

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
APRIL 5, 2010

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, April 5, 2010, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER and HOPPE 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 March 15, 2010 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

Mayor Hindman requested that R70-10 be moved from the consent agenda to new business.

The agenda, with R70-10 being moved from the consent agenda to new business, was approved unanimously by voice vote on a motion by Mr. Wade and a second by Ms. Nauser.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

B64-10 Naming Lange Park; authorizing the construction of improvements at Lange Park and Lange Middle School; calling for bids through the Purchasing Division; authorizing an agreement with the Columbia School District.

The bill was given second reading by the Clerk.

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

Mr. Skala understood some compromises were made to the trail. Mr. Hood explained the original concept was for a trail to encircle the perimeter of the entire school property, but staff did not feel funding was available to construct that amount of trail. In addition, the school had some reservations because they did not want the general public on school property during the school day. The compromise endorsed was for a track around the play field, with the understanding the track would be open to the public during non-school hours.

Mayor Hindman opened the public hearing.

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

B64-10 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

(A) Construction of sanitary sewer improvements, more specifically described as the Hinkson Creek Bank Stabilization Project.

Item A was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz understood a mistake had been made with the Flat Branch stabilization project as the stabilization had ended up being the concretization of the stretch through the park, which created a culvert effect. He asked how this project would be different. Mr. Glascock replied they would plant trees, etc. and there would not be any grouting.

Mayor Hindman opened the public hearing.

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

Ms. Hoppe made a motion directing staff to move forward with the project. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

(B) Construction of sanitary sewer improvements, more specifically described as the Hinkson Creek Siphon Elimination Project.

Item B was read by the Clerk.

Mr. Watkins provided a staff report.

Mayor Hindman understood there had been discussion about a trail from Lynnwood to the MKT and asked if this was a potential. Mr. Glascock replied staff was looking into it, but he did not know if this particular area had been identified. Mayor Hindman suggested it be kept in mind.

Ms. Hoppe asked how staff determined which siphons to protect and which ones to eliminate. Mr. Glascock replied they were trying to eliminate those they could get to easily and were causing problems. He did not believe the grades allowed them to eliminate the previous one. He noted they were also trying to interconnect the systems.

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 this project. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

(C) Construction of sanitary sewer improvements, more specifically described as the Gans Creek Pump Station and Force Main Project.

Item C was read by the Clerk.

Mr. Watkins provided a staff report.

Mr. Sturtz understood there was limited excess capacity for future development and asked what percentage of this project would go toward projects outside the Gans Creek area. Mr. Glascock replied he was not certain. He explained they always tried to build in extra capacity. He thought it would be about 10 percent over capacity.

Ms. Hoppe asked if this would serve the new Catholic high school. Mr. Glascock replied not necessarily. Ms. Hoppe understood it would not serve the commercial area to the east of the line either. Mr. Glascock noted most of that area drained in a different direction.

Mayor Hindman opened the public hearing.

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

Ms. Hoppe made a motion directing staff to move forward with this project. The motion was seconded by Mr. Wade and approved unanimously by voice vote.

OLD BUSINESS

B58-10 Rezoning property located on the south side of the Grindstone Parkway and Grindstone Plaza Drive intersection from A-1 to C-P.

The bill was given second reading by the Clerk.

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

Mayor Hindman made a motion to table B58-10 to the May 3, 2010 Council meeting. The motion was seconded by Mr. Skala.

David Brodsky, 903 W. Ash, stated he was the Vice Chair of Planning and Zoning Commission, but was speaking as an individual citizen. He commented that he supported the tabling of this item, but did not feel a month would be long enough. He understood MoDOT was willing to allow the traffic signal as long as the City accepted the conveyance of a roadway at the southern terminus of the intersection through the subject property, and that would require the roadway to be added to the Major Roadway Plan. If the Planning and Zoning voted against the addition, approval by the Council would require a super majority, and if that was not achieved, amending the development agreement was a moot point. He stated he agreed the Red Oak rezoning decision should be postponed until the decision with regard to the roadway was finalized, but believed September would be the earliest that could happen.

Ms. Hoppe asked why September was the earliest this could happen. Mr. Brodsky replied that in order for the City to accept conveyance of a road built by a developer for the public, it had to go to CATSO, the Planning and Zoning Commission and the Council for approval.

Mr. Wade understood the conveyance had to happen before the road could be put on the Major Roadway Plan. Mr. Brodsky stated the road would have to be added to the Major Roadway Plan before the conveyance could happen.

Mr. Glascock stated he understood any roadway could be accepted as long as it was platted. Mr. Boeckmann commented that he agreed the City did not have to go through the procedures indicated by Mr. Brodsky in order to accept the dedication of a street.

Ms. Nauser asked if the change in the development agreement would come to Council for review or if it would be handled by staff, and understood the request was to remove the three-quarter turn. Mr. Teddy explained the 2006 development agreement indicated the particular access would be a three-quarter access and the amendment would make it more flexible. Mr. Boeckmann stated his suggestion was to amend this ordinance to include that provision since the items were interrelated and dealt with the same subject, so an amendment sheet would be prepared to amend the development agreement as part of this ordinance.

Ms. Hoppe asked if that was something that needed to go before the Planning and Zoning Commission. Mr. Boeckmann replied it did not have to go to the Planning and Zoning Commission.

Ms. Hoppe asked if Planning and Zoning Commission would need to approve the proposed road. Mr. Boeckmann replied they would review any changes to the Major Roadway Plan, but that did not show the exact location of the road.

Mr. Teddy noted there would ultimately be a subdivision plat that would delineate a road over the property, and that subdivision plat would go to the Planning and Zoning Commission for review.

The motion made by Mayor Hindman and seconded by Mr. Skala to table B58-10 to the May 3, 2010 Council meeting was approved unanimously by voice vote.

B61-10 Authorizing a contract for sale of real estate with Route B Development Company, L.L.C. for the purchase of property located on Waco Road to be used as a buffer to the landfill; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and noted this purchase would provide additional protection for the Hinkson Creek and a future buffer for the landfill.

Mayor Hindman commented that he believed it paid to have buffers prior to developmental pressures occurring.

Ms. Hoppe believed this was a nice pairing of the preservation of a large area by the Hinkson Creek and some industrial development to the north.

B61-10 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B62-10 Authorizing a contract for sale of real estate with Geoffrey V. Henrikson and Robinson Farms LLC for the purchase of property located on Waco Road to facilitate industrial development; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and noted the proposal was to purchase Tract A for \$1 million with an option to purchase Tract B, which was one of the best large industrial sites in the community, for \$3 million.

Mayor Hindman understood the City would be obligated to buy Tract B at the end of the five years. Mr. Boeckmann pointed out one provision was that this was subject to annual appropriations. In addition, the City had the option to take part of the land, but was committing to buy the whole property if they did that. At the end of the five years, the City Manager would include money in the budget to be appropriated and the Council considering the budget would probably act in good faith. If there were budgetary problems where the City could not come up with the money, there would be no obligation to complete the purchase. He explained that by entering into this agreement, he believed the City was making a moral commitment to see it through.

Ms. Hoppe asked for clarification regarding the designated loan fund. Mr. Watkins replied it was account revenue producing operations could borrow from at about the same rate the City received on its investments and there were policies in place with regard to its use.

Mr. Skala commented that this was the epitome of growth management planning as they were providing a buffer for the creek along with economic development on an industrial scale prior to it happening and with the infrastructure in place.

Mayor Hindman made a motion to amend B62-10 per the amendment sheet. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

B62-10, as amended, was given third reading with the vote recorded as follows:
VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B65-10 Amending Chapter 2 of the City Code as it relates to membership of the Downtown Columbia Leadership Council.

The bill was given second reading by the Clerk.

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

Randy Gray, 301 Edgewood, Chair of the Downtown Columbia Leadership Council (DCLC), commented that at their February 23rd meeting, they had asked staff to recommend to Council that any revisions to the current ordinance be postponed as multiple revisions would be brought forth to the Council after their April meeting. The DCLC believed it would be easier for the Council to address all of their recommendations at once. There was a concern with regard to adding neighborhood associations as there could be as many as eleven or twelve abutting the downtown study area and a dramatic increase in the number of DCLC members might reduce efficiency and their ability for a quorum. An alternative would be for the Council to select a specific number of neighborhood advocates from names submitted by each neighborhood association and to add a downtown residential representative. In addition, they might ask some current members designated by their organizational affiliations to move to an ex-officio status while adding citizen appointees. These and other recommended ordinance revisions were on the April 27th DCLC meeting agenda and would be finalized at that time.

Mr. Skala noted Clyde Wilson had passed away and asked if it was currently up to the neighborhood association to make suggestions on appointments. Mr. Watkins replied currently some neighborhood associations had a seat and it was up to them to choose who they wanted to represent them. Ms. Hoppe understood the East Campus Neighborhood Association would make a recommendation for a replacement for Clyde Wilson and asked if Council would then approve the recommendation. Ms. Amin replied the Council was not involved. Ms. Hoppe understood the Association could just select a representative and provide notification.

Mr. Wade made a motion to table B65-10 to the May 17, 2010 Council meeting. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

B66-10 Amending Chapter 2 of the City Code as it relates to membership qualifications of the Commission on Cultural Affairs.

The bill was given second reading by the Clerk.

Mr. Watkins and Ms. Hunter provided a staff report.

Mr. Skala understood this change did not preclude appointments being made based on wards if the person was qualified. Ms. Hunter replied that was correct.

Mr. Wade stated he was not comfortable with eliminating all ward requirements as different wards had different characteristics, and if membership became concentrated to a few wards, they would end up missing some of the diversity the wards brought. He suggested a middle ground of requiring five of the six wards to be represented.

Mr. Skala asked if the issue of ward representation had been discussed by the Commission. Ms. Hunter replied she thought the Commission was thinking about it differently because they were seeing situations where qualified people could not be appointed due to the ward restrictions. The Commission preferred diversity of knowledge in terms of the arts versus geographic diversity.

Ms. Amin pointed out this Commission did not currently require representation from each ward. Instead it limited the number of representatives each ward. Since the language indicated no more than three from each ward, there could be representation from only four wards or three wards and the County.

Mr. Wade made a motion amending B66-10 by replacing “it is desirable to include members on the commission from all city wards” with “the commission shall have representation from at least four of the six city wards.” The motion was seconded by Mr. Skala.

Mr. Wade commented that if this passed, the Commission should provide a report in a year as to whether the ward requirements were still causing problems. Ms. Hunter pointed out the Commission might not know within one year since members held three year terms. She thought they might have to wait longer to provide a good report.

Mayor Hindman asked if they could have appointed people to unfilled vacancies if the proposed amendment had been in place in the past. Ms. Hunter replied possibly.

Ms. Nauser stated she was not sure the arts needed to be ward specific as they were involved with art throughout the community.

Mr. Wade noted his amendment lessened the restriction while still ensuring some diversity of wards.

The motion made by Mr. Wade and seconded by Mr. Skala to amend B66-10 by replacing “it is desirable to include members on the commission from all city wards” with “the commission shall have representation from at least four of the six city wards” was approved by voice vote with only Ms. Nauser voting no.

B66-10, as amended, was given third reading with the vote recorded as follows:
VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B67-10 Amending Chapter 19 of the City Code to provide for reimbursement of police mounted patrol horse maintenance cost.

The bill was given second reading by the Clerk.

Mr. Watkins and Chief Burton provided a staff report.

Ms. Nauser asked if \$1,065 would be enough to cover the expenses. Chief Burton replied the officers had been involved and felt it was fair. It was a percentage of the annual cost to feed and take care of the horse based on the amount of time the horse was used for City services.

Mr. Skala understood horses were used for crowd control and asked for an explanation regarding the value of horses in the Police Department. Chief Burton replied horses were one of the best community policing tools as citizens were more apt to walk up to a police officer on a horse. They were a good tool in crowds as well because they provided better visibility and allowed the need for fewer officers for the same area.

Mr. Wade asked if mounted patrol was being used more frequently. Chief Burton replied yes and explained this past summer two officers were used in parks and other places full time.

Mr. Wade asked if dogs used by the Police Department were treated similarly to horses. Chief Burton replied the costs associated with a dog were all paid for by the City as the Police Department owned the dog.

Ms. Hoppe thought it was commendable the officers had provided the use of their horses without any compensation in the past. Mr. Wade agreed.

B67-10 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B68-10 Amending Chapter 19 of the City Code as it relates to mutual aid emergency pay and minimum call-in compensation.

The bill was given second reading by the Clerk.

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

B68-10 was given third reading with the vote recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. 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.

- B59-10 Renaming the Providence Village South O-P/C-P Development Plan to Providence South Plaza O-P/C-P Planned Development; renaming the Final Plat of Providence Village South Plat 1 to Providence South Plaza Plat 1.**
- B60-10 Approving the Final Plat of Jaynes Subdivision Plat 2, a Replat of Jaynes Subdivision, located on the northeast corner of Russell Boulevard and Rollins Road; authorizing a performance contract.**
- B63-10 Authorizing a contract with Consolidated Public Water Supply District No. 1 of Boone County, Missouri for the replacement of a water line at the Columbia Regional Waste Water Treatment Plant.**
- B69-10 Appropriating grant funds from the Missouri Arts Council to the Office of Cultural Affairs.**
- R65-10 Setting a public hearing: consider the Water and Light 2010 Renewable Energy Report.**
- R66-10 Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for core public health functions.**

- R67-10 Authorizing Amendment No. 2 to the agreement with the Missouri Department of Health and Senior Services for the Missouri Heart Disease and Stroke Prevention Program.
- R68-10 Authorizing a social service program training and evaluation agreement with the Heart of Missouri United Way and The Curators of the University of Missouri on behalf of the Truman School of Public Affairs.
- R69-10 Authorizing Amendment No. 2 to the agreement with URS Corporation for engineering services for the design and reconstruction of Clark Lane from Route PP to St. Charles Road.

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

NEW BUSINESS

- R70-10 Repealing Resolution No. 64-96 that established procedures and guidelines for scheduled public comment at City Council meetings and adopting a new resolution on the same subject.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mayor Hindman noted he had asked for this to be removed from the consent agenda so they could discuss the issue of limiting the number of people speaking on the same topic or limiting the amount of time allowed toward one topic. When there was an instance of multiple people speaking on the same topic, it affected those with issues on the agenda.

Ms. Hoppe asked if this included limiting people to speaking every other month. Ms. Amin replied item six indicated no person would be permitted to make scheduled public comment more often than every other month.

Ms. Hoppe commented that she was reluctant in limiting it too much as it provided an opportunity for the public to address their government, but thought there might be some merit to limiting the time of a particular subject. Mayor Hindman pointed out people also had the opportunity to speak at the end of the meeting.

Mr. Skala stated he was reluctant in limiting the comments as well since they only had a few bad experiences.

Mr. Wade stated he believed it was reasonable to limit the number of speakers to two on any single topic. Ms. Hoppe understood that would mean a total of ten minutes. Mr. Wade thought the time should be left to the discretion of the Mayor. He commented that he could not think of any instance in which two speakers could not summarize the critical points of an organization.

Ms. Nauser pointed out people had the opportunity to speak at the end of the Council meeting as well, and there was not a limit with regard to the number of people then.

Mr. Thornhill believed they should do anything they could to streamline the meetings.

Ms. Hoppe noted an advantage of limiting the number of speakers on a particular topic was that more spots would be left open for people to speak on other issues.

Mr. Wade made a motion to amend R70-10 by adding a seventh item stating “no single topic shall have more than two speakers.” The motion was seconded by Mr. Skala and approved unanimously by voice vote.

The vote on R70-10, as amended, was recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R71-10 Authorizing an agreement with H3 Studio, Inc. for downtown planning charrette services.

The resolution was read by the Clerk.

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

Randy Gray, Chair of the Downtown Columbia Leadership Council (DCLC), encouraged Council to approve the contract with H3 Studio to conduct the downtown planning charette project and noted the DCLC passed a motion at its February meeting to recommend H3 Studio after interviewing four firms. This project was a direct result of the key recommendation from the DCLC’s interim report completed last spring and the two priority areas previously discussed would be the focus. He noted there were other areas they felt needed to be addressed and asked the Council to consider budgeting future funds for 1-2 downtown planning charrettes on an annual basis so they could continue to target priority areas throughout the entire downtown study boundaries. This charrette would begin in May and be completed in July.

Mr. Sturtz stated he was glad to see this move forward as it had been approved last August. Mr. Wade agreed as he believed it was important.

The vote on R71-10 was recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

R72-10 Authorizing Amendment No. 2 to the agreement with HDR Engineering, Inc. for engineering services for design of a bikeway from MU to Rock Bridge Elementary School.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mayor Hindman understood alternatives for the Wilson’s trail were being looked into and asked what would happen if they decided to include it again. Mr. Glascock replied it would change the scope of the project. Mayor Hindman asked if this would affect the length of time it would take to start the other parts of the project. Mr. Glascock replied it would not.

The vote on R72-10 was recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

B73-10 Accepting the donation of automatic license plate recognition equipment from the Boone County Sheriff’s Department through a COPS Technology Grant to be used by the Police Department in two patrol cars.

The resolution was read by the Clerk.

Mr. Watkins and Chief Burton provided a staff report.

Ms. Nauser understood the cameras could take photos of 1,000-2,000 plates per hour and felt that was too many for such a small number of criminals that might be apprehended. She wondered why they felt it was necessary to run the plates of people who were not visibly breaking the law. Chief Burton replied it was the only way to run the information through the computer system. He noted the alarm was immediate, and if there was not a hit on the license plate, they did not bother the citizen. The data retention would be 60 days, and they believed that was a reasonable amount of time from the standpoint of investigating a crime they did not realize occurred right away.

Ms. Nauser asked if an officer ever ran someone's license plate number out of curiosity, even if they were not doing anything wrong. Chief Burton replied it depended on the officer.

Ms. Nauser asked what happened to data that did not involve a hit. Chief Burton replied the license plate number would be in the system for 60 days.

Mayor Hindman asked what information would be able to be gathered after the fact. Lieutenant Richenberger replied they could see where the license plate number was captured and could then do an investigation to determine whose it was.

Ms. Nauser understood if there had been a robbery, the Police Department could determine what vehicles might have been in the vicinity during the robbery, so the geographical location of the vehicles would be stored for 60 days. Lieutenant Richenberger stated that was correct.

Mr. Skala asked if the data would be shared with the County and if there were any liability issues. In addition, he asked if these scans were subject to sunshine law requests. Lieutenant Richenberger replied the data would be shared between the City and County as that was how the grant had been awarded. Chief Burton stated the scan would be subject to the sunshine law unless there was an active criminal investigation that would allow the information to be kept confidential. Mr. Skala understood the sharing of information implied there could be some liability risk to both parties. Mr. Boeckmann stated he believed the liability exposure for the Police Department would be minor.

Ms. Hoppe asked if someone could request where a particular license plate had shown up in the past 60 days. Chief Burton replied he thought the request would be whether the license plate had been recorded in the past sixty days as opposed where it had been recorded. Ms Hoppe asked if that information would be available through a sunshine request. Chief Burton replied yes, unless it was related to a criminal matter.

Ms. Hoppe asked if there was a policy in terms of the reasons for reviewing the scans. Chief Burton replied they would not have time to review the data, except if there was a crime. He explained they would not conduct random searches of the database even though they had the ability. Lieutenant Richenberger pointed out the policy would only allow designated people to have access to the database.

Ms. Hoppe understood the County would have access to the City collected information and asked if they had designated people for access to the information. Lieutenant Richenberger replied the City and County policies would mirror each other.

John Schultz, 1301 W. Colchester, stated he was Chair of the Boone County Libertarian Party and asked if false positives could occur with the incorrect scanning of a

license plate number. He was concerned about people being pulled over for no reason. Lieutenant Richenberger replied there would be instances of misreads, but an alarm was not justification for stopping a vehicle. The officer would have to manually read the plate to confirm it was an accurate read. They would also have to follow up with radio communication to the dispatcher to ensure it was still a valid alarm.

Mr. Schultz asked for clarification on the data that would be retained and by whom. Chief Burton replied the City would not retain any data. All of the data would be retained by the County.

Mr. Schultz stated he was uncomfortable with the thought of his information being stored in a database.

Mitchell Richards, 5108 Buckeye Drive, stated he was a member of Keep Columbia Free and commented that the COPS grants were community oriented policing services and a part of a program to grant funding for the continued development of technologies and automated systems that help tribal, state and local law enforcement agencies prevent, respond to, and investigate crime. The funding would allow state agencies to purchase technologies to advance communications, interoperability, information sharing, crime analysis and intelligence gathering in crime prevention. He thought it was important to understand the federal government was promoting various types of scans, to include retina scans, by appealing to a citizen's need for safety, the fear of criminals and crimes, and the fear of something happening to loved ones. He encouraged the Council to vote against it.

Dan Viets, 1 Club Court, urged the Council to reject this proposal. He understood it was tempting for government to gather data about its citizens. He agreed there was a chance someone might be caught doing something wrong, but noted a vast amount of data collected was being collected on people not doing anything wrong. He commented that it was not comforting to know that anyone would have the ability per the open records law to peruse the data and use it for whatever they wanted. He suggested the Council table consideration of this issue for additional public discussion.

Ms. Hoppe asked if there were statistics indicating how much violent crime this would prevent or solve. Chief Burton replied he did not believe this had resulted in a violent persons arrest in the short amount of time they had tested it. He thought it was important to know this capability already existed as any officer could run the license plate of every vehicle they saw. This only automated the process so it could be done quicker.

Ms. Nauser stated she believed there was a fundamental difference between an officer with personal contact and a randomized surveillance method. Chief Burton stated he did not view it as surveillance. He believed it was a tool to identify people who had hits from their license plates. Lieutenant Richenberger pointed out some systems had the capability for 1,000 scans per hour, but during the test phase, they probably only had 1,000 scans per shift.

Mr. Skala commented that he was inclined to table this issue in an effort to obtain more public input.

Ms. Nauser stated she was opposed to the surveillance of private citizens and did not understand why an individual that was not breaking the law should be subject to license plate scanning for the information to be kept in a database. She noted the 60 day retention period could change to a longer time frame in the future.

Ms. Hoppe commented that she believed this issue should be tabled for additional public input and for the outcome of the downtown camera initiative.

Ms. Nauser asked if there was a time limit in terms of the grant. Chief Burton replied he would need to check.

Mr. Wade noted he had supported the red light cameras, but had not supported the downtown surveillance cameras because he felt they were fiscally irresponsible. He thought he would be willing to support this as long as the policy was clear and specific. He wondered why the retention had to be 60 days instead of 30 days.

Chief Burton commented that he had been notified that there was time, so this issue could be tabled to obtain more public input.

Ms. Hoppe stated she would like information with regard to the degree this would contribute in preventing crime and catching criminals.

Mayor Hindman noted he was supportive of this and agreed it had to be used responsibly.

Mr. Skala made a motion to table B73-10 to the May 3, 2010 Council meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

R74-10 Approving an amendment to the trails and greenbelt section of the Park and Recreation Master Plan, 2002 Facilities Needs Update.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mayor Hindman understood GetAbout Columbia recommended looking at two routes associated with the County House Branch, and those included the northwest and the northeast. Both were roughly from Stadium to Rollins, but would go up different valleys. Mr. Hood stated that was correct and noted both routes were shown on the Plan.

Mayor Hindman noted GetAbout Columbia had also recommended a trail along the Hinkson Creek to Rock Hill Park. Mr. Hood stated staff understood that final route was yet to be determined, which was why it was shown by the circled area.

Mayor Hindman commented that Attachment C did not show the recommendation of GetAbout involving the trail along the Hinkson Creek to Rock Hill Park that he recalled. Mr. Hood stated he would review the recommendations to determine if they overlooked something and would add it to the list if they had.

Ms. Hoppe stated she did not feel the description of connectivity for the Hinkson Creek Trail – Old 63/East Campus Connector was correct. She believed it should state that it provided a safe connection for residential areas east of Old 63 and Hinkson Creek. Mr. Hood agreed that would be more appropriate.

Ted Koditschek, 2508 Shepard Boulevard, commented that he was involved with the group that was trying to determine the optimal route for the area being discussed and they felt a route beginning at Old 63 and Shepard Boulevard, running to the northwest, crossing the creek on a high bridge, going around the MU Vet School, skirting the edges of Rock Hill Park, and coming out to Rollins was the best route. It would fall within the ADA five percent grade required for GetAbout and addressed most of the concerns without being prohibitively

expensive. They believed this was the most likely route to meet the needs of creating a link between the east and west while addressing the concerns raised.

Ms. Hoppe understood Mr. Koditschek was in support of moving it from tertiary to secondary due to its importance. Mr. Koditschek stated that was correct.

Janet Hammon, 1416 Wilson, noted she was a member of the task force and represented the Rock Hill Park/East Campus contingent. She explained they were interested in being able to cross while being environmentally sensitive. She pointed out they were hoping other ADA approved surfaces might be considered and used.

Kathleen Weinschenk, 1504 Sylvan Lane, urged the Council not to forget the people in wheelchairs when they did these projects as they liked to use these trails as well.

Ms. Hoppe made a motion to change the description of connectivity for the Hinkson Creek Trail – Old 63/East Campus Connector so it indicated residents and not just students. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

The vote on R74-10, as amended, was recorded as follows: VOTING YES: HINDMAN, STURTZ, THORNHILL, SKALA, WADE, NAUSER, HOPPE. 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.

- 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.
- 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.
- 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.
- 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.
- 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.

REPORTS AND PETITIONS

REP1-10 Intra-Departmental Transfer of Funds Requests.

Mayor Hindman noted this report was provided for informational purposes.

REP2-10 Crestland Avenue & Sunset Drive Stop Signs.

Mayor Hindman commented that he had requested this report and understood it was informational.

REP3-10 Broadway Crosswalk at Dorsey.

Mr. Glascock described the interim approach, which would cost about \$5,000, and suggested putting the long-term project in the CIP as it would cost \$220,000.

Mayor Hindman believed this was truly an unsafe situation and asked if temporary plastic dividers could be added so there was more than just the painted ground. Mr. Sturtz agreed something better than a painted median was needed there.

Ms. Hoppe asked for the cost of a raised median without the signal. Mr. Glascock replied he thought it would cost at least \$100,000.

Mayor Hindman understood delineators could be installed. Mr. Glascock noted they could look at using paddles similar to those at Walnut and Fifth Street.

Mayor Hindman made a motion directing staff to proceed with the interim approach and to include a pedestrian signal for the intersection in the CIP with a high priority. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP4-10 Update: Katy Place Trail Alternate Alignment.

Mr. Glascock explained this alternate alignment had the support of the Parks and Recreation staff and was located on City property, so it would allow better control of maintenance and signage. He was concerned with utilizing the parking lot due people potentially hitting cyclists when backing out and that potential liability.

Mayor Hindman asked if the owners had been contacted with regard to providing the right-of-way through the parking lots. Mr. Glascock replied they had and were open to it.

Mr. Wade stated he did not like the idea of creating a 10 foot wide concrete trail through the woods as it would require a 20 foot wide access area. The property was in a pre-climax successional stage, and a bike road through the middle of that ecosystem did not appeal to him. He believed the existing roads needed to be used for the bike road and thought it would cheaper. He did not support the alternative.

Ms. Nauser asked if staff had talked to the neighbors as she recalled concern with regard to those trees during a rezoning request. Mr. Glascock explained they had brought this to Council first. He pointed out that if they used parking lots, there would be an issue as to who would maintain them so they remained in adequate shape.

Mr. Wade commented that he thought Katy Place would be getting an amenity and would be interested in partnering with the City.

Ms. Hoppe thought the rezoning issue that had caused concern had involved the removal of a larger area of trees. This would be an eight foot trail. She felt the route behind the apartments appeared to be dangerous for children. She thought they should look at the alternative as a possibility as it would be a great route for families and kids. She wondered if they should get feedback from the Parks and Recreation Commission as well. She noted she was open to a narrower width and other surfaces.

Mayor Hindman commented that this route would follow a wagon road until it became too steep. In addition, he did not believe parents would allow their children to go through the parking lots.

Mr. Skala wondered if they could narrow the width or use alternative surfaces. He stated he was not opposed to getting people into the woods if it was done responsibly.

Mr. Wade did not believe they needed to build roads through the woods to get kids there as it changed the character of the woods and how kids might play in them.

Mayor Hindman did not feel this was a road. He thought it was a path and kids would get their by bicycle.

Mr. Wade commented that the real impact would occur when it became steep and the bikers left the path. If something was constructed he asked that smaller equipment be used because most of the trees would need to be removed for the larger equipment.

Mayor Hindman made a motion directing staff to move forward with the plans for the alternative as recommended after obtaining input from the Parks and Recreation Commission, and to discuss the options with Katy Place. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP5-10 Wilson's Total Fitness Center – Forum GetAbout Alternate Designs.

Mr. Glascock described the three configurations and noted staff was recommending configuration #2.

Mayor Hindman understood with regard to configuration #2, a separate pedestrian/bicycle bridge would be on the Wilson's side and the current bridge on the Forum Nature Center side would still be used for vehicle traffic. Mr. Glascock replied the pedestrian bridge would be a two way bridge if no one wanted to ride in the bike lane. Mayor Hindman understood those that wanted to do that would have to somehow cross. Mr. Glascock stated that was correct and noted they could include loops under the bridge. There were different options depending on how much money they wanted to spend. He noted the current bridge would have to be rebuilt at some point to make Forum a four lane road from Country Club to Chapel Hill.

Mr. Thornhill asked if the intersection at Wilson's could be right-in, right-out. Mr. Glascock replied Wilson's was not in favor of it, but staff had told them that if there were accidents, it would have to be a right in, right out. Mayor Hindman thought that should be considered.

Mr. Wade asked if Wilson's had any financial responsibility toward any of the options. Mr. Glascock replied they had indicated they would pay for some of it, but a specific dollar

amount had not been negotiated. Mayor Hindman understood they had agreed to provide the right-of-way across the levee for no charge.

Mayor Hindman stated he preferred configuration #4 because he believed the current bridge would not be rebuilt soon and it provided a solution for a lot of people. He asked if there were shoulders on Forum from Katy Place to Wilson's. Mr. Glascock replied there were shoulders at this time, but it would probably be curb and gutter with bike lanes when it was rebuilt.

Ms. Nauser asked about the status of the pedestrian bridge when this became a four lane road. She wondered if it would be built to accommodate the bridge expansion. Mr. Glascock replied it would be built far enough away where the bridge could be built how they wanted. He thought it could stay in place as well and provided the one at the Business Loop and Route B as an example.

Mr. Skala commented that he liked configuration #4.

Ms. Nauser asked if anything would be done to the levee as this area was prone to flooding. Mr. Glascock replied the levee was not owned by the City. Ms. Nauser asked if an easement involving the levee would be necessary. Mr. Glascock replied the easement would be on top of the levee and there could be some liability for the City to maintain it. Ms. Nauser wondered how flooding would affect the concrete paths, etc. they might construct.

Mayor Hindman made a motion directing staff to proceed with configuration #4. The motion was seconded by Mr. Thornhill.

Mr. Wade stated he did not like configuration #4.

Ms. Nauser commented that she was concerned with the unknown costs involved with the levee and also felt people would take the most direct route. She preferred the recommendation of staff.

The motion made by Mayor Hindman and seconded by Mr. Thornhill directing staff to proceed with configuration #4 was approved by voice vote with only Mr. Wade and Ms. Nauser voting no.

REP6-10 Air Service Incentives Program for Columbia Regional Airport.

Mr. Watkins provided a staff report. He explained this report was from the Airport Advisory Board and noted that staff had some concerns due to unknown factors at this time.

Mr. Skala asked if staff was suggesting they delay establishing a policy. Mr. Watkins replied he did not know when the City might have another air service provider and what incentives might be appropriate.

Mayor Hindman commented that he believed they needed to take care of who they currently had and was concerned about having a policy that might favor its competitors. Ms. Hoppe agreed.

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

REP7-10 FHWA Signal Assessment Report.

Mr. Watkins and Mr. Glascock provide a staff report. Mr. Glascock felt the City needed to better document changes to the traffic signalization when altering it. He noted the bulk of

the signals were downtown and the best way to move traffic in the downtown was with one-way streets, but he was not sure the community wanted one-way streets.

Mayor Hindman commented that faster traffic in the downtown might hurt the pedestrian nature of the downtown causing storefronts to be overlooked.

Mr. Glascock stated another issue was that the City did not have a centralized location for complaints as people tended to call JCIC, MoDOT and Public Works. Also, in order to be able to communicate with other agencies such as MoDOT, the equipment would need to be compatible. Currently the City had older controllers, etc. than MoDOT

Mr. Skala understood the national average was 51 and Columbia scored 56 and wondered about the range of the other cities. Mr. Glascock replied the national average of 51 was for agencies with fewer than 50 lights.

Mr. Watkins commented that staff was looking at a few recommendations as part of the budget for Council review.

REP8-10 Report on proposed vacation of right-of-way within Hilton Plat 5.

Mr. Wade made a motion directing staff to prepare the appropriate legislation. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

REP9-10 Report on Additional Streetlights on Brown School Road.

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

Mr. Thornhill explained he had been contacted by several people regarding this lighting issue as there was a lot of foot traffic in the area.

Mr. Thornhill made a motion directing staff to work with Boone Electric for the final design and installation of streetlights per the service territory agreement. The motion was seconded by Mayor Hindman and approved unanimously by voice vote.

REP10-10 Public Communications Resource Advisory Committee Membership Recommendation.

Ms. Hertwig-Hopkins provided a staff report.

Ewell Lawson, the Chair of the Public Communications Resource Advisory Committee, stated he was available to answer questions.

Mr. Wade made a motion directing staff to prepare the appropriate legislation. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

REP11-10 Environment and Energy Commission Report.

Ms. Hoppe understood the Environment and Energy Commission (EEC) was recommending Columbia consider the 15 percent as a minimum while continuing to exceed that goal. Mr. Schmitz explained staff had updated the report to include what the EEC had noted in item #3.

REP12-10 Planning and Zoning Commission Report.

Ms. Nauser stated she was glad to see this issue of dirt piles was finally moving forward.

REP13-10 Columbia, Missouri Public Safety and Crime Data 1999-2009 Report: Information provided by Councilmember Nauser.

Ms. Nauser explained the information in the report she provided.

Mr. Skala stated he appreciated the information in the report as it showed an increase in the number of police officers as the population increased along with the trends in violent crimes.

Ms. Nauser stated she wanted people to be able to make informed decisions and to provide them the historical data.

REP14-10 Sidewalks and Other Priority CDBG Project Needs for the 2011 Action Plan.

Mr. Watkins commented that he was asking Council to provide feedback and staff would compile the information for the appropriate applications. He asked for the surveys to be returned within a week.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mayor Hindman commented that someone had contacted him regarding the noise from motorcycle straight pipes as those offenders were hard to catch. He was bringing it up in case they wanted to look into it.

Mayor Hindman understood a crosswalk would be installed at College and Wilson and wondered about its status.

Mayor Hindman noted there was a large dirt and rock pile near the apartments behind Miles Manor and asked staff to look into the situation.

Mayor Hindman asked staff to consider a tree canopy ordinance for the future. Mr. Wade thought they had requested a report in the past and asked about its status.

Mayor Hindman noted this was his last council meeting and stated that it had been a great pleasure to serve for fifteen years.

Mr. Wade stated this was his last meeting as the representative of the fourth ward and thanked the people of the fourth ward.

Ms. Nauser commented that the striping on Stadium and the striping near the football stadium with the jog in the road had faded. She asked staff to contact MoDOT so they could be repainted.

Ms. Nauser understood the increase in referrals to the Juvenile Office were due to law enforcement and asked staff to provide a report regarding where these instances were

occurring, if they were capable of providing that information. She wanted to know if the law enforcement referrals were coming from situations at the schools or within the community.

Ms. Hoppe understood there was a telephone pole in the middle of the sidewalk on Walnut, east of Short Street, which caused those in wheelchairs to go out into the street, and asked staff to review the situation and determine if there was a way to move the pole.

Ms. Hoppe commented that she and Mr. Skala attended a Smart Growth Conference in February, and all of the powerpoint presentations were now available on-line. She asked Ms. Amin to e-mail the information to everyone. She noted the audio tapes were available for a fee and suggested coordinating the orders through Ms. Amin if anyone was interested in obtaining them. She provided the Council a copy of the e-mail.

Mr. Thornhill made a motion directing staff to provide a report regarding the feasibility and cost of a right-in, right-out at Wilson's on Forum. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Skala noted there was a pothole on a cul-de-sac on South Ridge near the Blue Ridge that needed attention.

Mr. Skala stated he had spoken with a resident in a trailer park behind Home Depot off of Clark Lane and they had not been approached by mail or by the census takers because they only had one street address. He asked staff to look into the situation.

Mr. Skala suggested he and Ms. Hoppe be allowed to provide a report regarding the Smart Growth Conference to the Council at a future work session as there were some ideas and perspectives that might be useful.

The meeting adjourned at 11:12 p.m.

Respectfully submitted,

Sheela Amin
City Clerk