

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
APRIL 19, 2010

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, April 19, 2010, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE and MCDAVID were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of April 5, 2010 and the minutes of the special meeting of April 12, 2010 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Thornhill.

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. Sturtz and a second by Ms. Hoppe.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

Pamela Forbes: Hunt Ave Project Evaluation and how we can do better.

Pamela Forbes stated she represented Ward 1 on the Community Development Commission and provided a handout. She explained the Planning and Development Department staff had mentioned a hazard on Hunt Avenue in December at their last meeting, and as a result she contacted the Public Works Department to find out more. She was told soil that smelled like gasoline had been encountered while digging last fall, and that the soil had made its way to the landfill via testing. The workers involved had followed the directives of emergency personnel and DNR, who had indicated they were not concerned after the soil was removed because lead was only a problem if ingested. She understood it was City and DNR policy to only contact the property owners where the material was found. She asked the Council to put in place a policy whereby the community at-large and area renters and business owners were notified of ground being broken in an old infrastructure area where there was uncertainty as to what might be encountered. She understood most of the citizens in the neighborhood were satisfied with the new street and the workers, but noted they wanted grass seed for their lawns, parking tickets during construction to be forgiven, car washes and a hose down to deal with all of the dust produced. She commented that she was glad the gas smelling soil had been removed.

PUBLIC HEARINGS

(A) Construction of sanitary sewer improvements, more specifically described as the North Grindstone Sewer Extension Phase III Project.

Item A was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz asked if the eastern most City boundary at this time was about a mile and one-half from the end point of the sewer extension. Mr. Watkins replied yes.

Mr. Sturtz understood \$67 million of the \$77 million revenue bond was for the Waste Water

Treatment Plant and the remaining \$10 million had been set aside to retire private common collectors. Mr. Watkins explained the \$10 million had been set aside for an economic development sewer, some inflow and infiltration, and some private common collectors. Mr. Sturtz asked if this particular project was cited in the bond issue. Mr. Glascock replied it was not. Mr. Watkins explained this project fell under the economic development portion of what voters approved. He pointed out they had signed a letter of intent with CAJF regarding an industrial site at Route Z, which was where the sewer line would end. This would provide the third shovel ready site. Mr. Sturtz asked if the letter of intent committed the City to build the sewer. Mr. Watkins replied it did.

Ms. Hoppe asked if there were other planned industrial sites along the route. Mr. Watkins replied he thought this area was being reviewed as a potential future industrial area, particularly along I-70 and at an undeveloped interchange on the north side.

Mr. Sturtz asked if this would be the second time a sewer would be extended well past the City limit and into the County. Mr. Watkins replied this had been done a number of times where they had territorial agreements.

Mr. Sturtz asked if Phase II would serve the new high school. Mr. Watkins replied yes.

Mayor McDavid opened the public hearing.

Linda Ellingsworth-Grone stated Phase III would be coming through her property and she was happy about it since they had a septic tank and lagoon, but she wondered how zoning into the City would proceed. Mr. Watkins replied the zoning would be established by the County until voluntary annexation occurred. He explained that could not happen until the property was contiguous.

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

Mr. Sturtz understood he had agreed to the City entering into the letter of intent, but felt they also needed to take care of what had already been built within the City before going further and further into the County. He thought this type of trade-off should be part of the discussion in terms of shovel-ready sites.

Ms. Hoppe understood the City would be reimbursed for a lot of the cost. Mr. Watkins stated that was the intent, but noted it would only happen as people tied into the sewer as they would pay a special tie-in fee to help reimburse the sewer utility.

Ms. Hoppe asked if this would take away from money that could be used for inflow and infiltration projects. Mr. Watkins replied it would in the short-term.

Mr. Sturtz asked how much of the \$1.3 million would be recovered over time. Mr. Watkins replied he thought the fees were set to recover 100 percent.

Ms. Nauser made a motion directing staff to proceed with final plans and specifications. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

(B) Authorizing the construction of sidewalks along the north side of Texas Avenue from Garth Avenue to Providence Road.

Item B was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Thornhill understood a section of sidewalk was missing near the Enterprise facility up toward the stop light at the entry ramp and asked if that section could be worked into the project to allow someone to cross at the light to the pedestrian bridge. Mr. Glascock replied staff could look at it.

