

**MINUTES  
CITY COUNCIL MEETING – COLUMBIA, MISSOURI  
JUNE 20, 2011**

**INTRODUCTORY**

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, June 20, 2011, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE and MCDAVID were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

**APPROVAL OF THE MINUTES**

The minutes of the regular meeting of June 6, 2011 were approved unanimously by voice vote on a motion by Mr. Dudley and a second by Ms. Hoppe.

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

The agenda was approved unanimously by voice vote on a motion by Mr. Thornhill and a second by Mr. Dudley.

**SPECIAL ITEMS**

None.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

**COLUMBIA LIBRARY DISTRICT BOARD**

Groshong, Lisa, 1201 Sunset Lane, Ward 4, Term to expire June 30, 2014

Sievert, Mary Ellen, 300 Edgewood Avenue, Ward 4, Term to expire June 30, 2014

Webber, David, 302 Edgewood Avenue, Ward 4, Term to expire June 30, 2014

Ms. Anthony made a motion to readvertise the Comprehensive Plan Task Force vacancies. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

**CULTURAL AFFAIRS STANDING COMMITTEE ON PUBLIC ART**

Burdick, Nancy, 12 McBaine Avenue, Ward 1, Term to expire July 1, 2014

**HEALTH INSURANCE APPEALS BOARD**

McDonald, Patricia, 2713 Greenbriar Drive, Ward 5, Term to expire February 16, 2014

**STORM WATER ADVISORY COMMISSION**

Daugherty, Erin, 3900 Eagle View Court, Ward 5, Term to expire June 30, 2013

Londeree, Ben, 2601 Chapelwood Terrace, Ward 4, Term to expire June 30, 2013

**WATER AND LIGHT ADVISORY BOARD**

Ottinger, Henry, 511 Westwood Avenue, Ward 4, Term to expire June 30, 2015

Parker, Dick, 215 W. Sexton Road, Ward 1, Term to expire June 30, 2015

**SCHEDULED PUBLIC COMMENT**

**Patrick L. McDonald: Perceptions of Columbia crime and the condition of city streets as discussed at Council Retreat.**

Patrick McDonald, 801 Hardin Street, referred to an article published in the Tribune on June 10, 2011 regarding a survey conducted by the City that included 834 residents, which he pointed out was less than one percent of Columbia's population. He noted the article also indicated some Council Members did not believe the City had a lot of violent crime, and he listed crimes within the last two years that he felt would be considered violent crimes. He commented that he believed crack cocaine, which was an epidemic across the country, was becoming prevalent in Columbia, and that the Police Department needed more manpower to address these issues. With regard to street maintenance, he felt the potholes had occurred due to years of neglect and it was only compounded by the harsh winter this year.

**PUBLIC HEARINGS**

**(A) Voluntary annexation of property located west of Wellington Subdivision and north of Mexico Gravel Road (4415 Mexico Gravel Road)**

Item A was read by the Clerk.

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

Mayor McDavid opened the public hearing.

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

**OLD BUSINESS**

**B89-11A Amending Chapter 14 of the City Code relating to parking meter rates, parking garage hourly rates, and hours of operation.**

The bill was read by the Clerk.

Mr. Matthes provided a staff report.

Mr. Thornhill made a motion to amend B89-11A per the amendment sheet. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion to amend B89-11A by changing the effective date of the bill to July 1, 2011.

Mr. Schmidt noted the Special Business District had asked that the changes to the garages and meters start at the same time. Mayor McDavid suggested that issue be discussed by the task force as he believed a lot of changes would be recommended by them.

The motion made by Mayor McDavid to amend B89-11A by changing the effective date of the bill to July 1, 2011 was seconded by Mr. Thornhill and approved unanimously by voice vote.

Ms. Anthony asked when the task force would be formed. Mayor McDavid replied he had planned on asking for a resolution creating the task force to be brought forward at the next meeting to during the Council comment portion of this meeting. Ms. Anthony asked for

clarification on the purpose of the task force. Mayor McDavid commented that he believed there was a lack of consensus with regard to parking by downtown business owners and that the City was using outdated and confusing technology to collect revenue and provide enforcement. In addition, the City's parking assets were inconsistently used, whereby, some garages were oversubscribed and others were undersubscribed. He planned to ask the downtown parking task force to globally review downtown parking by reviewing rates for streets, surface lots and garages, reviewing technology to collect fees, recommending updates to the technology, and proposing marketing the garages via shuttles, trolleys, transit, bicycles, etc. He noted he would ask that a report be provided by the task force in a year.

Ms. Anthony noted she was comfortable with supporting this legislation due to a task force being created to review the issues. Mayor McDavid stated he personally viewed this as an interim step to get the Short Street parking garage funded as the task force would likely not have a recommendation for a year.

Mr. Kespohl commented that one of his concerns involved whether there would be enough money to cover the principal, interest, maintenance, repair and staffing for the Short Street garage, and the amount they were short on the Fifth and Walnut garage, as he was not sure \$630,000 would cover it. Mayor McDavid thought the Council was in the position to modify the rates if the assumptions used were incorrect and the revenues collected were less than anticipated to the point of threatening the solvency of the parking utility. Mr. Blattel agreed and noted there was also a fund balance in the parking utility that could be used to bridge the difference until the City was able to reassess the situation and make necessary changes. Mayor McDavid asked for the unreserved balance. Mr. Blattel replied it was \$2 million.

Mr. Kespohl commented that the parking study completed in 2001 indicated the Fifth and Walnut garage should have had 360 spaces, and it proposed garages at the Armory, Eighth and Ash and Sixth and Ash, but did not mention the Short Street garage. In addition, the Short Street parking study showed a deficiency in parking spaces within the blocks around Short Street, so he believed this garage was warranted. He noted the garages that were proposed in 2001 were much smaller than the Fifth and Walnut garage.

Mr. Schmidt commented that although they were focusing on financing the Short Street garage, this was an overall solution to an overall problem that was important to the growth and vibrancy of the downtown. Since the rates had not been raised in many years, they were facing these changes all at once.

The vote on B89-11A, as amended, was recorded as follows: VOTING YES: SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B151-11 Authorizing an antenna site license agreement with The Curators of the University of Missouri to allow access to the KOMU-TV tower to improve radio coverage for Public Safety Joint Communications.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

B151-11 was given third reading with the vote recorded as follows: VOTING YES: SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B154-11 Approving Application and Guidelines for the Neighborhood Response Demolition Program; authorizing agreements to buy, maintain and sell real estate through the Neighborhood Response Demolition Program; authorizing the purchase of property at 200 Oak Street and adjacent property.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Schmidt made a motion to table B154-11 to the July 18, 2011 Council Meeting. The motion was seconded by Ms. Hoppe.

Mr. Kespohl commented that the photos they received as part of the packet appeared to be the back of 200 Oak, but the front of 106 Oak. He noted was unable to find 200 Oak. Mr. Schmidt explained the properties were between Ash and Oak, west of Garth. Mr. Kespohl reiterated the photo in the packet showed the front of a house at 106, which made it confusing.

The motion made by Mr. Schmidt and seconded by Ms. Hoppe to table B154-11 to the July 18, 2011 Council Meeting was approved unanimously by voice vote.

**CONSENT AGENDA**

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

- B143-11 Amending Chapter 14 of the City Code to provide reserved parking for police vehicles in the downtown area.**
- B144-11 Authorizing construction of the Hinkson Creek Outfall Replacement 5G7A sanitary sewer project; calling for bids through the Purchasing Division.**
- B145-11 Authorizing a municipal agreement with the Missouri Highways and Transportation Commission for intersection improvements at Route B and Brown Station Road.**
- B146-11 Authorizing application for FY 2012 transit planning, operating and capital assistance grants.**
- B147-11 Appropriating funds for sidewalk construction along a portion of Scott Boulevard as part of the Scott Boulevard construction project.**
- B148-11 Accepting conveyances for sewer and temporary construction purposes.**
- B149-11 Accepting a conveyance for utility purposes.**
- B150-11 Authorizing an agreement with The Curators of the University of Missouri to allow use of University property for the Fourth of July Celebration and Fireworks Display.**
- B152-11 Accepting the FY 2010 Missouri Homeland Security Regional Response System Grant; authorizing a grant agreement; appropriating funds.**
- B153-11 Accepting a Youth Community Coalition Grant from the Missouri Division of Alcohol and Drug Abuse to be used by the Police Department for enforcement activities; appropriating funds.**

- R79-11 Setting a public hearing: construction of improvements to the tennis courts at Shepard Boulevard Elementary School.
- R80-11 Setting a public hearing: construction of improvements at Again Street Park.
- R81-11 Setting a public hearing: voluntary annexation of property located on the east side of Creasy Springs Road, north of West Prairie Lane and south of Blue Ridge Road (3624 Creasy Springs Road).
- R82-11 Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for the Show Me Healthy Women Program.
- R83-11 Authorizing an agreement with the Missouri Department of Health and Senior Services for Aid to Local Public Health Agencies (Core Functions).
- R84-11 Authorizing an agreement with the Missouri Department of Health and Senior Services for the Summer Food Service Program.
- R85-11 Authorizing an agreement with the Columbia Public School District for reimbursement of providing crosswalk guards at various elementary schools for the 2011 summer school session.
- R86-11 Authorizing an agreement with the Boone County Historical Society for operating a museum and maintaining and making improvements to the Maplewood Home and other historic buildings in Nifong Park.
- R87-11 Authorizing an agreement with the Boone County Historical Society for caretaking services at Nifong Park.
- R88-11 Authorizing an agreement with The Curators of the University of Missouri regarding the Senior Games and the Show-Me State Games.
- R89-11 Authorizing an agreement with Burns & McDonnell Engineering Company, Inc. for engineering services for the reconstruction of Taxiway A at the Columbia Regional Airport.
- R90-11 Authorizing an agreement with Burns & McDonnell Engineering Company, Inc. for the design of a wildlife deterrent fence at the Columbia Regional Airport.
- R91-11 Authorizing Amendment No. 1 to the agreement with Reynolds, Smith & Hills, Inc. for engineering services to conduct an environmental assessment for Columbia Regional Airport.
- R92-11 Declaring official intent to reimburse certain project costs at the Columbia Regional Airport from Federal Aviation Administration grant funds.
- R93-11 Accepting a 160-foot PiRod radio tower donated by Timberlake Engineering, P.C. to be used by Public Safety Joint Communications to improve radio coverage.
- R94-11 Authorizing an antenna site license agreement with Dr. Ira Hubbell to improve radio coverage for Public Safety Joint Communications.
- R95-11 Approving the City of Columbia, Missouri Title VI Plan, the City of Columbia, Missouri Limited English Proficiency Plan and the City of Columbia, Missouri Public Involvement Plan; and directing implementation of the plans.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY,

HOPPE, MCDAVID. VOTING NO: NO ONE. Bill declared enacted and resolutions declared adopted, reading as follows:

**NEW BUSINESS**

**R96-11 Declaring official intent to reimburse certain Short Street Parking Garage project costs with proceeds of bonds.**

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Mr. Kespohl asked if the purchase price of the lot would initially reduce the reserve in the parking utility and later be reimbursed from the bonds. Mr. Blattel replied yes. Mr. Kespohl understood the reserves would be reduced to \$800,000. Mr. Blattel stated that was correct until they sold the bonds when it would then go back to \$2 million.

Cindy Sheltmire, 1908 Tremont Court, commented that she understood the parking rates would be doubled for a garage that was essentially a private parking lot since only 75 spaces would be left for the public to park, while the public was being asked to pay for it. Due to that fact, she suggested the Council consider purchasing a trolley that would circle the downtown area and either be free of charge or cost a nominal fee. It would encourage people to park in the garages and would be a conciliatory gesture toward those that were being required to pay double in parking meter rates since very few would be able to park in the garage being built with those funds.

Mr. Kespohl commented that the City could not purchase just one trolley. It would have to purchase two in case one broke down. Ms. Sheltmire stated she believed it would be worth the cost.

Ms. Anthony believed this subject matter would be appropriate for the task force. Mayor McDavid agreed and noted it would be one of their tasks.

The vote on R96-11 was recorded as follows: VOTING YES: SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R97-11 Transferring funds to cover overages in personnel expenditures in the Public Works Department.**

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Ms. Hoppe stated she was concerned with \$29,000 coming from the Sixth and Walnut parking garage fund because the Council had asked staff to consider changes to lighting due to problems with glare and in an effort to incorporate energy efficiency measures, and she wanted to ensure they had money for any necessary improvements. Mr. Matthes noted the City had received a federal grant to help with sustainability and explained there would still be money left in the garage fund as the project was not complete and some expenses still needed to be paid. Mr. Glascock stated there was about \$1 million left in the project.

Mayor McDavid asked if the difference in what staff had estimated was within the standard range of error. Mr. Glascock replied no. He explained they had started charging the time of certain engineers to certain projects three years ago, but this year, there had been

approximately 240 hours of military leave that had not been anticipated. In addition, there were differences in sick and vacation leave. He noted that issue would be corrected so it would not happen again.

The vote on R97-11 was recorded as follows: VOTING YES: SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

**R98-11 Amending Resolution 66-11A to add an additional at-large member to the Ward Reapportionment Committee.**

The resolution was read by the Clerk.

Mr. Matthes provided a staff report.

Mayor McDavid made a motion to amend R98-11 so this additional at-large member was a Council appointment instead of just a Mayor appointment. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Mayor McDavid commented that the Council understood the importance of reapportionment and that the process they had used to initially make appointments to the Committee failed to consider minority involvement. He explained this was an attempt to rectify that situation, and that he would nominate Dr. Wiley Miller.

Steve Callaway, 3900 Sherman Court, stated he was representing the Minority Men's Network and thanked the Council for its actions in recognition of Columbia's interest and concern for an emphasis in priority for diversity and inclusion and for taking a proactive and exemplary action.

The vote on R98-11, as amended, was recorded as follows: VOTING YES: SCHMIDT, THORNHILL, KESPOHL, DUDLEY, ANTHONY, HOPPE, MCDAVID. VOTING NO: NO ONE. Resolution declared adopted, reading as follows:

Mr. Schmidt made a motion to appoint Wiley Miller to the Reapportionment Committee. The motion was seconded by Mr. Kespol and approved unanimously by voice vote.

**INTRODUCTION AND FIRST READING**

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

**B155-11 Voluntary annexation of property located west of Wellington Subdivision and north of Mexico Gravel Road (4415 Mexico Gravel Road); establishing permanent A-1 zoning.**

**B156-11 Approving the Final Plat of College & Walnut Subdivision, a Replat of Lots 17, 18 and Part of Lot 13 of Hubbell Place Addition located on the west side of College Avenue, between East Walnut Street and East Ash Street; authorizing a performance contract; granting variances from the Subdivision Regulations.**

**B157-11 Approving the Final Plat of Hunthill Subdivision 2, a Replat of the East Half of Lot 15, Block 3, Hunthill Subdivision located on the south side of Lowe Street and the north side of Pearl Avenue; granting a variance from the Subdivision Regulations relating to sidewalk construction along a portion of Lowell Street and Pearl Avenue.**

- B158-11 Approving an increase in the maximum number of dwelling units allowed on property zoned PUD-7 located on the northwest corner of Oakland Gravel Road and Vandiver Drive; approving a revised statement of intent.
- B159-11 Vacating a portion of a sanitary sewer easement on property located at 520 South College Avenue.
- B160-11 Authorizing construction of the Providence Pedestrian Crossing Project north of Park Street, across from Douglass High School; calling for bids through the Purchasing Division.
- B161-11 Authorizing the acquisition of easements for construction of the Providence Pedestrian Crossing Project north of Park Street, across from Douglass High School.
- B162-11 Authorizing construction of the Old 63 Grindstone Pedway project between Grindstone Nature Area and Ashland Road and from Bluffdale Drive to and along Moon Valley Road; calling for bids through the Purchasing Division.
- B163-11 Authorizing the acquisition of easements for construction of the Old 63 Grindstone Pedway project between Grindstone Nature Area and Ashland Road and from Bluffdale Drive to and along Moon Valley Road.
- B164-11 Authorizing a Right of Use Permit with The Links at Columbia, LLP for construction, operation and maintenance of a private telecommunication line in a portion of the Clark Lane right-of-way.
- B165-11 Appropriating funds for the purchase of land for the construction of the Short Street parking garage.
- B166-11 Accepting conveyances for utility purposes.
- B167-11 Authorizing construction of improvements to the tennis courts at Shepard Boulevard Elementary School; calling for bids through the Purchasing Division; authorizing an agreement with the Columbia Public School District.
- B168-11 Authorizing construction of improvements at Again Street Park; authorizing an agreement with the Columbia Public School District.
- B169-11 Authorizing an agreement with the Columbia Public School District to allow for the grading of a portion of the Clary-Shy Park located at Ash Street and Clinkscates Road for storm water management purposes; authorizing the City Manager to execute a drainage easement.
- B170-11 Authorizing an agreement with Columbia Associates Architecture for the design and construction of the Atkins Memorial Park Baseball Complex concession/restroom building.
- B171-11 Authorizing a PCS antenna co-location agreement with New Cingular Wireless PCS, LLC for the lease of space at Fire Station No. 5 located at 1400 Ballenger Place.
- B172-11 Amending Chapter 5 of the City Code relating to animals and fowl.
- B173-11 Appropriating tax increment financing (TIF) application fees received from Broadway Lodging, LLC.

**REPORTS AND PETITIONS**

- REP100-11 Intra-Departmental Transfer of Funds Request.

Mr. Matthes noted this report had been provided for informational purposes.

**REP101-11 Authorization to Negotiate an Annexation Agreement – North Battleground, LLC – Property Located North of St. Charles Road, East of Copper Creek Subdivision.**

Mr. Matthes provided a staff report.

Mayor McDavid understood a lot of the agreements for properties outside of the City to connect to sewer were accompanied by agreements for annexation when the property was contiguous, and asked if that was included. Mr. Teddy replied that when the City became contiguous, it could then petition to annex the property without the owner or owner's successors being able to object to the annexation.

Ms. Anthony stated she was pleased the City's stormwater regulation would be implemented as part of this development. She commented that this was a sensitive area in terms of sidewalks, given the location of the new high school, and was pleased the City would be asking for sidewalks to be constructed.

Ms. Hoppe made a motion directing staff to negotiate an annexation agreement with the owners of the North Battleground LLC tract that would allow the owners to connect their subdivision to the City sewer system while developing the subdivision substantially in accordance with Boone County land development regulations, with the stipulation that the development would be designed according to City stormwater management standards and selected street and sidewalk standards. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

**REP102-11 RBBBQ Street Closure Request.**

Mr. Matthes provided a staff report.

Mayor McDavid made a motion directing staff to prepare a resolution that would authorize street closures, approve a preliminary layout plan and waive the open container ordinance for this year's Roots N Blues N BBQ festival for Council consideration at the July 5, 2011 Council Meeting. The motion was seconded by Mr. Thornhill.

Ms. Hoppe commented that in past years, the Council had negotiated with Roots N Blues for fees for City services and asked if that discussion was part of this or on-going. Ms. Rhodes replied that would be included in a separate written operations agreement, which would come to Council in the future. Mayor McDavid understood that would not be included in what they would consider on July 5, 2011. Ms. Rhodes stated that was correct.

The motion made by Mayor McDavid and seconded by Mr. Thornhill directing staff to prepare a resolution that would authorize street closures, approve a preliminary layout plan and waive the open container ordinance for this year's Roots N Blues N BBQ festival for Council consideration at the July 5, 2011 Council Meeting was approved unanimously by voice vote.

**REP103-11 Memorandum from Disabilities Commission.**

Mr. Matthes noted this report had been provided for informational purposes.

Mayor McDavid commented that he believed this was an opportunity to reassert the sensitivity of what their disabled friends dealt with on a regular basis. He understood there

were exemptions to the Americans with Disabilities Act (ADA), and the Council was told it would have been too expensive to make the 1938 ADA accessible, so it was exempted. He also understood the position of the Disabilities Commission in that they were letting a non-compliant entity use a City facility. He noted the City's sensitivity to ADA issues would go beyond this situation and explained the Council was being asked to preserve brick streets, which caused trouble for some of their disabled friends, so they needed to be considerate of these types of issues.

Ms. Hoppe stated this issue had been discussed with the company operating the dinner train, and the Council was told that as the company became successful, it would hopefully be able to add a third train that would be accessible. She hoped that would occur.

Ms. Anthony stated she was appreciative of receiving the report as it reminded them to consider whether all citizens were able to utilize a project being considered by the City as opposed to whether it just met the legal requirements.

**REP104-11 Short Street Traffic Study.**

Mr. Matthes and Mr. Glascock provided a staff report.

Mayor McDavid asked for the cost to conduct this study in-house. Mr. Glascock replied the City was paying the in-house engineers already, so the cost would be their time.

Mr. Thornhill asked if there were any pressing projects. Mr. Glascock replied they had a lot of Council tracker items that needed to be addressed. Mr. Thornhill stated he would be willing to forego those response times in order to save money.

Mr. Schmidt asked for staff's preference. Mr. Glascock replied he preferred do the study in-house, so they could get started immediately. It would take three weeks to hire an engineer.

Mr. Thornhill made a motion directing staff to conduct the traffic impact study for the Short Street garage with in-house engineers. The motion was seconded by Mr. Schmidt.

Mr. Schmidt noted this was a multi-million dollar project and he hoped Council was not asked about each piece of it. He wondered why this piece kept coming up.

Mr. Kespohl stated he wanted the estimated cost of running Waugh Street through to Hubbell, so they could close Short Street. Mr. Glascock noted that would be provided as part of the traffic study. Mr. Kespohl stated he also wanted the cost differential in terms of the garage having an underpass versus the cost to put the street through. Mayor McDavid believed that would be a part of the design process. Mr. Glascock agreed, but noted he needed to take it into account in terms of traffic. Mayor McDavid understood they would be presented options of a garage with and without the through street and with and without retail. Mr. Kespohl agreed and noted the Waugh Street option needed to include the cost to purchase property in its estimates.

The motion made by Mr. Thornhill and seconded by Mr. Schmidt directing staff to conduct the traffic impact study for the Short Street garage with in-house engineers was approved unanimously by voice vote.

**REP105-11 Billboards.**

Mr. Matthes noted this report had been provided for informational purposes.

Mr. Thornhill asked if he was right in assuming the City could always be more restrictive. Mr. Boeckmann replied that was the issue and he thought they could. He referred to language identified in the memo that had been in law for a long time, and noted he and other attorneys had thought cities could be more restrictive prior to the 1993 appellate court case, which indicated city regulations had to be the same as the state's regulations. As a result, the legislature amended the statute to specifically say cities could regulate billboards and the appellate court construed that to mean cities could prohibit billboards as well. The interpretation the appellate courts gave to language that had been in there and was still in there was inconsistent with the language of this statute, which specifically said cities could be more restrictive. He was not sure how the courts would rule, but thought they would say cities could be more restrictive than the state regulations. He also understood anti-billboard advocates were concerned and thought they were legitimately concerned since there had been a lot of decisions pertaining to this statute that had surprised many people.

Ms. Anthony commented that Columbia had very restrictive billboard regulations in terms of distance between billboards and the size of billboards, and felt this was a quality of life issue as billboards impacted the entranceways to Columbia along I-70 and U.S. 63. The "customary usage" language was subject to interpretation and the appellate courts had a history of surprising interpretations of the Billboard Act, so she believed the City would be exposed. She suggested they send a letter to Governor Nixon expressing their concerns as he had the opportunity to act on this legislation prior to July 14 and it being enacted.

Ms. Anthony made a motion directing staff to draft a letter to send to Governor Nixon expressing Council concerns with the proposed billboard legislation. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

#### **COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Paul Love, 100 Sondra, commented that today was the first day firework sales were permitted in Boone County for Fourth of July celebrations, and since fireworks could be sold in Boone County, the County received revenue from those sales. He suggested the Council consider allowing the sale of fireworks within City limits as it would be a good source of revenue for the City for a few weeks during the year.

Greg Ahrens, 1504 Sylvan Lane, explained Columbia had the distinct honor of hosting the original tombstone of Thomas Jefferson, the third President of the United States of America, and suggested people take a few minutes out of their Fourth of July day to visit it. As President of First Night Columbia, he thanked the City's for its help in making this annual event successful. He noted he annually decorated two City buses used by First Night revelers, and this past year, it was difficult to decorate the buses since the buses were covered with advertisements. He asked if two buses without advertisements or limited advertisements could be reserved around that time of year for First Night activities.

Mayor McDavid commented that he believed they should create a parking task force. He thought they needed to obtain consensus from the primary stakeholders in the downtown. In addition, he thought the technology with regard to downtown parking needed to be addressed. He mentioned GPS for buses and iPhone applications to know the status of

buses and which parking spaces were available. He believed there needed to be new ways to pay as it was a credit card and smartphone world. He wanted to establish a fairly robust task force to look at all of these issues globally. It started with rates, but included technology and a review of the assets to determine how they could be efficiently and effectively used. Garages, shuttles, trolleys, transit, bicycle riders, the use of garages as multi-modal transportation centers, etc. should be discussed and considered within the confines of the parking utility. He asked staff to prepare legislation to create a parking task force that would consist of representatives of the Downtown CID, the three colleges, PedNet, downtown residents, a downtown church, the Downtown Columbia Leadership Council and City Administration. It would be an advisory task force with a purpose of producing a report within a year for the Council to review. The goal of the task force would be to enhance the cultural and economic activity in the downtown area consistent with the Columbia vision statements. He asked for this legislation to be prepared for the next Council Meeting.

Mr. Schmidt understood the use of roller skates, skateboards and rollerblades as a mode of transportation was banned, and he believed it had become a different time and different downtown then. He suggested the Bicycle and Pedestrian Commission work with staff to develop an ordinance that incorporated more modes of transportations by at least allowing people to rollerblade or skateboard to work as was allowed in cities such as New York, Chicago and Los Angeles.

Ms. Hoppe thought designated routes for certain types of transportation could be identified. Mr. Schmidt agreed and stated he would love to see the removal of language from existing ordinances instead of the creation of a new ordinance, so there was less law instead of more law.

Mr. Dudley stated he had received an e-mail from a lady who questioned why the senior couple membership rate at the ARC was \$29.00, while the senior individual rate was \$24.50.

Mr. Dudley noted the Stoneridge area had been experiencing a lot of vandalism, such as bricks through front windows and car windows, during the evenings and on weekends. He asked if officers could make an extra one or two trips through the neighborhood in the evenings.

Mr. Dudley commented that many bikers wanted a sign indicating bikers had the right of way at the corner of Stewart and Providence because people in vehicles were trying to jump the light coming off Stewart onto Providence. He understood there were similar signs in other locations and asked staff to consider placing one there.

Ms. Hoppe asked staff to determine what would be needed to make swimming at Stephens Lake accessible to wheelchair-bound people. She commented that when Stephens College owned this land, there was a dock and stairs, so she was able to wheel a friend to the dock and help her friend down the stairs to enjoy the pool. She wondered if there were plans for a ramp that people with accessibility issues could use and asked staff to provide a report.

Ms. Hoppe noted there was no bicycle/pedestrian access from Old 63 and Jack Estes, which was the main access to events at Stephens Lake Park. As a result, bicyclists and pedestrians had to go on the traveled car path. She asked staff to provide a report with regard to the potential of adding a bicycle/pedestrian path off the traveled entry for parking area.

Ms. Hoppe commented that there was a really good article regarding firework safety in the City Source, but it failed to mention fireworks were prohibited within the City. She thought staff needed to publicize that fact within the next couple weeks.

Ms. Hoppe noted another article in the City Source discussed keeping streams clean and informed the public that they needed to keep pet waste, paint, oil, leaves and grass cuttings out of the storm drains. She thought they should emphasize the need to protect the streams and suggested staff do what it could to educate everyone on the subject. She asked if the City had an ordinance specifically prohibiting the depositing of waste, grass cuttings, oil and leaves into the storm drain system, and suggested a report be provided.

Ms. Hoppe stated she was contacted by representatives of the Boone County Family Resources and they taught their clients to use the bus system to get around town. She asked staff to review and potentially draft legislation allowing Boone County Family Resources and other similar agencies to have free access to the bus when accompanying a client with the purpose of teaching them how to use the bus. She felt this would also enhance bus use.

Ms. Hoppe asked staff to provide a report with regard to whether buses that did not have advertising could be available for First Night.

Mr. Thornhill noted he had requested a report on the cost of brick streets in comparison to concrete streets and reminded staff that he had not yet received it.

Mr. Thornhill understood information had been posted to the PedNet website, which staff took issue with as they believed it contained misinformation. He asked for clarification on the situation as there appeared to be a breakdown in communication between PedNet and the City.

Mr. Kespohl asked if the Fifth and Walnut garage was in the capital improvement section of the budget. He noted he had reviewed the capital projects funds and did not see the garage included there. They had transferred \$29,000 from that account, but he did not see the balance in the CIP report and asked why it had not been included. Mr. Glascock noted there was \$1 million left in that account and he did not believe it was in the CIP since it was under construction. Mr. Kespohl noted the report he received on March 31, 2011 included balances for Fire Station No. 7 and Fire Station No. 9 and asked why the garage had not been included. Mr. Glascock replied he did not know. Mr. Kespohl asked staff to provide clarification.

Mr. Kespohl noted the Council had received an e-mail and petition regarding streets being blocked off for Summerfest and asked staff to provide a report with the facts of the Summerfest program and how it might affect other businesses in the downtown.

Ms. Anthony stated she wanted to revisit the snow removal policy and suggested it be discussed at a future work session.

The meeting adjourned at 8:17 p.m.

Respectfully submitted,

Sheela Amin  
City Clerk