

**MINUTES**  
**CITY COUNCIL MEETING – COLUMBIA, MISSOURI**  
**SEPTEMBER 21, 2009**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, September 21, 2009, in the Council Chambers of the City of Columbia, Missouri. The roll was taken with the following results: Council Members STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE and HINDMAN were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

The minutes of the regular meeting of September 8, 2009 were approved unanimously by voice vote on a motion by Mr. Wade and a second by Mr. Skala.

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

Mr. Wade asked for B270-09 to be moved from old business to the first item agenda item prior to the public hearing items.

Mr. Wade made a motion to move B270-09 from old business to the first agenda item prior to the public hearing items, and to approve the agenda with that change. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**SPECIAL ITEMS**

None.

**SCHEDULED PUBLIC COMMENT**

**Paul Love – Law enforcement, excessive use of force and police intimidation.**

Paul Love explained 7-8 officers came to his home last week to deliver a no trespass warning, and although he was not home, a card had been left by Kyle Whitmire, an officer with the University of Missouri Police Department. He contacted the University Police Department to ask what laws he had violated and was told they did not know. If police officers did not know what laws they were enforcing, he did not believe they could be enforcing the law. He commented that this was a concern of the City Council because he understood 5-6 of the 7-8 officers were Columbia police officers. He noted he had previously appeared before the Council regarding the University falsely reporting him making a bomb threat. He referred to a handout he provided with a portion of the Missouri Revised Statutes and stated that by falsely reporting a bomb threat, the University had committed a felony and terrorist act. He did not believe Columbia police officers should have been involved since the University Police did not have a law or statute to back them. He believed the intent was to keep him from posting flyers on University property and the downtown. He understood the Columbia police officers could have been mislead, but did not believe 7-8 officers that should be protecting the City should be diverted to deliver a no trespass warning in the middle of the

night as it could have been done in the morning and with less officers. He asked the Council to stop assisting terrorist organizations.

## **PUBLIC HEARINGS**

### **B270-09 Rezoning property located east of Bowling Street, south of I-70 and north of Business Loop 70 (1619 and 1717 Mores Boulevard) from R-1 to M-1.**

The bill was given second reading by the Clerk.

Mayor Hindman understood the applicant was requesting this item be tabled.

Mayor Hindman made a motion to table B270-09 to the January 19, 2010 Council meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

### **B245-09 Adopting the FY 2010 Budget for the Special Business District.**

### **B259-09 Amending Chapter 11 of the City Code to increase Public Health and Human Services Department fees.**

### **B260-09 Amending Chapter 17 of the City Code relating to Parks and Recreation fees.**

### **B261-09 Amending Chapter 20 of the City Code to increase Planning Department processing fees.**

### **B262-09 Amending Chapters 13 and 22 of the City Code to increase sewage service utility rates.**

### **B263-09 Amending Chapter 22 of the City Code to increase commercial service solid waste utility rates.**

### **B264-09 Amending Chapter 22 of the City Code to increase wastewater connection fees.**

### **B265-09 Amending Chapter 26 of the City Code to increase the development charge for new construction.**

### **B266-09 Amending Chapter 27 of the City Code to increase electric rates.**

### **B267-09 Amending Chapter 27 of the City Code to increase water rates.**

### **B286-09 Establishing new group insurance premiums for employee health and dental care plans.**

### **B287-09 Amending the Classification Plan and adopting the FY 2010 Pay Plan.**

### **B288-09 Amending Chapter 19 of the City Code as it relates to personnel policies, procedures, rules and regulations.**

### **B246-09 Adopting the FY 2010 Budget.**

B245-09 and B246-09 were given fourth reading, B259-09, B260-09, B261-09, B262-09, B263-09, B264-09, B265-09, B266-09 and B267-09 were given third reading and B286-09, B287-09 and B288-09 were given second reading by the Clerk.

Mr. Watkins explained discussions with the Council involving the budget began in November of last year and staff had tried to address Council concerns and questions. Per the Charter, the City Manager's budget had to be publicly presented to the Council prior to August 1 and the Council needed to approve its budget by the last Monday in September. If the Council chose not to act, the City Manager's budget would become the City budget. He noted there were a series of budget amendments based upon discussions at work sessions and pre-Council meetings, and described those amendments.

Mayor Hindman opened the public hearing.

Jerry East, 4009 Brentwood Drive, stated he was an employee of the Public Works Department and a member of the Employee Benefits Committee and noted he had been asked to represent a majority of the non-union City employees. He explained 570 of the 1,238 employees were non-union members, and a majority of those non-union employees were in favor of the budget as proposed by the City Manger. He understood the City

Manager had received overwhelming feedback to not touch the employee base salary when input on how to achieve the \$1 million rollback in the employee benefit package was received. He and others on the Employee Benefits Committee had received the same sentiment. Overtime pay and sick leave buy back were special benefits for City of Columbia employees and were not government standards. He believed these items were less difficult for employees to give up. He noted overtime pay, as it was paid now, was not in line with what the City requested of its own contractors as all contracts stated overtime would be held to the minimum standards set by FSLA. He pointed out 45-50 percent of full-time City employees were also facing a 7 percent increase in health care costs, which calculated to \$5-\$18 per paycheck depending on coverage, and a 1.2 percent pay cut would not just equal a can of coke a day. Salary reductions would not only affect every employee this year, but in each and every year hereafter through the law of compound interest. He was concerned with starting cuts in FY 2010 because there could be issues in FY 2011 also. The non-union employees he was representing felt the changes proposed by the City Manager were fair and equitable when looking at the proposal as a whole. Approximately 100 people stood during this presentation.

Jim Brown, 8781 S. Range Line, stated he worked in Fleet Operations and noted 250 people were eligible to be represented by Local 773. Of the 26 people that paid dues, 12 were against the 1.2 percent pay cut. They were against the pay cut because it not only affected base pay, but also affected retirement, social security, etc. He agreed overtime was a benefit that should not be relied upon as it would not always be there. He was in favor of the City Manager's proposal as he thought it was fair.

Regina Guevara stated she was a Field Representative for Laborers International Union in North America Local 773 and was asked to speak on behalf of Local 773 with regard to the petition submitted to the City Manager. Although there were several signatures gathered from employees in opposition to Local 773's recommendation, those signatures represented the minority and not the majority of the 264 member bargaining unit and did not represent the wishes of the membership. The alternate recommendation submitted was carefully thought out with the help of the Water and Light Association and Columbia Professional Firefighters Local 1055 and crafted with fairness and equality across the board for all employees. As the exclusive representative of the bargaining unit, she stated the membership respectfully disagreed with the City Manager's proposal and stood behind the initial unified labor group recommendation to eliminate the employer's contribution to the post employment health plan, eliminate safety awards for one year and accept a 1.2 percent pay cut in order to save their long standing benefits. She asked the Council to adopt their recommendation.

Kevin Thornton, 2401 Oakland Ridge Drive, provided the definition of equal and agreed that over two-thirds of City employees would be better off with the City Manager's proposal, but one-third would lose more than 1.2 percent. His proposal was appealing to the two-thirds of employees that would be better off with it, but some, who would be better off by that proposal, were still supportive of the 1.2 percent cut for all employees because they understood fair and equal. He questioned why the minority of City employees should lose a higher percentage of pay than the majority. The higher rate was not only because of the

employee's overtime, but also because they were eligible for sick leave buy back, and the employees that would suffer the most were the employees that showed up to work everyday and did not abuse earned sick leave. He pointed out Water and Light employees were not paid from the general fund. They were paid from an enterprise fund, which was financially sound. He stated the Water and Light Department was included to make things fair and equal throughout all departments, and questioned how this was fair and equal. He did not believe it was fair to ask 33 percent of City employees to foot the bill for the other 66 percent. He pointed out the City Manager had asked employees for their opinions through an e-mail and noted he did not have an e-mail account, so he could not respond. Approximately 60-70 people stood during this presentation.

Scott Lutz, 1501 West Boulevard Court, stated he had worked for the City for 14 years and provided a scenario involving an employee required to work overtime in the middle of the night due to an emergency and an employee who was not required to work overtime. An overtime exempt employee would not have to leave home in the middle of the night or face the dangers of the overtime eligible employee. In addition, the overtime exempt employee would not have to suffer any pay reduction under the City Manager's plan while the overtime eligible employee would work for a reduced wage. He also provided a scenario involving a 20 year employee eligible for sick leave buy back and another 20 year employee not eligible for sick leave buy back because that employee used sick leave whenever he had a chance. Under the City Manager's plan, the dedicated employee would take the salary reduction while the not so dedicated employee would not lose anything. These were the reasons the Water and Light Association disagreed with the City Manager's proposal. It discriminated against certain employees by reducing the pay for some while not affecting others. The Water and Light Association understood the economic situation and supported a 1.2 percent pay reduction for all employees because it was fair and equitable for all employees. He asked the Council to consider the realities of the City Manager's proposal and to think about the dedicated employees who had to go out in the worst environments, did not abuse sick leave and responded to emergencies when called upon.

Brian Wattenbarger, 1121 Danforth Drive, stated he was a City employee and a member of the Columbia Professional Firefighters Local 1055, and was in support of the 1.2 percent across the board pay cut. He commented that in good times, there were across the board pay increases, but with a deficit, they were picking and choosing the groups that would receive a pay cut. An across the board cut was fair and equal as everyone from the top down would be affected. Nearly 30 percent of employees would suffer no loss with the City Manager's proposal. In addition, 52 percent were exempt employees, many of whom were higher paid employees, and they would have no pay loss. A 1.2 percent across the board pay cut would also be implemented evenly throughout the year. A reduction in sick leave buy back would affect one check around the holidays. He noted overtime was difficult to predict because they did not know when they would have a storm or large fire, and with a change in policy, there could be a change in attitudes with regard to sick leave. Human Resources had indicated in a memo that recognition of employees with outstanding attendance records was a valuable activity and this proposition would reduce that recognition. Over 60 percent of the general fund employees that received sick leave buy back were in Public Safety. In regard to

overtime, firefighters worked 56 hours per week on average and only three hours of that was considered overtime per FSLA guidelines. This amounted to twelve hours per month and any approved time off would reduce their salary during those four weeks. Approximately 30 people, in addition to the 60-70 people already standing, stood during this presentation.

Dennis Rohr, 700 Medina Drive, stated he was a City firefighter and the Vice-President of Columbia Professional Firefighters Local 1055. He noted firefighters worked 56 hours per week and averaged two hours of overtime. In addition, their pay was based on rank and he made \$80 per month in overtime. A firefighter who took two 2-week vacations per year and three sick days stood to lose \$400. Since 100-110 firefighters were potentially affected by this, the effect was \$40,000-\$50,000. He pointed out sick leave buy back might have been a benefit to keep overtime down and to have people come to work. He noted no one wanted an across the board pay cut, but they believed it was something they could get back through a cost of living increase when the economy got better. He felt the overtime and sick leave buy back benefits would likely not be provided again once they were removed.

Chris Betz, 310 Brown Avenue in Hallsville, stated overtime was not a benefit but a requirement when a house was on fire or there were 1,000 people without power because employees were expected to be there. He did not feel the City Manager's proposal was fair.

Don Frevert, 3815 Meyerson Drive, stated he was a Line Supervisor and had been employed by the City for 30 years. He noted everything had been equal over the years and if there was to be a cost of living increase, everyone would be entitled to it. With the current proposal only some were being asked to give up overtime.

Shara Meyer, 19412 Stacy Court in Booneville, stated she was an employee of the Municipal Court and commented that the reality was that life was not fair. She noted the unrepresented employees did not receive clothing, boot or meal allowances, and although she was overtime exempt, she worked 45-55 hour per week. The department had a small budget with little dedicated to overtime, so her employees that also worked 45-55 hours per week did not receive monetary compensation. They received comp time, but were required to be in work status for 40 hours prior to earning comp time.

Michael Cox, 912 W. Ash, stated he had an office at 1212 W. Worley, which was the second busiest fire station in the City, and noted he had experience with the meet and confer process of negotiating Chapter 19 issues. The goal in those discussions had been to be fair and equal, and in the past, everything had been fair and equal except for a few statistically insignificant items. He felt if the Council allowed one City employee to not help with the shortfall in revenue, it would not be fair and equal.

Allan Bell stated he was the President of the Columbia Police Officers Association and noted they were in favor of the City Manager's proposal. He commented that there were federal guidelines for paying overtime to firefighters and police officers, and the overtime paid now was in excess of those federal standards. He thought they should be thankful that it had been a benefit for so long and accept the fact economic times were hard and there was nothing wrong with abiding by federal standards. He pointed out overtime was only going to change if people took days off and physically worked less than 40 hours per week.

Ms. Hoppe understood that included holidays. Mr. Bell stated that was correct and noted police officers and firefighters worked holidays and were used to working holidays.

Mr. Bell commented that sick leave buy back was a benefit and the Association was happy to still have the benefit even though it was being reduced. He agreed there might be backlash from some employees, but felt hardworking people that showed up for work every day would continue to do so.

Ms. Hoppe asked if police officers were affected by overtime differently than firefighters. Mr. Bell replied somewhat as they were on call and might have to come in at a moments notice. He did not think firefighters were typically called in. He reiterated overtime would only be affected if they did not work over 40 hours.

Ms. Hoppe understood police officers were often hired off-duty for law enforcement related work and that would not be affected. Mr. Bell stated anything done off-duty was not done through the City. If they were called in, they would leave the other job.

Ms. Fleming noted there were different FSLA cycles. The standard work week for normal office employees was 40 hours. The FSLA cycle for firefighters was 27 days, so overtime was based on the amount of hours in a 27 day cycle. Police officers had a 28 day cycle. Mr. Bell thought it broke down to 170 hours of work for police officers and 204 hours for firefighters within those time frames.

Jill Wieneke stated she was a Columbia police officer and the Vice-President of the Columbia Police Officers Association and commented that she had worked outside of law enforcement for many years and was surprised when she learned of the City's overtime procedure. As a matter of practicality, it would not be fair to everyone, but personally, she did not feel it was fair to ask an employee making \$10 per hour to take a 1.2 percent pay cut so another employee could receive overtime wages when that employee did not actually work the overtime hours. She understood this affected all organizations differently and noted the Columbia Police Officers Association felt the City Manager's proposal was best. She thought they were fortunate to not be dealing with furlough days like other communities.

Kevin Hulett, 3912 Saratoga Court in Fulton, stated he was a City employee and commented that when sick leave buy back was increased several years ago from 50 percent to 75 percent, a half percent pay increase could have been implemented instead. In effect, the unrealized pay increase by all City employees was funding the 75 percent sick leave buy back that selected employees were benefiting from. Since the suggestion was to now reduce it, people were questioning its fairness and asking all City employees to take a pay cut to maintain a benefit for a few. He noted he was eligible for sick leave buy back and would lose more money with the City Manager's proposal, but did not feel it was fair to ask all City employees to take a pay cut to fund something special he was receiving. He believed the overtime situation was similar. By using pay status instead of actual hours worked, many employees had been benefiting with additional overtime that would not qualify under federal guidelines and it was being paid somehow. He thought a base pay increase had not occurred to pay for this overtime benefit.

Ian Lindsey stated he was representing Solid Waste and commented that he was not sure how they could cut overtime. He wondered what would happen if they were down a truck or a couple people called in sick. He felt the City would be hurting itself because trash would sit out longer. He did not think they could work without overtime.

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

Mr. Boeckmann explained the Council could address the amendments to Chapter 19 first and if they adopted it, they would be adopting the City Manager's recommendation with regard to personnel issues. If the Council rejected the amendments to Chapter 19, they would need to postpone adopting the budget until Wednesday for a special meeting because many numbers would need to be adjusted. He noted he was referring to B288-09 and pointed out an amendment sheet had been prepared making the overtime changes effective for work periods after passage of the ordinance.

Mayor Hindman made a motion to amend B288-09 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman commented that the arguments regarding personnel costs had been presented well. When taking into consideration all of the equities involved, he felt the City Manager's proposal was the fairest and most equitable of the proposals. He understood the overtime rules the City had been applying were not in conformity with general overtime rules applied by most employers and thought it might be time for it to be changed. He believed avoiding excessive medical costs and effects on pensions, and ensuring the lowest paid employees were not hurt more than necessary made the City Manager's proposal the fairest.

Mr. Skala stated he had recently attended a meeting where one of the speakers indicated across the board cuts was a way to avoid difficult decisions because they should really look at specific cuts necessary to maintain the integrity and health of the community. He commented that he had to take the taxpayer in consideration and it was difficult to justify overtime for a week that was not worked. He understood this was an issue of equity and that the highly paid department heads and senior staff would not necessarily be sacrificing, but noted he would support the City Manager's proposal because he believed it was the best way to preserve the health and integrity of the community.

Ms. Hoppe understood all of the employees would be affected differently by both proposals. She noted State agency directors were paid much less than City department heads and thought they needed to look into that during these economic times. She felt a director needed to lead and if they were asking employees to sacrifice, they should sacrifice as well. She commented that she was concerned that the labor unions were being asked to sacrifice more and felt they had a good argument regarding equity. She stated she did not know the history, but believed they had bargained for that benefit. She was especially concerned for the Solid Waste workers as they were required to be off on holidays and would not accrue overtime as a result. With regard to the sick leave buy back program, she believed it was a great benefit many others did not have, so she was comfortable in reducing it to 50 percent. She suggested an amendment exempting holidays from the revision so a holiday would be included as time worked. This would allow an employee that was required to take the holiday off to not miss out on any overtime due to not working on the holiday.

Ms. Buckler understood Ms. Hoppe was suggesting holidays count as time worked when figuring 40 hours in a week for overtime status. She thought an employee could get three times pay in some cases due to the other holiday pay provisions.

Ms. Hoppe made a motion to amend B288-09 so holidays would be counted as time worked for the purposes of overtime pay.

Mr. Wade commented that he did not think they should make changes to pieces of the policy. He thought they needed to keep the policy whole regardless of the decision made.

Mayor Hindman noted he was not supportive of the suggested amendment either.

The motion made by Ms. Hoppe died due to the lack of a second.

Mr. Wade stated he was opposed to across the board reductions and increases. He felt they should address base pay and target the lower paid employees because either proposal was unfair to them. He agreed there were equity issues with regard to the top end of the pay scale and thought they would need to discuss that as part of the budget next year in order to maintain quality services. He had a fundamental issue with across the board pay cuts because they were difficult to get back. In addition, if they did across the board pay cuts and across the board raises, those at the bottom tended to lose more. He stated he would have liked to have seen them address a contribution of savings from the upper end, which was not in either proposal, and noted it would be considered in the future. He stated he planned to support the City Manager's proposal.

Ms. Nauser stated they had been fortunate as a community over the past 10 years in having been able to add amenities, keep salaries in pace with the economy and offer good benefits compared to the private sector. She noted no one was losing their jobs due to the downturn and thought they should be thankful. She did not believe they should be paying overtime in excess of federal standards and thought they should be comparable to other organizations with regard to pay. With regard to sick leave buy back, she felt a 50 percent buy back rate was still a good benefit. She reiterated very few people would lose their jobs. In addition, the City would still be able to contribute to pensions and health care costs were being held down. She stated she planned to support the City Manager's proposal.

Mr. Sturtz stated he appreciated the work of Water and Light and Public Works employees as they had jobs that most in the City would not want to do or had the aptitude to do, but noted he would support the City Manager's proposal as he felt it was the most equitable. He noted they were not eliminating overtime. This would only affect the times when people took vacation or sick leave.

Mr. Thornhill commented that after much deliberation, he planned to support the City Manager's proposal as well.

Ms. Hoppe asked how many employees would be affected by the pay classification plan in terms of pay raises. Ms. Buckler replied no employees would be getting a raise due to falling below the minimum. There would be a few promotional processes where they had a large group of employees for which everyone could compete.

B288-09, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HINDMAN. VOTING NO:  
HOPPE. Bill declared enacted, reading as follows:

Mr. Wade understood there was an article in the Columbia Tribune involving B262-09 with regard to the inappropriateness of the sewer rate increase and the unfairness of the some of the rates, and asked for staff to respond. Mr. Glascock replied a rate study had been conducted a few years ago, and within that study, there was an "institutional" category in which the University of Missouri fell. It identified the number of residential units within the

University and what the cost should be. The increase was over 500,000 per year. As a result, a rate increase structure had been worked out with the University over a period of time. He thought the increase was \$5,000 per year and that it would take 10 years to get to where they needed to be. The article also addressed other issues involving “commercial” properties and he explained they did not know how to calculate the residential units at this time, but were working on it. They knew how to address apartments and houses, but nursing homes and hotels were more difficult because they needed to determine how to classify a residential unit. They could go by the number of toilets, sinks, etc. They were trying to develop a definition that would work and was defensible.

Mr. Wade understood the claim of preferential rate treatment involved the University and was being corrected with a monthly rate increase. Mr. Glascock stated the rate increased every year. Mr. Wade asked what year they were in for the adjustment. Mr. Glascock replied year two.

Mr. Wade understood the other groups included medical facilities. Mr. Glascock stated they were nursing homes, hospitals, the Housing Authority, etc. Mr. Wade understood the rate differential involved how many units were counted and the issue was being worked out. Mr. Glascock explained they were discussing the issue with the Housing Authority. They had to determine if they would be considered apartments and charged at a residential or commercial rate. If each apartment was considered a residential unit, he wondered how they could use the same definition at Lenoir, which had residential units and a nursing home. They would have to determine if each room in the nursing home was a residential unit since they each had a bathroom. He stated he would work more judiciously on this issue and noted he was working with Finance and Law as this was a billing issue and because they needed to ensure the decision was legal and defensible.

Mr. Watkins noted rate studies had been conducted for the water, electric, sewer and trash utilities two years ago. The City’s practice had been for a master meter to be considered one unit whether a duplex or apartment complex was involved. The consultant did not believe that was appropriate for sewer, and apartment complexes were now being charged per unit. He noted they had fixed the “easy” issues. Also, with the help of GIS, they were finding un-metered units that were not being billed and were making some policy changes to get those resolved. Trailer courts were being addressed with a master meter and different trash collection routes tied to the master meter. They still had three major issues involving the University, which had been discussed, the Housing Authority and Lenoir. He pointed out the employee, who was the subject of the article, also believed the City should charge hotels, doctors’ offices and hospital the residential unit rate for each room, and he did not believe the definitions extended to those types of facilities.

Mr. Skala asked if the numbers in the article were based on multiple units within hospitals, etc. Mr. Watkins replied that was his understanding. He explained hospitals pay for sewer based on flow and had one charge per month versus a charge per room.

Mr. Watkins described the proposed amendments again, to include proposed changes per Council discussion at the pre-Council meeting earlier in the evening. He understood Council was suggesting providing \$25,000 to First Chance for Children in CDBG funds instead of allocating that money to the Highland Avenue Engineering project. With regard to

Council reserve funds, the Council was suggesting additional funding for the C.A.R.E. program and the social service programs, funding the Urban Empowerment program and providing an additional \$25,000 to First Chance for Children, \$5,000 to the Blind Boone Highsteppers and \$20,000 to the Central Missouri Humane Society. This would leave \$21,000 in reserves for the rest of the year.

Ms. Nauser asked if Urban Empowerment was youth or adult oriented. Mayor Hindman replied he thought it was youth oriented.

Mr. Wade stated he was comfortable with the CDBG allocations as discussed at pre-Council.

Ms. Hoppe suggested funding First Chance for Children with CDBG funds in the amount of \$50,000. She thought they could take \$25,000 from the East Side Sidewalk project and give it to First Chance for Children. This would also allow them to have \$25,000 more in Council reserves to fund other social services.

Mr. Skala understood the budget was reflective of a 5 percent cut in social services and Council had indicated and had reduced the cut by 2.5 percent. He stated his inclination was to go further, so he was open to Ms. Hoppe's suggestion.

Ms. Hoppe made a motion to move \$25,000 in CDBG funds from the East Side Sidewalk project to the First Chance for Children project. The motion was seconded by Mr. Skala.

Mr. Sturtz wondered if there was rationale with regard to the East Side Sidewalk project for spending that amount of money at one time.

Mayor Hindman understood the \$50,000 to First Chance for Children was contingent upon certain conditions and noted it might cause a spend down issue with CDBG funds.

Mr. Wade stated he was committed to reinvesting in old infrastructure and CDBG funding of the sidewalks was important. He did not want to reduce funding for that project.

Ms. Hoppe pointed out she was in favor of completing the project. It would just take longer.

Mr. Thornhill asked if the East Side Sidewalk project could be scaled back if it were reduced by \$25,000. Mr. Glascock replied they had planned on doing panels versus full sections of sidewalks, so they would not complete the few panels that were not as bad.

Mr. Sturtz understood First Chance for Children would not proceed with the project until they had all funding commitments. He asked if they would affect the project by having it all funded with CDBG funds. Mayor Hindman explained HUD expected the money to be spent down, otherwise it could affect future funding.

Mr. Thornhill asked if it was realistic for those funds to be spent down in a timely manner. Mr. Teddy replied he recalled close to \$25,000 was planned for pre-construction type costs, such as design and inspections, and \$125,000 was planned for actual construction. He thought \$25,000 could be spent, but \$50,000 would get into some construction.

Phil Peters explained that First Chance for Children needed \$100,000 as one of the three parts of the financing plan. If they received \$50,000 this year, they would reapply for an additional \$50,000 next year. The only timing issue was that they would not want to spend the money until they knew for sure they were getting the other \$50,000. By spring, he

planned on having raised the last third of the funds, so the City would know more then. He thought they could install a roof and develop construction documents, so either approach would work.

The motion made by Ms. Hoppe and seconded by Mr. Skala to move \$25,000 in CDBG funds from the East Side Sidewalk project to the First Chance for Children project, so the First Chance for Children project was funded for a total of \$50,000 in CDBG funds, was approved by voice vote with only Mr. Wade and Ms. Nauser voting no.

Ms. Hoppe made a motion to reduce funding to First Chance for Children from the Council reserve fund by \$25,000. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

Mayor Hindman made a motion to increase funding from the Council reserve fund by \$5,000 for the Blind Boone Highsteppers and Urban Empowerment so that each received \$10,000. The motion was seconded by Ms. Hoppe.

Mr. Wade suggested they determine how much to keep in Council reserve for next year before allocating any additional funds.

Mr. Skala stated he was satisfied with the reserve fund allocations and was pleased there would be some remaining dollars in Council reserve.

Mr. Wade agreed with Mayor Hindman's suggestion for additional funding for the Highsteppers and Urban Empowerment and understood \$36,000 would be left in Council reserve for FY 2010. He also suggested the \$20,000 for the Central Missouri Humane Society remain in the Council reserve until conditions could be specified through an agreement. Mayor Hindman thought a contract would be needed regardless.

The motion made by Mayor Hindman and seconded by Ms. Hoppe to increase funding from the Council reserve fund by \$5,000 for the Blind Boone Highsteppers and Urban Empowerment so that each received \$10,000 was approved unanimously by voice vote.

The vote on B245-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B259-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B260-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B261-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B262-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B263-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B264-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B265-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B266-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B267-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B286-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B287-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

The vote on B246-09, as amended, was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**(A) Construction of a sidewalk/pedway along the north side of Stadium Boulevard from Providence Road to College Avenue.**

Item A was read by the Clerk.

Mr. Watkins explained non-motorized transportation funds would be used for this project. Mr. Glascock noted the Hampton Inn had provided money for part of the sidewalk on the south side and the City had agreed to build it.

Ms. Hoppe asked how this would affect the trees between College and Monk Avenue. Mr. Glascock replied they were trying to stay away from the trees by abutting the curb. He noted they would build a retaining wall to minimize the impact on the trees. He thought most would stay since they were on the hillside.

Mayor Hindman opened the public hearing.

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

Mr. Wade made a motion directing staff to proceed with final plans. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**(B) Installation of backup power generators at two aquifer storage and recovery wells.**

Item B was read by the Clerk.

Mr. Watkins explained that items B, C, D, E and F were all projects approved as part of the last water ballot issue. Due to the economy, these projects were being funded through the State Revolving Loan Fund instead of revenue bonds because they felt it would be better financially. This project involved \$500,000 for back up power generators for the aquifer storage and recovery wells so water could still be drawn if power was lost.

Mayor Hindman opened the public hearing.

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

Ms. Nauser made a motion directing staff to proceed with final plans and specifications for the installation of back up power generators for the aquifer storage and recovery wells. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

**(C) Construction of Alluvial Well No. 16 in the McBaine bottoms.**

Item C was read by the Clerk.

Mr. Watkins stated this project involved \$315,000 for the construction of Alluvial Well No. 16 in the McBaine bottoms. This was an important project because it matched the raw water intake in the well field with the capacity of the treatment plant. Staff had proposed doing three in the bond issue, and currently, a well could not be taken out of service if the treatment plant was running at full capacity.

Mayor Hindman commented that there were questions with regard to building this well when there were issues involving trihalomethanes and asked for staff comment. Mr. Schmitz replied the University study surveyed the whole well field and did not find any higher formation potential in any well pairs within the well field. As long as it was located in the same vicinity, they would expect the same results. This well was designed to go on the existing 11 and 12 well pairs. He noted the trihalomethane formation was not tied to any one well location. Mr. Watkins pointed out the trihalomethane issue had been resolved through the addition of ammonia. Mr. Schmitz stated they were adding ammonia-sulfate, which converted chlorine to chloramine.

Mr. Watkins noted they had to be prepared for the worse case scenario, which was a fire on a hot, dry day, where they would need the capacity built into the system. He stated they were building more storage with the Hillsdale Pump Station and explained most of the water capacity at the water plant was not for drinking. It was for fire protection.

Mr. Skala understood they were investing in a well they hoped would be underutilized and were doing this because they anticipated future growth that would eventually exceed demand. Mr. Watkins replied that was part of it. He reiterated this matched the raw water intake to the capacity of the plant. The water plant would not be at full capacity without this well. The capacity of the water plant was 32 million gallons, but they did not have that much raw water. This would provide a balance.

Mayor Hindman noted another issue was the overall decline in water quality in the well area. Mr. Watkins understood that would be discussed at some length on October 19 with a University representative and others.

Ms. Hoppe wondered if more wells should be dug at that location. Mr. Watkins replied he was not sure there was a good alternative to get into that aquifer. The water quality closer to town was not as good and the water table level was declining. Staff felt the best approach was to be in an aquifer with a known quantity and quality of drinking water. He noted they were working with a consultant to look at the drinking water treatment process and might need to change the technology used because standards were changing.

Mr. Skala asked if this was an issue because the City had reached 100,000 in population or if that just affected stormwater. Mr. Watkins replied that only affected stormwater.

Mayor Hindman opened the public hearing.

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

Mr. Wade understood the wells being discussed were related to the current capacity of the water treatment plant and there might be another 1-2 wells in addition to this one. In looking at the long-term, he hoped they would preliminarily plan for future growth by reducing demand as well as expanding supply because it would save money.

Mayor Hindman asked if the upcoming meeting on this topic would affect any decision made tonight. Mr. Watkins replied he thought that was unlikely. He understood the Environment and Energy Commission had held hearings on this issue.

Ms. Hoppe referred to the minutes provided in the packet and noted two members opposed this. She suggested they table a decision on this project to a date after October 19. Mr. Schmitz explained Ms. Hoppe was referring to the Water and Light Advisory Board meeting and they had recommended proceeding with the well by a vote of 3 to 2. He pointed out if this item were tabled, it would probably disqualify the City from being eligible for State Revolving Loan funds.

Ms. Hoppe asked what would happen if they approved this project, but later decided against moving forward. Mr. Schmitz replied the City was currently on the contingency list. They were not on the funded list, which meant they could get a loan, but not a grant. If they moved forward with the public hearing, they would remain on the contingency list, and as others fell off the funded list, those on the contingency list would move onto the funded list. He noted the goal was to position the City for these low interest loans and did not believe they had to move forward with the project. Mr. Watkins thought they could tell DNR they did not want the money.

Ms. Nauser understood the City needed the well irregardless of funding. Mr. Watkins stated he believed they needed the well to balance the full capacity of the water plant.

Mayor Hindman thought it would be a mistake to make it impossible to participate in the State Revolving Loan Fund program based on the possibility the Council might decide not to move forward with it. He suggested they approve the well with recognition that this approval could be retracted after the October 19 meeting.

Mr. Skala made a motion directing staff to proceed with the final plans and specifications for this project. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

**(D) Construction of an 8-inch water main along Old Mill Creek Road.**

Item D was read by the Clerk.

Mr. Watkins explained this project would improve fire flows in the southwest part of the community and was expected to cost about \$450,000. Mr. Schmitz noted this would also provide loop service to the Mill Creek Manor, Wyndham Ridge, and Thornbrook subdivisions, which were radially fed by a 12-inch main off Scott Boulevard at this time. Mr. Watkins pointed out there had been problems with breaks in the line and a boil order in this area about a year ago.

Mayor Hindman opened the public hearing.

Stan Elmore, 4401 Old Mill Creek Road, provided a petition signed by him and his neighbors asking the City to directionally bore the area in front of their properties, which was about 2,350 feet, instead of using the open cut technique because the open cut would kill trees. He noted he had about ten 25-year old trees in front of his home whose roots would be potentially cut by this process. He understood the increase in cost to directionally bore would be \$108,000, but the portion in front of their homes would only cost \$35,000 more. Although they thought it would be simpler for the entire project to use the directional boring technique, he noted they were not asking for the entire project to be done that way. In addition to the trees, he explained there were paved driveways, so an open cut would also affect those and the appearance of the neighborhood. He stated they did not oppose the project as it would be an improvement with regard to fire protection, but they wanted to preserve the trees.

Frank Baumstark, 4525 S. Old Mill Creek, stated he and his neighbors had some concerns regarding the water main planned for installation in front of their homes. He noted he had 20 identical mature Cleveland Pear trees lining the drive, and if one or two were dug up, it would ruin the aesthetics of their landscape design. In addition, it would be impossible to match or transplant a tree of this size. They also had a four year old asphalt drive and did not want a backhoe digging through it. He had an irrigation system throughout the front of the property and boring four feet would avoid damaging those pipes. He commented that the City had not indicated who might bear the cost of repairing the lawns, trees, drives, electrical lighting, and irrigation systems that could be damaged by this project. The request for boring was only in front of the homes on the west side of Old Mill Creek Road and the \$558,000 estimate provided by the City appeared to be the cost to directional bore the entire line versus just this portion. He understood directional boring would cost about \$15 per foot, which was only \$35,000, and could offset property damage that would be incurred by digging. He commented that they were not opposed to the installation of the line. They only wanted it to be installed with as little damage to their properties as possible.

Eric Lidholm, 4501 Old Mill Creek Road, stated he was in agreement with the comments made by his neighbors. They were in support of the water line, but wanted the trees preserved as it looked nice and was a barrier to traffic.

Arlene Priest, 4601 S. Old Mill Creek Road, stated she had seen changes in the road the past four years due to development further south and felt it was a noisy thoroughfare instead of a quiet country road. The trees and shrubbery along the frontage of the road served as a visual and noise buffer from traffic on the road. She understood the need for the water line, but wanted damage to the tree buffer to be as minimal as possible and supported the boring method.

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

Mayor Hindman asked whether the City had the right-of-way needed for the project. Mr. Schmitz replied this project was designed for the existing easements and rights-of-way. Mayor Hindman asked if the trees described tonight had been planted in the right-of-way. Mr. Schmitz replied they were in the rights-of-way and easements. He explained the \$450,000 estimate was to open cut or trench everything except the driveways. They would push under the driveways, which was cheaper and different than directional boring. The \$558,000 was listed as an alternative amount because they felt they should directional bore the entire project and not just some of the properties. Mayor Hindman asked how long the City had had the right-of-way. Mr. Schmitz replied he was unsure. He clarified they had to acquire some easements at the south end of the project, but those property owners were not objecting.

Ms. Nauser did not believe the entire road was tree-lined. Mr. Schmitz stated he understood some areas were tree-lined and others were not.

Ms. Nauser asked if it would be possible to drill in front of the homes with trees. Mr. Schmitz replied the project could be designed either way. The reason they provided a cost to bore the entire project was because they did not know how to choose the properties for that method. Ms. Nauser stated she would support directional drilling for the properties owned by those people asking for it versus the entire project.

Mr. Sturtz suggested they set up objective criteria, such as requiring directional boring for any place with a 6 inch diameter tree. Mr. Schmitz replied they could do that. He explained at this point, staff was only seeking authorization to create plans and specifications. They would come back to Council to bid the project and plans would be presented for approval at that time. Criteria for boring or drilling could be incorporated into those plans.

Mr. Wade stated the plantings had taken place 25 years ago, so he thought the request was reasonable. He also liked the recommendation of objective criteria.

Mr. Thornhill asked if there was any risk of damaging the trees with directional boring to the point they would die. Mr. Schmitz replied yes and explained they could not guarantee the health of the tree even if they used the directional boring method, but the risk was not as great as open cutting.

Mayor Hindman asked where the pipe would be placed in relation to the trees. Mr. Schmitz replied he was unsure as he did not have the right-of-way width for the area.

Mr. Skala stated he was sensitive to the idea of preserving the tree line, but was also concerned about the cost. He suggested they ask staff to explore the options for a broader policy.

Mayor Hindman believed in preserving trees and in people protecting their landscaping, but he also noted there was some risk assumed when planting in a right-of-way.

He suggested they consider a contribution from the landowners to cover the additional cost. He noted the benefit for these property owners was increased fire protection.

Ms. Nauser made a motion directing staff to proceed with the final plans and specifications for this project and to consult with property owners regarding the project. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

**(E) Construction of the Hillsdale Pump Station ground reservoir located on the southeast corner of I-70 Drive Northeast and Hillsdale Road.**

Item E was read by the Clerk.

Mr. Watkins explained the pump station necessary to provide water pressure in the northeast had been completed. This project involved building a ground storage reservoir. The City owned the ground and this was designed as part of the pump station process. The estimated cost was \$1.6 million and this project was needed to provide fire flows and pressure in the northeast part of Columbia.

Mr. Sturtz asked how many people would be served by this pump station. Mr. Schmitz replied he did not know. Mr. Sturtz thought it would be nice to know how many people would be served since it was such an expensive project. Mr. Watkins pointed out the City had a service territory that did not correspond to the City limits, but the City still had an obligation to serve the area.

Mayor Hindman opened the public hearing.

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

Mr. Skala made a motion directing staff to proceed with the final plans and specifications for this project. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

**(F) Installation of new electrical transformers and switchgear at the McBaine Water Treatment Plant.**

Item F was read by the Clerk.

Mr. Watkins explained this project was estimated to cost \$160,000 and would replace and upgrade some of the electrical transformers at the water plant.

Mayor Hindman opened the public hearing.

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

Ms. Hoppe made a motion directing staff to proceed with the preparation of final plans and specifications for the McBaine Water Treatment Plant electrical transformers and switchgear upgrades. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

**(G) Construction of the East Side Sidewalk Reconstruction Project, Phases 1 and 2, to include the reconstruction of sidewalks along portions of the north and south sides of Walnut Street, the north side of Paquin Street, the north side of Anthony Street and both sides of Broadway and College Avenue.**

Item G was read by the Clerk.

Mr. Watkins noted Council had directed staff to use some CDBG funds from the stimulus package to improve sidewalks in the area of Paquin Towers. Mr. Glascock explained Phase 1 of this project was along Paquin, Anthony and Walnut Streets and pointed

out panels would be replaced instead of the entire sidewalk. Phase 2 was along Broadway and College Avenue and would also involve replacing panels instead of the entire sidewalk.

Mayor Hindman understood these would be 4-foot wide sidewalks. Mr. Glascock stated they would be replaced as they were.

Mayor Hindman opened the public hearing.

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

Mr. Wade made a motion directing staff to proceed with final plans and specification for this project. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**B272-09 Authorizing the East Side Sidewalk Reconstruction Project, Phases 1 to include reconstruction of sidewalks along portions of the north and south sides of Walnut Street, the north side of Paquin Street, and the north side of Anthony Street; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this would authorize staff to solicit bids for Phase 1 of the project. The money for Phase 2 would not be available until next summer.

Mayor Hindman opened the public hearing.

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

B272-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B281-09 Authorizing construction of a water main serving Lot 2 within Providence Village South, Plat 1; providing for payment of differential costs.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a standard differential cost project.

Mayor Hindman opened the public hearing.

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

B281-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**OLD BUSINESS**

**PR219-09 Adopting the City of Columbia Debt Management Policy.**

The policy resolution was read by the Clerk.

Ms. Fleming explained this policy resolution would formalize the policies the City had been following for debt management purposes over the years. It was becoming more important to formalize policies to maintain ratings with bond agencies.

The vote on PR219-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Policy Resolution declared adopted, reading as follows:

**B268-09 Authorizing the issuance of Revenue Bonds for Water and Electric System Improvements.**

The bill was given second reading by the Clerk.

Ms. Fleming explained the amendment sheet filled in the blanks relating to the interest rates since the bonds had been sold today. Morgan Keegan was the successful bidder at 3.85 percent.

Mayor Hindman made a motion to amend B268-09 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B268-09, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B269-09 Authorizing the issuance of Build America Bonds for Sewer System Improvements.**

The bill was given second reading by the Clerk.

Ms. Fleming explained the sale of these bonds was negotiated and Piper Jaffrey bought the bonds at a rate of 3.9 percent.

Mayor Hindman asked if these were taxable bonds. Ms. Fleming replied they were taxable, but the City received a 35 percent interest rate subsidy from the federal government.

Ms. Nausser made a motion to amend B269-09 per the amendment sheet. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

B269-09, as amended, was given third reading with the vote recorded as follows:  
VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN.  
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B274-09 Authorizing construction of the Columbia Regional Wastewater Treatment Facility improvement project; calling for bids through the Purchasing Division.**

The bill was given second reading by the Clerk.

Mr. Watkins stated this was the bid call ordinance authorizing staff to proceed with the sewer plant project. The engineer's estimate was about \$64.4 million of which about \$4.6 million involved alternates. He noted they had submitted grant applications and would receive about \$3 million in stimulus funding for the project.

B274-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B275-09 Authorizing an agreement with Black & Veatch Corporation for engineering services relating to construction of the Columbia Regional Wastewater Treatment Facility; appropriating funds.**

The bill was given second reading by the Clerk.

Mr. Watkins explained this agreement was associated with the bid for the sewer plant and had a not to exceed amount of \$3.8 million.

B275-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B276-09 Authorizing a contract for sale of real estate with William W. and Lara F. Florea relating to property located adjacent to Wetland Treatment Unit 4.**

The bill was given second reading by the Clerk.

Mr. Watkins explained the City purchased 19.5 acres from the Florea's in 2001 as a buffer for the wastewater treatment plant. Part of the property purchased included a lake and the Florea's wanted to buy back the lake. Staff was amenable because it would minimize some maintenance costs and was proposing to sell back about 5.5 acres at a negotiated price.

Mr. Sturtz understood the City spent \$10,000 an acre, but was selling it back at \$1,000 an acre. Mr. Watkins noted a house had been on the property and was part of the sale. Mr. Glascock pointed out the house had since been demolished. Mr. Thornhill explained since they were only buying the lake back, they were essentially buying water. Mr. Glascock pointed out it was next to the wetlands as well. Ms. Hoppe thought this was a great move because the City would no longer have maintenance costs.

Mayor Hindman understood there was a trail easement. Mr. Glascock stated they still had that easement.

B276-09 was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**CONSENT AGENDA**

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

- B271-09 Authorizing a consolidated grant agreement with the Missouri Highways and Transportation Commission for transportation planning services.**
- B273-09 Authorizing construction of sanitary sewers in Sewer District No. 166 (Thompson Road); calling for bids through the Purchasing Division.**
- B277-09 Authorizing an agreement for conveyance of easements with Crown Center Farms, Inc. relating to the Clear Creek Pump Station and Force Main Improvement Project.**
- B278-09 Authorizing a right of use permit with Alex and Marti Waigandt for placement and maintenance of a handicap ramp with a decorative handrail within a portion of right-of-way located at 808 Cherry Street.**
- B279-09 Authorizing a right of use permit with Robert Grove for construction, improvement, operation and maintenance of a balcony to extend within the right-of way from the building located at 203 North Tenth Street.**
- B280-09 Accepting conveyances for drainage, sewer, utility, access, storm water and temporary construction purposes.**
- B282-09 Authorizing Supplemental Agreement No. 2 with the Missouri Highways and Transportation Commission relating to construction of the Columbia Terminal Railroad (COLT) bridge over U.S. Highway 63.**
- B283-09 Accepting conveyances for utility purposes.**
- B284-09 Authorizing a park operation and management agreement with Boone County for the Jay Dix Station Park.**

- B285-09 Authorizing an agreement with the Missouri Safety Center to conduct enforcement activities relating to hazardous and non-hazardous moving violations including seat belt and child safety restraint usage; appropriating funds.
- R221-09 Setting a public hearing: construction of sanitary sewers in Sewer District No. 163 (Ballenger Lane and Aztec Boulevard).
- R222-09 Setting a public hearing: construction of sanitary sewers in Sewer District No. 164 (Manor Drive).
- R223-09 Setting a public hearing: construction of two additional maintenance bays at the Landfill Operations Center.
- R224-09 Setting a public hearing: considering the 2010-2014 Consolidated Housing and Community Development Plan.
- R225-09 Authorizing a Certified Local Government Historic Preservation Grant application to the Missouri Department of Natural Resources for assistance in developing education and outreach materials.
- R226-09 Authorizing a sidewalk renovation agreement with Berry Building, LLC for the removal and replacement of sidewalks along a portion of Walnut Street (1025 East Walnut Street).
- R227-09 Appointing Heather L. Cole as Acting City Clerk.
- R228-09 Accepting a grant from the Missouri Department of Transportation – Highway Safety Division for a DWI enforcement project.
- R229-09 Accepting a grant from the Missouri Department of Transportation – Highway Safety Division to conduct special traffic enforcement of hazardous moving violations.
- R230-09 Accepting a grant from the Missouri Department of Transportation – Highway Safety Division to create a full-time DWI Unit in the Police Department.
- R231-09 Approving the Preliminary Plat of The Gates at Old Hawthorne, Plat No. 2, located north of Route WW and east of Rolling Hills Drive, a revision to a portion of the Preliminary Plat of The Gates at Old Hawthorne.
- R232-09 Recognizing the service of Gary S. Markenson to the Missouri Municipal League and the City of Columbia.

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

## **NEW BUSINESS**

- R233-09 Authorizing a contract with the Missouri Department of Social Services for Homelessness Prevention and Rapid Re-housing Program (HPRP) services.

The resolution was read by the Clerk.

Mr. Watkins stated the City received this two year grant for \$405,000 and would be contracting with existing agencies, so it was mostly pass-through money. Ms. Browning noted this was a good opportunity to alleviate challenges people were facing due to the

economy, such as the possible loss of housing. The City would take a 3 percent administrative fee, which was only \$3,000 per year.

Mr. Sturtz asked how this would be managed and what kind of assistance it would provide. Ms. Browning replied all eligible persons would go through some level of case management and be recertified for re-eligibility every three months. They would have to be homeless or close to being homeless with rent and utility payments in arrears. Mr. Sturtz asked if they would be providing temporary hotel/motel vouchers. Ms. Browning replied it was an option during a transition period while searching for a home.

The vote on R233-09 was recorded as follows: VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

### **INTRODUCTION AND FIRST READING**

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

- B289-09**     Amending Ordinance No. 019312 which granted a variance from the Subdivision Regulations for sidewalk construction along the east side of Scott Boulevard crossing Mill Creek, adjacent to proposed Lots C101 and 142 within Copperstone Plat 1; setting forth conditions for approval.
- B290-09**     Approving the Final Plat of Vandiver-Oakland Subdivision located on the east and west sides of Oakland Gravel Road, north of Vandiver Drive.
- B291-09**     Amending Chapter 3 of the City Code as it relates to the airport advisory board.
- B292-09**     Amending Chapter 14 of the City Code to prohibit parking along sections of Paquin Street.
- B293-09**     Amending Chapter 14 of the City Code to provide reserved parking for police vehicles along Paquin Street.
- B294-09**     Authorizing a right of use permit with GBOLC for placement and maintenance of an egress ramp with a handrail within a portion of right-of-way located at 23 South Eighth Street.
- B295-09**     Accepting Stormwater Management/BMP Facilities Covenants.
- B296-09**     Accepting a conveyance for utility purposes.
- B297-09**     Authorizing a cooperative agreement with Boone County Family Resources pertaining to the Park and Recreation Department's Adapted Community Recreation Program.
- B298-09**     Authorizing a cooperative agreement with Boone County Family Resources for funding for a new program to be administered by the Park and Recreation Department's C.A.R.E. Program.
- B299-09**     Appropriating donated funds from David L. and Karen K. Rawlings for the Police Department's canine unit.
- B300-09**     Authorizing a redevelopment agreement with Tiger Columns, LLC.
- B301-09**     Amending Ordinance No. 020395 which set the 2009 property tax rate for the Special Business District of the City of Columbia, Missouri.

## REPORTS AND PETITIONS

### (A) Intra-Departmental Transfer of Funds Requests.

Mayor Hindman noted this report was provided for informational purposes.

### (B) Russell Property Master Plan Process.

Mr. Hood commented that in 2003 and 2004, the Parks and Recreation Department spent several months working to develop a Master Plan for the 90 acre property known as the Russell property, which adjoined Fairview Park. The process included a number of public meetings and working with the neighborhood. At that time, four options were being considered and both the Planning and Zoning Commission and Parks and Recreation Commission recommended Option A. Due to the controversy with Cunningham Road and the fact no funding was available for the development of the park, action on the Master Plan was put on hold indefinitely. With approval of the 2010 budget, \$300,000 was now available, and staff felt it was important to revisit the Master Plan. Staff was suggesting this begin with a public meeting on October 7, 2009 with Option A being the starting point. He noted they had three other options that were variations of Option A as well.

Mr. Skala asked if the recent discussions of Council regarding urban forests and minimally developed parkland had changed the dynamic of this discussion. Mr. Hood replied that in 2003 and 2004, there was interest for the vast majority of this property to be preserved in a more natural state, and he thought the recommended option suggested a majority of the site be retained in a natural setting with passive activities, such as trails or a picnic shelter. There would not be lighted athletic fields, tennis courts, etc.

Mr. Wade commented that many constituents were interested in a park devoted to nature experiences and environmental education. The Columbia Audubon Society had recently passed a resolution indicating they wanted the undeveloped portion of Fairview Park, all of the City owned Bonnie View Park, and the Columbia Audubon Society's Russell property to be integrated as one unit for planning with the sole purpose being habitat restoration, preservation, nature education and the enjoyment of nature. This report did not provide that as a consideration. He felt there were no options as there was one Master Plan with three minor variations. The report did not offer any statement of purpose and vision that allowed an understanding of the desired outcomes of a different concept of experiences than what had been done in the past. Based upon the report, one would only discuss the proper placement of the lines for development. He felt that was a design proposal instead of a Master Plan.

Mr. Wade made a motion not to accept the report. The motion was seconded by Mr. Sturtz.

Mr. Watkins understood he did not want staff to hold the public input session. Mr. Wade replied not with this option.

Mr. Wade was not sure how they would design a naturalist park without a naturalist. He thought they should use resources of the Missouri Department of Conservation, the Runge Nature Center and the Springfield Conservation Nature Center in its design.

Mr. Skala understood Mr. Wade felt this report constricted the ability to consider other options.

Ms. Hoppe asked if Mr. Wade was saying the public had previously expressed a strong interest in something else that was not being presented in this report. Mr. Wade replied he recalled a wide range of interest expressed in which Option A was accepted because it was the closest, but there was also interest in a total integrated management system.

Mr. Skala understood Mr. Wade wanted a few more options. Mr. Wade stated that was correct.

Mr. Hood explained that when this process began, it started as an open slate where they asked people for their vision for the property. Based on the feedback received, the four options were developed. Since neighborhoods approved Option A, they assumed it would be a good starting point.

Mr. Watkins suggested they proceed with the meeting without providing any options, so it was a clean slate again.

Mr. Wade suggested they also utilize the expertise of a naturalist in the planning and design process.

Mr. Thornhill asked for a description of the differences in the options proposed and the reasons for the different options. Mr. Hood explained the process and described the feedback received and the differences in the options.

Mr. Thornhill agreed some people would look at something and only be able to see that, but others might not be able to see anything if something was not shown to them.

The motion made by Mr. Wade and seconded by Mr. Sturtz to not accept this report was approved unanimously by voice vote.

**(C) MKT Trail #12 & #13 Bridge Replacements – Tree Removal.**

Mr. Watkins noted staff had participated in a pre-bid meeting with contractors and there was concern regarding the number of trees that would be removed in order to build the bridge. Mr. Hood explained Council had authorized staff to proceed with the replacement of Bridges 12 and 13 after a public hearing. There was a need to replace the bridges because they could not currently be crossed by maintenance or emergency vehicles. In a pre-bid meeting, the contractors wanted to remove a fairly large number of trees, and after some negotiation, they determined the Parks and Recreation Department would be responsible for all tree removal, so it could be minimized, but there would still be close to 100 trees removed because they had to create a construction area for the contractors to work and room for the prefabricated bridges to be put in place. Once the bridges were replaced, they would begin a program to replace the trees.

Mayor Hindman stated many people had contacted him wanting to see the cast iron bridge remain since there were not many left and asked if the bridge could be lifted so a new foundation could be put underneath and it could be kept in service. Mr. Hood replied the engineers recommended against it as they felt it was not feasible at a reasonable cost. Mayor Hindman stated he wanted to learn more about that option as it would require less tree removal and would preserve a historic bridge.

Mayor Hindman commented that he also thought they needed to tape off the trees that would be impacted so everyone understood what might need to be removed in order to

replace the bridges. Mr. Hood stated he was also concerned about the trees, which was why this report had been generated, but noted the two bridges needed to be replaced or repaired because emergency vehicles needed to access the trail.

Mayor Hindman understood the bridge was strong enough for bicycling and walking and thought they could purchase an ambulance to keep there for a lesser cost. Mr. Hood explained the bridges had structural problems and he was not sure how long it would continue to remain safe.

Mayor Hindman stated he wanted to make sure they had thought of every alternative for this situation. He suggested they be provided more information before moving forward.

Mayor Hindman recalled a bridge being built close to the Stadium entry and asked how many trees were removed for that project. Mr. Hood replied he thought it was about the same number as expected for this project. Mayor Hindman thought that project had a satisfactory result and if staff could demonstrate this would have the same result, he felt it would be okay, but still believed they should try to preserve the old bridge.

Ms. Nauser asked if the current bridge was large enough to carry an emergency vehicle. Mr. Hood replied it was. Ms. Nauser asked if they would lose the opportunity to start this project this year if it were postponed to gather additional information. Mr. Hood replied they had hoped to do the construction over the winter. Bids had been received and they would delay action on the bids.

Ms. Hoppe understood some bridges came in sections and asked if that had been looked into. Mr. Hood replied yes and noted the larger bridge might come in more than one piece.

Mr. Wade asked about the possibility of the bridge being constructed with more but smaller sections so fewer trees would need to be removed. Mr. Hood replied he would look into it.

Mr. Thornhill understood part of the issue involved getting the equipment back there to lift the pieces. Mayor Hindman noted there were many ways to construct bridges, but some were at a higher cost.

Mr. Hood stated he would provide additional information.

**(D) Status Update and Final Draft Plan – Northeast Columbia Area Plan.**

Mr. Sturtz suggested this issue be taken up at a work session.

**(E) Street Closure Requests.**

Mr. Wade made a motion approving the street closures as requested. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

**(F) Historic Preservation Commission Correspondence – Historic Katy Station Depot (Shiloh Restaurant).**

Mayor Hindman understood a report was coming to Council with regard to modifying the noise ordinance and suggested they wait for that report before taking up this issue.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

**BICYCLE AND PEDESTRIAN COMMISSION**

Haid, Daniel, 3703 Coral Drive, Ward 3, Term to expire July 31, 2012

**BOARD OF HEALTH**

Prewitt, Michael, 5801 Thornbrook Parkway, Ward 5, Term to expire August 31, 2010

**CONVENTION AND VISITORS ADVISORY BOARD**

Beard, Joan, 154 W Green Meadows Road, Ward 5, Term to expire September 30, 2011

Carlson, Sherry, 2712 Greenbriar Drive, Ward 5, Term to expire September 30, 2011

Cristal, Scott, 10650 W. Kings Lane, County, Term to expire September 30, 2011

Gilbert, Linda 3805 Ivanhoe Boulevard, Ward 2, Term to expire September 30, 2011

McDonald, Bob, 1301 Strathmore Drive, Ward 5, Term to expire September 30, 2011

**CULTURAL AFFAIRS COMMISSION**

Harper, Judith, 4011 Curt Drive, Ward 5, Term to expire October 31, 2010

**INTERNET CITIZENS ADVISORY GROUP**

Duncan, Bruce, 1958 Jackson, Ward 2, Term to expire October 15, 2012

Dunstedtler, Dustin, 1518 Sylvan Lane, #104, Ward 3, Term to expire October 15, 2012

Turner, Charles, 916 Maplewood Drive, Ward 4, Term to expire October 15, 2012

**NEW CENTURY FUND BOARD**

Churchill, Anne, 906 Crestland Avenue, Ward 4, Term to expire September 30, 2012

Jones, Gregory, 4704 Marble Cedars Drive, Ward 4, Term to expire September 30, 2012

Williamson, Barbara, 200 Wild Ginger Court, Ward 2, Term to expire September 30, 2012

**PERSONNEL ADVISORY BOARD**

Kinkade, Kevin, 4512 Royal Lytham, Ward 5, Term to expire September 30, 2012

Slade, Leslie, 2107 Carol Drive, Ward 3, Term to expire September 30, 2012

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Mr. Thornhill noted he had previously asked about improvements to the process of appointing people to boards and commissions and wondered about the status of that request. Mr. Watkins replied he would check. Ms. Hoppe suggested a work session discussion.

Mr. Skala asked for more information regarding the downtown crime statistics to include data regarding cameras from the pilot project and the parking garage cameras.

Mr. Wade stated they had received a report 1-2 months ago with incident reports from 1999-2009, but thought they needed more data.

Mr. Skala agreed they needed more data and it needed to be sorted out with regard to downtown general surveillance and parking garage surveillance.

Mr. Wade thought they needed definitions for what each incident involved as well.

Mr. Skala stated another woman in the Hinkson Creek area had indicated damage to her property and noted he would provide that information to staff for follow up.

Ms. Hoppe stated she wanted information on how the different employees were affected by holidays. She was concerned about an employee, such as a Solid Waste employee, who was not allowed to work on a holiday, and therefore, not eligible for overtime for working Saturday. She also wanted a cost estimate in case they decided to later adjust the policy.

Mayor Hindman made a motion for Council to hold a closed session on Wednesday, September 23, 2009, following the work session beginning at 6:00 p.m., in the Fourth Floor Conference Room of the Daniel Boone Building at 701 East Broadway to discuss litigation and a personnel matter as authorized by Section 610.021(1), (3) and (13) RSMo.

The motion was seconded by Mr. Skala and the vote was recorded as follows:  
VOTING YES: STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE, HINDMAN.  
VOTING NO: NO ONE.

The meeting adjourned at 11:52 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk