

**MINUTES  
CITY COUNCIL MEETING – COLUMBIA, MISSOURI  
MARCH 1, 2010**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, March 1, 2010, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members NAUSER, HOPPE, STURTZ, THORNHILL, SKALA and WADE were present. Council Member HINDMAN was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

The minutes of the special and regular meetings of February 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**

Mr. Wade made a motion to move B312-09 and B322-09 from old business to prior to the public hearings portion of the agenda, and to approve the agenda with this adjustment. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**SPECIAL ITEMS**

**FY 2009 Annual Financial Report – Edward W. Scavone.**

Edward Scavone stated he was the Chair of the Finance Advisory and Audit Committee and that the Committee met with Lori Fleming, the Finance Department Director, and the external auditor on February 23, 2010 to discuss the City's financial condition. None of the transactions noted were material or unusual as defined by the professional governmental auditing standards. The auditors proposed and staff agreed a prior period adjustment was necessary for proper revenue recognition of sales tax for the last month of the fiscal year. The Committee discussed the nature and significance of the proposed adjustment and was in agreement with the auditor and staff. The four audit product documents discussed were the Comprehensive Audit Financial Statement, the Single Audit Report, the Passenger Facility Audit and the Management Letter. With regard to the Single Audit Report, there was one instance of non-compliance related to weekly certified payroll documents from a contractor paid with Federal Highway Administration funds. Staff had taken corrective action. The Management Letter noted several findings, and those included the timeliness of removing temporary employees from the payroll system, a control issue involving the recording of receipts in Municipal Court, an error in the passenger facility charge quarterly report and a missing signature from a Community Development Block Grant loan document. The Committee felt all of the findings were minor and was impressed by the fact Ms. Fleming was knowledgeable with regard to all of the findings.

**SCHEDULED PUBLIC COMMENT**

None.

**B312-09 Voluntary annexation of property located on the south side of Richland Road, along both sides of Rolling Hills Road, extended. establishing permanent C-P, PUD-7, PUD-5 and PUD-4 zoning; authorizing a development agreement.**

The bill was given third reading by the Clerk.

Mr. Watkins provided a staff report and explained this item had been tabled in November to allow the Planning and Zoning Commission to engage the preparation of the East Columbia Area Plan. Additional discussions of the Plan were scheduled for April and May. He noted there was a request to table this item.

Robert Hollis, an attorney with offices at 1103 E. Broadway, stated he submitted a letter requesting this item be tabled and offered to answer any questions.

Mr. Wade made a motion to table B312-09 to the July 19, 2010 Council meeting. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

**B322-09 Voluntary annexation of property located on the south side of Richland Road, approximately 250 feet east of the St. Charles Road and Richland Road intersection; establishing permanent C-P zoning.**

The bill was given third reading by the Clerk.

Mr. Watkins provided a staff report and noted this item was similar to the previous one in that it was tabled in November to allow for the completion of the East Columbia Area Plan.

Tom Schneider, 11 N. Seventh Street, stated he was requesting that this item be tabled to the July 19, 2010 Council meeting so it would heard at the same time as B312-09.

Ms. Hoppe commented that she attended the last East Columbia Area Plan meeting and there was a lot of participation with 110 attendees. She felt it was appropriate to table this item.

Mr. Wade made a motion to table B322-09 to the July 19, 2010 Council meeting. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**PUBLIC HEARINGS**

**B42-10 Authorizing construction of a traffic calming speed hump on Rain Forest Parkway between Providence Road and Zebra Drive; transferring funds.**

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Mayor Pro tem Nausser opened the public hearing.

There being no comment, Mayor Pro tem Nausser closed the public hearing.

B42-10 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

**(A) Construction of Discovery Parkway from the U.S. 63 Interchange to New Haven Road.**

Item A was read by the Clerk.

Mr. Watkins provided a staff report and noted the City did not currently have funds for this project. The purpose of this hearing was to be able to have a project that could be let within 3-4 months should stimulus funds become available. There was no guarantee of

funding or that MoDOT would accept the project for funding since it was a local road. Mr. Glascock described the project.

Mr. Skala understood this project was contingent on stimulus money and asked if it would affect the timing of the Rolling Hills Road project. Mr. Glascock replied the projects were independent of each other.

Ms. Hoppe asked if New Haven Road from Highway 63 to Rolling Hills Road would be done prior to this project. Ms. Glascock replied it would depend on funding. If stimulus funds were received, Discovery Parkway would be first, but if stimulus funds were not received, Council would need to decide which would be funded first.

Mayor Pro tem Nausser opened the public hearing.

John Poehlmann, 3600 E. New Haven Road, stated he was with the University of Missouri College of Agriculture, Food and Natural Resources and was the Superintendent of South Farm, and noted he believed the extension of Gans Parkway would be beneficial to traffic, Discovery Ridge and their mission of teaching as the area was used a teaching laboratory.

Tim Crockett, an engineer with Crockett Engineering Consultants at 2608 N. Stadium, stated he was speaking on behalf of Old Hawthorne Plaza, LLC and noted they felt the improvement was much needed as it would assist with a lot of congestion on the east side of town.

There being no further comment, Mayor Pro tem Nausser closed the public hearing.

Mr. Wade commented that he hoped stimulus funding would be granted as it would allow the City to put in arterial infrastructure ahead of an area he believed would have a lot of economic activity.

Mr. Skala noted the impetus of the stimulus funds provided a great opportunity to plan and have a project ready when funding became available.

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

**(B) Replacement of a water main along Business Loop 70, between Jackson Street and Jefferson Street.**

Item B was read by the Clerk.

Mr. Watkins provided a staff report and noted this would be a joint project with sidewalks if they could hold a public hearing quickly. It would improve reliability of service and enhance fire protection in the area.

Mr. Sturtz asked how this would affect property owners on that side of the Business Loop. Mr. Schmitz replied the current main was a 6-inch cast iron main under the street and the new main would be in the right-of-way south of the street, so it would impact the property owners. Mr. Sturtz asked how many feet would be needed. Mr. Schmitz replied he thought a 10 foot easement was needed. He noted the sidewalk easement would be larger.

Mayor Pro tem Nausser opened the public hearing.

There being no comment, Mayor Pro tem Nausser closed the public hearing.

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

**R35-10 Considering an amendment to the FY 2008 Action Plan to expand the target area for the Neighborhood Stabilization Act Program.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and explained the neighborhood stabilization funding had been limited to Census Tract 9, where they found it difficult to find enough properties to acquire and rehabilitate as proposed. The State indicated they might be interested in receiving a request to add Census Tract 8. It was the lowest income area in the community and had the highest number of foreclosures. Mr. Teddy described the boundaries of the amended area.

Mayor Pro tem Nauser opened the public hearing.

John Clark, 403 N. Ninth Street, understood there were not enough projects in the original area for the money allocated, and asked if they knew if there were more foreclosed properties in the amended area and if the money could only be used for the limited purposes described in the report.

There being no further comment, Mayor Pro tem Nauser closed the public hearing.

Mr. Sturtz stated he had walked the amended area and thought there were more than enough houses that would be good candidates for the funding.

Mr. Thornhill asked if the money was strictly to be used to acquire foreclosed properties. Mr. Teddy replied the intent of the program was for the acquisition and redevelopment of properties that had been vacant for at least 90 days and were in foreclosure or abandoned. He explained they believed there were more foreclosures in Tract 8 than in Tract 9 and thought they could address 6-8 properties. He noted the program would allow low to moderate or middle income families to buy the properties. The program scope would remain as acquisition rehabilitation, acquisition redevelopment and acquisition land banking.

Mr. Sturtz asked how the properties would be placed on the market after the City acquired and redeveloped them. He wondered if they would go through a realtor. Mr. Teddy replied yes and explained money had been earmarked for holding and selling expenses.

Mr. Sturtz asked if funding was available for legal work to find the owners that had abandoned properties. Mr. Teddy replied he was not sure, but thought that might be an application of the regular CDBG funds. Mr. Skala suggested it be looked into as an application.

The vote on R35-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. Resolution declared adopted, reading as follows:

**OLD BUSINESS**

**PR34-10 Establishing a policy for reimbursing large electric customers for the cost of constructing public infrastructure improvements.**

The policy resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted this was a different approach with regard to how they handled electric rates for very large customers. He pointed out it was associated with the next agenda item as this policy only applied to transmission rate customers that would use 10 megawatts of power or more. Currently, there were no electric customers that would fit into this category, but if a data center wanted to locate in Columbia, the City did not have a rate for a user of that size. Staff was proposing, as an incentive, to take up to half of the payment in lieu of taxes of the power cost to reimburse the infrastructure necessary to support the company over a number of years. These would come to Council for approval as a development agreement.

Mr. Skala understood this only affected the City's rate. Mr. Watkins stated that was correct and explained this would apply to the City's electric territory. He noted this was unique as he was unaware of any other municipal utility with this kind of pass-through approach. Mr. Schmitz commented that one reason it was unique was because Columbia had a point of presence in the Midwest Independent System Operator as a balancing authority, which allowed them to buy on the grid at the market rate.

Paul Love, 100 Sondra, stated he thought this was a unique opportunity to bring a major player to town as he understood there were several large data centers interested in Columbia as a potential site.

John Clark, 403 N. Ninth Street, asked about the required utility infrastructure improvements to the whole system. He wondered if there were capital implications for the City as it was not clear. He commented that this appeared to be a piecemeal situation as he understood REDI was coming out with a plan regarding economic development. He wondered if this was part of a larger economic development plan and was concerned about not seeing the overall plan.

Ron Shy, 5600 S. Highway KK, commended the Council for considering this proposal and noted he had been part of a group that had been talking to entities that were large power users. Although this might not be a part of an overall plan, he felt it was needed if Columbia was to be competitive.

Greg Steinhoff, 5708 Sundance Drive, stated he was the former Director of Economic Development for the State of Missouri and that this experience allowed him to see numerous recruitment deals and incentives for core jobs. Data centers were high on the list because they did not involve many jobs and did not shock public services or the school system, but still attracted other companies that would provide non-incentivized jobs. He believed Columbia had a unique opportunity in making itself attractive relative to other communities for a core industry and encouraged the Council to pursue it.

Mr. Wade commented that he believed this was another step for Columbia in putting the infrastructure for success in place for a high-tech economy and was a reflection of the overall strategic plan. This would allow a high energy using company the predictability for one of its largest costs of operation and would eliminate the concern that the community might try to get more money from them through electric costs. He noted the incentive would come from money they would not have unless the company came to Columbia, and they were only taking a part of it toward an investment in the public infrastructure. If something

happened to the company, the public value in the infrastructure would still be greater. He thought this proposal was innovative and represented the culmination of progress made in the community in economic development.

Mr. Skala commented that the Ewing site was an attractive piece of property in terms of power, fiber, transportation and the fact it was a certified shovel-ready site, if they were able to provide the proper incentives. An approach to shared inter-governmental incentives by the City in terms of power use and the County perhaps in terms of Chapter 100 bonds could set the stage for the equivalent of a research park. He noted this was also the epitome of growth management planning due to the infrastructure already being there. He commented that he also believed serious consideration should be given to the protection of the Hinkson Creek Watershed and understood it would be high on the list.

Ms. Hoppe stated she believed this was a win-win situation in that the incentive was attractive and would provide the City something as well.

Mayor Pro tem Nauser noted the Council had been criticized in terms of economic development and pointed out there were three items related to economic development on tonight's agenda. She explained it had been an on-going process and a long-range goal for many on the Council. She planned to support it so Columbia would be more competitive in terms of the global economy.

The vote on PR34-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. Policy resolution declared adopted, reading as follows:

**B41-10 Amending Chapter 27 of the City Code as it relates to transmission service rates.**

The bill was given second reading by the Clerk.

B41-10 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

**B43-10 Appropriating funds to the non-motorized transportation project to offset expenditures for the design and construction of capital projects.**

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report and described the projects this \$2 million appropriation would be used toward. Mr. Glascock noted they had about \$1.2 million of the \$22 million grant left for unforeseen contingencies.

Mayor Pro tem Nauser asked when the entire project was anticipated to wind down. Mr. Glascock replied it should wind down in October, but could run into next spring.

Mayor Pro tem Nauser asked if data was being collected in terms of the modal shift. Mr. Glascock replied data was being collected.

Mr. Skala asked if the City was doing well in terms of putting as much on the ground as possible. Mr. Glascock replied they were doing well.

Mr. Sturtz asked if the other communities that received GetAbout funds were being tracked for a comparison of progress. Mr. Glascock replied the City was not tracking this, but

he understood the federal government had hired a company to track how each community was doing. He also thought the University of Minnesota was doing a study.

B43-10 was given third reading with the vote recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

**CONSENT AGENDA**

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

- B44-10**     Authorizing a memorandum of understanding with The Curators of the University of Missouri, on behalf of Osher Lifelong Learning Program, for the use of the Stephens Lake Activity Center.
- R36-10**     Setting a public hearing: construction of sanitary sewer improvements, more specifically described as the Hinkson Creek Bank Stabilization Project.
- R37-10**     Setting a public hearing: construction of sanitary sewer improvements, more specifically described as the Hinkson Creek Siphon Elimination Project.
- R38-10**     Setting a public hearing: construction of sanitary sewer improvements, more specifically described as the Gans Creek Pump Station and Force Main Project.
- R39-10**     Setting a public hearing: declaring the necessity for construction of improvements at Indian Hills Park.
- R40-10**     Setting a public hearing: consider the FY 2009 Consolidated Annual Performance Report.
- R41-10**     Authorizing an agreement with Southwest Baptist University to provide health clinic experience for nursing students.
- R42-10**     Authorizing Amendment No. 1 to the agreement for professional engineering services with Crawford, Bunte, Brammeier for the Scott Boulevard and I-70 Access Justification Report and NEPA documentation.
- R43-10**     Authorizing an agreement for professional engineering services with Geosyntec Consultants for the ambient monitoring and assessment project for the Columbia Regional Wastewater Treatment Facility.
- R44-10**     Authorizing an increase in the amount of funding for the Energy Conservation Loan Program.
- R45-10**     Requesting the Missouri Department of Transportation to lower the speed limit on US 63 within the city limits of Columbia from 70 miles per hour to 60 miles per hour.

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

**NEW BUSINESS**

**R46-10 Authorizing CenturyLink, Inc. to temporarily close a portion of an alley between Broadway and Walnut Street immediately east of Ninth Street to allow for the extension of cable service.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted the alley would be closed March 9-11.

Ms. Hoppe stated she felt this was reasonable due to the short period of time it would be closed.

The vote on R46-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN.

Resolution declared adopted, reading as follows:

**R47-10 Authorizing 10<sup>th</sup> and Locust, LLC to temporarily close sidewalks along the east side of a portion of Tenth Street and along the north side of a portion of Locust Street to allow for the construction of an apartment building at 120 South Tenth Street.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted this would allow the closure of the sidewalk from March 2 through August 23. Staff was recommending approval because they felt it was the safest way to get the work done.

Mr. Skala understood the alternative was to phase in the project, so this seemed to be a reasonable approach.

Ms. Hoppe commented that this appeared to be appropriate given the scope of the project and the adjacent property owners.

The vote on R47-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN.

Resolution declared adopted, reading as follows:

**R48-10 Authorizing 10<sup>th</sup> and Locust, LLC to temporarily close a portion of Locust Street between Hitt Street and Tenth Street to allow for the installation of a sewer main tap as part of the construction of an apartment building at 120 South Tenth Street.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted the street would be closed March 15 and March 16 from 7:00 p.m. to 6:00 a.m. in order to avoid the heaviest traffic hours assuming the weather was appropriate.

The vote on R48-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN.

Resolution declared adopted, reading as follows:

**R49-10 Setting a goal for applying for a Missouri Quality Award and the Malcolm Baldrige National Quality Award.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report and noted the first step toward this goal had been taken. Six staff members applied for and were accepted to be examiners. This would allow staff to begin to see how this award and process worked in other organizations.

John Clark, 403 N. Ninth Street, commented that he did not believe Columbia was qualified to win the awards, but thought the undertaking would result in a massive organizational change, which was positive. He stated this was bigger and much more involved than the visioning process and was glad the City was looking at pursuing it.

Mr. Wade explained he had requested they pursue this in an effort to build the best municipal government possible. He commented that it was not about the award. It was about the process of how they created an organization of global quality in productivity, customer service and efficiency in operation. The process would take years and did not exclude the Council.

Mr. Skala believed this had tremendous potential and was supportive. He noted he was attending the National League of Cities Congressional Conference and the Mayor of Coral Springs, which was the community that had won this award, would be in attendance, and he had planned to discuss this with him.

Mr. Wade noted Midway Arms, a local company, had won the Malcolm Baldrige National Quality Award, and Larry Potterfield of Midway Arms would provide leadership in bringing the Missouri Quality Award process to a broad range of Columbia organizations, so many organizations would be working together to make it a community dynamic as well.

Ms. Hoppe commented that although this would involve a large time commitment, the City would reap rewards each year as they implemented the ideas.

Mayor Pro tem Nausser stated she believed this would improve upon the good system they currently had.

The vote on R49-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. Resolution declared adopted, reading as follows:

**R50-10 Authorizing the Mayor to determine the seating arrangement at the dais in the City Council Chambers.**

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Ken Green, 206 Anderson, stated he was concerned that citizens with problems not resolved through the City Manager's Office might be intimidated in coming to a Council meeting to relay their concerns to the Council with the City Manager being seated at the dais. The City Manager's central position at the legislative table begged the question as to whether the Council was a step up in the chain of command or not. Symbolically and functionally this seating arrangement put the City Manager on the same level as the Council, although the City Manager worked for the Council, which in turn worked for the residents of Columbia. He believed that putting the executive and legislative branches together might seem like cooperative politics, but a presiding executive with potent personal and legal authority could drive discussion and overwhelm dissent, especially among part-time volunteer legislators. He suggested a separate seating arrangement below the dais where the City Manager could work with his staff and administrative team in providing information on day to day operations. This would also clarify to the public the distinction between the Council and administration.

Mr. Skala commented that the Council had differences of opinions and this compromise would allow the Mayor to make the decision. He noted he had asked for a resolution to properly codify this procedure for the public.

Mr. Sturtz understood there were functional and symbolic aspects to the seating arrangement and asked how useful it was for the Mayor to be seated next to the City Manager. Mr. Watkins explained he did not care where he sat as there were more important issues. He thought it was useful, particularly to a new Mayor, for a staff member to be close to assist with procedural items or questions. Mayor Pro tem Nausser commented that in her limited role as Mayor Pro tem, she found the City Manager helpful. Something that would need to be addressed if there was a change involved the tracking of the speaker times.

Mr. Skala suggested a lighting system to track speaker times.

Ms. Hoppe commented that this would allow the Mayor to decide future arrangements in terms of seating based on seniority or to shuffle the seating so there was a rotation.

The vote on R50-10 was recorded as follows: VOTING YES: NAUSER, HOPPE, STURTZ, THORNHILL, SKALA, WADE. VOTING NO: NO ONE. ABSENT: HINDMAN. 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.

- B45-10**      **Authorizing construction of the Westwood Addition PCCE #9 Sewer Improvement Project along Rollins Road and South West Boulevard.**
- B46-10**      **Authorizing construction of a sidewalk along the north side of West Worley Street from Clinkscales Road to the west property line of the Sanford-Kimpton Health Facility.**
- B47-10**      **Authorizing the acquisition of easements for construction of a sidewalk along the north side of West Worley Street from Clinkscales Road to the west property line of the Sanford-Kimpton Health Facility.**
- B48-10**      **Amending Chapter 14 of the City Code as it relates to long-term lease of off-street parking spaces.**
- B49-10**      **Authorizing an amendment to contracts with E L M Building Partnership LLP for the sale of real estate.**
- B50-10**      **Authorizing long-term parking lease agreements with the Trustees of the Missouri United Methodist Church and 10<sup>th</sup> and Locust, LLC.**
- B51-10**      **Amending the FY 2010 Annual Budget to add positions in the Public Works Department and Water and Light Department; amending the Classification and Pay Plans; reclassifying a position in the Public Works Department; appropriating funds.**
- B52-10**      **Accepting conveyances for drainage, temporary construction and sewer purposes.**
- B53-10**      **Amending Chapter 27 of the City Code as it relates to energy efficiency and solar rebate programs.**
- B54-10**      **Authorizing the acquisition of land on Peach Court relating to construction of a 161 Kv transmission substation and roadway.**

**B55-10**      **Accepting a conveyance for utility purposes.**

**B56-10**      **Authorizing the construction of improvements at Indian Hills Park; calling for bids through the Purchasing Division.**

**B57-10**      **Selecting an artist for the Fifth and Walnut Parking Garage Percent for Art Project; authorizing a Percent for Art agreement with Stuart Keeler.**

## REPORTS AND PETITIONS

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

Mayor Pro tem Nauser noted this report was provided for informational purposes.

### **(B)**      **Downtown Leadership Council.**

Mr. Watkins noted this was a request by the President of the THELA Neighborhood Association as they wanted to be represented as a member of the Downtown Columbia Leadership Council.

Ms. Hoppe made a motion to add a representative of the THELA Neighborhood Association to the Downtown Columbia Leadership Council. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

### **(C)**      **Street Use Request.**

Mayor Pro tem Nauser made a motion to approve the proposed street use as requested. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

### **(D)**      **Commission on Cultural Affairs.**

Mr. Watkins noted the Commission on Cultural Affairs was asking for some flexibility in terms of membership.

Ms. Hoppe commented that she felt it was advisable for there not to be limitations of only three people from any ward if there good, qualified candidates, but she also believed representation from the different wards was needed when possible. She suggested removing the ward limitation language, but adding a statement indicating it was desirable to include qualified members for each of the wards whenever possible.

Mr. Sturtz understood that would be in the ordinance, but they would not be reminded of that language at the meeting when making appointments.

Mr. Wade stated he supported the revision of the ordinance with regard to the education membership requirement, but was uncomfortable eliminating the ward requirement as he believed this Commission should have geographic diversity. He felt they would risk appointments being made on formal qualifications leaving out people from certain wards. Ms. Amin pointed out the current language did not require a member from each ward. It only limited the number of people from each ward.

Mr. Skala thought some of them already reviewed the ward distribution during the selection process with other factors and felt the codification of that requirement might be difficult.

Mr. Sturtz commented that when he reviewed the applications, he tried to find the best person. He did not necessarily look to ensure each ward was represented.

Ms. Hoppe explained that when there was a focus on getting a representative from each ward, it prompted her to think of good candidates to recruit from her ward. It made them more proactive in finding qualified people to serve.

Mr. Wade thought this should be further discussed in the context of the ordinance drafted.

Mr. Wade made a motion directing staff to provide a draft ordinance for Council review as recommended by the Commission on Cultural Affairs. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

**(E) Voucher Bag Delivery Method Update.**

Mr. Watkins explained the savings seen over the last year by going to the voucher system for bags was large, but staff thought most of it was a one time savings.

Mayor Pro tem Nauser asked if there had been a change in recycling habits. Mr. Glascock replied he did not think there had been a change, and noted they were trying to make change with a pilot project involving bins.

Ms. Hoppe understood there had not been a decrease in recycling with the voucher program. Mr. Glascock replied he had not seen a change.

Mr. Watkins noted the recycling program had been heavily subsidized by residential refuse rates and the subsidy was now decreasing.

Mr. Skala recalled the change to the voucher program also assisted in terms of workers compensation and the number of injuries caused by throwing the bags out of the back of a truck. Mr. Glascock noted it also reduced property damage.

Ms. Hoppe understood the new bins had holes in it and did not have a top, and asked if bugs and flies would be attracted to the bins in the summer. Mr. Glascock replied bugs would be attracted to the bins as they were attracted to the refuse trucks and noted the bins would be as clean as the owner kept them.

Ms. Hoppe asked if there were options for bins without holes and with covers. Mr. Glascock replied those options were not available for a bin this size.

**(F) 2 Mile Prairie Facility Plan.**

Mr. Watkins provided a staff report and noted this was a sewer plan for the south quarter of Boone County. The City did not provide funding, but was a stakeholder in the Plan. He pointed out the Plan had a typographical error which made it seem the airport wastewater facility was close to capacity. He noted it was not close to capacity as the number had an extra "1" in it.

Mayor Pro tem Nauser made a motion to accept the report. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**(G) Declaration of Self-imposed restrictions – College Park South.**

Mr. Watkins and Mr. Teddy provided a staff report. Mr. Teddy stated he thought the density restriction was put in place due to concerns about accessibility. The R-3 zoning was

established in March 1989, and in September 1989, College Park South Plat 1 was approved by Council. Two years later, there was extensive discussion with regard to Plat 3, and it was agreed a note would be placed on the Plat referring to the restrictive covenant. The only way to change the density restriction would be by special ordinance.

Mr. Skala asked if staff still had concerns with accessibility. Mr. Teddy replied the conditions would need to be reviewed as there had been changes in the area since 1991. He thought the issue should be reconsidered, but noted he would not be in favor of waiving the covenant as it might be too permissive.

Ms. Hoppe commented that before they made a decision, she would like a copy of the Council meeting minutes to determine the issues. She noted Campusview Drive was the only way out of a large subdivision and this traffic would feed onto Campusview Drive, so improvements further north would not address the increased traffic. She thought they needed to look at a few things before an ordinance was brought forward and pointed out she would like to meet with the developers and obtain input from staff regarding traffic.

Mr. Watkins asked if this would have to go through the Planning and Zoning Commission. Mr. Teddy replied no.

Mr. Thornhill asked if the ownership of the property had changed. Mr. Teddy replied ownership had changed several times. Mr. Thornhill understood the current owners were subject to an agreement made by someone else. Mr. Teddy stated that was correct.

Ms. Hoppe understood the restriction was placed as an alternative to downzoning or rezoning, so she wanted to know the history.

Mr. Wade noted there was also a request for a specific level of density and wanted a staff evaluation of the appropriateness of that density due to traffic issues.

Ms. Hoppe suggested the Seven Oaks Subdivision be provided notice since they would be affected.

Mr. Watkins understood the Council wanted a report with the re-analysis of the issue, the history of the site and traffic information prior to drafting legislation.

Tim Reed, an engineer with Engineering Survey and Services, stated he was representing Boulder Springs Columbia and noted this restriction had been encountered through the course of the title work. It restricted College Park South Plat 4 to 108 total units and the owners wanted an additional 70 units.

Mr. Thornhill asked if the developers had considered the traffic implications of the additional units. Mr. Reed replied they felt the infrastructure was adequate.

Mr. Skala asked if the owners were under any time pressures. Mr. Reed replied the timing was up to the Council.

Mr. Wade made a motion directing staff to provide a report with additional information regarding this issue. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**(H) Sustainable Communities Planning Grant Program.**

Mr. Watkins and Mr. Teddy provided a staff report. Mr. Watkins noted he had discussed this with the County Commission and the Columbia Public School Superintendent

and both stated support for an application. Mr. Teddy stated he thought this was a good opportunity for Columbia.

Ms. Hoppe made a motion directing staff to proceed with an application. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**(I) Temporary Abeyance of Development Permits and Approvals.**

Mr. Watkins provided a staff report and noted the County storm water ordinance had an abeyance process for development permits that would be effective if the City enacted a similar ordinance.

Mr. Thornhill made a motion to refer this issue to the Environment and Energy Commission and the Planning and Zoning Commission for review and comment. The motion was seconded by Mr. Skala and approved unanimously by voice vote.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

**PUBLIC TRANSPORTATION ADVISORY COMMISSION**

Croft, David, 4520 Todd Street, County, Term to expire February 28, 2011.

Fowler, Patricia, 606 N. Sixth Street, Ward 1, Term to expire February 28, 2012.

Lee, Megan, 1402 Lowe Street, Ward 1, Term to expire February 28, 2011.

Turner, Alyce, 1204 Fieldcrest, Ward 4, Term to expire February 28, 2011.

Van Vranker, Erika, 1102 Jean Rae Drive, Ward 1, Term to expire February 28, 2012.

Welliver, Christy, 184 W. Green Meadows Road, Ward 5, Term to expire February 28, 2012.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

John Clark, 403 N. Ninth Street, commented that there was an article in the Tribune regarding the Council looking for alternative sources for input on policy and thought that was embarrassing. He wondered how far the Council would bend and how much time, money and effort would be wasted to avoid defining and changing the policy role of staff with respect to the Council. He suggested they empower the boards and commissions with money instead of looking for interns and change the role of staff to they help the Council make policy. He did not believe staff was the City Manager's policy advisors and did not believe it was the City Manager's role to develop and bring forward policy. He suggested they adopt a resolution defining the role of staff with respect to Council in terms of policy formation.

Mr. Skala asked for a staff report on timer lights with regard to the public addressing the Council. Mr. Watkins noted there was a technical problem and it was being worked on.

Mr. Skala stated he was asked by a constituent to provide the current work schedule for Mexico Gravel Road as there had been some whether delays and asked for a report from staff.

Mr. Skala asked for a report regarding the status of a crosswalk on Keene Street at Boone Landing. He wondered if there had been reconsideration or re-engineering to come up with a better solution than what had been previously proposed.

Mr. Skala commented that there was a citizen movement in terms of Google fiber and he wanted to make the public aware of it in order to further the effort as the possibilities were phenomenal.

Ms. Hoppe understood the Environment and Energy Commission was a catalyst for a report on traffic light synchronization in May and that the Federal Highway Administration (FHA) had and MoDOT had met to review the potential of synchronization. She also understood the FHA provided a report to the City, and asked that the Council be provided a copy for staff to provide the status of this synchronization.

Ms. Hoppe commented that a constituent had indicated there were a series of yellow turn lights that would be implemented on Stadium, which she was not aware of, and asked for a staff report regarding what this project entailed and whether a left turn from Stadium onto Audubon was a part of this process.

Mayor Pro tem Nauser asked staff to contact MoDOT, if it was the appropriate agency, regarding the potential for count down timers at the intersection of Stadium and Worley as they assisted drivers as well as pedestrians. She thought it might help deter people from blocking the intersection and help with the speeding problem.

Mayor Pro tem Nauser commented that she planned to bring forward a resolution to discuss the Promise Alliance, which incorporated the five promises to assist children, youth and families to lead productive and successful lives. The resolution would ask the City to promote it and review how its ordinances affected youth and families.

Mayor Pro tem Nauser noted she was contacted by Monta Welch regarding Earth Hour and understood they had supported it in the past.

Mr. Skala noted he understood the Mayor would provide a proclamation and the City would participate to the extent they had last year.

Mayor Pro tem Nauser made a motion directing staff proceed with participating in Earth Hour in the same manner as years passed. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk