

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
SEPTEMBER 15, 2008

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, September 15, 2008, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members NAUSER, HOPPE, HINDMAN, STURTZ, JANKU and SKALA 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 September 2, 2008 were approved unanimously by voice vote on a motion by Mr. Skala and a second by Ms. Nauser.

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. Skala and a second by Ms. Hoppe.

SPECIAL ITEMS

Police Meritorious Service Ribbon.

Chief Dresner explained they were recognizing two police officers for upholding the duty of saving a human life. By policy, the Meritorious Service Ribbon was presented to police officers for action taken above and beyond the call of duty in the face of personal danger or for the saving of a human life. Officers Robert Fox and Matthew Stephens were called to the Comfort Inn due to a man being in cardiac arrest and not breathing. While they were honored tonight, it was a bittersweet moment because the man whose life they had saved had since died. That man was David Grubb of Osage Beach, who was in Columbia for medical treatment of serious health issues. Chief Dresner noted it was not often a police officer had the opportunity to act in this way. The nature of policing was to protect and serve and was often in the form of conflict management, the investigation of crime and the placing of people where they did not want to go for things they assured the officers they did not do. He reminded everyone that a little heroism took place every single day and night as they risked it all every time they wore the uniform. He stated they were celebrating a job that had resulted in a life saved, if only for a short time, by these two police officers. He read the plaques, which explained Officers Fox and Stephens conducted chest compressions and mouth to mouth resuscitation until paramedics and fire personnel arrived. Mr. Grubb was later stabilized at University Hospital. He commended Officers Fox and Stephens for their unselfish actions and teamwork, which resulted in the saving of a life. He presented the Ribbon of Meritorious Service to the officers and noted Officers Fox and Stephens were the 45th and 46th recipients of this award since its inception in 1980.

Mayor Hindman thanked the officers and stated the City appreciated their heroic efforts.

Information Services SAG Award Presentation.

Mayor Hindman explained the City's Information Technologies Department received a major international honor last month from ESRI, a private firm that specialized in geographic data software. The City received a Special Achievement in GIS (SAG) award from among a field of more than 100,000 user sites worldwide. GIS, which stood for Geographic Information System, was a research tool that used maps to analyze trends and data. It was more than just a map because one could put specific data associated with a graphic location with the location. The data could then be piled on top of each other to provide a tremendous amount of information about that location and nearby locations. He noted their work allowed the City to identify non-paying utility customers making it possible for the City to collect nearly \$229,000 in annual revenue of mostly non-metered services, such as refuse, stormwater and sewer. This money would not have been collected otherwise. He introduced the team responsible for the project, which included Tammy Dowling, a software engineer, Calvin Patterson, a GIS application developer, and Claude Jacobs, a database administrator. He also introduced Kim Burns of ESRI to present the award.

Ms. Burns presented the SAG Award to Mr. Patterson and the team and noted it had been previously presented to them at their user conference in San Diego in August. She understood it had been displayed in Mr. Patterson's office. She also presented a plaque, which she understood was displayed in Robert Simms' office. She noted there were 100,000 users who could potentially receive this award and they typically gave one award per State. Last year, Kansas City received the award. She commented that although GIS had a cost in the beginning, it saved money in the long run. She noted maps said a thousand words and when looking at the services on the application, some customers were paying and others were not. She stated Mr. Patterson and the team had made their company proud.

Mayor Hindman stated the City was certainly proud as well. He introduced Robert Simms and noted that without his leadership, this innovative activity could not have taken place. He thanked Ms. Burns and commented that GIS was an essential part of planning for Columbia's future, growth, infrastructure, neighborhood development and resource conservation. He thanked and congratulated all of the staff members involved for this outstanding work.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

B198-08 Rezoning property located east of Brown Station Road and southwest of U.S. Highway 63 from M-C and M-R to PUD-8; setting forth conditions for approval.

The bill was read by the Clerk.

Mr. Watkins stated this proposal had been withdrawn by the applicant.

B245-08 Adopting the FY 2009 Budget for the Special Business District.

- B258-08 Amending Chapters 5 and 11 of the City Code as they relate to Public Health and Human Services Department fees.**
- B259-08 Amending Chapter 17 of the City Code relating to Parks and Recreation fees.**
- B260-08 Amending Chapters 13 and 22 of the City Code to increase sewage service utility rates.**
- B261-08 Amending Chapter 14 of the City Code to increase parking fees for unmetered off-street facilities.**
- B262-08 Amending Chapter 22 of the City Code relating to transportation fares.**
- B263-08 Amending Chapter 22 of the City Code to increase commercial service solid waste utility rates.**
- B264-08 Amending Chapter 22 of the City Code to increase wastewater connection fees.**
- B265-08 Amending Chapter 27 of the City Code to increase electric rates.**
- B266-08 Amending Chapter 27 of the City Code to increase water connection fees.**
- B267-08 Amending Chapter 27 of the City Code to increase water rates.**
- B277-08 Establishing new group insurance premiums for employee and retiree/COBRA health and dental care plans.**
- B278-08 Amending the Classification Plan and adopting the FY 2009 Pay Plan.**
- B279-08 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.**
- B246-08 Adopting the FY 2009 Budget.**

B245-08 and B246-08 were given fourth reading, B258-08, B259-08, B260-08, B261-08, B262-08, B263-08, B264-08, B265-08, B266-08 and B267-08 were given third reading, and B277-08, B278-08 and B279-08 were given second reading by the Clerk.

Mr. Watkins stated the City's budget was arguably one of the most important actions the Council took on an annual basis. Staff first proposed and sent this year's budget to the Council at the end of July. Since then, the Council had held numerous public meetings in getting a handle on what was in the budget and making the budget their own. The budget being considered tonight was a balanced budget and included a number of fee and rate increases, many of which had been approved by the voters. There was limited equipment replacement in the budget this year, but it was enough to keep the critical pieces of their service provisions going. He noted there were a few new positions, but those did not keep up with the City's growth, particularly in some of the utilities. There was also a very basic personnel package, which included a 25 cent per hour increase for all employees as well as a two percent performance pay budget that would be awarded under the City's new performance pay system at an employee's anniversary date. He thanked City staff for putting the budget together and noted it was a team effort.

Ms. Fleming pointed out they had a revised amendment sheet, which was different than the one shown at the previous meeting. It included what had been worked out at the last budget work session. She noted this amendment sheet had been provided to the

Council as part of the packet and was consistent with what they had discussed at the last budget work session. By making cuts from various departments and transferring funds from the Council reserve, they had allocated \$423,300 for the reallocation fund. The amendment sheet also showed the uses of the reallocation fund. It included funding for growth management and the modernization of the zoning codes, a sustainability director position for six months, an environmental specialist position to help with NRT, increasing the C.A.R.E. program to the fiscal year 2008 increased level, partially restoring the Paquin program so it would operate for six months at its current level, re-opening the Lake of the Woods pool, increasing recreation scholarships, starting the Community Foundation and adjusting the transportation subsidy with regard to the 30-day full and half fare passes. She noted that would require an amendment to B262-08 as well. The full fare pass would need to be changed from \$40 to \$35 and the half fare pass would need to be reduced from \$20 to \$15. She pointed out if all of the adjustments to the budget were made, there would be \$3,400 remaining in the reallocation fund. She commented that \$10,500 would be used from the Council reserve account to reflect the additional 0.1 FTE that was approved for the judge.

Ms. Fleming noted there were other items staff had proposed and some administrative requests as well. She pointed out one of the proposed budget amendments was to postpone the citizen survey for one year. This was an item that would affect the communications fund, but not the general fund. The administrative requests involved changes since the budget was initially completed. The CDBG page reflected the City Manager's recommendation, so if the Council adopted the budget, the Council approved column would reflect the same as what was in the City Manager's recommendation. She pointed out during discussions there was a proposed change to the Police Department budget to cut the uniform allowance. While they were accepting the cut, it would be reallocated to overtime, so there would not be a cut to the overall Police Department budget.

Mayor Hindman understood three amendments were needed.

Mr. Janku made the motion to amend B278-08 per the amendment sheet. The motion was seconded by Ms. Nauser.

Mr. Skala made the motion to amend B246-08 per the amendment sheet dated September 10, 2008. The motion was seconded by Mr. Janku.

Mayor Hindman asked for clarification on the amendment needed to B262-08 regarding the bus fares. Ms. Fleming replied in the proposed ordinance the full fare was being increased from \$20 to \$40 and that increase would need to be changed from the proposed \$40 to \$35. In addition, the half fare was being increased from \$10 to \$20 and that increase would need to be changed from the proposed \$20 to \$15. This was only needed if the budget amendment sheet was passed.

Ms. Hoppe made the motion to amend B262-08 so the 30 day full fare would be increased to \$35 instead of \$40 and the 30 day half fare would be increased to \$15 instead of \$20. The motion was seconded by Ms. Nauser.

Mayor Hindman opened the public hearings.

Richard Shanker, 1829 Cliff Drive, asked if the new administrative position for the airport was still in the budget. Mr. Watkins replied yes. Mr. Shanker explained he was on the Airport Advisory Board, but was not representing them tonight. He noted some constituents

had asked him about this position. He understood there was a shift in this position from transportation to the airport. These constituents indicated that since they were in a tight situation money-wise, they were not sure this position could be justified when those dollars could be used for other things. He asked if the Council had discussed that issue. Mayor Hindman replied he did not know that it had come up as a topic among the members of the Council, but pointed out they had all been exposed to the budget. In addition, they all realized the airport was a major expense and that they could lose about \$1 million if they did not get their passenger count up. They agreed there should be a payback in making the airport a success. He commented that in times like this, it was useful to try to put in positions that had the opportunity to make the City more efficient. Mr. Shanker asked if this was a new position or a transfer of another position. Mr. Glascock replied they had three levels of supervision in transit, so he combined it into two levels of supervision and moved one position to the airport. The airport currently had a manager and secretarial staff, so he felt there was a need for an extra person to handle some of the operations in order to free up the airport manager to go out and identify the airport regionally instead of just working in the City of Columbia. Mr. Shanker asked if the transit position was being eliminated. Mr. Glascock replied yes. Mr. Shanker understood they would be at two levels and the airport would have three levels. Mr. Glascock stated they would both be at two levels. Mr. Shanker understood the administrative assistant would not be one of the levels. Mr. Glascock explained there would be an airport manager and an assistant for the operation side. Mr. Shanker asked for clarification regarding the transit system. Mr. Glascock replied there were three and they were reducing it to two levels. Mr. Shanker asked if the position would be paid the same. Mr. Glascock replied he was not sure it was exactly the same. He thought it was within one or two levels.

Kristina Herrin, 1615 Sylvan Lane, Apt 1H, stated she had ridden on the buses for approximately 10 years and when she first started utilizing the system, she was very impressed with its efficiency, price and ability to get around town. In the past two or three years, the system had become atrocious. She had safety concerns and pointed out routes were dropped without notification. When there was a cut to the areas it would reach on Saturdays and a reduction in the hours of operation, they were told the Council did this so they would not have to increase rates. Now, three to four months later, the rates were increasing. She commented that most of those riding the bus did not have a choice. She noted they had missed several doctor appointments due to dropped routes. The buses were usually running 30 minutes late in the evenings and running 20 minutes early on Saturdays. When they discussed this with management, they were told they might need to stand at the bus stop for 45 minutes. Most of her errands had to be done during the day due to route times and buses only ran every hour and 20 minutes for the majority of the day. She noted time was valuable to the people who were on disability and poor. They did not have the money to purchase a car to run errands. She commented that she had spoken to people on the bus and they felt defeated. They did not feel they had a voice. These meetings, although they had been advertised, did not indicate the time. Up until the past two days, the notices did not state the time or location of the meeting. When they asked management, no one knew until Friday. There were people who wanted to attend, but could not get attend

because they had no way home. She commented that they would double what they paid if they could get to their medical appointments and to the grocery store in a safe manner. She explained when she spoke to someone with transit in the past, she was asked why they were complaining as the City had been voted the number one transit system in the County. She stated a bus driver had indicated the Council established the rules and that a lot of the safety concerns were due to the fact they were told they could not wait for people to get on the bus. She stated she and others had seen where a bus would pull out too fast causing passengers to fall on the floor. She understood one woman was knocked unconscious. She commented that while she was with two children she babysat, the bus turned the corner so fast and sharply in an effort to try to make it on time, the babies fell over and were injured. She understood they needed to increase rates due to the economy, but felt the system needed to run more efficiently so they would be more than willing to pay those rates.

Charles Dudley, Jr., 1201 Paquin Street, Apt 1514, thanked the Council for helping them save the Paquin recreation program and noted he had heard some third party commentary on the budget proposal. Tonight he had heard it would be saved for the first six months with full funding, but he had heard other rumors indicating \$14,000 would be cut and the program would be cut in half. He asked for clarification. Ms. Fleming replied the position had been restored for the full year and the program would run as it was for the first six months. The City was also giving notice that there would be a person for the last six months, but it would be a reduced program, pending receipt of donations, etc. to restore it for the remainder of the year. Mr. Dudley asked for the numbers on it. Mr. Hood replied that as the amendment was written at this point, it would restore funding in the amount \$72,000. Full funding for six months would have been \$44,000. The difference between \$44,000 and \$72,000 was the amount that would be available for the second six months. As Ms. Fleming reiterated they would maintain the permanent position for the full year, but unless additional funding was identified, they would phase down some of the other services.

Kimberly Getch, 8051 Wade School Road, commented that she regretted that most people she had spoken with on the buses were unable to attend because the buses did not run after 6:00 p.m. on Monday. She pointed out meetings were not accessible to the general public since the buses did not run past 6:05 p.m. on Mondays. She stated she understood the need to increase fares as 50 cents was phenomenal in running a bus from one side of town to the other. She asked for services to be looked at with the fare increases. She wondered when the last population study was done because Columbia was growing with regard to services, shopping areas, hospitals, etc., and there were a lot of people who could not rely on the transit system. She explained she had an employee at the hospital at one time that could not take a supervisory position because she was required to come in on 20 minutes notice and the buses did not run past 6:00 p.m. She wondered how many Council members utilized the transit system, and if they did not, she asked why they did not. She stated she did not use the transit system every day as she lived north of town and the closest she was to the system was three miles into town at Blue Ridge.

Eugene Elkin, 3406 Rangeline Street, Lot #81, stated, as a disabled individual, he wanted to provide one more voice to the transportation situation. The disabled no longer had the Medicaid funding they thought they had in Missouri. He commented that he had stitches

in his mouth from a horizontal wisdom tooth being removed and it had taken 8-9 months through several different organizations to pay for the tooth and his glasses. The increase in the transportation fare was truly an issue as they would be doubling what was already a problem for low income individuals. He noted he had recently gone to the Food Pantry and there was very little supply. He stated they had struggles and needed Columbia to realize transportation fares should not be raised at this time.

Michael Collins, 1600 Hanover Boulevard, stated he agreed the bus fare needed to be increased because it was only 50 cents, but did not believe it was worth \$35 per month. He understood Kansas City was at \$40 per month and its service went all of the way to Blue Springs. In Columbia, the \$35 would only include areas within the City limits. He stated he believed there was a need for improved customer service as well. He reiterated the fare needed to be raised, but felt it needed to be raised to an amount that was acceptable. He understood Springfield ran until 11:00 p.m. every night, including Sundays. In Columbia, they did not run at all on Sunday and ran until 6:00 p.m. on Monday, Tuesday and Wednesday, 10:30 p.m. on Thursday and Friday, and 7:00 p.m. on Saturday. He felt that was terrible for a City of this size. He thought they should be running until 10:00 p.m. or midnight every night.

Pat Dixon, 1201 Paquin, commented that when she moved here from St. Louis, she was very impressed with Columbia's transit system because of the low fare and the fact all of the buses departed and arrived at the bus station, so one could get from one bus to another at the same place. Within the last couple of years, she had not been impressed. She understood the need to raise the fare, but believed there were other things that needed to be addressed that did not cost money, and those included customer service, safety and reliable service.

Ann Elam, 2812 Skyview Drive, stated she rode Paratransit to and from work at the Wal-Mart Supercenter everyday. As a senior citizen on a fixed income, she thought the bus system was good, but wanted to see the hours extended because she could work longer hours if she could take the bus home.

Don Stamper, 2604 North Stadium Boulevard, stated he was representing the Central Missouri Development Council and asked for the gross budget of the City. Mr. Skala replied it was about \$397 million. Mr. Stamper commented that in the overall scope of things, a \$423,000 shift in allocation within a \$400 million budget did not seem like a lot, but there were a couple of budget items that concerned them. They felt the proposed cuts to the Regional Planning Commission sent a mixed and bad message to the regional area as this Council was calling for an unprecedented level of planning, but was refusing to participate as a member of the Commission. He understood there were disagreements with the goals and scope of the Regional Planning Commission, but believed Columbia, as the largest City in the region, should be a leader in the Commission versus an absent landowner. They thought it could be significant in attracting and retaining federal grants. They felt it was unwise to reduce the funding in the amount of \$25,000 to the Regional Planning Commission. He noted they were also concerned with the \$100,000 reduction in the street light budget. As he had talked with many on the Council, he understood it was undefined as they had no idea where the specific reductions would come from. It was just an amount that was agreed to in order to get to an end. He stated they felt the Council should be more specific by committing

to the fact it would not reduce safety in any way and there would not be a reduction in the number of hours of operation of street lights or with the number of street lights on a street that could eventually affect safety. He noted those were a couple of the concerns of the Development Council and stated he was very sympathetic to those that had spoken before him regarding baseline fundamental cuts that had been made in public transportation and in support of those who did not always have the greatest resources.

There being no further comment, Mayor Hindman closed the public hearings for all of the bills associated with the budget.

Mr. Janku asked who would be eligible for the half fare pass that would be \$15. Mr. Glascock replied an ordinance changing this was under the Introduction and First Reading section of the agenda. It would include people on Medicaid and Medicare. He explained they were defining the poverty level so it would be the same as what the Health Department used. It was defined in an ordinance that would be discussed at the next meeting. He noted it was associated with B292-08.

Mr. Skala commented that it was obvious by some of the testimony that one of the important budget considerations had to do with the transit adjustment reflective of increased fuel cost, etc. and noted he was very sympathetic. He agreed there was such a thing as a good subsidy. He stated they subsidized the airport as it was a necessary activity in terms of economic development and it was a good subsidy. He thought the other side of the picture, which was the lower end of the socioeconomic scale in terms of economic development, was also necessary. He stated the budget of almost \$400 million included a lot of things that were not really adjustable unless they were ready to lay people off as the general fund was closer to \$75 million. He explained that after a long period of time, they had made some very difficult choices as budget choices were among the most difficult choices, particularly in a flat budget year, and a lot of it had to do with balance. The importance of that balance, in his opinion, had to do with economic equity on both ends of the socioeconomic scale. He commented that in order to recover costs in the transportation system, they had to raise fees to the extent they could recover the \$175,000, and felt they could at least reallocate some money so the passes that were necessary for people to get to their jobs on a regular basis were discounted to some degree. Since this was a balanced budget with \$3,400 left, he thought they should consider using \$2,500 of the \$3,400 to raise the level to at least \$15,000 in order to reduce the fare packages by a couple more dollars. He stated some understood costs were going up causing the increased fees, but this was the first time he was hearing there might be other issues, such as the extent to which they provided services and injuries associated with buses being kept on schedule. He thought that needed to be looked into. He reiterated he was proposing they added another \$2,500 to the \$12,500 they had already allocated.

Mayor Hindman agreed there was a subsidy to the airport, but noted the City also subsidized bus transportation to the extent of about \$2 million per year, which was substantial. He commented that the numbers were big in operating that service, and by far, the largest part of it came from subsidy. He noted that did not include the capital costs of the buses.

Mr. Skala thought the subsidy to the airport was about \$1 million and the subsidy to the bus system was about \$1.5 million. Mr. Janku understood it was \$1.6 million. Mayor Hindman stated there was a subsidy from the general fund as well as the transportation sales tax. He understood the total was about \$2 million. Mr. Skala asked if they the exact subsidy. Mr. Watkins asked Ms. Fleming if she knew the local subsidy of the bus system. Ms. Fleming replied it was \$1.6 million for operations. The match amount for capital was not included. With the budget amendments, they were adding \$12,500, so the total for operations would be \$1,612,500. She noted with regard to capital, there was not much this year because there was not much grant money. Mr. Watkins stated they had a goal to save so much per year because the federal government provided an 80 percent or more match for buses, but it came in spurts. The City ended up buying 3-4 buses in a year. Ms. Fleming stated the local match for 2009 was proposed at \$167,118. Mr. Watkins noted it had been \$300,000-\$400,000 in some years.

Ms. Hoppe explained she was concerned when the proposal to raise bus fares was first discussed because it would lower ridership at an estimate of 33 percent. That estimate had since been revised to 10 percent. She noted she was also concerned about hitting the income group that had been hit by a lot of other costs and could least afford it. She stated she did not realize, at that time, the rates had not been raised for 22 years. She thought it was evident from the testimony that they had a big project before them in terms of improving safety and the timeliness of the routes. She felt they were making some headway by adding certain areas of the City with University lodging and apartments, while still serving the rest of the City. She commented that there was a report with regard to looking at advertising on the buses for more funds. She hoped, along with the pass reduction, they would be able to put more money into the system to improve delivery so the Council could say they used the bus as well. Some of the issues that were pointed to were reasons the Council did not use the bus regularly. She agreed they needed a bus system that not only served people who did not have cars or could not afford cars, but also people who chose to ride the bus for many other good reasons, and felt this challenge ahead of them needed to be met.

Mr. Janku commented that by not increasing the fares for over 20 years, it showed this was not something they really wanted to do. They were only doing it in this time of escalating diesel prices. In addition, to the extent they were increasing revenues, they were putting it back into the system to try to maintain the current level of service and in hopes of making some improvements. He understood St. Louis was talking about cutbacks in service there. He noted he was disappointed in hearing about the problems with respect to the level of service and would encourage people to bring those problems to the City's attention as soon as possible so they could be addressed and corrected. He commented that he reviewed the ordinance Mr. Glascock referenced and the new definition for the half fare would be handicapped, elderly, Medicare or Medicaid recipients and persons with a Women Infants and Children (WIC) card, a current food stamp card or individuals who could validate that they were persons with annual incomes equal to or below 185 percent of the federal poverty level. He thought this would be a substantial broadening of the definition that existed previously as they were trying to make sure people with lower incomes could get a pass at a modest amount. With regard to taking money from what was left, he noted that money would

go into the reserve for the upcoming year, and in the past, they had used that money for things like the C.A.R.E. program and utility assistance. He felt there were all kinds of things that could come up after the budget was adopted for which they could use that limited amount of money.

Mr. Sturtz stated he thought everyone felt remorse about the fares going up and noted he was interested in hearing about the issues of safety and unreliability. He felt it reinforced something the City Manager stated in that they needed to make the bus system a mainstream institution so people from every income level would use it. He understood that when people from all walks of life used a service, it received better support. With concerns of gas prices and the economy for next year or two, they needed to improve bus service by making it much more reliable and having it go to many more places. He noted it would take a lot of work behind the scenes and hoped the Public Works Department took this on as a project while collaborating with the University, private developers and others so they could be proud of the system. He believed this was something they would all need in the coming years and was something very important to the economy and equity within the City.

Mr. Skala explained they had quite a bit of discussion at a work session about the budget decrease of \$25,000 with regard to the Regional Planning Commission and it was the sense of the Council that it had been useful in the past, but was likely not to be as useful in the future. He pointed out \$125,000 of the reallocation fund would go toward growth management planning, which was a huge step in the right direction toward economic redevelopment. He felt they would receive a much greater return on that than they would from this single membership in a body that no longer had as much utility as it once did.

Mr. Skala made the motion to add \$2,500 to the \$12,500 subsidy they were adding back into the transportation system, so it was a total of \$15,000 on the budget amendment sheet.

Mr. Sturtz asked if this would be targeted toward the full or half fare. Mr. Skala replied his intention was to benefit those that depended on this for regular travel to their jobs, etc. He thought it would be best to leave it at staff's discretion. Ms. Fleming noted she needed to know where to allocate those funds.

Ms. Nauser commented that if they had \$3,400 left in the budget, they would have the opportunity to add to it during the year. As Mr. Janku indicated, there were so many things that could come up. She understood in the past, the funds were used for emergency dental assistance, utility assistance, etc. and noted this winter was projected to be cold. She thought it would nice to have funds left over to use later in the year.

Mr. Skala stated there were two fare reduction rates suggested and asked if they could split the \$2,500 between both fares. Ms. Fleming explained she did not have the ability to tell the Council how much that would reduce the fares tonight. Mr. Sturtz thought for every \$5 increment, it would be \$5,000. Ms. Fleming stated she did not know and noted she could not come up with a number tonight. Mayor Hindman pointed out that money would be there after the budget was passed tonight. Mr. Skala agreed they could make that decision at a later date.

The motion made by Ms. Hoppe and seconded by Ms. Nauser to amend B262-08 so the 30 day full fare would be increased to \$35 instead of \$40 and the 30 day half fare would be increased to \$15 instead of \$20 was approved unanimously by voice vote.

The motion made by Mr. Janku and seconded by Ms. Nauser to amend B278-08 per the amendment sheet was approved unanimously by voice vote.

The motion made by Mr. Skala and seconded by Mr. Janku to amend B246-08 per the amendment sheet dated September 10, 2008 was approved unanimously by voice vote.

Mr. Janku commented that this had been an informative and difficult process this year in the sense the budget was tight. He thought it had been a very good process due to a lot of discussion and an evaluation of priorities. With regard to Paquin, he noted there were other recreational programs that Paquin residents were eligible to participate in. They did not just have to participate in the programs at their location. He pointed out there were many low income people in the community that participated in those, but did not have a powerful or well organized lobbying effort, and he thought they needed to keep that in mind when they made their decisions regarding access to programs. With respect to other issues not talked about much during the amendment process, he noted they made some significant increases in public safety within the Police and Fire Departments.

Ms. Nauser stated this was a new process for the Council due to the reallocation account and felt it made them take a harder look at some of the issues. She explained that while they might not have agreed with every line item on the amendment sheet, it was a “give and take” through many discussions to come to some form of consensus for the final amendment sheet. She stated she appreciated the process and thought they were moving in a good direction with zoning, the NRT and police services. She believed they were meeting a lot of the criteria the citizens set out for them. It also made them look at some long term goals and issues. She reiterated that while she did not agree with all of it, it was a collective decision.

Ms. Hoppe commented that not only was this a reflection of a lot of discussion and work among the Council in really looking at goals and making sure the budget was directed toward those goals, but those goals merged with the Visioning process. It was not just the Council’s goals. It included goals of the community based on the Visioning process.

Mr. Skala stated this was looked at as a very different process with regard to reallocation, but it really was not that different. He felt they had just gone about it in a different way. He thought they wound up with a balanced budget, which was the same result. He noted he agreed with Ms. Hoppe in that this was a reflection of what the citizens wanted.

Mayor Hindman thought it was important to understand the Charter required the City Manager to prepare a budget and the Council to approve it with any amendments they wanted to make. He noted the Council adjustments involved a very small fraction of the entire budget and congratulated the City Manager and staff for their hard work as the budget was essentially acceptable to the Council.

B245-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B258-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B259-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B260-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B261-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B262-08, as amended, was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B263-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B264-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B265-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B266-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B267-08 was read with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B277-08 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B278-08, as amended, was given third reading with the vote recorded as follows:

VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B279-08 was given third reading with the vote recorded as follows: VOTING YES:

NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B246-08, as amended, was read with the vote recorded as follows: VOTING YES:

NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

OLD BUSINESS

B271-08 Approving the Final Plat of Highland Circle Plat 5, a Replat of part of Highlands Circle and Highlands Circle Plat 4 located on the southwest corner of Highlands Court and Bentpath Drive; authorizing a performance contract.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would create six R-1 zoned lots in the southern part of The Highlands development. The proposed replat met all subdivision requirements. The original lot configuration of Highlands Circle was approved by Council in 2002. Since then, portions of the property had been re-subdivided three times, twice administratively and once by a replat approved by the Council. The proposed replat would create one additional lot compared to the current plat configuration. He noted no houses had been constructed within the subdivision at this point and a review by the Planning and Zoning Commission was not required.

Mr. Teddy pointed out these were large lots that ranged in size from approximately one-half to one and one-half acres.

Kevin Murphy, an engineer with A Civil Group with offices at 1123 Wilkes Boulevard, stated the plat met all subdivision regulations and offered to answer any questions.

B271-08 was given third reading with the vote recorded as follows: VOTING YES:

NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B274-08 Appropriating special fuel tax rebate funds for the Land-Grissum Expansion project.

The bill was given second reading by the Clerk.

Mr. Watkins explained this ordinance would authorize an appropriation of the special fuel tax rebate funds. Because the City did not necessarily pay all of the State gasoline tax every year, they received a small amount back, which they put in a separate fund. As part of the budget just passed, they were proposing to expand the vehicle maintenance operation by using the money from the last two years to help in that construction.

B274-08 was given third reading with the vote recorded as follows: VOTING YES:

NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B276-08 Amending Chapter 22 of the City Code to prohibit unauthorized removal of refuse and recyclable material placed near the street for collection by the city.

The bill was given second reading by the Clerk.

Mr. Watkins explained this ordinance had been requested by Council and it would essentially prohibit unauthorized people from removing refuse bags and recyclable material at the curb for removal by the City. He understood the concerns of Council included identity theft and the removal of blue bags for the value of the aluminum cans. This ordinance would prohibit those practices and set up a penalty for removing those.

Mr. Skala understood this was restricted to the recycling bags themselves and did not affect used furniture and other things of that nature. Mr. Boeckmann stated those kinds of things were not covered by the ordinance. The ordinance only applied to blue bags and trash bags. Mr. Skala noted he had received a call from a private investigator indicating that was how they made their living to some degree. He understood he was in attendance and might discuss it further.

Ms. Hoppe understood the penalty for being unlawful was the general provision, which was up to a \$500 fine and at the discretion of the Prosecutor with regard to charging the person and the Judge with regard to the fine. Mr. Boeckmann stated that was correct.

Ron Rugen, 2101 W. Broadway, stated he was the owner of Rugen Team Investigations and Missouri Judgment Collections and explained he had been a private investigator for the last 14 years as well as a process server. He noted he served several law firms in the City and had more recently been involved in the enforcement of judgment collections. He commented that he shared the Council's concern of identify theft, but felt the ordinance was far too sweeping. He stated he did not want to be arrested for conducting due diligence in the case of a civil suit for the purpose of presenting evidentiary information. He noted that in 1988, the U.S. Supreme Court, in *Greenberg vs. California*, allowed for the pick up of refuse at the curb as long as one was not trespassing and called it public domain. He explained that with child welfare cases, one could not videotape or take photography in someone's home, so there were very few ways to prove someone was violating their probation through drug use or alcohol abuse. One of those ways, through "under a permissible purpose," was to do a refuse pick up. They could determine through it and bring their findings before a judge. Also in terms of debt collection, 80 percent of court judgments across the Country went uncollected and this was one way to help determine assets under a permissible purpose provision. He understood the intent of this, but stated he would appreciate an amendment to it because he felt it was left unintentionally too broad. He wanted an exemption for private investigators and judgment enforcement personnel under a permissible purpose type of situation.

Mayor Hindman asked Mr. Rugen if he was familiar with permissible purpose exceptions to these types of ordinances. Mr. Rugen replied he was, but noted he found that unless it was highlighted that law enforcement was specifically exempt, there was a lot of discretion with this kind of thing. If doing this type of work for a law firm in a civil type matter, it made it easier to not get in trouble for doing the right thing for a court of law.

Roger Martin, 809 Broadhead, understood this would prohibit the unauthorized removal of refuse and stated he did not know how it became unlawful for people to utilize things that others were throwing away. He did not think it should be considered stealing if it was sitting on the curb. The amendment was not acceptable to him because any item was recyclable. He noted he believed in practicing the three R's - reuse, recycle and reduce. He commented that he did not steal the blue bags and thought they should be protected by law. He believed people were putting things in their yard they no longer needed so they could be taken by those who could use them. He felt with the way this was written, a police officer could say they were taking something from someone's trash pile and be fined \$500.

Mr. Boeckmann noted the definition of recyclable items was narrow and did not include things like televisions, etc. that were set out on the curb. Mayor Hindman asked if it was in the ordinance. Mr. Boeckmann replied it was in the beginning of the section and he would obtain a copy for them.

Nicole Watson, 2511 Lynnwood, stated she had lived in Columbia for seven years and that everything she was wearing was from a black garbage bag. She noted she was a dumpster diver and started when she was very young. Her uncle introduced her to it in Kansas City when she was 8-9 years old. She commented that she looked for homes from which people had obviously moved and had thrown out everything, such as jewelry, furniture and black bags of clothing. She stated she had booths at Itchy's Flea Market and The Marketplace and pointed out this was her livelihood. Her husband was a professor at MU and she was the mother of three children. She commented that she did not want to lose her job. She explained homemaking was a full time job for her and this was one of the few things she could do in her spare time. She pointed out she would never take the blue recycling bags and was agreeable to not allowing those to be taken. She was concerned with a prohibition of taking the black bags as she was afraid she would be fined \$500 because she would not be able to stand seeing all of those things going into the trash. Her estimation was that she had rescued over three tons of items from the trash over the past year. Those items included sofas, clothes, jewelry, books, etc. She did not believe Columbia would want its citizens to import more foreign goods. Some of the items she recycled might be made in China, but it was already here and did not require it to be transported to Columbia. She asked the Council to consider the needy in this time of economic crisis and hardship. She commented that they would be stopping a practice as old as stories from the Bible and referred to the practice of gleaming where one would leave things in the fields for the poor and needy to gather.

Ms. Hoppe understood she not only picked up couches, chairs, etc., but also went through black bags. Ms. Watson explained books and clothes were normally in black bags.

Mr. Sturtz understood she would only target black bags when they were surrounded by furniture and a lot of other items. Ms. Watson stated that was her practice.

Eugene Elkin, 3406 Rangeline, Lot #81, commented that he had helped to bring Habitat for Humanity to Boone County and many persons took unwanted items to the ReStore at 1906 Monroe. He asked if the Council really wanted more items in the landfill. He wondered what crime would be prevented by allowing this practice. He thought if

people's income was taken, they might resort to some violent act for money. He asked the Council to turn their back on this item.

Paul Modasette commented that he was a transient of Columbia with a legal address of 619 Sue Drive, Jefferson City, and felt there were some serious ramifications of this proposed ordinance. He wondered if the Police Department had been contacted and whether a series of valid and conclusive incident reports could be established on identity thefts relating to refuse scavenging. If so, he wanted to know the outcome and how many other forms of identity thefts had occurred in Columbia. He thought protecting oneself from identity theft was a matter of common sense and questioned to what degree the proposed ordinance would protect anyone based upon prior police reports. He did not believe the alleged assumption was a feasible, legal premise on which to propose or base an ordinance. The proposed ordinance would be stating the City desired to take full legal control, ownership and responsibility of curbside refuse. He thought the City would assume liability for any and all weapons, ammunition, fireworks, controlled substances, chemicals, etc. obtained from said curbside refuse and used in crimes or causing personal injury or environmental damage. He understood visually obtainable items could be scavenged or reclaimed, so he could move a couch, but if the cushions were in a trash bag or if he removed a protruding item from a refuse bag, he would knowingly be committing a crime per the proposed ordinance. He understood the proposed ordinance would allow the removal of appliances and fiberboard and asked how many City appliance pick ups did not occur due to appliances being picked up in advance. He understood the police could stop vehicles possessing blue bags. He also understood a general municipal ticket would be issued, but pointed out a non-Columbia resident would be required to post bond. A rough estimate of the cost of an individual who was arrested and confined would be \$14,000 based upon \$78 per day and the current municipal docket. He stated he had never taken a blue bag and was opposed to those who got into dumpsters mining for aluminum cans.