Mr. Dudley asked for the minimum distance between the curb and the edge of the sidewalk. Mr. Glascock replied it varied between 4 and 5 feet. They made it wider when they were at the back of the curb, but made it less wide to avoid trees, etc.

Mayor McDavid opened the public hearing.

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

Mr. Thornhill made a motion directing staff to proceed with final design. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(C) Authorizing construction of the Providence Pedestrian Crossing Project north of Park Street, across from Douglass High School.

Item C was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz understood there was some concern from an area landowner about the median at Park Avenue and asked if there was a reason why it was better for the median to be at the intersection rather than just north of the Park Avenue intersection. Mr. Glascock replied they were trying to restrict some turning movements there as they believed it was a safer design.

Mr. Dudley asked how much the median would restrict the movement of emergency vehicles if they were south bound on Providence trying to get to Switzler Street. Mr. Glascock replied they could build it so it was mountable to allow them go over the top of it.

Mayor McDavid explained they would not be able to vote on this issue tonight due to a technicality, but that he would open the public hearing and continue it to the May 3, 2010 Council meeting.

Mayor McDavid opened the public hearing.

Bill Easley, 705 Cook Street, stated he did not understand why money would be spent to tear down the crosswalk as that money could be used on other things. He also suggested putting crosswalks at the intersections as it was cheaper. He felt the City had spent taxpayer money on silly items in the past.

Linda Rootes, 402 N. Eighth Street, President of the North Central Columbia Neighborhood Association, stated they had been advocating and hoping for safer ways to cross Providence for a long time and the Board was supportive of building the crosswalk and removing the pedestrian bridge.

Mr. Sturtz made a motion to table Item C to the May 3, 2010 Council meeting. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

There being no further comment, Mayor McDavid continued the public hearing to the May 3, 2010 Council meeting.

(D) Consider the Water and Light 2010 Renewable Energy Report.

Item D was read by the Clerk.

Mr. Watkins provided a staff report and noted it had been reviewed by the Water and Light Advisory Board and the Environment and Energy Commission. The Environment and Energy Commission's comments were included in the final report.

Mr. Schmitz understood there were some questions regarding the report to include whether the City was meeting the ordinance criteria of a less than 3 percent differential between renewables and 100 percent coal fire, and explained it depended on whether usage was calculated over the year or by one incremental megawatt. The City had been looking at the total year's usage in gigawatt hours, and based on that calculation, they were under the 3 percent cap. He also noted the rebate and loan programs were separate programs, and those programs would be brought forth during the budget process. With regard to how the renewable energy cost interfaced with capacity and energy charges bought off of the market, he explained those were separate line items and dealt with individually in terms of reliability requirements for capacity versus energy.

Mayor McDavid commented that he applauded the City for meeting the benchmarks and noted he would like to see a grid which would more clearly outline the cost of the different technologies in the 2011 report. He also thought it would be beneficial to see the landfill gas cost outlined with depreciation, maintenance and repair. Mr. Schmitz stated he understood the \$50.50 in the report included those costs, so it was a comparison to what was being paid for the Jefferson City bio-gas. He thought it also included the price paid to the Public Works Department for methane.

Mr. Sturtz understood the City was well within the 3 percent differential in terms of all coal and the more diversified portfolio, and asked if the differential was getting closer where it might be a challenge to increase renewables in the coming years. Mr. Schmitz replied he believed some of the prices were dropping, such as solar and the surplus in wind energy.

Mr. Sturtz asked for the cost of coal per megawatt hour. Mr. Schmitz replied he thought the blended cost was about \$60 for local units. Mr. Sturtz understood wind was about \$66. Mr. Schmitz replied the current proposals were coming in around there. Mr. Sturtz understood those costs would continue to go down. Mr. Schmitz commented that if the timing was good, the costs could go down, but he did not believe it would drop much below \$60.

Ms. Hoppe understood the Water and Light Advisory Board had asked for clarification regarding whether the wind study data was for utility scale operations and asked for an explanation. Mr. Schmitz replied he assumed the comment was to clarify it was not an individual wind generator and that it was a wind farm. Ms. Hoppe understood the report did not provide the clarification requested by the Water and Light Advisory Board. Mr. Schmitz

stated he was not sure, but pointed out the report addressed wind energy. He noted it was utility scale wind as they were getting 6.3 megawatts off of the wind farm.

