

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
MAY 17, 2010

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 17, 2010, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ and THORNHILL 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 May 3, 2010 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Ms. Hoppe.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor McDavid suggested B99-10 be moved from the consent agenda to old business, a presentation by representatives of REDI be added to special items, and B122-10, which involved IBM, be added to introduction and first reading.

Mr. Thornhill made a motion to amend the agenda by moving B99-10 from the consent agenda to old business, adding a presentation by representatives of REDI to special items, and adding B122-10 to introduction and first reading. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

The agenda, as amended, was approved unanimously by voice vote on a motion by Mr. Sturtz and a second by Mr. Dudley.

SPECIAL ITEMS

REDI Presentation.

Dave Griggs, 6420 Hwy VV, stated he was Chair of Regional Economic Development, Inc. (REDI) and noted Columbia had been selected as the site for a new IBM facility that would employ 800 people. He summarized the process of REDI's involvement and explained it had been referred to as Project Tiger. The team involved with Project Tiger consisted of REDI, the Missouri Department of Economic Development, the Missouri Partnership, and others. He thanked the members of the current and former City Council, the Boone County Commission, State elected officials, the REDI Board, members of the business community, the Columbia Area Jobs Foundation and the banking partners for making this happen. He believed this achievement would make other opportunities and cause other companies considering Columbia, Missouri to take notice. He also recognized the media partners who had committed \$100,000 in advertising to help IBM attract candidates for employment. He listed other organizations and names, to include Governor Jay Nixon, which had played a critical role in this achievement.

Mike Brooks, 403 Stallworth Court, stated he was the President of REDI and emphasized the fact this was a team effort. He thanked Mr. Griggs for his work and

leadership on this project and noted this had been an on-going and in-depth effort since January. He stated confidentiality was a demand and expectation of the company, and if Columbia wanted the opportunity to be successful in the future, they would need to be able to maintain confidentiality. He noted this project was significant and that Columbia would be in newspaper and magazine articles throughout the Country, which was invaluable in term of visibility. This was the seventh largest project announced in the Country this year. He listed some of the economic impacts of this project, which he believed could be significant for the City, County and School District.

SCHEDULED PUBLIC COMMENT

Spencer Pearson: Columbia Police Department Issues.

Spencer Pearson stated he represented citizens that were concerned with the actions of the Columbia Police Department's SWAT Team, while serving a narcotics search warrant at the home of Jonathan Whitworth last February, and asked for those in the attendance with similar concerns to stand. Approximately 120 people stood. He did not understand why a group of heavily armed and armored men could not humanely subdue two housebroken dogs when animal control officers routinely handled aggressive and vicious animals in safer and more humane ways. He commented that he was speaking on behalf of drug law reform activists who wanted an end to a misguided war on a plant that had not killed a single human being in recorded history. He understood the neighbors had been told the incident had been a training exercise and that no shots had been fired and that defense attorneys were questioning the reliability of information from people who would say anything to get a reduced sentence or cash reward. He wondered why so many precious City resources were being wasted to serve a simple narcotics search warrant that ended in a \$300 misdemeanor fine. He also thought it was hypocritical to charge Mr. Whitworth with child endangerment when the only danger came from the guns being fired by police in his house and the emotional trauma of having his pets shot. He hoped the Council would set a national example of excellent policing policies. Citizens wanted to be able to trust the police to protect and serve them and wanted assurances that incidents such as this would not happen again. He noted they would continue to come before the City Council until something was done.

Holly Henry: Columbia Police Department Issues.

Holly Henry, 410 Hirth, provided a handout and noted she was requesting an investigation independent of the Columbia Police Department and Internal Affairs to be completed. She also wanted full disclosure of any evidence and the results of the investigation that could legally be released. She believed this was necessary to restore the public trust and confidence in the Columbia Police Department. She also asked for accountability for the mistakes made to include those involved in the investigation and the decision makers that approved the violent response of the SWAT. She believed a policy change was needed to limit the deployment of SWAT or any other violent response to a routine search warrant. The community wanted to believe in the police to be there to protect and serve, and wanted to limit the use of violent tactics, require video recording for future SWAT deployments and require monthly reports of SWAT deployments and incidents of

violence used to serve warrants. She believed Council action was needed as the world was watching.

PUBLIC HEARINGS

None.

OLD BUSINESS

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

The bill was read by the Clerk.

Mr. Watkins and Mr. Teddy provided a staff report. Mr. Watkins noted the amendment sheet corrected the legal description. Mr. Teddy stated there were two residences on the property that would become legally non-conforming if zoned M-1. This meant they could not be expanded or structurally altered, but could be maintained as residences indefinitely in terms of making necessary repairs and its upkeep. The Bowling-Napier Estate was eligible for the National Register of Historic Places, but was not on the Register and was not designated as any local landmark.

Mr. Sturtz understood the Downtown Columbia Leadership Council (DCLC) felt this rezoning was premature and asked if anything had changed since their October letter. Mr. Teddy replied the City was moving forward with the charrette process and its scope involved the intersection areas around Broadway and Providence and College and Broadway.

Mr. Sturtz wondered why rezoning was being requested at this time. Mr. Teddy thought the applicant should speak to that question.

Ms. Nauser made a motion to amend B270-09 per the amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Jay Gebhardt, a civil engineer with A Civil Group, stated he had been hired by the owners of the property to help with this rezoning and noted the process had begun in May of 2009. He explained the existing two homes were a non-conforming use as they sat today because two homes on one R-1 lot was no longer allowed. He pointed out the homes were owner occupied, and the owners had a strong interest in how this property was perceived and preserved. He noted the surrounding properties were mostly M-1 and R-1 was not appropriate for this site. The reason they did not request a planned district was because staff did not feel it was necessary due to the accessibility to surrounding major streets and because M-1 was prevalent in the area. The only difference between M-1 and M-P was that a planned district might limit the uses of the property. He understood the Historic Preservation Commission (HPC) created an extensive report on the history of the site, but pointed out the issue at hand was a land use and the owners did not plan to change the nature of the property at this time. He did not believe anyone valued the history of the property as much as the family as they had preserved the property in this state for over 100 years. He noted approval of this rezoning did not prevent what the HPC wanted. It only changed the zoning, which would create value and help the family in preserving the property.

Mr. Sturtz asked why the rezoning was needed at this time. He wondered why they could not wait another year or two so planning could be put in place. Mr. Gebhardt replied

they were only trying to clean up the rezoning for consistency purposes. Mr. Sturtz asked if the City was pressuring them to change the zoning due to two homes being located on one R-1 lot. Mr. Gebhardt replied no. He explained the property this family had sold in the past had been to the City for a power plant and MoDOT for I-70 and the widening of the Business Loop. The property owners feared MoDOT would take more property at a R-1 value. The M-1 zoning would allow them to be fairly compensated. Mr. Sturtz asked for an estimated difference in value for an acre. Mr. Gebhardt replied he could not provide an estimate as he was not an appraiser or a real estate expert.

Brian Treece, 2301 Bluff Pointe, stated he was Chair of the Historic Preservation Commission (HPC) and encouraged the Council to consider alternatives to rezoning. He did not believe the proposed rezoning was just a controversial land use decision because it involved a complicated parcel of property that was as old as the City of Columbia. He provided some history and noted the property included the home of one of Columbia's most important founding families as the confluence of the Bowling and Rollins family represented an important nexus in Columbia's history. The residential element of the property was a small portion of its historic value. He noted the land had virtually been unchanged for the last 150 years and was an archeological treasure for the City. An alternative to rezoning was a conservation easement. It would allow the landowner to enter into a voluntary agreement with a land conservation trust that yielded favorable tax consequences for the owners and might generate the income they wanted. He pointed out this was one of the best examples in Columbia for a national register property. This property was also an important access point for the commercial and recreational use of the COLT railroad line in terms of possible passenger rail service between Columbia and Centralia and a trail. He noted the area would not always have a power plant. The power plant could be a science museum or lofts and had great potential to be a commercial and entertainment district. He believed it was important to preserve the R-1 zoning as a buffer zone for any future I-70 exit and gateway into the downtown, and noted M-1 was not the only zoning surrounding the property as there was commercial and residential in the area as well.

Ms. Hoppe understood the HPC had proposed a task force to be formed to review the potential for this site. Mr. Treece suggested there be a mechanism in place to allow the Planning and Zoning Commission to refer matters to the HPC as they might have reached a different conclusion after reviewing their report. He thought a group could be put together with representatives of the trusts, the Boone County Commission as a contingent beneficiary, and other organizations.

Ms. Hoppe understood other uses could be more beneficial to the City than M-1 and those needed to be considered. Mr. Treece commented that if the City ever wanted to clean up the Business Loop, they should not convert sites to unchecked, blanket uses. In addition, he thought the Council should know the potential for the site prior rezoning it.

Mr. Sturtz thanked Mr. Treece for the report and agreed more thoughtful planning was needed.

Mr. Thornhill asked if the owners had been made aware of any of the alternatives to the M-1 zoning that would help them maintain value through tax benefits. Mr. Treece replied

he had conveyed that option, but thought the owners probably needed someone with more knowledge to explain it.

Ms. Nauser asked if zoning the property to M-1 would prohibit the property owners from having the homes added to the National Register of Historic Places. Mr. Treece replied it would not prohibit it, but commented that he believed it would create an incentive to destroy the homes. He noted he was not satisfied with the reasons for rezoning. The application indicated it was to prepare the property for potential sale. Juliet Bowling Rollins had not granted the authority to sell the property. He also understood it was for the purposes of eminent domain and stated he was not sure why the Council would want to rezone property for purely financial speculation knowing another taxpaying entity would have to acquire it in the future for a public benefit.

Randy Gray, 301 Edgewood, stated he was Chair of the Downtown Columbia Leadership Council (DCLC) and noted at its October meeting, the DCLC approved a motion asking the City to oppose this proposed rezoning until a study could be completed with regard to a gateway to the downtown. H3 Studio had been hired to conduct downtown planning charettes and would also be looking at a potential new downtown entry from I-70 and possible uses of the COLT rail line, to include an adjacent pedestrian trail, freight and people mover. He asked that this property not be rezoned until the H3 Studio was done with its review of this area as the proposed rezoning of this property could impact Columbia's ability to preserve existing green space for new the downtown Columbia exit that would connect I-70 with College Avenue and other historic locations.

Mr. Kespohl asked how this rezoning would affect the gateway. Mr. Gray replied he believed there would more likely be a change in use over a period of time if the property was rezoned. Mr. Kespohl understood if MoDOT wanted it for a gateway, the zoning would not matter. Mr. Gray explained they were asking for the opportunity for outside review that would occur in a month.

Ms. Hoppe asked for clarification on what he meant by gateway as she understood it was not just access by MoDOT. Mr. Gray replied the primary focus of the DCLC was the immediate downtown, but it was also important to look at how people entered the community. At this time, he did not believe they had a perfect entry point into Columbia or the downtown.

Bryan Vanderhoof, 402 Rock Hill Road, stated he believed the property owners had the right to do whatever they wanted with their property, and if they wanted it to be rezoned M-1, it should be done.

Sharon Lynch stated she was representing the 50 percent owner of the Juliet Rollins Bowling property and the two heirs of Juliet Bowling that resided on the property. She explained they were trying to protect the property they had grown up on and noted this was not spot zoning. This was a blatant abuse of surrounding property owners on what historically had been a residential neighborhood. She believed this was a reasonable method of protecting the historic homeplace of the two heirs that had legitimately inherited this property and asked the Council to support the rezoning request.

Mr. Sturtz asked if alternative methods for maintaining the historical and cultural integrity of the homes had been examined. Ms. Lynch replied there was no intent to do anything with the homes other than to live in them. Mr. Sturtz asked if research had been

done to find other methods of preserving the homes. Ms. Lynch replied a couple alternatives had been reviewed. She stated conservation easements required certain circumstances that were based on income and the tax deductibility of the donation, and to make it a possibility, they needed the M-1 zoning to place value on the property for tax consideration. Ms. Hoppe commented that the land did not have to be rezoned to get the difference between the present zoning and the potential zoning for a conservation easement.

Ms. Hoppe noted a comment had been made indicating the only way to preserve the property was with M-1 zoning and asked if that was because eminent domain would be less likely since it would be more expensive. Ms. Lynch replied it would make the real estate more valuable and discourage its purchase. If MoDOT pursued the proposed plan, it would affect the kitchen of one of the homes. They were trying to protect the property for the heirs, who were also 50 percent owners, and zone the property in accordance with the surrounding area.

Paul Love, 100 Sondra, commented that he traditionally supported people being able to use their property as they wished and understood rezoning this property would increase its value allowing them to receive more money for widening the highway or a new entrance if that was needed. He encouraged Council to expedite the reassessment of the property if rezoning was approved so it was taxed appropriately. He noted many properties were assessed significantly less than market value.

Ms. Nauser asked for the boundaries of the DCLC study. Mr. Teddy replied the charrette would focus on the areas around Broadway and Providence and College and Providence, but noted it also included language indicating it would look at a downtown gateway. Ms. Nauser understood it was a concept at this time. Mr. Teddy replied that was correct. The City's current Roadway Plan did not show a direct link. Bowling terminated at the Business Loop in the Roadway Plan. He understood the DCLC had discussed extending something from Bowling, south of Business Loop and parallel to the COLT, to Wilkes Boulevard.

Ms. Nauser asked for a list of some of the M-1 zoning uses. Mr. Teddy replied M-1 was the most intense district in terms of industrial use and did not confine development to indoor operations. He listed some of the uses and noted M-1 did not strictly control site conditions.

Mr. Sturtz agreed with the DCLC and HPC in that this was premature. He did not believe there would be any harm in not rezoning the property at this time, especially due to some of the less desirable uses allowed in M-1 zoning. He commented that it was not a right to receive the highest use possible and believed there should be a process in terms of the use as neighbors would not want a junkyard of adult book store. He urged the Council to deny this request.

Mayor McDavid stated he was generally sensitive to an owner's right to use his property as he saw fit, but since the applicant indicated there was no intent to change the property, he was not sure of the need to rezone the property. If the applicant wanted to change the use of the property, he would be receptive. With regard to MoDOT, he understood they would likely not go through this property at this time due to its financial constraints.

Ms. Hoppe agreed this M-1 rezoning was premature in terms of the overall land use since there was not an immediate plan for a change in use. She understood other opportunities and uses might be available in the future and did not believe M-1 was the best option for the City. She understood they had time to plan before any immediate need or threat from MoDOT.

Mr. Dudley understood the property owners just wanted their property to be at the highest value possible as they did not know what might happen in the future. He wondered at what point Council could overstep its bounds in terms of what the owners could do with their own property.

Mr. Kesphohl agreed with Mr. Dudley in that the applicants were trying to maximize the value of their property. He believed this rezoning was appropriate and planned to support it.

Ms. Nauser agreed no one knew what the future would hold, and in looking at this site and the surrounding property, this zoning was appropriate. She felt requiring the property to be planned was inconsistent with the zoning already there, and believed the community might need some of the uses within M-1. She stated she believed everyone had the right to maximize the value of their property. In addition, it was consistent with the current zoning in the area. She planned to support it and noted it did not preclude them from placing the homes on the National Register, which she believed would limit the ability of MoDOT from taking the property through eminent domain.

B270-09, as amended, was read with the vote recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER. VOTING NO: HOPPE, MCDAVID, STURTZ, THORNHILL. The bill was declared defeated.

B22-10 Amending Chapter 22 of the City Code as it relates to sewer rates and charges.

The bill was given third reading by the Clerk.

Mr. Watkins provided a staff report and suggested this ordinance be defeated. He recommended they hire the rate consultant from three years ago and ask them to review the rates along with the ordinance to determine if its general structure was in compliance with other communities and to identify the language needing to be clarified in terms who was a customer, who would qualify for the winter quarter average, etc. He also recommended the Council appoint a small group of stakeholders to work with the consultant and provide input.

Ms. Hoppe asked about the composition of the task force. Mr. Watkins replied he hoped it would be representative of the community and users, and that it would consist of about seven people. Ms. Hoppe thought the participants would need to be a broad base of users.

Mr. Sturtz asked for the estimated cost of this study. Mr. Watkins replied it would be about \$17,000.

Mayor McDavid asked that the study also benchmark Columbia against similar towns.

Paul Love, 100 Sondra, commented that he had called other cities that housed University of Missouri facilities and those cities did not offer special rates. He understood there had been discussion as to whether the University qualified as a large user with eleven miles of sewer pipe to maintain and did not believe they should be treated differently as most

people who owned property maintained the sewer line on their property. He understood they were paying more than a usage fee, but did not believe they were paying the additional value based on the amount of water pumped. If they were going to table this issue for a year or two, he asked Council to enforce the existing regulations with regard to water usage and that the water pumped be metered so they were billed accordingly. He also volunteered to be a participant on the stakeholders group that would be established in the future.

Ms. Hoppe understood the goal was to have this study done within the next few months. Mr. Watkins replied they wanted to have the report by late summer so it could be considered during the budget process.

Mr. Thornhill asked if the other University of Missouri campuses operated their own lines. Mr. Glascock replied he did not know.

Mr. Watkins explained the current sewer rates were based on the flow and the base fee. The University paid the same rate per gallon as everyone else, but was considered a single customer and charged one base fee. The University was willing to pay an additional \$100,000 per year because it agreed that was not enough. He believed that if the existing ordinance was followed, the University would pay only \$6.95 for the base fee.

B22-10 was read with the vote recorded as follows: VOTING YES: NO ONE.
VOTING NO: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL.
The bill was declared defeated.

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

The bill was given third reading by the Clerk.

Mr. Watkins and Mr. St. Romaine provided a staff report. Mr. Watkins noted the Downtown Columbia Leadership Council did not have a quorum at its last meeting, so it was unable to make an official recommendation. He understood the DCLC wanted more time for a more comprehensive review of its operations and membership.

Randy Gray, 301 Edgewood, stated he was Chair of the DCLC and asked the Council to allow them the time to adequately prepare multiple revisions to the ordinance that would address all of the responsibilities with regard to membership and duties. He noted that in the past thirteen months, they were only able to get a quorum at eight meetings.

Mr. Sturtz asked if the main factor for not being able to get a quorum was due to the fact there were sixteen members. Mr. Gray replied that was one of the challenges and they were hoping to revise the membership to about thirteen. He noted the composition also needed to be addressed as some of the designated people might be better able to serve as ex-officio members.

B65-10 was read with the vote recorded as follows: VOTING YES: NO ONE.
VOTING NO: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL.
The bill was declared defeated.

B96-10 Amending Chapter 14 of the City Code to establish the speed limit on a portion of Peabody Road and to reduce the speed limit on portions of Green Meadows Road and Southampton Drive.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

B96-10 was given third reading with the vote recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B99-10 Authorizing a lease agreement with Columbia – Knipp Properties, LLC for office space located at 105 East Ash Street for the Water and Light Department.

The bill was given second reading by the Clerk.

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

Ms. Hoppe understood there was a savings for not having to move everything as well. Mr. Schmitz stated that was correct.

Mr. Kespoehl understood there was also a condition for a month to month lease at the end of the term. Mr. Schmitz replied that was correct. It was a nine month lease and would be month to month after the end of that term.

Mayor McDavid noted he had asked for this to be removed from the consent agenda because there had been an article questioning whether this was a prudent lease, and he believed it was and wanted staff to have the opportunity to explain the terms of the lease to the public. He pointed out he wanted the public to challenge the City if they believed money was not being spent prudently.

Mr. Sturtz stated the monthly rent of \$18,000 was another good reason for the construction of the new building. He understood there was criticism in terms of the new building, but it would save money in the future.

B99-10 was given third reading with the vote recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B101-10 Amending Chapter 4 of the City Code as it relates to expungement of records pertaining to alcohol-related offenses by minors.

At her request, Ms. Hoppe made the motion that Ms. Nauser be allowed to abstain from voting on B101-10. The motion was seconded by Mr. Dudley and approved unanimously by voice vote. Ms. Nauser noted on the Disclosure of Interest form that her husband was in alcohol sales.

The bill was given second reading by the Clerk.

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

Mr. Sturtz understood City law typically mirrored State law and asked if City law was limited by State law. Mr. Boeckmann replied in some cases the City was, but in other cases it was not. In this instance, the Department of Revenue would not honor an expungement made by the City unless it conformed to State law. He noted the records at Municipal Court could be expunged, but they would be kept by the Department of Revenue if the law was different.

Mr. Sturtz asked if someone searching records would still be able to find them if they had been expunged by the City, but not by the Department of Revenue. Mr. Boeckmann replied they would probably be looking in the State court records instead of the City court records.

Ms. Hoppe understood this was to let the people know they would have to be 22 years old to have their records expunged.

Betty Kidwell stated she was the Coordinator for Mothers Against Drunk Driving (MADD) in Boone County and noted its mission was to stop drunk driving, support the victims of this violent crime and prevent underage drinking. She commented that they did not oppose this change, but wanted more time to evaluate the pros, cons and unintended consequences. They wondered who introduced the change, if there was a need for the change, and if there was an incident that precipitated the change. She thought this would send a mixed message to the youth indicating that while it was not okay to drink while underage, they could make it so such an occurrence never occurred at the age of 22. She requested the Council table the issue to allow them more time to research the effects of the change.

Mr. Boeckmann explained this ordinance made it more difficult to expunge a record. Ms. Kidwell stated she understood, but wanted the item tabled so they could research the issue.

Bryan Vanderhuff, 402 Rock Hill Road, stated he was unsure why this was needed if they were only mirroring State law. Mr. Boeckmann explained the State law only applied to convictions in State court and not to convictions in Municipal Court.

Mr. Sturtz stated he did not think there was much to be discussed.

B101-10 was given third reading with the vote recorded as follows: VOTING YES: KESPOHL, DUDLEY, HOPPE, MCDAVID, STURTZ, THORNHILL. VOTING NO: NO ONE. ABSTAINING: NAUSER. Bill declared enacted, reading as follows:

B102-10 Amending Chapter 16 of the City Code as it relates to noise and noise in the downtown area.

The bill was given second reading by the Clerk.

Mr. Watkins and Mr. Boeckmann provided a staff report. Mr. Boeckmann pointed out the SBD had recommended a one year sunset, and instead of putting that in the ordinance, he added a provision indicating a report would be provided on the ordinance in one year.

Sean Randall, 738 Demaret Drive, asked for clarification regarding the distances and the level of noise that would need to be curtailed. Mr. Boeckmann read the distances and times from the proposed ordinance.

Tom Atkinson, 402 E. Broadway, stated he was the majority owner of Shiloh Bar & Grill and noted he understood the goal was to create an ordinance that would satisfy residents and business owners while still having a viable downtown. He pointed out the current ordinance did not work and believed the proposed ordinance was a good start. He did not think the sunset was necessary as it would require them to revisit the issue in one year and there had already been plenty of discussion.

Mr. Kespohl understood Mr. Atkinson was in agreement with the ordinance as a starting point. Mr. Atkinson replied yes and explained there was a lot of give and take from his initial proposal. He noted they had asked for the time to be 2:00 a.m. since people were required from bar premises at 1:30 a.m. and many people waiting outside for rides might be noisy, so he was concerned patrons would be ticketed during those 30 minutes.

Mr. Dudley asked how the enforcement worked. He wondered if the responsible party would be the bar or the people making the noise. Mr. Atkinson replied he hoped the police would work with bar owners, especially those with outside venues. He understood the bar would be responsible if people were being noisy while on bar property. Once the patrons left bar property, they could be ticketed.

Mr. Sturtz asked if the wall at Shiloh would be removed if this ordinance passed. Mr. Atkinson replied he would review the situation, but was pretty confident they could control the noise on the patio without the wall.

Carrie Gartner, 11 S. Tenth Street, Executive Director of the Columbia Special Business District, commented that SBD was pleased with the process and the level of involvement from a broad range of downtown stakeholders. They held several public meetings, an on-line survey and a survey of best practices for other cities, and believed the recommendations and ordinance were stronger. She explained the regulations for live and amplified music regulations were relaxed and the residents would benefit from the strict time limits for outdoor music, but the regulations for yelling and shouting had not been relaxed as it was the main complaint of residents.

Mr. Sturtz understood the SBD had discussed the strategic placement of taxi stands and asked for clarification. Ms. Gartner replied the SBD Board did not believe the noise issue was just a matter of changing the ordinance. They wanted to work on a taxi cab ordinance for the strategic placement of taxi stand lines so people were not milling about and blocking the sidewalk. She understood the Downtown Safety Summit was looking at something similar, so she thought the Council would see something regarding it in the future.

Ms. Hoppe thanked the SBD for volunteering to tackle this issue in a short period of time and for coming up with some good solutions.

Mr. Sturtz commented that this was a testament to the benefit of tabling an item as it produced a better ordinance.

B102-10 was given third reading with the vote recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

At his request, Mayor McDavid made the motion that Mr. Kespohl be allowed to abstain from voting on R97-10. The motion was seconded by Mr. Dudley and approved unanimously by voice vote. Mr. Kespohl noted on the Disclosure of Interest form that he was involved in the little league baseball tournament for which the funds were allocated.

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

B93-10 **Approving the Final Plat of Knipp-Boggs Subdivision Plat 2, a Replat of Lot 2 of Block 2 of Knipp-Boggs Subdivision located south of Donnelly Avenue, between Florence Avenue and Independence Street; authorizing a performance contract.**

B94-10 **Approving the Final Plat of Building Services Subdivision located at 5909 North Paris Road; granting a variance to the Subdivision Regulations relating to sidewalk construction.**

- B95-10 Vacating two sanitary sewer easements located within Lot 801 of Bluff Creek Estates Plat 8.

- B97-10 Authorizing a license agreement with the Missouri Highways and Transportation Commission for the Greenbriar Trail Connection under Providence Road.

- B98-10 Authorizing the acquisition of easements for construction of the Hinkson Creek Siphon Elimination Project.

- B100-10 Accepting conveyances for utility purposes.

- B103-10 Authorizing an agreement with the Missouri Department of Health and Senior Services for American Recovery and Reinvestment Act (ARRA) Supplemental Funding Immunization Services; appropriating funds.

- B104-10 Accepting donations from the Travelers Protective Association of America and Bourn Feed & Supply to be used for the Police Department’s K-9 Program; appropriating funds.

- R91-10 Setting a public hearing: voluntary annexation of property located at 350 East Old Plank Road.

- R92-10 Setting a public hearing: special assessments against property in Sanitary Sewer District No. 159 (Route K).

- R93-10 Setting a public hearing: construction of sidewalks along the south side of Business Loop 70 from Jackson Street to Jefferson Street.

- R94-10 Setting a public hearing: construction of street and storm sewer improvements on Stadium Boulevard from Broadway to Interstate 70, Bernadette Drive from Fairview Road to Beverly Drive, Fairview Road from Worley Street to Bernadette Drive and Worley Street from Bernadette Drive to the Columbia Mall traffic signal.

- R95-10 Authorizing an agreement with the Missouri Department of Health and Senior Services for Aid to Local Public Health Agencies (Core Functions).

- R96-10 Authorizing adopt a spot agreements with Melodi Beach – The Beach Salon, Cannery Row Preschool and Greeks Going Green.

- R97-10 Authorizing agreements with Little League Baseball – Missouri District and Susan G. Komen Mid-Missouri Affiliate for tourism development funds.

- R98-10 Authorizing an agreement with the Missouri Symphony Society for community arts services.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: KESPOHL (except for R97-10 on which he abstained), DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

- R99-10 Granting special use permits for the Columbia Farmers Market to operate farmers markets on three properties in Columbia.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Mark Mahnken of Salisbury, Missouri stated he was President of the Columbia Farmers Market and noted many citizens wanted locally grown, fresh, safe and healthy food. The Farmers Market found itself limited in terms of expansion, and due to the demand for this type of produce, they were requesting additional sites in order to provide food in a timely manner to people all over the County. He pointed out the USDA had reported that for every dollar spent at the Market, \$7 was spent in the City. He asked those in attendance that supported this request to stand, and approximately 35 people stood.

Ms. Nauser stated she was happy to see two sites were in the Fifth Ward.

Mr. Dudley commented that he believed this was a good plan.

The vote on R99-10 was recorded as follows: VOTING YES: KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID, STURTZ, THORNHILL. 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.

- B105-10** Rezoning property located northeast of the intersection of West Broadway and Fairview Road (2807 West Broadway) from R-3 to O-1.
- B106-10** Rezoning property located at 1425 Hickory Street from M-1 to R-1.
- B107-10** Waiving the City's rights under a Declaration of Self Imposed Restrictions pertaining to College Park South Plats 1 and 3.
- B108-10** Authorizing agreements to commit Neighborhood Stabilization Program (NSP) funding.
- B109-10** Amending Chapter 14 of the City Code to change the speed limit on Gillespie Bridge Road.
- B110-10** Authoring the construction of sidewalk and waterline improvements along the south side of Broadway, from Eighth Street to Ninth Street.
- B111-10** Authorizing an agreement with Loomacres Wildlife Management for a wildlife hazard assessment at the Columbia Regional Airport; appropriating funds.
- B112-10** Accepting certain streets for public use and maintenance.
- B113-10** Authorizing the acquisition of easements for construction of sidewalks along the north side of Walnut Street from Ann Street to Old Highway 63.
- B114-10** Granting a permanent drainage easement to the County of Boone for a drainage improvement project in Country Hill Subdivision.
- B115-10** Confirming the names of certain park property located on Rollins Road, Brown Station Road and Waco Road, and Ash Street and Clinkscales Road.
- B116-10** Authorizing the acquisition of property located at 413 North Fifth Street for park purposes.
- B117-10** Amending Ordinance No. 020483 as it relates to the appropriation of funds to the Law Department City Prosecutor Division and the Municipal Court.

- B118-10** Authorizing an agreement with the Consumer Product Safety Commission for swimming pool and spa compliance inspections.
- B119-10** Appropriating funds from the Columbia Values Diversity Celebration for future celebration activities.
- B120-10** Appropriating funds to be received from the Missouri Safety Center to conduct enforcement activities relating to hazardous and non-hazardous moving violations and seat belt usage; authorizing a participant agreement.
- B121-10** Appropriating funds received as part of the settlement agreement with MCC Missouri, LLC (Mediacom) and Falcon Telecable (Charter Communications) to fund public access television improvements at Stephens College; authorizing an agreement with Stephens College.
- B122-10** Authorizing a Funding and Property Transfer Agreement with Columbia Area Jobs Foundation in connection with the establishment of an IBM office and technical support facility in Columbia; authorizing the City Manager to waive certain contingencies in the agreement and to terminate the agreement if all contingencies are not waived or met; appropriating funds.

REPORTS AND PETITIONS

REP31-10 Intra-Departmental Transfer of Funds Requests.

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

REP32-10 Scott Blvd. Water Main Outage.

Mr. Watkins explained that over the last couple of years, there had been a number of problems with the water main to Thornbrook. It was a 16 inch water main built by the developer along Scott Boulevard and Vawter School Road. He understood there had been five breaks resulting in water outages and/or boil orders. Mr. Schmitz noted the water main, which was installed in 2002, was roughly 6,000 feet of 16 inch PVC pipe, and due to the poor history of performance on this main, the City no longer accepted PVC for pipes greater than 12 inches. They required ductile iron since it was stronger. He described the reasons the main tended to fail and noted the proposed solution included the installation of a new main on Old Mill Creek so there would be a loop for this area and the installation of a pressure relief valve along Scott Boulevard so the pressure would not drop to the point of a boil order mandate.

Ms. Nauser understood one of the recommendations was to increase the size from 8 inch to 12 inch and asked if that would be budgeted or if it needed further Council discussion. Mr. Schmitz replied it could be included as part of the contract since it had not been awarded and the estimated cost to increase the size of the pipe was \$75,000. He noted it would ensure better fire flows in Mill Creek and Thornbrook. Ms. Nauser commented that in light of the continual failures and the future growth of the area, she thought they should move forward with the 12 inch main.

Ms. Nauser made a motion directing staff to proceed with the installation of the pressure activation valve and the installation a 12 inch main instead of an 8 inch main on Old Mill Creek. The motion was seconded by Mr. Sturtz.

Mr. Sturtz understood the increase from 8 inch to 12 inch would cost \$75,000, but noted he did not see the budget estimate for the 8 inch main. Mr. Schmitz explained it was out for bid at this time, and assuming the motion passed, they would obtain estimates for the additional cost. The contract that would come back to Council would have the additional costs.

Mr. Sturtz asked if they could expect this type of situation would not occur with new mains in the future with the types of reforms Mr. Schmitz had referred to in terms of fill and ductile iron pipes. Mr. Schmitz replied he hoped it would minimize these situations in the future.

The motion made by Ms. Nauser and seconded by Mr. Sturtz directing staff to proceed with the installation of the pressure activation valve and the installation a 12 inch main instead of an 8 inch main on Old Mill Creek was approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Sturtz made a motion directing staff to readvertise and continue soliciting applications for the Storm Water Advisory Commission. The motion was seconded by Ms. Hoppe.

Ms. Hoppe commented that due to the importance of the Commission, they needed to have a balance and diversity in terms of the applicants.

The motion made by Mr. Sturtz and seconded by Ms. Hoppe directing staff to readvertise and continue soliciting applications for the Storm Water Advisory Commission was approved unanimously by voice vote.

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

BOARD OF ADJUSTMENT

Gorman, Joseph, 1214 Danforth Drive, Ward 6, Term to expire November 1, 2012

BOARD OF MECHANICAL EXAMINERS

Clithero, Philip, 4208 S. Wappel Drive, Ward 4, Term to expire June 17, 2013

BOARD OF PLUMBING EXAMINERS

Arms, Bret, 2506 Oakfield Drive, Ward 3, Term to expire May 31, 2012

Schulz, Bill, 1716 Stirling Court, Ward 5, Term to expire May 31, 2012

COLUMBIA VISION COMMISSION

Peterson, Eric, 10750 E. St. Charles Road, County, Term to expire December 15, 2012

DISABILITIES COMMISSION

Dudley, Charles, 1201 Paquin Street #1209, Ward 1, Term to expire June 15, 2013

Shapiro, Ray, 1604 Secretariat Drive, Ward 2, Term to expire June 15, 2013

Weston, Dovie, 4316 Forum, Ward 5, Term to expire June 15, 2013

Zeterberg, Dawn, 608 Hunt Avenue, Ward 1, Term to expire June 15, 2013

ENVIRONMENT AND ENERGY COMMISSION

Renaud, Brandon, 1425 Hickory Street, Ward 3, Term to expire June 1, 2013

Skala, Karl, 5201 Gasconade Drive, Ward 3, Term to expire June 1, 2013

HISTORIC PRESERVATION COMMISSION

Earney, Patrick, 113 West Blvd North, Ward 1, Term to expire September 1, 2010

HOUSING AUTHORITY BOARD

Rogers, Genie, 1400 Business Loop 70 East, Ward 3, Term to expire May 31, 2014

Stiepleman, Peter, 411 South Glenwood, Ward 4, Term to expire May 31, 2011

PARKS AND RECREATION COMMISSION

Pauls, William, 306 Whitetail Drive, Ward 2, Term to expire May 31, 2013

PLANNING AND ZONING COMMISSION

Puri, Ray, 3508 Cross Timber Court, Ward 5, Term to expire May 31, 2015

Tillotson, Bill, 720 S Rustic Road, Ward 6, Term to expire May 31, 2015

SPECIAL BUSINESS DISTRICT BOARD

Rader, Julie, 3326 S. Country Woods, County, Term to expire January 1, 2011

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Mitchell Richards, 5108 Buckeye Drive, stated he was present on behalf of Keep Columbia Free and commented that the reason people were upset with the SWAT raid was because it was a symptom of the greater societal problem of the militarization of the police by the federal government via the war on drugs and the war on terror. He noted many on the current and past Councils supported measures inviting the federal government into the community, and provided the recent grant for license plate scanners as an example. He stated the Columbia Police Department should act and be accountable to its citizens, but the funding, training and associations with state and federal law enforcement agencies was increasing beyond the control of citizens, and he believed these circumstances led to this situation of armed men in paramilitary fashion busting into a home for a pipe and small amount of pot. He reiterated he believed the issue was beyond pets or marijuana legalization. He thought the issue involved the police being taken away from its citizens and used by the federal government to militarize society and have paramilitary units locally. He encouraged the Council to demand the Police Department provide a monthly report on every SWAT raid that took place and for those raids to be recorded and made available after investigations.

Miguel Rodriguez commented that he supported the police, but felt the Police Department should protect its citizens instead of treating them like criminals in certain situations. He stated he had seen police brutality in the downtown with his own eyes and noted officers ignored the laws themselves, especially in terms of traffic laws. He commented that he would not support the police in terms of brutality and violations of the U.S. Constitution. He suggested the police be required to report to different organizations in Columbia so the community was more aware of what was happening. He noted he was speaking as an individual and did not represent the local Central Latino organization.

Greg Williams, 402 Carpathian Drive, stated he agreed with the previous comments and noted he was a friend of the Whitworth family and the subject of a similar raid six years ago where the police found evidence of marijuana through a trash pull and did several thousand dollars worth of damage to his home for one marijuana seed. Eight armed men came into his home with sub-machine guns and luckily his dogs were locked up and no one was home. They broke down unlocked doors and busted open safes that had keys in the locks. He commented that someone had also broken into his juvenile record and posted those items online. Internal affairs had been contacted, but he was not sure anything would be done since the officer in charge was one of the officers that raided the house. He asked the Council to do something.

Nicholas Recker, 2711 Quail Drive, stated he appreciated the fact the Council had created a Citizens Police Review Board, but noted the process for a citizen to file a complaint against the Police Department was lacking in that they were required to go before the Police

Department with the complaint. It seemed antithetical to have to go to the Police Department first as it did not make citizens comfortable. He noted that if someone were to file a complaint, it would likely be over a serious injustice and it was difficult to trust the Police Department would not back its officers. He asked the Council to revisit the ordinance so the complaint would go to the Citizens Police Review Board or the City Clerk instead of the Police Department.

Mr. Boeckmann pointed out the complaint could be filed with the City Clerk, but at that point it was turned over to the Police Department to investigate.

Liz Defoe-Thomas, 1811 Highridge Drive, commented that violence should never be deployed for non-violent offenses, and violence was not warranted in the situation involving Mr. Whitworth. Even a peaceful, non-violent person could instinctively respond to violence with violence, especially if a home was being broken into with the reason for the raid not being offered. The circumstances to fire a weapon in a home especially when there were children and pets should be reconsidered as well, especially in light of the recent accidental death of a seven year old during a raid in Michigan. She pointed out these incidents were not limited to SWAT raids, as frightening incidents of police abuse were becoming more regular in Columbia with unwarranted profiling and an escalation of unprovoked and unwarranted uses of force involving tasers, mace and bloody beatings for minor or no violations. She encouraged her fellow citizens to participate by attending Council meetings and Citizen Police Review Board meetings in an effort to close the gap between the citizens and the police.

Paul Love, 100 Sondra, commented that he believed the City staff was lying to Council when saying the University was paying more than it should. He stated he had an e-mail from Mr. Watkins that indicated the billing from the University was difficult to determine because they did not meter the water produced. There were two components of sewer fees and those were the small user fee and the large volume usage fee. He understood Mr. Watkins indicated the University was paying more than it needed, but the water from the University was not being metered. As a result, he did not believe Mr. Watkins could assure the Council the University was paying more than required. He believed the University should be required to pay its fair share according to the current ordinance.

Mr. Glascock explained the City received quarterly meter readings from the University for 185 accounts.

Kelly Matty of Joplin, Missouri commented that with regard to the Whitworth case, the cops broke into a man's home over marijuana, fired seven bullets in a home where a child was sleeping, killed one family pet and wounded another and did not find any evidence of the felonies for which the warrant was served. He felt the explanations of the Police Department were meaningless unless the premise of this being the appropriate use of force to keep people from using marijuana was accepted. Even with the proposed changes, the Columbia Police Department would still allow dynamic entry to bust into people's homes for marijuana. They would just ensure no children were in the home. He believed the tactics and militarization of the police needed to change and the war on marijuana had to end. He noted

Columbia passed an ordinance in 2004 making marijuana a low priority and he believed the most dangerous thing about marijuana was its enforcement.

Joe Randall, 738 Demerit Drive, understood Mayor McDavid had encouraged the citizens of Columbia to let the Council know of ways the City could more prudently spend money and he believed a SWAT raid for marijuana was probably the biggest waste of taxpayer dollars. He stated the pressure on the City would continue until real changes were made. The changes already made were a step in the right direction, but they did not go far enough. He did not believe violence should be used for non-violent crimes.

Jeremiah Anderson of Joplin, Missouri stated that he worked in a treatment care facility for teenage boys and the majority of those boys had experienced actions like this when they were young. They were now cycling through the system, going to the State Penitentiary, living unfulfilled lives and not living up to their potential. He wondered if the City would be pay for treatment needed by the children who experienced these situations.

Clarissa Hawkins stated her appreciation for the Council taking the time to listen and noted the citizens only wanted to see some progress and be reassured that changes would be made. She believed there needed to be a more ethical protocol and the SWAT raid standards needed to be re-evaluated in terms of violence and whether children and pets were in the house. She suggested the use of non-live rounds, mace or pepper spray, or having people who could be tasked to do certain things in a raid, such as watching out for animals. She asked the Council to provide reassurance that things would be different in the future.

Eapen Thampy, 121 S. Tenth Street, commented that grew up in an Air Force family, and in traveling the world, he understood there were fundamental differences in how America worked compared to other countries. This country was founded on the premise that civilians should own democracy and voters should express their preferences through votes, and he believed America had lost control in terms of state and local law enforcement as the federal government's involvement with providing aid circumvented Missouri law. He explained that once law enforcement was allowed to keep a portion of the proceeds from forfeitures and seizures from crime, there was a loss in terms of how democracy fundamentally worked. He noted he had written a white paper in terms of policy and protocol and provided it to the Council for their review.

Eric Cox, 7 S. Greenwood, encouraged the Council to require the police to enforce Section 16-255.2 of the Code as it indicated the enforcement of the laws against marijuana should be the lowest law enforcement priority. With the use of SWAT, it was obvious marijuana enforcement was not the lowest priority, so the Police Department was in direct violation of the ordinance. He felt someone should be held accountable.

Mayor McDavid made a motion directing staff to provide Council a report on the February 11, 2010 SWAT raid. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to provide Council a report on the current SWAT policy. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mayor McDavid made a motion to hold a Special City Council Meeting on Monday, May 24, 2010 at 7:00 p.m. to take action on B122-10 which was introduced at this meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mayor McDavid pointed out public comment would be allowed on B122-10, which was the IBM agreement, at the Special Meeting.

Mr. Sturtz noted they had started special meetings at 6:00 p.m. in the past and asked if the Council would be agreeable to starting at that time instead. Mayor McDavid stated he was agreeable.

Mr. Sturtz made a motion to start the Special City Council Meeting on May 24, 2010 at 6:00 p.m. instead of 7:00 p.m. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Nauser commented that she was not sure the notification system for a boil order was adequate as a note was placed on the front door of homes, which some people never used. She understood people were notified with a phone after a boil order was removed and asked if that phone system could be used to notify people of boil orders being issued as well.

Ms. Nauser made a motion directing staff to provide a report in regard to providing boil order notification through a phone system. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Nauser noted the Council had looked at some trail options for the Wilson's/Forum Trail project last month, and since then she had received a letter from the Wilson's engineer voicing concerns about flooding and the possibility of having to lower the levy for the footprint of the trail.

Ms. Nauser made a motion directing staff to bring back the options for the Wilson's/Forum Trail for Council to revisit and to provide a staff report commenting on the concerns of the engineer for Wilson's. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Hoppe understood the Citizens Police Review Board held a hearing last week and would be making recommendations pursuant to the ordinance, so the Council did not need to formally request that the Board do this, and asked if that was correct. Mr. Watkins and Mr. Boeckmann stated that was their impression as well.

Ms. Hoppe noted the Council had discussed whether one or two Citizens Police Review Board members would go to the NACOLE national conference at a previous meeting and understood one person would attend with \$2,200 budgeted for the trip. She also understood the revised budget to send two people to the NACOLE conference was \$3,600.

Ms. Hoppe made a motion directing staff to draft a resolution to provide \$1,400 to the Citizens Police Review Board for travel to the NACOLE conference and to provide that funding from the Council's food budget. The motion was seconded by Mr. Sturtz.

Mr. Thornhill commented that this was an example of needing to know what might be needed before making a request because they might have received what they wanted if they had that information. He explained he had asked for details on the printing budget and the Citizens Police Review Board was not able to provide that information. Mr. Boeckmann noted staff estimated the cost without having detailed information with regard to how long the members would stay for the conference, and that was why the dollar amount changed.

The motion made by Ms. Hoppe and seconded by Mr. Sturtz to draft a resolution to provide \$1,400 to the Citizens Police Review Board for travel to the NACOLE conference and to provide that funding from the Council's food budget was approved by voice vote with only Mr. Kesphl voting no.

Ms. Hoppe commented that she was surprised the downtown sidewalk closure process related to construction was not on this agenda and asked for its status. Mr. Watkins replied he was not sure and would check with the Public Works Department.

Ms. Hoppe understood Council had recently voted to limit public comment at the beginning of Council Meetings to two speakers per topic. She noted some concerns had been raised regarding people wanting to talk about the same topic but with a different point of view and the new restriction precluding them from speaking. She wondered if that rule needed to be revised.

Mayor McDavid pointed out there was still unlimited opportunity for open public comment at the end of the meeting, and noted he was concerned with extending the length of meetings as they were already long.

Ms. Hoppe stated she wanted an ordinance drafted which would prohibit through truck traffic on Rock Quarry Road between Grindstone and Stadium, similar to the ordinance enacted on West Boulevard.

Mr. Watkins suggested a staff report be requested prior to the ordinance being drafted, but noted that might take some time.

Ms. Nauser thought a staff report would be helpful so the amount of traffic in this area would be known.

Ms. Hoppe made a motion directing staff to provide a staff report regarding potentially prohibiting through truck traffic on Rock Quarry Road between Grindstone and Stadium. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Hoppe hoped the staff report would not take too long to complete.

Mr. Sturtz commented that stormwater issues had become a common complaint in Ward 1 and as far as he could tell the Boone County Storm Water Task Force that provided a report dated March 31, 2008 to Council dealt mostly with construction site run-off, stream buffers, culverts, etc. They did not focus on problems in the inner-City. He hoped the Storm Water Advisory Commission could take on some of these issues in the older parts of town.

Mr. Sturtz made a motion directing the Storm Water Advisory Commission to include the older parts of Columbia in their study. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

Sheela Amin

City Clerk