Melinda Kidder, 601 Worstell Lane, stated she owned a private detective agency, Columbia Investigations, which was licensed through the City of Columbia, and noted she agreed with the comments of Mr. Rugen. She referred to it as trash archeology and commented that it was a tremendously helpful tool for the private investigator. She stated if the information was not used in evidence, she would store it for a particular amount of time and then shred or burn it. She noted it would be difficult in some situations for that tool to be removed. She felt the Supreme Court ruling, which indicated one had no expectation of privacy with trash once it was put at the curb, was a good point. She understood the average person did not have the expectation their trash would not be messed with due to animals and people getting into it. She stated she did not have an issue with the recyclable bags with the City logo, etc. and believed people had the expectation of the City taking those.

Dan Viets, an attorney with offices at 15 N. Tenth Street, stated he was concerned about this ordinance because he did not believe there had been sufficient opportunity for people in the community to consider all of its ramifications. He was gratified others shared a variety of concerns with regard to it. He commented that there was a Supreme Court ruling indicating the fourth amendment did not protect citizens from these types of searches, but that was not what human beings believed. He did not know what the proper approach was to

this problem and suggested a final action be postponed in order to allow more public discussion.

K. J. Thunder, 601 Business Loop 70 West, stated she grew up on a farm in southern Missouri, but had lived in Columbia for 18 years. They reused everything and she grew up with that mentality. One of the things she liked about Columbia was that people put things out at the curb for others to take. People threw out an amazing amount of things in their black bags. She understood the issue surrounding the blue bags as that provided income to the City, but the items in the black bags would just go to waste in the landfill. She explained she and a friend had found enough items to furnish a house in 30 days to include dishes, beds, couches, etc. She would hate for that kind of thing to not be allowed in Columbia as it made it a special place.

Ms. Hoppe stated her main focus was on recyclable bags. She wanted to exclude items people put out on the curbside for others to take. She understood the idea of the trash bags came from the concern of identity theft, but did not believe this was a good and reliable way to prevent that problem. If one wanted to be protected from identity theft, one would need to shred or burn those types of items. She stated she was not aware of the fact people went into the black bags and noted she would be fine with having the ordinance directed toward the commingled recycling bag. She also wanted to know the definition of recyclable items. She did not think law enforcement officers were looking in recycling bags, so she thought that could be removed. She stated she was amenable to targeting it toward recycling as that was what she initially wanted.

Mr. Boeckmann commented that recyclable item was defined as including aluminum and tin cans, plastic, glass, cardboard, newsprint, magazines, catalogs, chipboard and any other item duly designated by regulation by the director. It did not include things like furniture, etc. He included all recyclables because he recalled asking if the Council wanted it to apply to just blue bags or all recyclables to include cardboard and newspapers. He did not think people taking those types of items had been a problem. He recalled Mr. Wade bringing up the issue of trash bags.

Ms. Hoppe understood people put out boxes in hopes others would use them. She thought it was a good idea to delete that portion as well.

Ms. Hoppe made a motion to amend B276-08 by deleting “any refuse bag or”, “it shall also be unlawful to take any other recyclable item placed near the street for collection by the city” and “to law enforcement officers performing law enforcement duties or” in subsection (8).

Ms. Nauser thought they would want to leave the police. Mr. Boeckmann noted it would only apply to the blue bags. Ms. Hoppe did not think law enforcement officers would be arrested.

The motion made by Ms. Hoppe was seconded by Mr. Skala.

Ms. Nauser wondered how often this would be enforced. She thought the police would have more pressing priorities than ticketing someone who took a blue bag. In addition, by the time the police would arrive, the person might be long gone. She felt they would be passing an ordinance that would not make a big difference. She commented that she put her recycling out in the morning so there was less time for people to pillage through her trash. She noted she was amazed by the number of people that supplemented their family income

by taking other's belongings on the curb. While she understood people's frustration with their recycling being taken, she thought a way to solve it was to put it out in the morning before going to work.

Mayor Hindman stated he thought the primary objective was to preserve the recycling for the City because they were already losing money on it and would potentially lose more. He thought enforcement would be complaint driven. He explained he walked his dog in the morning and as a result was almost on friendly terms with the gentleman who was taking recycling bags bulging with aluminum cans. He understood this gentleman might be making a living or supplementing his family income from the practice, but it was affecting the City's recycling program. He thought the amendment to limit it to recycling was good. He noted some of the neighbors were upset by the practice, but he was not sure if they were upset because they felt it was an invasion of privacy or because the City was losing money.

Mr. Skala agreed it was an issue of the blue bags. He commented that there might be a tendency to harvest all of the valuable items, such as the aluminum cans, and toss the other items around, which might be a litter problem. He agreed it would be complaint driven and was happy with the compromise approach as it would solve the problem.

Ms. Hoppe noted this would provide a tool to the citizen to tell someone to leave the recycling at their curb because currently there was no law against it. She thought citizens would be the ones enforcing it for the most part. She believed citizens would call the police if someone was taking a lot of it. She pointed out she put her trash out in the morning and that was when they came to take it.

The motion made by Ms. Hoppe and seconded by Mr. Skala to amend B276-08 by deleting "any refuse bag or", "it shall also be unlawful to take any other recyclable item placed near the street for collection by the city" and "to law enforcement officers performing law enforcement duties or" in subsection (8) was approved unanimously by voice vote.

B276-08, as amended, was given third reading with the vote recorded as follows:
VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Bill declared enacted, reading as follows:

B280-08 Amending Chapter 27 of the City Code to establish energy efficiency and solar rebate programs.

The bill was given second reading by the Clerk.

Mr. Watkins explained staff had provided a business model earlier in the year that would provide a voluntary subsidy of solar energy created in Boone County. The additional cost for the solar power would be collected through fees, like CASH and HELP, on the utility bills. This ordinance would provide authorization for staff to commence operations of this program.

Mr. Skala noted the staff report indicated the director would be provided discretion and asked if, when large projects came through, the Council would have the opportunity to review the process or if it was strictly the director's call. Mr. Watkins replied they were setting it up to be the director's call. He explained they could only accept power where they had enough people to pay the subsidy. He thought the subsidy was about 30 cents. Mr. Kahler stated the subsidy for the solar photovoltaics was \$500 per KW. They anticipated Quaker installing

a 100 KW photovoltaic system. Mr. Watkins noted that was a large subsidy and if they had 4-5 of them, it could have a tremendous impact on rates if they did not have people voluntarily agreeing to pay the extra cost.

Mayor Hindman understood Mr. Skala wanted to know if the Council would know about the director exercising this discretion. Mr. Skala stated that was correct. Mr. Watkins asked if the Council wanted to be notified anytime they did not do one or anytime they did one or if Council wanted an annual report. Mr. Skala understood these were large installations, so from his perspective, he would want to know anytime they did one. He thought in a majority of cases, the Council would not dispute the director's decision. He felt it would be useful to know about these as they were large budget items. Mr. Watkins stated every time they did one, they could bring it to the Council. Mayor Hindman stated he would like to know when they were turned down as well. Mr. Watkins stated they would bring Council a contract, similar to what they did with Quaker, showing the subsidy, the amount they wanted to do and how it would be paid for. Mr. Skala thought that would be helpful.

Mr. Janku referred to Section 27-164(a)(1), which read "...no loan or rebate shall be made without having first ascertained the credit worthiness of the loan applicant..." and asked if the rebate language needed to be in there. He did not know why they would need to review the credit of someone asking for a rebate.

Ms. Hoppe thought Mr. Janku's suggestion of not adding "or rebate" made sense.

Mr. Kahler stated that in reading Section 27-164(a)(1) he did not see a reason for the credit worthiness for a rebate, so he did not have a problem with removing it.

Mr. Janku made a motion to amend B280-08 by not removing "or rebate" in Section 27-164(a)(1), so it read "...no loan shall be made without having first ascertained the credit worthiness of the loan applicant..." The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Skala asked if a motion was needed to change the reporting issue discussed. Mr. Watkins replied if Council felt comfortable, he thought they had received guidance.

Ms. Hoppe stated she was interested in the number of people that had signed up. Mr. Kahler explained they had not started signing people up. He understood there was a waiting list with regard to the subscriptions they had thus far. Ms. Hoppe asked how many people were on the waiting list. Mr. Kahler replied he did not know, but could get that information to her.

B280-08, as amended, was given third reading with the vote recorded as follows:
VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. 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.

B269-08 **Approving the Linkside at Old Hawthorne PUD Development Plan located on the west side of Old Hawthorne Drive East, north of State Route WW; approving a revised statement of intent; allowing a reduction in the required perimeter setback.**

- B270-08 Approving the Final Plat of Stonecrest, Plat No. 8-A, a Replat of Lot 281 Stonecrest Plat 8, located on the north side of Gillespie Bridge Road, approximately 1,500 feet west of Scott Boulevard; granting a variance to the Subdivision Regulations as it relates to direct driveway access on Gillespie Bridge Road.
- B272-08 Authorizing an annexation agreement with Gallup Properties, LLC.
- B273-08 Authorizing the acquisition of property to construct the Scott Boulevard Phase I reconstruction project, from Rollins Road to Brookview Terrace.
- B275-08 Accepting conveyances for utility purposes.
- R203-08 Setting a public hearing: determining final design of a new parking garage located at Fifth Street and Walnut Street.
- R204-08 Setting a public hearing: construction of a traffic calming speed hump on Upland Creek Road within Eastland Hills Subdivision.
- R205-08 Setting a public hearing: construction of the County House Branch Trail project from the Twin Lakes Recreation Area to Stadium Boulevard.
- R206-08 Setting a public hearing: considering a Citizen Participation Plan to be included as part of the Consolidated Plan for years 2010-2014.
- R207-08 Authorizing Amendment No. 3 to the agreement with the Missouri Department of Health and Senior Services for Maternal Child Health Services.
- R208-08 Authorizing a memorandum of understanding with the Howard County Public Health Department relating to emergency planning, preparedness and epidemiology services.
- R209-08 Accepting a donation from the Elks Lodge #594 for D.A.R.E. Camp expenses.
- R210-08 Authorizing an agreement with The Curators of the University of Missouri to allow use of University property for the annual Halloween event.
- R211-08 Authorizing a “Change the World, Start with Energy Star” Midwest Regional campaign agreement with Midwest Energy Efficiency Alliance relating to the Compact Fluorescent Light Program.
- R212-08 Authorizing the establishment of a Section 115 trust fund for the City’s post-employment health insurance benefits.

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

NEW BUSINESS

- R213-08 Authorizing an agreement for professional engineering services with Crawford, Bunte, Brammeier as it relates to the Scott Boulevard and I-70 Access Justification Report.

The resolution was read by the Clerk.

Mr. Watkins explained this project was the necessary environmental study and traffic study to create a new interchange at Scott Boulevard in the future. The I-70 environmental study done a couple of years ago left a window indicating there could be a spot there, but the

constraints of that study did not take it any further. He stated he was concerned about getting and reserving the right-of-way in that area. Staff had gone through a process of reviewing the several proposals received and was proposing to contract with Crawford, Bunte, Brammeier to conduct the analysis. He thought this study would take a couple years. There were two phases to this. The first was the environmental study. He noted they did not file for the access justification report because it had a life span. This would get them to the point of applying without taking that next step. He felt redirecting traffic going to south Columbia down Scott Boulevard was the long term solution to all of the congestion on Stadium Boulevard.

Mr. Glascock stated he felt this was supplemental to the I-70 EIS. They felt this was a better option than the ramps on Fairview.

The vote on R213-08 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. VOTING NO: NO ONE. ABSENT: WADE. Resolution declared adopted, reading as follows:

R214-08 Strongly supporting the reauthorization of the non-motorized pilot project.

The resolution was read by the Clerk.

Mr. Watkins explained this resolution was requested by Mayor Hindman. It would put the City on record and direct staff to move forward in working toward having the non-motorized pilot project reauthorized in the next transportation bill and obtaining funding for future projects.

Mayor Hindman stated this was a national demonstration and the City had been making remarkable progress. They had agreed on the projects they could do with the money received, but it did not complete a fully integrated system, which was the overall goal of the demonstration. The City had worked hard to meet its obligation and would be measuring things and making reports. He commented that he felt they would be better off if they received additional funding in order to complete the proposed projects. There were four communities that had received this funding and he thought they needed to work together to keep the projects going. In this day of increased gasoline costs, it provided a savings. The City had people who used both public transportation and alternate transportation where the public transportation did not reach. It was good for the environment, provided exercise, reduced congestion, provided kids the opportunity to have more freedom, etc. He believed it also added to the luster of Columbia being a place to live.

Ms. Hoppe asked if how the \$22 million was being spent was on the website for people who were interested to view. Mr. Watkins replied if it was not, it would be soon. Mayor Hindman thought it was, but noted he had not checked.

Mr. Skala commented that this might address some of the problems people had mentioned earlier in the meeting since this alternative transportation was open all day long. He thought they could all name another project or two they were not able to complete with the first \$22 million that was integral to this network system.

The vote on R214-08 was recorded as follows: VOTING YES: NAUSER, HOPPE, HINDMAN, STURTZ, JANKU, SKALA. 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.

- B281-08 Voluntary annexation of property located on the southeast side of State Route KK, west of Red River Drive; establishing permanent R-1 zoning.
- B282-08 Rezoning property located on the northeast corner of Ash Street and St. James Street (1201 and 1203 Ash Street and 210 St. James Street) from M-1 and R-3 to C-2.
- B283-08 Approving the Regional Catholic High School O-P Development Plan located on the north side of Gans Road, approximately 1,500 feet west of the Gans Road and Gans Creek Road intersection.
- B284-08 Amending Chapter 23 of the City Code as it relates to banners.
- B285-08 Authorizing a pole attachment agreement with Columbia Library District.
- B286-08 Vacating utility easements located within Highlands Circle Subdivision Plat 4.
- B287-08 Authorizing an agreement with the Missouri Highways and Transportation Commission for transportation planning services.
- B288-08 Authorizing construction of a traffic calming speed hump on Upland Creek Road within Eastland Hills Subdivision.
- B289-08 Establishing Columbia, Missouri Sanitary Sewer District No. 159 along State Route K.
- B290-08 Amending Chapter 14 of the City Code to remove metered parking spaces along a portion of the west side of South Ninth Street.
- B291-08 Amending Chapter 14 of the City Code to prohibit parking along portions of Chapel Hill Road.
- B292-08 Amending Chapter 22 of the City Code as it relates to transportation fares for low income individuals.
- B293-08 Authorizing construction of the County House Branch Trail project from the Twin Lakes Recreation Area to Stadium Boulevard.
- B294-08 Authorizing acquisition of easements for the County House Branch Trail project from the Twin Lakes Recreation Area to Stadium Boulevard.
- B295-08 Authorizing construction of Mexico Gravel Road from the Vandiver Drive Connection to the intersection with Ballenger Lane/Route PP.
- B296-08 Authorizing acquisition of easements relating to the construction of Mexico Gravel Road from the Vandiver Drive Connection to the intersection with Ballenger Lane/Route PP.
- B297-08 Authorizing a cooperation and funding agreement with the Missouri Department of Natural Resources for the Missouri Building Operator Certification Program.
- B298-08 Accepting conveyances for utility purposes.
- B299-08 Amending Chapter 2 of the City Code to establish the Columbia Vision Commission.

- B300-08** Accepting a private donation; appropriating funds for the D.A.R.E. program.
- B301-08** Accepting a grant from the University Wellness Resource Center for overtime reimbursement of compliance check enforcement operations and neighborhood alcohol enforcement operations and for the purchase of equipment for the Police Department; appropriating funds.
- B302-08** Accepting a Youth Community Coalition Grant from the Missouri Division of Alcohol and Drug Abuse; appropriating funds.
- B303-08** Appropriating funds from the Columbia Values Diversity Celebration for future programs.

REPORTS AND PETITIONS

(A) Intra-departmental Transfer of Funds.

Mayor Hindman explained this report was provided for informational purposes.

(B) Advertising on Buses.

Mayor Hindman understood this report was for informational purposes at this point. As they mulled over financing and the various alternatives for improving bus service, he thought they would review this further.

Mr. Janku suggested this be a work session topic. Ms. Nauser thought it needed to be.

(C) Trihalomethane Quarterly Status Report.

Mr. Watkins stated this was the same report that was issued publicly. He just wanted to put it on the Council agenda as well.

Ms. Hoppe asked if ammonia was being used in the system. Mr. Watkins replied the Water and Light Department would be looking at two things. One was to lower the trihalomethanes, which had been done by a number of other communities through the addition of ammonia. He stated they would probably do that at the distribution system and not at the plant. They needed to figure out the rates, when it would be done, under what conditions, and how it would be done. A report would be provided to Council regarding it. The second was to draft a RFP to look at a permanent solution because he did not think the continued addition of ammonia was what they wanted for the long term. He thought the fix was to change the filter media from the sand and gravel filters traditionally used and that would require outside expertise. They would probably bring a report to Council with regard to this as well. He thought the report was likely a year away and did not want to wait that long to deal with the trihalomethanes.

Mr. Janku understood they were complying with DNR requirements by doing the University study first as it was a pre-requisite of taking permanent action. He noted that as much as they wanted to move quickly, they could not do so until the study was done.

Mr. Watkins agreed and noted he wanted to move in parallel. He stated they would need DNR's approval for any change in the water treatment process, so they would go through the process of getting a permit change to begin the addition of ammonia, if Council

desires, after receiving the report on what was needed to be done. The same thing would need to be done with the change in the filter media.

Mr. Janku noted the report indicated the formation potential existed, but there was little variation between the wells and asked what that meant. Mr. Kahler replied they were looking at the potential formation of trihalomethanes, which occurred when the total organic carbon in the wells reacted with chlorine and bromine producing the disinfection by-products. This quarterly report showed the potential for the formation of the TTHM's was present in all wells at about the same level, which surprised them.

Mayor Hindman understood the implication was that it was not higher toward the wetlands. If the wetlands were the cause, it would probably have been higher in the wells near the wetlands. Since it was not, it made it more doubtful that the wetlands were the problem. Mr. Watkins stated that before they could absolutely conclude that, they needed to get through the University study. He noted changing the filter media would not matter. They could continue using the wetlands and do a better job of taking out impurities in the water. He pointed out they currently did not take out pharmaceuticals since they did not test for them, but were testing for them now for the first time. He commented that a membrane filter could remove all impurities.

Mayor Hindman thought staff was taking a reasonable approach to this issue. He wished it was not happening, but felt they should move forward on a reasoned basis.

(D) Integrated Resource Plan.

Mr. Watkins explained this was the report the Power Supply Task Force had been working on for about a year. It had to do with where and how the City would get its future power supply. They were suggesting Council accept the report tonight and staff would get a work session scheduled where members of the Power Supply Task force and the consultant could come to discuss it with Council.

Mr. Skala made a motion for Council to accept the Integrated Resource Plan. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(E) March-Heibel Building.

Mr. Watkins explained the March-Heibel building was at the corner of Rangeline and Wilkes and had been purchased by the City when they acquired the property for Field School Park. It was a building several groups had tried to renovate. The current community organization decided not to pursue it as well and was turning back the tax credits. As a result, their lease was expiring later in the month. Staff was asking Council to allow them to take the necessary steps to take the building back legally. He noted they were discussing other options with the Historic Preservation Commission, but there was not a specific proposal at this time. The City had no use for the building itself and the estimated cost to make it safe to occupy was \$200,000 - \$250,000. Without having a purpose, staff would not recommend taking it on.

Mr. Sturtz asked if it would be appropriate to do an RFP for the community similar to what was done for the land near the ARC where different groups came forward with ideas. Mr. Watkins replied they could do that. Mr. Sturtz did not think most people in the community

knew of its current status. He felt there was a potential that still existed for the building by someone with a good idea and the ability to leverage resources.

Mr. Janku asked if he would allow the RFP to include selling it to a private individual. Mr. Sturtz thought they would be selling it for \$1 to someone with a good idea who could do it in an expeditious manner. Mr. Janku thought selling it might be more attractive than leasing it. Mr. Sturtz stated he imagined selling it at a reduced rate in exchange for them fixing it up. Mr. Janku stated he was in agreement. He explained that when they acquired it, the zoning was C-3, which was open zoning, and he was concerned the building might be used for something that was detrimental to the neighborhood. Mr. Sturtz wondered if they could change it from C-3 to C-P as part of this process. Mr. Boeckmann thought it was C-P now. Mr. Watkins stated it was rezoned when they did the first agreement. He suggested they make any title transfer contingent on getting it done and place restrictions on the use if they developed the RFP. Mr. Boeckmann pointed out there were also limitations on giving away public property to private entities. He explained the City had retained title to the real estate and essentially sold the building itself with the restriction that it had to be used for a community center of some sort, which would be construed as a public use and different from selling it for \$1 to someone who wanted to build a private enterprise. Mr. Watkins noted he thought the only way this was probably possible was to allow a private use because that would allow for federal tax credits. In addition, there were not many public uses, particularly with the proposed changes to Field School. He believed they would have to be open to something other than a public use.

Mr. Janku recalled an ordinance with regard to property near Indian Hills where they provided property owners the right of first refusal and asked if that would apply here. He did not believe the value of the building was very high. Mr. Watkins thought it was a negative value as the value was in the land.

Mayor Hindman pointed out that one of the local investors wanted to buy it to make offices when the City purchased it. He was not sure how the City managed to get it. Mr. Watkins thought they might have used eminent domain. He noted that included the parking and all of the associated lots. One of the problems was that they now had zero parking except for on-street parking.

Mr. Sturtz asked if this was something they could discuss at a work session. Mr. Watkins replied they could, but suggested Council provide authorization to do what was necessary to take it back tonight.

Mr. Skala made a motion to accept the report, direct staff to initiate the necessary actions required to transfer title of the building back to the City and continue discussions with the Historic Preservation Commission regarding further options. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

(F) Installing a Center Circle at Intersection of Crestlund, St. Michael and St. Andrews.

Mayor Hindman noted this was a report he had asked for and was informational.

(G) Columbia Municipal Airport's Beacon Being Relocated to Columbia Regional Airport.

Mr. Janku thought it was great to preserve the beacon and wondered why they would not put it at Cosmo Park. He thought it would draw attention if it were placed at its historic location at Cosmo Park and would remind people of what that site once was.

Mayor Hindman stated he thought there was something to be said for that, but felt there was also something to be said about it being associated with aviation. He recalled when it was removed from Cosmo Park and later moved to Cottonwood. He noted it had outlasted all of the airports.

Mr. Skala commented that there was some merit to moving it to Cosmo, but thought there was also some logic to moving it to the Historical Society as that was where they had moved other items. He felt that might be good from a historical perspective versus the aviation standpoint.

Mayor Hindman stated they had enthusiastic people who were willing to fix it up and move it to the Columbia Regional Airport and he felt they should have a good reason in requesting them to do something different.

Ms. Nauser suggested placing a plaque where it used to sit.

Mr. Glascock stated they looked into Cosmo Park, but those who wanted to move it indicated that when one flew over Cosmo, it looked like an airport and if they added a beacon, someone might land there. He did not think they wanted to attract planes to Cosmo.

Mayor Hindman made a motion directing staff to move forward with the relocation of the beacon to the Columbia Regional Airport. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

(H) McDuffy Taser Report.

Mr. Watkins explained this was a report staff had promised. Staff had completed 99 percent of the report, but there were still some odds and ends left. He felt this report was unusual in two respects. It was much more forthcoming of an incident report than was normally released by the Police Department. It was also an audio-visual type of report and allowed one to see pictures and a powerpoint as well as some video clips while reading the report, which he found helpful.

Ms. Hoppe noted she had not had time to read the report since she was at a leadership conference and might have questions at a later date.

APPOINTMENTS TO BOARDS AND COMMISSIONS

C.A.R.E. ADVISORY BOARD

Perlow, Jennifer, 1008 Sunset Drive, Ward 4, Term to expire March 1, 2011

COMMUNITY SERVICES ADVISORY COMMISSION

Cole, Randall, 1006 W. Broadway, Ward 4, Term to expire December 31, 2008

CONVENTION AND VISITORS ADVISORY BOARD

Baker, Edward, 1804 Katy Lane, Ward 4, Term to expire September 30, 2010

Gelatt, Rod, 1020 LaGrange Court, Ward 5, Term to expire September 30, 2010

Hostetler, Lynn, 1204 Hulen Drive, Ward 4, Term to expire September 30, 2010

Jashnani, Leela, 900 Vandiver Drive (Business), Ward 6, Term to expire September 30, 2010

Kelly, Michael, 307 W. Alhambra Drive, Ward 5, Term to expire September 30, 2010

Radzin, Michael, 900 Manhattan Drive, Ward 6, Term to expire September 30, 2010

Turner, Spencer, 5701 E. Mexico Gravel Road, Ward 3, Term to expire September 30, 2010

ENVIRONMENT AND ENERGY COMMISSION

O'Connor, Tom, 806 Leawood Terrace, Ward 4, Term to expire June 1, 2009

BOARD OF HEALTH

Malaker, Colin, 3408 Buttonwood Drive (Business), County, Term to expire August 31, 2011

INTERNET CITIZENS ADVISORY GROUP

Sessions, Jonathan, 209 Melbourne Street, Apt. A, Ward 3, Term to expire October 15, 2011

Townsend, Kerry, 2020 Cobblestone Court, Ward 5, Term to expire October 15, 2011

NEW CENTURY FUND BOARD

Robertson, Jim, 4401 Thornbrook Terrace, Ward 5, Term to expire September 30, 2011

PERSONNEL ADVISORY BOARD

Jenks, Ronald, 2509 Woodberry Court, Ward 5, Term to expire September 30, 2011

Kamps, Thomas, 1603 Castle Rock Court, Ward 4, Term to expire September 30, 2011

Neal, Sandra, 812 Timbers Court, Ward 6, Term to expire September 30, 2011

SPECIAL BUSINESS DISTRICT BOARD

Moore, Allan, 550 S. Rangeline Road, County, Term to expire January 1, 2009

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Kurt Albert, 400 East High Point Lane, provided a handout and stated his brother first noted the Albert-Oakland Park name change in 2000 and e-mailed Mr. Janku and Ray Beck in 2003 and 2004. His family assembled at that time and asked the Council to restore the Albert name to Albert-Oakland Park and its facilities, but the Council took no action. He explained that he went to Mike Hood's office ten months ago asking that he quietly restore the historic name of this park since his father was dead and Mr. Beck had retired. He commented that Mr. Hood indicated he could not as he had already asked. He then asked Mr. Skala to help him correct this injustice. He felt a false and misleading report was presented to the Council on July 21, 2008 as Report (F). He had heard about it the following day and examined the records. He had also spoken to the Council and presented documents of the true history of the park name since then. He stated he had more documents today, which needed no explanation. He commented that he was asking the Council and City Manager to make a website available for him to put documents regarding the history of Albert-Oakland Park, so they were available to the Council, neighborhood presidents and citizens. He was also requesting a waiver of fees per Section 610 of the Sunshine Law of Missouri as this was a non-commercial venture. He noted it had been 10 years that the Albert family had bourn this insult and he wanted it to stop. The name had been removed form the Parks and Recreation Department flyers, maps, plans and website. He pointed out the one-tenth acre Village Square Park, which was a leased facility, was listed, but the City

owned C.M. Albert Park, which was 200 times larger was not listed. There was also no mention of Albert-Oakland Park. He noted his family donated 108 acres to parks and wildlife preserves and sold cheaply 20 more for a total of 128 acres of protected lands. He understood his father and Mr. Beck did not get along because he had frustrated many of Mr. Beck's plans. He commented that his father was also frustrated by what he saw as environmental insensitivity, wasteful spending and special favors to developers, but as far as he could tell, his father did not break the law. He did not think this was true of Mr. Beck as he tried to bulldoze his father's home and run a road through Albert-Oakland Park, which was contrary to a City contract with his family and resulted in a successful lawsuit against the City. He felt Mr. Beck ignored professional standards and engaged in a conspiracy to remove the Albert name from Albert-Oakland Park. He believed he violated R24-72 and the ordinance associated with B47-72 and was ready to prove it with documentation. He asked for an independent investigation to examine his claims and evidence.

Mayor Hindman understood this issue would be coming to the Council and asked when. Mr. Watkins replied they were waiting for the Parks and Recreation Commission to provide a recommendation. Mr. Hood stated the Commission met later this week and it was on their agenda.

Mr. Skala thought there was a question with regard to the City having a rule as to the naming of parks and asked what he had been told. Mr. Albert replied he had been told many things, which turned out to be untrue or in error. He commented that this was not an illusion on his part as he had the documentation. He believed a website would make it easy for him to present the documents to the various people requesting them.

Mr. Sturtz stated he was not seeing any Council resolution renaming the park in the documents provided and asked if there was ever a decision by the Council. Mr. Hood replied not to his knowledge. He explained they had not found any document that named or re-named the park. Their report recommended official action be taken by the Council. He commented that Mr. Albert had many ordinances and resolutions that referred to Albert-Oakland Park, but there were also many ordinances passed within the last 10-15 years that referred to it as Oakland Park. He explained the ordinance referred to by Mr. Albert had what the park was to be known as in its introductory clause, and his understanding was that it was prior to the enacting clause of the ordinance. He did not believe there had been any official Council action. He stated there were hundreds of documents referring to Albert-Oakland and did not think there was any question it was called Albert-Oakland at one time. He thought the question was whether it had been officially named by the Council. Mr. Albert commented that he did not think it was a good idea to take a name off of a park and claim they had set a precedent in doing so.

Ms. Hoppe stated her memory from taking her children, who were now in their 30's, to the park was that it was called Albert-Oakland Park. Mr. Albert felt it was deeper than that. He explained he asked Mr. Hood questions regarding a flyer, which indicated the Bear Creek Trail went from Cosmo to Oakland Park, as he wondered how that was possible without going through C.M. Albert Park and Mr. Hood indicated it was not. He then asked how many acres the Cosmo Club donated for Cosmo Park and Mr. Hood stated he did not think they

had contributed any acreage, but they had done many other things. He also questioned how many acres were donated by the Lions Club or Stephens for Lions-Stephens Park.

Patrice Albert, 400 East High Point Lane, stated she was Kurt's wife and wanted to emphasize the Albert-Oakland Park history. She commented that by 1964, the Columbia parkland totaled slightly less than 68 acres. In April of 1964, the Albert family donated 20 acres, so at that time, this donation was 29.4 percent of all of Columbia's parkland, the largest donation of parkland in a 138 year history of Columbia and 45 percent of all donated parkland. The additional 20 acres purchased from the Albert family in 1972 brought the contributions to 57 percent of Albert-Oakland as it was 40 of the 70 acres. This did not include the acreage in conjunction with the school because the City did not own it. She stated these historic facts helped to explain why the Albert-Oakland Park name was given to the park in B47-72 and R24-72. Both the ordinance and resolution naming Albert-Oakland Park were adopted by the unanimous vote of the Councils. She noted the Council had a copy of this history in the handout.

Mr. Janku asked that they receive notice of rezoning issues when the application was filed so they had the information prior to seeing it in the paper and getting a phone call. He stated an e-mail notice was fine.

Mr. Janku made a motion directing staff to provide Council notice of rezonings when the application for the rezoning was filed. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

Ms. Hoppe thanked Kiersa Toll, an MU graduate, who got a grant to put more recycling bins in the parks. It was on the consent agenda at the last meeting. She noted Ms. Toll was with Environmental Studies and felt this was a good City-University partnership.

Ms. Hoppe noted they had received a letter from Barbara Buffaloe asking the Council to direct City staff to conduct a self assessment of its traffic management system to determine if commuting time, auto emissions and gasoline consumption could be reduced through broader use of traffic light synchronization within the City. She wanted staff to look into the issue.

Mr. Watkins pointed out the difficulty was that the vast majority of traffic lights were MoDOT controlled and those included Providence, Stadium, Clark Lane, Scott Boulevard, etc. The few the City controlled were on Broadway between Stadium and 63. He thought they could take a look at those.

Mayor Hindman suggested a letter be sent to MoDOT asking them to look into it. He noted round-a-bouts would solve the problem.

Ms. Hoppe made a motion directing staff to contact MoDOT to determine if coordinating the traffic management system was possible. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Hoppe made a motion directing the Historic Preservation Commission to review whether an effort should be made to have historic plaques at the original locations when the

City moved historic items, such as buildings or beacons, and provide recommendations. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Nauser thanked staff for the good job they had done with regard to the budget.

Mr. Skala asked for an update of the tracker items to remind him of all of the things Council had asked for.

Mr. Skala commented that they had received the taser report and noted he and others had made recommendations in the past, such as the regular download of tasers and seeking accommodation with the mental health community. He wondered where the recommendations were in relation to bringing the taser controversy to a good end with regard to policy and training. He asked if there was a timeline. Chief Dresner replied they were in the process of doing a number of things. The process of mental health professionals being involved in crisis things they did was department-wide and not necessarily specific to tasers. They had applied for a grant for a crisis intervention team that involved mental health professionals as part of a broader multi-phased strategy. They wanted to make it broader than the taser issue because some had tried to link that with all of the problems they had with non-compliant people. This was down the road, but he could not provide a good timeline because he did not know the status of the grant, which would be their starting point.

Mr. Skala noted they had received the report in terms of comparisons between the IACP guidelines and the City's guidelines and asked if there would be tweaks to the policy. Mr. Dresner replied they needed to tweak the report a bit more because it had some problems due to the short turnaround time in providing the report to Council. He noted Robin Remington had read the report thoroughly and pointed out some issues. He thought they needed to determine, as a community and through further study, what they found was unreasonable with the current policy. In most respects, the City's policy was stricter than national standards.

Mayor Hindman asked how he was working with Ms. Remington. Chief Dresner replied she attended the first meeting hosted by GRO and was concerned about a number of things, so he met with her one on one in his office. They had since formed a neat relationship and bantered back and forth on this issue. The last time they met, she brought the report in and made some suggestions, which he agreed with. He stated the first part of the report referred to the leadership team and there was inadequacy on their part with regard to leadership involving community mental health professionals, etc. at the very start of the taser program in 2005. This was something that needed to be fixed. Mayor Hindman thought it might be helpful for both Chief Dresner and Ms. Remington to discuss what they agreed on and what they did not agree on with the Council. He felt the incidents had been such that they all wanted to be sure they had a proper set of procedures in place as rapidly as possible. Chief Dresner commented that they were a little hesitant to agree the policies were not already in place as they felt they were. Mayor Hindman thought they could take what was in place and look at any amendments that might need to be made. He suggested Chief Dresner and Ms. Remington get together to determine how they could let the Council know how they felt and provide some suggested changes.

Ms. Hoppe thanked Chief Dresner for keeping an open mind and being approachable in promoting dialogue. She asked if a senior officer reviewed every use of the taser to ensure the procedures and policies had been followed. She wondered if there were checklists. Chief Dresner replied taser deployment with electricity was a mandatory review by the professional standards unit. Ms. Hoppe understood there was a requirement for the officer to warn a person. Chief Dresner replied they did when practical and possible. Ms. Hoppe understood that procedure was reviewed by a senior officer. Chief Dresner replied it was reviewed by a senior officer in the form of the professional standards unit, which was now their standing internal affairs bureau.

The meeting adjourned at 10:23 p.m.

Respectfully submitted,

Sheela Amin
City Clerk