Mr. Dudley understood the wood fuel at the power plant was coming from a barrel plant in Lebanon. Mr. Schmitz replied he was not sure it was Lebanon, but it was the remains of a process. It was a treated drier wood blended with coal. He explained they were conducting a study to determine if they could expand this to a greener, wetter wood. Mr. Dudley asked if local wood could then be used. Mr. Glascock explained local wood was used at the bio-reactor as daily cover, and it came back as energy in the form of methane.

Ms. Hoppe understood the letter from the Environment and Energy Commission indicated the Columbia bio-gas cost was listed without operation and maintenance costs. Mr. Schmitz stated that had been updated and was included in the \$50.50.

Mayor McDavid opened the public hearing.

Winifred Colwill stated she was a representative of the Columbia-Boone County League of Women Voters and complimented staff for this comprehensive, understandable and accessible report. They believed this annual report was a very important tool in helping Columbia residents understand the contribution of the different types of renewable energy and their costs, and in following the progress to reach the target specified in the ordinance. She explained the League wanted to see the City move as rapidly as feasible toward the 15 percent goal without exceeding the allowable rate increase. She thought it was important to remember that Columbia citizens had expressed their desire for clean renewable electricity through an initiative petition and the passing of the renewable ordinance in 2004. She also noted each addition of renewable energy also reduced Columbia's emissions of greenhouse gasses as called for in Columbia's Climate Protection Agreement signed for years ago.

Dick Parker, 215 W. Sexton, stated his comment, which was discussed earlier, was related to the wind testing at the University's television tower as he wanted to know how close to utility scale wind they had in the area.

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

Ms. Hoppe commented that the Council had been urged to proceed as fast as possible and asked if a formal resolution was needed. Mr. Schmitz replied they were pursuing the renewable and solar RFP's as quickly as they could. Ms. Hoppe understood they were going as fast as they could and that they would continue to do so.

Ms. Hoppe made a motion to accept the 2010 Renewable Energy Report. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

OLD BUSINESS

B39-10 Amending Chapter 16 of the City Code as it relates to noise and noise in the downtown area.

The bill was given third reading by the Clerk.

Mr. Watkins provided a staff report and suggested Council defeat this legislation and bring back new legislation.

Mr. Sturtz asked if bar owners who had routine noise complaints could be held accountable in any direct way. Mr. Boeckmann replied he assumed violations would be sent to Municipal Court. Mr. Sturtz commented that the rules seemed to be targeted toward

individuals who might be out at 1:30 or 2:00 a.m. and could be heard 300 feet away. He wondered how an establishment that had a long history of repeated complaints of people frequenting that bar might be addressed. Mr. Boeckmann replied he did not think they could go after the bar under this ordinance, but thought they might be able to consider it when the license was up for renewal.

Ms. Hoppe understood the recommendations of the SBD were to not hold bar owners liable for noise and that the person making the noise would have to be identified. She thought they might want to expand it like they did in terms of holding property owners responsible for noise from parties since they could not identify an individual. Mr. Boeckmann stated he did not feel this was the best place to deal with that problem. He thought the licensing provisions would be a more effective place to deal with the issue.

Carrie Gartner, 11 S. Tenth, explained the intent of the SBD Board was not for the bar to not be liable for any noise. The idea was that if there was noise on public property, such as a sidewalk or street, the fault should lie with the individual rather than the bar owner, but if the noise was coming from a bar, the bar would be liable for that noise.

B39-10 was read with the vote recorded as follows: VOTING YES: NO ONE. VOTING NO: STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. Bill declared defeated.

B70-10 Approving the Final Plat of Northern Addition – Plat 2, a Replat of Lots 10, 11 and 12 of Northern Addition located at 704 North Seventh Street; granting variances from the Subdivision Regulations.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and pointed out the amendment sheet would correct a date discrepancy.

Ms. Nauser made a motion to amend B70-10 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

B70-10, as amended, was given third reading with the vote recorded as follows: VOTING YES: STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B71-10 Approving the Final Plat of Broadway Townhomes, Plat No. 1 located on the south side of Green Valley Drive, southwest of the U.S. 63 and Broadway intersection; authorizing a performance contract.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and pointed out the amendment sheet would correct a date discrepancy.

Mr. Sturtz understood the Planning and Zoning Commission had brought up the issue of infrastructure allocation with regard to roads that were not part of the larger grid, such as Green Valley Drive, which led to a dead end, and asked if they looked at those kinds of roads differently in terms of how much they would ask the developer to pay. Mr. Teddy replied they did not with the existing ordinances and policies. He explained that as part of the plat approval, this property could be tax billed for its proportionate share if the City ever undertook a tax bill improvement project.

Ms. Nauser understood this involved the 100 year floodplain and asked if the area had a tendency to flood often. Mr. Teddy replied he did not have an eye witness account and could only go by the official documents. He noted there was a floodway that would not be disturbed. The 100 year floodplain was being built upon and was allowed per ordinance if the sites were elevated so the lowest openings of the buildings were at least two feet above the appropriate elevation.

Ms. Hoppe asked how much of the development was in the floodplain. Mr. Teddy replied it appeared as though half or more of the developed area was in the 100 year floodplain.

Ms. Hoppe asked if the developers would have to comply with the storm water ordinance as well. Mr. Teddy replied yes because it was a tract that had not been platted.

Ms. Hoppe asked if other communities prohibited building in the floodplain. Mr. Teddy replied some did. He thought communities looked at the extent of floodplain it had and the accuracy of the data.

Mr. Thornhill made a motion to amend B71-10 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Tim Crockett, an engineer with offices at 2608 N. Stadium Boulevard, commented that with regard to the floodplain and floodway, the floodway was protected and the City required buildings to be built two feet above the base flood elevation. He did not believe these buildings would flood.

B71-10, as amended, was given third reading with the vote recorded as follows:
VOTING YES: STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B74-10 Authorizing a right of use permit with The Curators of the University of Missouri to allow placement and maintenance of chilled water pipes, domestic water pipes and control conduits within portions of Fifth Street, Sixth Street, Seventh Street, Conley Road and Locust Street rights-of-way; authorizing temporary street closures.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and noted that some of the construction dates had been modified requiring an amendment sheet.

Mr. Dudley made a motion to amend B74-10 per the amendment sheet. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

B74-10, as amended, was given third reading with the vote recorded as follows:
VOTING YES: STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID.
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.

B72-10 Authorizing the construction of the Hinkson Creek Bank Stabilization Project; calling for bids through the Purchasing Division.

B73-10 Accepting sections of State Highway PP for ownership and maintenance from the Missouri Department of Transportation; authorizing a road

relinquishment agreement with the Missouri Highways and Transportation Commission in connection with the Mexico Gravel Road and Clark Lane reconstruction projects.

- B75-10 Authorizing an agreement with the Mid-Missouri Solid Waste Management District for the purchase of a dual chamber compactor for campus recycling at the University of Missouri; appropriating funds.
- B76-10 Appropriating grant funds from the Federal Aviation Administration for reimbursement of land purchased at Columbia Regional Airport.
- B77-10 Appropriating funds for the Ridgeway Cottages sewer project.
- B78-10 Authorizing a contract for the sale of real estate with Boone County Regional Sewer District for property located in the El Chaparral Subdivision for the future South Fork of the Grindstone Trail.
- B79-10 Appropriating Energy Efficiency and Conservation Block Grant Funds from the U.S. Department of Energy to the Office of Sustainability for energy assessments.
- R75-10 Setting a public hearing: proposed Master Plan for the development of the A. Perry Philips Park and Gans Creek Recreation Area.
- R76-10 Authorizing an agreement with the PedNet Coalition, Inc. for the Mayor's Challenge: Bike, Walk & Wheel Week event.
- R77-10 Authorizing agreements with the Gateway Chapter of MS and John William Boone Heritage Foundation for tourism development funds; transferring tourism development funds to the Parks and Recreation Department for the Heritage Festival.
- R78-10 Authorizing an agreement for professional engineering services with TREKK Design Group for locating and inspecting private service laterals and private common collector sewers in the Thilly Avenue, Lathrop Road and Westmount Avenue area.

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

NEW BUSINESS

R79-10 Authorizing changes in the Water and Light Department Demand Side Management Program.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz asked if the relative benefits of the renewable program and the demand side management program could be compared in terms of megawatts. Mr. Schmitz replied the demand side management program was a way to reduce the load and the renewable program involved how the load was supplied, i.e. wind, coal or solar, so he did not believe the programs were comparable.

Mr. Sturtz commented that he thought there was more potential through conservation and energy efficiency measures than the present renewable energy program, and asked if that was correct. Mr. Schmitz replied he thought the availability of renewables would

increase in the future and efficiencies could be picked up with the demand side management program as people increased insulation or installed more efficient windows.

Mr. Sturtz asked about the marketing materials for the program. Mr. Schmitz replied advertising and marketing had been budgeted.

Ms. Hoppe asked how much money was allocated to the program each year. Mr. Schmitz replied the cap for the loan program was \$3 million, but he was not sure of the dollar amount for the rebates. He noted the rebates were part of the budget process. Mr. Watkins pointed out they wanted it to be a self-funding mechanism as loans were repaid.

Mayor McDavid asked if this was revenue neutral to the City. He wondered how lowering the base demand would make up for the cost of the rebates. Mr. Schmitz replied he did not believe it was revenue neutral, but noted they just started benchmarking the last 6-7 months. He knew they were recovering some of the rebate costs in lower electricity costs, but he could not infer it was revenue neutral at this time.

Mr. Dudley asked if utility bills were reviewed to determine how much they had been reduced for those people that received rebates. Mr. Schmitz replied a pre-installation audit was done, staff then verified the work was done prior to providing the rebate money to the property owner. As follow up, the City Manager had requested the benchmarking he previously mentioned to determine how much of a savings had resulted.

Mr. Dudley asked if people who had remodeled could be grandfathered if they were not aware of the program. Mr. Schmitz replied people remodeling homes fell into the loan program more than the rebate program.

Dick Parker, 215 W. Sexton, stated the IRP, which was done by Burns & McDonnell, included a utility benefit cost ratio and the recommendation was that the rebates provided be at 50 percent of the savings of the utility. The utility was estimating what the rebates should be instead of following the exact recommendation of Burns & McDonnell.

The vote on R79-10 was recorded as follows: VOTING YES: STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. 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.

- B80-10** Approving the Final Plat of The Villas at Old Hawthorne Plat 3, a Replat of Lot 120 A, B and C, Lot 121 A, B and C and Lot 122 A, B and C of The Villas at Old Hawthorne Plat 1 and a portion of Lot 5 of Old Hawthorne Plat 1, located on the north side of State Route WW, east of Cedar Grove Road; authorizing a performance contract.

- B81-10** Approving the Final Plat of Thornbrook, Plat No. 5-A, a Replat of Lot 142 Thornbrook Plat 5, located at the intersection of Thornbrook Ridge and Scott Boulevard.

- B82-10** Authorizing a cooperative agreement with Boone County relating to 2009 revenue sharing funds for the Waco Road intersection with Brown Station Road improvement project; appropriating funds.

- B83-10 Accepting conveyances for sewer, temporary construction, agreement for temporary access, street and storm water facilities and access purposes.
- B84-10 Accepting Stormwater Management/BMP Facilities Covenants.
- B85-10 Accepting a conveyance for utility purposes.
- B86-10 Approving the 2010 Southeast Regional Park Master Plan – A. Perry Philips Park and Gans Creek Recreation Area.
- B87-10 Authorizing an agreement with Columbia Catholic High School to allow for the grading of a portion of the A. Perry Philips Park for storm water management purposes; authorizing execution of a drainage easement.
- B88-10 Accepting a donation from Jim and Billie Silvey for the purchase of a motorcycle for the Police Department; appropriating funds.
- B89-10 Accepting an Enforcing Underage Drinking Laws Grant from the Missouri Department of Public Safety; appropriating funds.
- B90-10 Amending Chapter 10 of the City Code as it relates to the membership of the Public Communications Resource Advisory Committee.
- B91-10 Pertaining to the operation of the Columbia Fire Department and conditions of employment of the Columbia Fire Department personnel.
- B92-10 Amending the Classification Plan; amending the FY 2010 Annual Budget to delete a Firefighter I position from the Fire Department, Emergency Services Division and add a Fire Lieutenant/Assistant Fire Marshal position in the Fire Marshal's Division.

REPORTS AND PETITIONS

REP15-10 Intra-Departmental Transfer of Funds Requests.

Mr. Watkins noted this report was provided for informational purposes.

REP16-10 Street Closure Requests.

Mr. Watkins provided a staff report.

Mr. Sturtz made a motion to approve the street closures as requested. The motion was seconded by Ms. Hoppe. and approved unanimously by voice vote.

Ms. Hoppe commented that there was not an indication of a vision implementation impact for this report, but she believed it could be included under Arts and Culture. Mr. Watkins noted it could fall into the Downtown category as well.

The motion made by Mr. Sturtz and seconded by Ms. Hoppe to approve the street closures as requested was approved unanimously by voice vote.

REP17-10 Basics of the Missouri Use Tax.

Mr. Watkins noted this was informational and pointed out staff did not have the inclination to discuss this as a revenue source in the near future.

Ms. Hoppe asked for an explanation as to why staff did not want to move forward. Mr. Watkins replied they felt this was the wrong time to ask for a tax increase as the parks tax renewal should be the focus.

Ms. Nauser asked what the difference was between the use tax and the internet sales tax. Ms. Fleming replied they were basically the same. At this time, it would have to be enacted as a use tax as there was a federal moratorium on sales taxes for internet sales.

Mr. Kespohl made a motion to accept the report. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

REP18-10 Dog Off-Leash Area at Stephens Lake Park.

Mr. Watkins provided a staff report.

Ms. Hoppe made a motion to accept the report. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

REP19-10 Southeast Regional Park Master Plan.

Mr. Watkins provided a staff report.

Ms. Hoppe made a motion to accept the recommendation of the Planning and Zoning Commission to adopt the Southeast Regional Park with the addition of 10 acres of buffer area northwest of Gans Creek. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

REP20-10 Historic Preservation Commission Report: Review of the Demolition Ordinance.

Mr. Watkins and Mr. Teddy provided a staff report.

Mayor McDavid asked if the request to strengthen enforcement was necessary. Mr. Watkins replied he believed it was a policy question for the Council to consider. He noted the Historic Preservation Commission did not have the authority to stop demolition. The 10 day waiting period only allowed them to catalogue the property and talk to the property owner with regard to the history of the structure.

Mr. Sturtz commented that he did not believe the \$50 fee made an impact in terms of this modest proposal and stated he would favor receiving a report indicating how the ordinance could be strengthened, so important cultural resources could be catalogued before demolition.

Ms. Hoppe agreed there should be a significant penalty for non-compliance and thought a forfeiture of the performance bond should be considered.

Mr. Thornhill asked if there was a chance that someone would not know they needed to wait the 10 days when obtaining the permit. Mr. Teddy replied he thought it was possible for someone new to Columbia or new to demolition would not know the regulations, but that usually did not excuse a violation. He noted information had been put together regarding demolition and was provided as part of the permit application packet.

Ms. Nauser asked when the permit fee had originally been implemented. Mr. Teddy replied he was not sure. Ms. Nauser commented that she thought a lower permit fee benefited the City in that it might encourage the removal of dilapidated homes that were creating a health hazard, but also felt there should be a considerable fine for those circumventing the process.

Mr. Dudley asked if the application had a place to indicate the age of the structure being demolished. Mr. Teddy replied it did and noted the Historic Preservation Commission did not get involved unless the structure was 50 years old or more.

Mayor McDavid made a motion directing staff to develop an ordinance strengthening the enforcement of the existing demolition ordinance and increasing the penalties. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

REP21-10 Prairie Lane Connection.

Mr. Watkins and Mr. St. Romaine provided a staff report.

Mr. Thornhill commented that in light of the fact Prairie Lane might need to be upgraded, he asked staff to provide an updated cost estimate of connecting the road, which involved more than just a culvert and the small road section.

REP22-10 Downtown Security Camera Report.

Mr. Watkins and Chief Burton provided a staff report.

Ms. Nauser asked for clarification on what would be considered a hot spot. She understood previous discussion on the cameras indicated they would only be used to address vandalism and shoplifting, which she felt was a property owner responsibility. Chief Burton replied they hoped to look at data regarding the calls for service in certain areas and focus the cameras in those locations.

Mayor McDavid asked if the City had an inventory of the private enterprises that already had cameras in place, and if the Police Department had access to those cameras if there was an incident. Chief Burton replied they did not have a catalogue, but knew of some downtown entities that had them. He noted they had never been refused when asking for the recordings, although they could be refused.

REP23-10 Citizens Police Review Board Request for Funds.

Mr. Watkins provided a staff report.

Ellen LoCurto-Martinez, 4908 Aspen Ridge Drive, stated she was Chair of the Citizens Police Review Board (CPRB) and noted they needed funding for brochures to make the community aware of the Board and how to file a complaint. In addition, the ordinance required the Board to follow the NICOLE standards, and they believed participation in the NICOLE conference in September was a good way for them to know what other cities were doing and the best practices. She noted Chief Burton had attended and told the Board it was unbelievably informational and recommended their attendance.

Ms. Nauser asked for a brochure. Ms. LoCurto-Martinez replied she would provide one to the Council.

Ms. Nauser suggested using the Council contingency fund to provide the CPRB the money requested.

Mayor McDavid stated he was reluctant in providing all of the funds requested. He noted there were trade publications, text books and video conferencing, and felt \$4,400 for a conference was excessive. He commented that the City was spending more money than they were taking in at this time and it was important to lower costs, so he had an issue with

sending two people to Seattle for \$4,400 when they were asking City staff to be frugal. He also wondered if this was the proper time to handle a budget request as the Council had 46 boards and commissions.

Ms. Hoppe commented that proper and good training had been emphasized when this board was established and she believed good training at a conference could not be replaced by a book. She was in favor of allocating the Council reserve funds for this purpose as well.

Mr. Thornhill asked if there was any middle ground between buying a book and attending a conference in Seattle. He wondered if there were any local training sessions. Ms. LoCurto-Martinez replied they found some books, but NICOLE did not have webinars or other access to learning. In addition, she believed a critical element of conferences was the ability to talk to other board members to learn about the best practices.

Mr. Sturtz agreed \$4,400 was a lot of money, but noted the establishment of the CPRB was a result of two years and important in re-enforcing a sense of trust between the community and the Police Department. He commented that if this was a way to get the CPRB off to a good start, he was in favor of it.

Ms. Nauser pointed out that when the CPRB was established, it became incumbent on them to ensure the members were properly trained due to the magnitude of the decisions the Board would make. She also agreed there was something to be said for having face to face discussions with experts that a textbook or trade magazine would not convey. She noted the Council contingency was there for unexpected expenses, such as this. She also thought it was beneficial for the City for board members and staff to be well trained.

Mr. Kespohl commented that he believed the error was made by not funding the CPRB in last year's budget and thought they needed to see it was funded next year. He suggested this be postponed until next year.

Ms. Nauser stated she was concerned about a delay because a case could come before the CPRB and their decisions affected the employment and livelihood of police officers.

Mr. Dudley asked how many neighboring cities would be attending the conference. Ms. Nauser replied Columbia was one of few cities in the area with a Citizens Police Review Board.

Mr. Watkins noted a resolution would need to be prepared for Council consideration at the next meeting if Council wanted to provide funds from the contingency fund.

Ms. Hoppe made a motion directing staff to draft a resolution providing \$6,400 to the CPRB for travel and the printing of brochures as requested. The motion was seconded by Mr. Sturtz and approved by voice vote with Mr. Dudley and Mr. Kespohl voting no.

REP24-10 Columbia Farmer's Market.

Mr. Watkins provided a staff report and suggested Council ask staff to draft legislation with regard to the special permit process if they wanted to accommodate the Columbia Farmer's Market. Staff felt this was better than going through the zoning process for an ancillary use. Mr. Teddy commented that zoning dealt with more permanent uses of land versus a two hour per week use. He believed this would be better than re-writing the zoning rules. Mr. Boeckmann pointed out an opposing point of view was that Council would be

saying zoning could be ignored by only dealing with Chapter 11 as it was a land use issue. In addition, he wondered what would be done if the neighbors were not agreeable to the request. He stated that if it was dealt with in the zoning code through a conditional use and many restrictions, there would be a procedure in dealing with the land use. Mr. Watkins pointed out a concern of staff was an opportunity for neighbors to be aware and to comment to Council and suggested they provide an opportunity for communication. He agreed Mr. Boeckmann's suggestion was the correct way, but it would be a lengthy process that would not be resolved by the summer. He noted he did not believe a special permit for this situation was inappropriate.

Ms. Nauser asked if it would be possible to do this as a pilot this year with some sort of neighborhood notification while they worked on a long range solution.

Mayor McDavid made a motion directing staff to draft legislation with regard to the special permit process for Council consideration as indicated in the staff report. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor McDavid made a motion directing staff to readvertise and continue soliciting applications for the Planning and Zoning Commission and the Storm Water Advisory Commission. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

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

AIRPORT ADVISORY BOARD

Hunter, B.J., 4310 Montpelier Place, Ward 5, Term to expire May 16, 2014

BOARD OF ADJUSTMENT

John, Martha, 2011 N. Country Club Drive, Ward 3, Term to expire May 1, 2015

DOWNTOWN COLUMBIA LEADERSHIP COUNCIL

Gray, Randy, 301 Edgewood, Ward 4, Term to expire May 1, 2013

LIQUOR LICENSE REVIEW BOARD

Gardner, Brian, 206 Haywood Court, Ward 4, Term to expire May 1, 2013

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Ms. Nauser commented that with regard to the downtown camera initiative, she was concerned about the fact they had an ordinance that did not allow for Council input, and suggested they amend the ordinance to require the Police Chief to submit to Council during the budget process a report justifying the use of cameras in the downtown. She stated she did not believe cameras should be used for shoplifting, vandalism, car accidents and peace disturbance as those were property owner responsibilities.

Mayor McDavid suggested they wait until a formal recommendation had been provided by Chief Burton because he might not recommend cameras.

Ms. Nauser pointed out she did not want to amend the recommendation. She wanted to amend the ordinance to ensure continual oversight by the Council whether cameras were implemented or not.

Ms. Nauser made a motion for staff to prepare legislation requiring the Police Chief to provide a report justifying the use of cameras in the downtown each year during the budget process. The motion was seconded by Mr. Sturtz.

Ms. Hoppe asked for clarification of the motion. Ms. Nauser replied she was asking for the Police Chief to be required to provide a report during the budget process explaining the need for cameras in the downtown and how they might have assisted the Police Department, if it was decided to put cameras in the downtown.

Mayor McDavid stated he planned to vote against the motion since they did not have a recommendation from the Police Chief at this time.

Mr. Kespohl agreed it was too early for this change as the cameras had not yet been installed. In addition, it might be a few budget years before they had a history.

Mr. Dudley understood this was a justification to use the cameras in year three dependent on if it solved any crimes in year two, and wondered what they would do with the camera then.

The motion made by Ms. Nauser and seconded by Mr. Sturtz for staff to prepare legislation requiring the Police Chief to provide a report justifying the use of cameras in the downtown each year during the budget process was approved by voice vote with only Mayor McDavid and Mr. Kespohl voting no.

Ms. Nauser commented that the GrOW organization had a Bike Buddies program for kids to ride their bikes and learn the safe places in their neighborhoods, and asked that the Bicycle/Pedestrian Commission review the program to determine if it could be tied into programs for the youth in the community, especially during summer months.

Ms. Nauser made a motion directing the Bicycle/Pedestrian Commission to review the Bike Buddies program in term of the youth in the community and to provide a report. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Thornhill noted that much of what the City did in terms of economic development projects could not be discussed, was unknown or not well understood, and asked if REDI could meet with the Council, either individually or as a group, to help the Council understand how they did what they did. This would allow them to provide an educated response to constituents. Mr. Watkins suggested it be a pre-Council meeting topic.

Ms. Hoppe understood a homeowner on an existing gravel road in the City was required to pave the driveway, which was also gravel, if they were replacing or improving the garage. She thought the requirement made sense for subdivisions, but did not understand why it was required in this instance. She suggested it be required only when the gravel road was improved.

Ms. Hoppe made a motion directing staff to provide a report regarding the requirement and the potential change to the requirement of paving the driveway when replacing or

improving a garage. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Hoppe understood the City's website included a place to report light outages, but did not have a place to report lights that were on during the day. She asked that this be added to the City's website.

Ms. Hoppe made a motion directing the Cultural Affairs Commission to look at the possibility of putting art work in the airport terminal and by working in conjunction with the Art League to do so. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Ms. Hoppe understood people that relied on the bus system for transportation could not get to Council meetings because the busses stopped running at 6:05 p.m. She asked that this issue be referred to the Public Transportation Advisory Commission as they looked for ways to improve the bus system.

The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Sheela Amin
City Clerk