio-solids processing to reduce truck traffic, increase disposal options and reduce hauling costs by constructing sludge dewatering facilities and reduce odor levels off-site. In order to address plant reliability improvements, they needed an additional mechanical train, which would cost around \$18.7 million. In order to meet the regulatory requirements, they needed another train to meet the 6 milligrams per liter of ammonia they anticipated to be the limit. This would cost another \$14.4 million. The rehabilitation improvements essentially involved the two original trains, an engine generator and other miscellaneous improvements and were expected to cost \$16 million. The process enhancements involving the grit removal facility would cost about \$7.1 million. The bio-solids improvements, which involved a dewatering building with

centrifuges and the abandoning of the sludge lagoon, would cost \$6.9 million. They would also add odor treatment to facilities requiring it and that was expected to cost \$3.9 million. The total cost of improvements for the wastewater treatment plant, based on 2009 dollars, was estimated at \$67 million. He noted one option for the City was to do nothing, but believed these improvements would still be required to meet DNR and EPA regulatory requirements. In addition, the time and compliance schedule would then be established by them and was typically in the 3-5 year range. Also, if they did nothing, the odor would continue to be a problem, the equipment would continue to age and costs would continue to increase and as the mechanical plant became overstressed, the wetlands performance would be impacted.

Mr. Hunt explained the proposed collection system improvements would involve a total of \$10 million. \$4 million would go toward eliminating private common collectors, inflow and infiltration reduction projects and sewer main and manhole rehabilitation projects, \$3 million would be used for economic development extensions and the other \$3 million would be used for 100-acre sewer extensions. He noted they currently had about 600 miles of City owned and maintained public sewers. There was also about 12 miles of private sewers in different areas of town, which they wanted to eliminate. Those were currently funded by the property owners and the City with each paying half. They were proposing to eliminate those types of sewers with the bond issue money. With regard to inflow and infiltration reduction projects, they would start by doing City-wide manhole rehabilitation projects. He showed a photograph of one of the City's manholes on the overhead and noted it allowed a lot of water in the system. He pointed out with 16,000 manholes throughout the City, a lot of water was getting into the collection system. With regard to the economic development extensions, one possible option was to construct a sewer up the Hinkson Watershed to provide sewer capacity for the Route B area and other industrial areas that currently did not have sewer. This project, in particular, would take a lot of flow out of the Bear Creek Watershed. He noted that if this type of project was not done, they would need to build a relief sewer in the Bear Creek Watershed. Constructing this project would eliminate or greatly defer that need. He explained the reason they had funds in the bond issue for 100-acre point sewer extensions was so they could eliminate or keep new wastewater facilities from being constructed. He showed a slide on the overhead indicating the locations of existing wastewater treatment plants that were discharging into local streams. He commented that a cost of service study had recently been completed, which looked at the City's CIP package and how much the rates would need to be increased if they did not go with the bond issue, and it was determined the rates would need to be increased 60-145 percent to cover improvements through 2010. He noted the bond issue would reduce the impact to the ratepayers and stated they were looking at rate projections of 10-15.5 percent through 2012. Once the improvements were in place in 2012, Columbia's rates would be comparable to what Kansas City's rates were today. The wastewater treatment plant improvements and the collection system improvements combined brought the ballot issue to \$77 million.

Ms. Hoppe understood the amount going to support new sewers for new development was \$3 million. Mr. Hunt stated that was correct. Ms. Hoppe asked if that was where they changed the 80-acre point to a 100-acre point. Mr. Hunt replied yes. Ms. Hoppe noted they

discussed the City being reimbursed for those sewers in the future by new development over a period of time and asked if that was still part of the plan. Mr. Glascock replied yes and noted they were working on that policy. Mr. Watkins explained the policy would come to the Council shortly. He was hopeful they would have it in place before the voters were asked to cast their ballots. Mr. Skala asked if that policy would be generally based on connection fees. Mr. Watkins replied it would be based on a combination as the City already had connection fees. It would also allow the City to recover a portion of the cost of extending the 80-acre sewer as they extended through an undeveloped area by prorating the cost as developers decided to tie into the sewer.

Mayor Hindman opened the public hearing.

Ken Midkiff, 1006 Bellview Court, stated he was speaking on behalf of the Osage Group of the Sierra Club and noted they did not have problems with the discussion regarding the wastewater treatment plant because they thought more stuff that was removed, the better it would be for everyone. They also did not have a problem with doing away with on-site treatment plants. The problem they had, which might be addressed by the policy, involved an assurance that the connection fees would pay for the \$3 or \$6 million. He thought that should be included in the legislation passed tonight. He did not think it was fair to expect people who already had a sewer and paid sewer fees to pay for someone else's sewer fees. He asked that the connection fees equal the cost of the expense. He noted he understood developers did not like to pay all of the up front costs because the housing market was uncertain, so he was comfortable with them paying after the fact.

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

Mr. Janku stated he thought these were needed improvements. He pointed out there was actually \$6 million for new sewer extensions if they included the amount for economic development, which was separate from the 100-acre policy. Mr. Watkins noted much of where they would be extending the Hinkson Creek sewer was already served by the Bear Creek sewer, so he was not sure they could say that sewer was for new sewers. Mr. Janku reiterated he thought these were needed improvements for the community. He noted the citizens had stepped up in the past with regard to the wetlands, etc. He commented that due to the private common sewers where they would be helping rebuild sewers in older neighborhoods, this was a cost sharing type of ballot issue in many ways. He believed this would ultimately benefit the community and environment.

Mr. Skala noted this was a complicated and necessary issue. He explained they had several work sessions with regard to this and he was convinced it was absolutely necessary. He stated he was confident staff had been working on the policy with regard to the fairness and equity issue, which he thought was essential. He commented that was supportive of putting this on the ballot.

Ms. Hoppe asked if they had officially passed the 100-acre point policy versus 80-acre point policy. Mr. Watkins replied no. He noted they were bringing that forward as part of the sewer policy. Ms. Hoppe asked if that would come prior to April. Mr. Watkins replied absolutely. Mayor Hindman explained these matters had to be settled prior to going to the public. Mr. Janku noted they were under a deadline to get this bond issue on the April ballot.

B425-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

R11-08 Approving an amendment to the FY 2007 Action Plan to reprogram CDBG funding for renovation of the Nora Stewart Memorial Nursery School.

The resolution was read by the Clerk.

Mr. Watkins explained the Nora Stewart Memorial Nursery School was ready to proceed with its roof, which was approved for 2008. Since they had some projects that were behind in 2007, they were suggesting they switch some of the 2007 projects to 2008 and move the Nora Stewart project to 2007, so they could proceed with the much needed roof and other improvements.

Mr. Teddy stated they had authorization from HUD to use the \$150,000 and he felt this was a good way to make efficient use of block grant funds.

Mayor Hindman opened the public hearing.

Emily Thoroughman, 4404 Gage Place, stated she was the Co-President of the Board of the Nora Stewart Memorial Nursery School and thanked the Council for considering their request for early funding.

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

Ms. Hoppe complimented the staff for seeing a need and brainstorming to find the funds needed to get this done sooner.

The vote on R11-08 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Resolution declared adopted, reading as follows:

OLD BUSINESS

B422-07 Appropriating funds to be received from cable franchise fees.

The bill was given second reading by the Clerk.

Mr. Watkins noted the Council had previously approved an increase of 2 percent for the cable franchise fees, from 3 percent to the maximum allowable 5 percent. This money was not included in the 2008 budget since they were not sure how much would be received and because of a ninety day delay before they could begin collecting fees. They conservatively anticipated receiving \$250,000 in additional revenue for 2007 and were suggesting that be added to the City's budget. He pointed out they were not suggesting it be used for any specific purpose at this time. He stated they were working on a contract with CAT-3 for part of that funding, which would likely come to the Council for consideration at its next meeting.

Ms. Nauser asked about funding for the Police Department. Mr. Watkins replied staff was suggesting \$100,000 of the \$250,000 be retained in the general fund to help them through any budget issue. He explained they had expected to get \$108,000 in savings by postponing the filling of Police Department positions and by keeping the \$100,000 in the budget, they would have the savings anticipated and would move those positions forward immediately. Mr. Janku understood it would take a resolution or ordinance to appropriate the

\$100,000. Mr. Watkins stated if it was in the budget and appropriated, he would feel comfortable it was there. He noted Chief Boehm would move ahead in filling most of the positions this month.

Ms. Hoppe understood the City received an additional \$580,000 from a settlement with U.S. Cellular and thought the hiring restrictions had been lifted as a result. She wondered if this was specifically needed. Mr. Watkins stated they had received funding late last year from Verizon in the amount of about \$70,000. Although the amount had been agreed upon, they did not expect to have cash in the bank from U.S. Cellular until April or May. Mr. Boeckmann explained it had to be approved by the Courts since it was part of a class action settlement. Mr. Watkins noted they also had an AT&T settlement and were hoping to get a Sprint settlement, but it would be a while until they had cash in the bank. Because of some issues, he told Chief Boehm to go ahead and fill the seven positions that were open. He pointed out they did not have cash in the bank and expected their sales tax to be as much as \$500,000 short this year. Even though they might receive \$500,000 from U.S. Cellular, they would only be back to what they budgeted.

Ms. Nauser asked when they expected to have the \$250,000 in hand. Mr. Watkins replied they would receive some funds in February and would then receive it on a monthly basis. He pointed out the \$250,000 was a best guess.

Mr. Skala understood if they used this to guarantee they had enough money to pay the extra officers, it did not preclude Council from deciding on another funding mechanism at the same cost. Mr. Watkins stated that was correct.

Thad Simmons, 5002 Orchard Lane, stated he was for having more police officers and had reviewed the report in the Council packet. He noted he also reviewed citydata.com and, per that site, Columbia's sworn officers by population was 1.6. The U.S. average was 3.0. The site also listed analogous cities and none of those were at 3.0. When those cities were ranked from 1-12 with 1 being the highest officer per capita ratio, Columbia came in at number 5 out of 12. The highest were Topeka with 2.4 officers per 1,000 residents and Springfield with 2.2 officers. He pointed out it also tracked a crime index and Columbia was at 220 with the national average being 232. He commented that, instinctively, one would think a higher police per citizen ratio would mean a lower crime index, but that was not the case. There was actually a strong inverse proportion. Topeka's crime index was 734 with 2.4 officers per 1,000 residents. He stated he looked at other factors as well and everything he believed was not backed by the data. He noted more officers did not mean lower crime. As a result, he thought they might be moving too quickly in taking revenue that might be better suited for other things. In their haste to bring down crime, he did not think they should put more officers on the streets because that was not supported by the data. He suggested they take a more reasoned approach, such as looking at different ways the current police staff could be organized to serve the community and create a better presence in the City. He stated expediting the hiring of officers with this \$100,000 should not come with the expectation of creating a lower crime index.

Mr. Skala stated he was in opposition to using the funds from the cable franchise fee to hiring police officers because he believed the necessity to have more police was a growth related infrastructure problem. He agreed there was a need to increase the police presence

and restore some of the officers the City was lacking, but felt those positions should be funded from a source related to growth-related infrastructure costs. A logical source to him was the development fee, which would increase from ten cents per square foot for residential and commercial property to fifty cents. He also suggested they take \$10,000-\$20,000 from the Council discretionary fund to show the community they were serious about this problem. He noted this was a City-wide problem and the cable fee increase resided with people who subscribed to cable television. He felt they had a responsibility to CAT and the other PEG channels with regard to public access. He understood that decision would come later and stated he was supportive of putting this money aside so they could move expeditiously to get more police officers on board.

Mr. Janku pointed out they made some tough decisions during the budget process when it came to not spending the Council contingency and in setting money aside for unanticipated problems. He noted they put some of money into the C.A.R.E. program and he had mentioned the possibility of increasing it later if they had money. If they wanted to use the contingency money, he thought they might want to use it for that as it helped provide jobs for young people. With respect to the development fee, he stated it was increased by vote of the people and was, specifically, represented as being for road construction. He agreed development fees could be used for many capital improvements other than road construction, but felt they would need voter endorsement. In addition, he did not feel a fee such as this, which fluctuated with the number of new homes being built, was something they should depend upon for operational on-going costs like police officers. In regard to the money coming from the cell phone companies, he believed it was appropriate that a lot of it was paying for things they could not afford in the previous budget because this was making up for what they should have been paying all along. He did not think it was really new money. He explained people were not getting land lines, which provided the gross receipts tax to the general fund. They were using cell phones exclusively, so this was making up for a revenue source that had been declining. He reiterated he did not believe it was new money. It was replacement money for the gross receipts tax on land lines. He stated they would have tough times in the near future with the budget and noted discussion about a recession, which would also impact Columbia, so he thought they needed to be careful with spending a lot of money.

Ms. Nauser stated she had a hard time spending money they did not have to make up a shortfall. The most expedient and difficult thing to do was to take from revenue they knew they had, but would require making cuts or not filling other positions. She did not agree with taking school resource officers out of schools due to a hold on hiring police officers. She believed they needed to fill the vacancies they had to levels the community expected and for which they budgeted. If it required cuts across the board, she thought that needed to be done. She did not think they should wait to fill those positions or rely on funds that could come in the future. She commented that she did not foresee sales receipts and general funds growing this year, so they would have to make some difficult decisions. If she had to give up a park in the Fifth Ward in order to bring the number of officers to their expected level, she would.

Mr. Watkins pointed out the school resource officer issue was simply an attempt by Chief Boehm to get experienced officers on the street. When hiring new officers, even if

some had experience in other places, it took 4-6 months to get acclimated. During this time of increased crime, they did what they needed in order to get experienced officers on the street. They intended to add those officers back to the schools next fall. The removal of school resource officers was not a budget issue. It was an attempt to get experienced officers on patrol. Ms. Nauser asked if that was because they had to wait on hiring new officers. Mr. Watkins replied it had more to do with trying to deal with increased crime. It was a big enough department where they would see an 8-10 percent turnover rate every year through retirements or resignations. At this time, they felt they needed officers with several years experience and knowledge of the community on patrol versus the middle schools. He noted they were still retaining officers in the high schools and junior high schools. Ms. Nauser stated she still disagreed with the philosophy, but understood Mr. Watkins' point.

Ms. Hoppe thought the only other alternative was to keep the officers in the schools and delaying putting officers on the street until the new officers were trained.

Mayor Hindman commented that it was basically a management decision, which the Council could overrule by coming up with another option, but it was not a policy decision. Ms. Nauser pointed out it had political consequences.

Ms. Crayton stated she thought prevention was important. She did not agree with removing resource officers from schools. She noted people in the neighborhood had a view of the police, so they needed to change that behavior for the young. She did not think they could change the thoughts of a 15-16 year old. She thought they needed to have a relationship with the officer because if the child was not willing to talk to the officer, they were back at ground zero. She noted gangs started in middle school and they were taking officers who might be able to intervene from those schools. By the time they were in high school, it was too late. She reiterated they needed to focus on prevention versus reaction. They needed to fill the void with activities and needed to find money for those activities. She also thought they needed to hold those agencies receiving funds to help the youth accountable.

B422-07 was given third reading with the vote recorded as follows: VOTING YES: JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: CRAYTON. ABSENT: WADE. Bill declared enacted, reading as follows:

B424-07 Approving a settlement agreement with U S Cellular; assigning a percentage of the settlement proceeds to the Missouri Municipal League.

The bill was given second reading by the Clerk.

Mr. Watkins stated this was the second of four settlement agreements with the major wireless/cell phone providers in Columbia. Under this settlement with U. S. Cellular, the City would receive \$580,053.83 in back taxes as a one time revenue source. Staff was recommending the money be used to replenish amounts needed for carry forward in 2009 and to potentially replenish some of the equipment that had been cut. He noted they would provide Council an analysis near retreat time.

Ms. Nauser stated she agreed these funds should be used for replacing needed capital equipment and noted, she, personally, wanted to see the budget restrictions remain because she did not think they would be further ahead in the next budget season. She did not want to hire new people they might not be able to afford in 2009. She thought they

should use this money for large capital improvements needed for the fleets to get up to standard.

B424-07 was given third reading with the vote recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B415-07 Approving a revision to the Bethel Ridge PUD development plan located on the west side of Santiago Drive, south of Granada Boulevard.**
- B417-07 Approving the Final Plat of Timberlane Subdivision Plat 6 located on the north side of Timber Lane, approximately 200 feet west of Ballenger Lane (State Route PP); authorizing a performance contract.**
- B418-07 Vacating a portion of a utility easement on Lots 14 and 16 within Hilton Plat No. 5.**
- B421-07 Accepting conveyances for utility purposes.**
- B423-07 Accepting a grant from the State Emergency Management Agency for the purchase of mobile radios for the Fire Department; appropriating funds.**
- R1-08 Setting a public hearing: renovation and construction of an addition to the Daniel Boone/City Hall Building.**
- R2-08 Setting a public hearing: authorizing construction of the Harvard Drive storm water management project.**
- R3-08 Setting a public hearing: authorizing construction of the Middlebush Drive culvert replacement project.**
- R4-08 Authorizing Community Housing Development Organization (CHDO) agreements with Show-Me Central Habitat for Humanity and Job Point for HOME funding.**
- R5-08 Authorizing an amendment to the agreement with Allstate Consultants, LLC for engineering services for the Gans Road improvement project.**
- R6-08 Authorizing a development agreement with Walnut Market, LLC for storm water improvements for property located at 126 North Tenth Street (Wabash Station).**

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

NEW BUSINESS

R7-08 Authorizing an agreement with Bucher, Willis and Ratliff Corporation for engineering services relating to the rehabilitation of portions of the commercial apron and general aviation apron at Columbia Regional Airport.

The resolution was read by the Clerk.

Mr. Watkins explained this was a contract with Bucher, Willis & Ratliff Corporation with regard to the Columbia Regional Airport in the amount of \$108,725. Ninety-five percent of that amount would be paid by the FAA. It involved design and observing the construction of repairs on a section of the commercial and general aviation aprons. The authorization to proceed was subject to FAA concurrence and was expected.

Mr. Glascock pointed out they needed to move forward with this project and if they did not, they would lose money from the federal government.

Mr. Skala asked if this was connected to any recent government funding of the runway extensions. Mr. Watkins replied no and explained this was out of the City's allocation of FAA money for this year.

The vote on R7-08 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE.

Resolution declared adopted, reading as follows:

R8-08 Authorizing Amendment No. 4 to the agreement with Burns & McDonnell Engineering Company, Inc. for engineering services relating to the design of Scott Boulevard south of Brookview Terrace to Vawter School Road, including improvements to the Hinkson Creek Bridge, intersection improvements at Scott Boulevard and Vawter School Road and realignment of Brushwood Lake Road with Scott Boulevard to create a four-way intersection.

The resolution was read by the Clerk.

Mr. Watkins explained this would authorize an amendment to the current contract with Burns & McDonnell Engineering Company, Inc. on Scott Boulevard. He noted Scott Boulevard was broken into three phases. They were proposing to proceed with the design of Phase II now, so they could potentially bid a piece of Phase II, the intersection of Vawter School Road and Scott Boulevard with Brushwood Lake Road, as part of Phase I. In order to design it, they needed to design the entire road. They were not proposing to include the reconstruction of the bridge in the contract as it would be a very expensive piece, but they did believe they would have sufficient funding to get the intersection done. In addition, they would have the design done for the entire piece. The amount of the amendment to the design contract was \$494,242 and included the bridge redesign, but the bridge would not be built right away.

Mr. Skala understood this was a timing issue. Mr. Watkins stated it was. He explained MoDOT might put more money into the project than originally expected and suggested those funds be used to do more on Scott Boulevard.

Mayor Hindman asked if they would begin to see construction on the northern part of Scott Boulevard in FY08. Mr. Glascock replied no and noted it would begin in FY09. Mr. Watkins pointed out it would be in the 2008 calendar year. Mayor Hindman asked if that would include the intersection being discussed. Mr. Glascock replied they were hoping to include the intersection. Mayor Hindman understood there would be a gap in between for a while. Mr. Glascock noted it was part of the ten year plan, but they did not know when it would be done.

The vote on R8-08 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE.

Resolution declared adopted, reading as follows:

R9-08 Authorizing an agreement with Walker Parking Consultants for engineering services relating to the design and construction of a multi-level off-street parking facility located on Short Street, and adjacent property south of Walnut Street.

The resolution was read by the Clerk.

Mr. Watkins stated this was an amendment to an agreement with Walker Parking Consultants authorized at the last meeting to begin the design concept for the new parking garage across from the Post Office. The proposed amendment involved completing the initial concept for the garage proposed for Short Street, which would be part of the Hyatt, and would cost an additional \$12,500. It would be paid for with parking utility funds.

Ms. Hoppe asked if they would be involved in the stormwater design. Mr. Watkins replied they would for the parking garages. Ms. Hoppe understood this was supposed to have a lower level retail area and wondered if they would look into energy efficient design. Mr. Watkins explained, at this point, they were only doing the concept, which determined what might fit, the approximate cost and how they would do it. The specific kinds of retail and what it would look like would come after this initial work was completed. He noted it was their intent to include retail on the ground floor of both garages and in their best interest to make them as energy efficient as possible.

The vote on R9-08 was recorded as follows: VOTING YES: CRAYTON, JANKU, SKALA, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. ABSENT: WADE.

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.

- B1-08** **Approving the Final Plat of Mid-City Industrial Park - Block 2, a Replat of Lot 3 Mid-City Industrial Park and Lot 210 Northwold Subdivision located on the northeast corner of Heriford Road and Burlington Street; authorizing a performance contract.**
- B2-08** **Vacating utility easements located on Lot 1 and Lot 3 within Centerstate Plat 10.**
- B3-08** **Authorizing renovation and construction of an addition to the Daniel Boone/City Hall Building; calling for bids through the Purchasing Division.**
- B4-08** **Authorizing construction of the Harvard Drive storm water management project; calling for bids through the Purchasing Division.**
- B5-08** **Calling for bids for reconstruction of Hardin Street from Ash Street to Hope Place and from Broadhead Street to Worley Street, and to construct a sidewalk adjacent to the back of the curb on the west side of Hardin Street from Hope Place to Broadhead Street.**
- B6-08** **Authorizing the purchase and installation of security camera systems in the Sixth Street and Cherry Street parking garage and the Seventh Street and Walnut Street parking garage; appropriating funds.**
- B7-08** **Authorizing a gas pipeline easement to Union Electric Company, d/b/a AmerenUE, and a grant of easement for underground electric utility purposes to Boone Electric Cooperative relating to the Gans Road and U.S. Highway 63 interchange project.**

- B8-08 Appropriating funds to the Fleet Operations FY 2007 operating budget to offset expenditures for items for resale.
- B9-08 Accepting an easement for electric utility purposes relating to construction of a 161 Kv transmission line from the intersection of Rolling Hills Road and Sugar Grove Road to the Grindstone Substation located on Grindstone Parkway.
- B10-08 Authorizing an easement agreement with U.S. Bank National Association relating to the electric, telephone and cable television undergrounding project on Business Loop 70 West.
- B11-08 Accepting conveyances for utility purposes.
- B12-08 Accepting a grant from the Missouri Department of Transportation - Highway Safety Division for a DWI enforcement project; appropriating funds.
- B13-08 Accepting a grant from the Missouri Department of Transportation - Highway Safety Division for a sobriety checkpoint project; appropriating funds.
- B14-08 Calling a municipal election to elect Council Members for Wards 1 and 5.
- B15-08 Authorizing a Right of Use Permit with Sprint Spectrum L.P. for construction, operation and maintenance of underground utilities extending to a leased area housing a cellular telephone transmission tower at the Sanford-Kimpton Health Center located at 1005 West Worley Street.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Mayor Hindman noted this report was provided for informational purposes.

(B) Dog Off-Leash Enforcement.

Mr. Watkins noted this had been requested by Mr. Wade, so he suggested holding it over until the next meeting to allow him to make comments.

Mr. Janku pointed out he would not be at the next meeting and wanted to make a suggestion. The new dog park at the Garth Nature Area was very popular. If someone looked at the ordinance on-line, they might think it was an area in which trails were now located. He suggested that be clarified to reflect the new dog park area, which was the off-leash area. The rest of the old nature area included trails and was not an off-leash area. Mr. Hood stated staff would look at that. He thought it might entail an ordinance revision. Mr. Janku understood.

Mayor Hindman commented that the Twin Lakes off-leash area was fenced and there were a couple of gates going into residential areas to the east. Kids would go through those gates and leave them open, which allowed dogs to get into the neighborhoods. He wondered if they could put springs or something similar on those gates so they would automatically close. He noted he did not check them, so they might already have springs. Mr. Hood stated staff would look into it.

Mayor Hindman understood this report would be discussed again at the next meeting.

(C) Update on Recycling Efforts in City Parks.

Mayor Hindman noted a lot was going on in this regard and an intern was working on this effort. He suggested they wait to take action until they received further information.

(D) Police Staffing.

Mayor Hindman understood this report was informational.

Mr. Watkins noted staff was attempting to update the 2002 numbers. He explained they could not just pull those numbers from budgets because many cities included jailers, parking meter maids, etc. within the budget. They needed to review each budget in order to compare the numbers. He pointed out they would provide that information.

Ms. Hoppe asked if the 152 police officers included the University police. Mr. Watkins replied no and noted there were about 40 additional sworn officers at the University.

(E) Downtown Bicycle Parking Pilot Project.

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

(F) Field Park/Heibel Building Drainage Issue.

Mr. Hood stated they were all concerned about the water issues at the building. Staff had visited the site at least three different times and they felt there were a series of problems. They felt the most serious problem was the lack of a proper roof on the facility and the fact there was no guttering on the back of the building. He commented that there might be some water coming in from the ground due to the elevation of the park, but they were not sure that was occurring. They were recommending CMCA proceed with stabilizing the roof and placing gutters on the building, so they could then fully evaluate whether there were any water problems from the elevation of the park and a need for a grade or elevation change.

Ms. Nauser asked when the contract was extended with CMCA. Mr. Hood replied the original contract with CMCA was a five year contract and was issued in September of 2000. The contract was then extended one year to September, 2006. In September of 2006, they again requested an extension so they could apply for tax credits. At that time, the Council approved an extension that was contingent on whether they received tax credits. If they received those credits, the contract was extended to September 2012. If they did not receive the tax credits, it was extended to September 2008. He understood they had received tax credits, so he believed the agreement was in place until September 2012.

Mayor Hindman did not believe the Council had any obligation to do anything if they were in agreement with staff.

(G) Building Construction Codes Commission Report on Fraternity and Sorority Fire Sprinklers.

Mr. Watkins explained this was a report from the Building Construction Codes Commission (BCCC) pertaining to Council's request for the Commission to re-evaluate the issue of requiring sprinklers for fraternities and sororities. The BCCC, by a split vote, recommended the Council reconsider the requirement to add sprinklers fraternities and

sororities. Also included was a report by the Fire Department, which indicated reasons to not rescind the requirement. He thought Council had a couple options. If they had no desire to consider the issue, they could accept the report and do nothing. Another alternative would be to direct staff to prepare legislation making a change and scheduling a public hearing for it to be discussed.

Mayor Hindman made a motion directing staff to prepare an amendment to the present ordinance in order to change the requirement from Type 13 to Type 13R. He thought that would allow for a public hearing on the matter and noted it was a possible compromise position.

Mr. Skala stated he thought that was appropriate. He noted he had received a request from an attorney representing the fraternities on the possibility of holding a public hearing.

Mr. Janku asked for a report to accompany that amendment which provided information on other communities and their standards, specifically those previously referenced, so they could use that information in evaluating the amendment.

Mayor Hindman noted there were other interesting issues and asked staff to provide information to assist them in answering questions. He understood this only applied to Greek titled houses, so it did not apply to a non-Greek living organization. In addition, the issue of boarding houses had been raised. He thought information assisting them in answering those questions should be included with the report involving the amendment.

Ms. Hoppe stated she was interested in having time tables so they knew when they might implement similar requirements for non-Greek student housing. She thought that would address some of the fairness issues.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mr. Skala stated he received some information from the Sierra Club with regard to the Lemone area and tended to support the concept of looking into their suggestion as an alternative while they were in the planning stages for the Maguire extension. It consisted of five points and included an additional right lane on U.S. 63 from the New Haven on-ramp to the Stadium Boulevard off-ramp, an additional off-ramp lane from U.S. 63 to Stadium Boulevard, a dedicated right turn lane on New Haven Road from Warren to the U.S. 63 off-ramp, traffic signals at the intersection of the new and improved Warren Road and New Haven Road, and widening New Haven Road from the intersection with Warren Road to three westbound lanes with one right turn lane and one left turn lane onto U.S. 63 South and one straight ahead lane. Although, it was not their suggestion, he thought they might also want to look at an additional off-ramp lane for the southbound side, from Stadium Boulevard to U.S. 63.

Mr. Skala made a motion directing staff to provide a report in regard to the alternative to the Maguire extension as described above. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Nauser commented that about a year ago, a suggestion was made to study Howard Orchard to create a plan in regard to how it could be extended and to add to the CATSO Plan. She asked where they were with that process. She understood this area would be developing in the next few years and wanted to get ahead of the curve with a roadway plan, so they did not have another Scott Boulevard. Mr. Janku asked if this involved moving Brushwood Lake south. He thought that was what they were suggesting and noted he believed there would be a round-a-bout there as well. Ms. Nauser thought it needed to be reviewed since they were looking at the intersection. Mr. Watkins stated staff would provide a status report.

Ms. Nauser stated she recently had a discussion with Mr. Black of REDI, who mentioned a micro-loan program the City had. Mr. Watkins commented that the City had the program, but all of the money had been allocated and spent, so there was no more money to be allocated. Mr. Janku thought the contract with Enterprise expired a year ago and they put the unspent \$5,000 toward the Nora Stewart Nursery.

Ms. Hoppe asked how money was put in the micro-loan program. Mr. Janku replied it was CDBG money. Mr. Watkins explained they allocated \$50,000 in CDBG money about five years ago. Ms. Nauser thought a report might be helpful because she did not know about the micro-loan program.

Ms. Nauser made the motion directing staff to provide a report regarding the micro-loan program in regard to what the program entailed and the future of the program. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Nauser understood developers were required to backfill when they put in the roads, sewers and water lines and asked if the City inspected that to ensure it was done per City regulations. Mr. Watkins replied yes.

Ms. Hoppe noted an issue was addressed by the Planning and Zoning Commission on December 20, 2007 regarding a development at the intersection of Highway 63 and Stadium and the notice given to the neighbors was received on the Thursday before the Planning and Zoning Commission meeting, which was only one week before the hearing. She felt that was too short of a period of time to find out what might be happening and to get the neighborhood association together to take a position. She asked if the City was required to send out notices at the same time they were required to put the notice in the newspaper, which she believed was two weeks prior to the Planning and Zoning Commission meeting. If that was not a requirement, she suggested it become the standard required.

Mayor Hindman thought this issue was being dealt with by the Process and Procedures Committee. Mr. Watkins stated he was not sure, but thought it was. Mr. Janku pointed out they had received reports on notices in the past. He recalled there being a lot to

it. He understood if they made it a legal requirement versus a courtesy, it would cause some issues.

Ms. Hoppe believed if they were going to have meaningful citizen and neighborhood comment, sufficient notice was required.

Ms. Hoppe made a motion directing staff to provide notices to neighbors prior to or on the date the notice was published in the newspaper until they received a report or reviewed the policy. The motion died for a lack of a second.

Mr. Janku asked how the notice was done and who sent it out. Mr. Watkins replied he was not sure, but would have staff provide a report for Council review.

Ms. Nauser asked when the process and procedures issue would be on their work session schedule. Mr. Watkins replied it was one of the work sessions that was cut out, so they needed to reschedule it. He thought they would be providing the Council a revised schedule within the next couple weeks.

Mr. Teddy explained the only thing that was absolutely required by the zoning ordinances was the newspaper notice, which was fifteen day notice in a newspaper of general circulation. It also indicated the Planning and Development Director could send, as a courtesy, a letter of notice. He stated they had been trying to get those out two weeks in advance of the hearing date. He understood complaints had been received regarding the case referenced by Ms. Hoppe.

Ms. Hoppe commented that many people did not receive the newspaper, so she felt they needed to have a way to notify others in a timely manner. Mr. Janku thought there were two issues. One involved the neighborhood association, which some had and others did not. The other was those within 185 feet of the affected area. Mr. Teddy stated the ordinance indicated 185 feet from the property that was being considered for rezoning. They actually took a 200 foot measurement of owners of record from the tax records. Those owners were sent letters by regular mail, so there was no proof of receipt. They also sent notification to recognized neighborhood organizations near the site. Mayor Hindman understood they also posted a notice on the property. Mr. Teddy stated that was correct. A sign was posted a week in advance of the hearing. He noted some properties lent themselves to that kind of visibility better than others. Mr. Skala asked if there was a posting requirement in the Daniel Boone Building. Mayor Hindman replied the only legal requirement was posting in the newspaper. Ms. Hoppe thought they had e-mails for the registered neighborhood associations and suggested sending an e-mail out fifteen days in advance.

Ms. Hoppe made the motion directing staff to look into e-mailing notices to recognized neighborhood associations. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Hoppe noted Rock Quarry Road was a scenic road and was undergoing sewer construction on the northern side, close to Stadium. In addition, the Hampton Inn was being built at the end of Rock Quarry and Stadium. She commented that she had received concerns from the neighbors regarding heavy truck traffic on Rock Quarry Road, which was narrow, asphalted and not really built for truck traffic. She understood the need for the trucks

to get through to work on the sewer, but thought access from Stadium to Hampton would be sufficient.

Ms. Hoppe made a motion directing staff to provide a report and/or ordinance to make that a restricted truck route, so no trucks of a certain weight and axle limit could use it as through traffic. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Hoppe commended the City in its efforts with the various snow events around the holidays. She commented that she did a good deal of shopping downtown and noticed cinders were used. She understood they were using cinders and salt, but thought it might be appropriate to only use salt in some places. Cinders were dirty and caused the tracking of dirt into downtown businesses. She suggested requesting a report from staff with recommendations of where cinders might be less appropriate. She noted she had also received complaints regarding the chemicals in cinders and whether there were any health effects. She understood salt was hard on cars. She thought the report should include the chemicals in cinders for public knowledge. In addition, she was wondering if they could accommodate neighborhoods that might not want cinders.

Ms. Hoppe made the motion directing staff to provide a report with recommendations on areas where cinders might be less appropriate than salt, information on the chemicals in cinders as it could have a health effect and information on whether they might be able to accommodate neighborhoods that really did not want the use of cinders in their neighborhoods. The motion was seconded by Mayor Hindman.

Mayor Hindman noted he lived on a cul-de-sac with no sidewalks at the bottom of a hill and the City dumped cinders in copious amounts because they were afraid the residents would not be able to extract themselves from the street. He was hopeful they could deal with that as it was a topic of considerable neighborhood discussion.

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

Ms. Crayton thanked those who came to see her at the hospital and for those who offered help to her and Tyrone. She stated she was very appreciative.

Mr. Janku understood the utility assistance fund was out of money, but the Governor was planning on doing something by February. Mr. Watkins agreed it was a topic of conversation. Mr. Janku asked if there was anything they could do to bridge the gap, such as putting money into the program and getting reimbursed later in the year.

Mr. Janku understood the City worked with the School District with regard to joint park projects and asked if they were having any discussions with regard joint projects for the new high school so it was available when it opened. He wondered if they wanted to acquire land near the new high school for a City park of some sort.

Mr. Janku made a motion authorizing staff to have discussions with the School District and neighboring property owners in regard to a park project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor Hindman stated they had been talking about crime prevention and one fundamental factor was early childhood education. He noted a major conference with respect to early childhood education would be held in Columbia in May and stated he would like to take \$1,000 - \$1,500 from the Council's discretionary fund to help with the conference.

Mayor Hindman made the motion to provide up to \$1,500 from the Council's discretionary fund for the Early Childhood Education Conference.

Ms. Nauser stated early childhood education seemed to be one of the keys to success in early intervention and prevention with regard to crime, so she supported funding this effort.

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

Mayor Hindman noted he and Mr. Janku would not be at the next meeting, so consideration needed to be given to who would preside over that meeting. He proposed it be the person with the highest seniority, Almeta Crayton.

Mayor Hindman made a motion to appoint Almeta Crayton as the Acting Mayor Pro Tem for the January 22, 2008 Council meeting. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Sheela Amin
City Clerk