

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
JUNE 5, 2006

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, June 5, 2006, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU were present. Council members HINDMAN and HUTTON were absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF MINUTES

The minutes of the regular meeting of May 15, 2006, were approved unanimously by voice vote on a motion by Mr. Janku and a second by Ms. Nauser.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

The agenda, including the Consent Agenda, was approved unanimously by voice vote on a motion by Ms. Crayton and a second by Mr. Janku.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

Dee Dokken – Land Disturbance Ordinance changes.

Ms. Dokken was not in attendance.

PUBLIC HEARINGS

(A) Proposed commercial air service at the Columbia Regional Airport.

Item A was read by the Clerk.

Mr. Watkins explained the Department of Transportation (DOT) recently received proposals from two airlines seeking to provide essential air service (EAS) to the Columbia Regional Airport. Mesa Air Group proposed two alternatives with one providing two flights per day to Kansas City and two flights per day to St. Louis and the second providing four flights per day to Kansas City. Regions Air proposed four flights per day from Columbia to St. Louis. Both proposals had 24 round trips per week. The DOT was requesting a recommendation in terms of which proposal the City would like to see accepted. He noted Jefferson City recommended Regions Air.

Mayor Pro tem Loveless opened the public hearing.

Tom Payne, 3061 Pickett Post, stated he was in favor of Regions Air due to the availability of flights. He explained he used the airport on an average of one time per week. He understood Regions Air was providing four flights per day to St. Louis, which he believed

was the major airport in the State. He felt they needed the frequency of four flights to St. Louis because for people that traveled a lot, two flights to Kansas City and two flights to St. Louis would cause a lot of dead time. He noted, in St. Louis, Regions Air would go into Terminal A, which handled U.S. Air, Continental and Delta, and if the connecting flight was through another airline, the traveler was forced to leave security and go through security again because there was no connector between Terminal A, B, C, D and E. He felt that was a big inconvenience for frequent travelers. He reiterated that he thought the frequency of flights, which would allow individuals to better use their time to make connections with major airlines through St. Louis, was better than splitting it between Kansas City and St. Louis. Mr. Payne noted talk about the potential of Mesa Airlines going to other destinations and commented that although he had not been in the community long, he had seen one airline fail that had two different destination. He believed they had more opportunities servicing the east and west coasts from St. Louis than from Kansas City and he felt Regions Air was the best choice.

Greg Cecil, 1700 Oak Cliff Place, stated he was a member of the Airport Advisory Board and thought it was unfortunate that they had to ask for essential air service and for the government to subsidize them. He felt they would not be in this position if the people supporting making a change to Regions had been supporting the Airport. He questioned whether having 4, 10 or 20 flights would make a difference because thus far it had not been working. He believed the Mesa proposal offered a lot of flexibility. He noted Mesa had agreements with other airlines to get the bags to where they need to go. He pointed out it opened up the opportunity, for people who wanted to conduct business in Kansas City and St. Louis, to do a day flight in and then fly back out. He commented that in the original proposal, Regions indicated they needed to get \$78, but when the Mesa proposal came out, they stated they could do the same as Mesa. He did not feel their business proposal supported that and noted that if they offered a \$59 flight, they would have to increase their number of flights by 10,000. He felt that if they went with Regions and lost Regions, they might totally be without air service. Mr. Cecil explained airlines normally asked for two things, a subsidy or seat guarantees, when coming to a community. He did not believe the City of Columbia would provide a subsidy and he was not sure it was a good idea. Seat guarantees required a lot of people getting together and changing their travel policies so the Columbia Airport was used. He stated he was suggesting the City use the Mesa proposal as an opportunity for a subsidy and letting the federal government take care of it. He noted Mesa had expressed a strong interest in helping them get to other communities. He felt they were aggressive and pointed out that they bid the essential air service in Joplin, which had three flights to Kansas City and two flights to DFW. He believed this offered opportunities for Columbia and asked the Council to consider those options. He explained the Airport Advisory Board believed it was time for a change since the Airport had not been successful and thought another model might work better. Mayor Pro tem Loveless asked Mr. Cecil if his remarks were reflective of the Airport Advisory Board's position. Mr. Cecil replied yes.

Don Laird, 1205 LaRail Drive, stated he was representing himself and not the Chamber of Commerce because the Chamber did not have a chance to evaluate the proposals due to the short time frame. He noted there was a core group that was very

interested in making sure the air service was enhanced in Columbia. He thought it was important to remember the EAS proposal was just a side step in the goal to obtain better service. He felt the grant proposal the City put forward would go a long way to improve air service and was hopeful it would be granted this fall. He stated his main concern was with connectivity. He concurred with the staff recommendation that St. Louis was best option. His main interest was to get as many flights as possible to St. Louis. He feared the 2 by 2 option would endanger any growth or possibilities that existed. Last year, there were about 18,000 passengers working through the Columbia Regional Airport to St. Louis. He wanted to build on that and not risk terrible connections with the 2 by 2 proposal by Mesa. He noted the number of flights from Lambert exceeded Kansas City by a significant number. Making a schedule work with four flights a day to one location was a challenge, but the 2 by 2 with two different locations would make it almost impossible. He commented that he was intrigued with the possibility of Kansas City, but believed they needed the connectivity available with the St. Louis option.

Herman Lueckenotte, 602 Mesa Avenue, Jefferson City, Missouri, commented that if they added up what they had now versus what they would be getting, it would be less. He stated he wanted to be based in Central Missouri, but it would take until the end of summer to get a proposal to the City. He was proposing to offer frequent flights, such as seven flights per day to St. Louis and six to Kansas City and asked the Council for the opportunity to make a presentation in regards to what he had in mind. He stated he was currently working with investment brokers to make this happen, but he still needed interest from the community. He felt the City needed more than one carrier out of Columbia. He stated his proposal with what Mesa/Regions carried with break even load factors was still only half of the number of passengers that Columbia boarded ten years ago and far less than the 134,000 passengers that Columbia boarded at one time. He commented that I-70 would double in trucks in the next ten years and he believed people would then want another form of transportation. He stated he was proposing to do that and would make connections with any airline. He noted the \$59 fare was a below cost fare and American Airlines would not subsidize that to break even for very long. Unless it was in a long term contract, he felt it was meaningless. Mayor Pro tem Loveless suggested he coordinate with the City staff regarding his proposal.

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

Mr. Janku stated the benefit of two destinations was clear. His concerns with the 2+2 proposal were departure times with less available connections and seat availability. He noted there were times when seats would not be available, such as during the holidays, unless those seats were reserved early. With only 38 seats per day going to St. Louis as opposed to what was currently available with larger planes, he believed people would find flights sold out. He believed they would gain something in Kansas City, but it would be a step backward in the St. Louis market.

Ms. Hoppe understood the fare was \$59 for six months and asked what it would be after that. Mr. Watkins replied there were no guarantees. He thought it would depend on fuel costs.

Ms. Hoppe asked why the Airport Advisory Board's recommendation was not included in the executive summary. Mr. Watkins replied the summary was written before Airport Advisory Board provided their recommendation.

Ms. Nauser asked how many flights there currently were from Columbia to St. Louis and what percentages of the seats were filled. Mr. Glascock replied in the month of April they had three roundtrip flights per day and 1,300 passengers on 30 seat flights.

Mr. Janku understood there were peak days and slow days and believed the capacity would be eaten up on the peak days due to the reduction in capacity to 38 seats with the two 19 seat flights per day.

Mayor Pro tem Loveless explained he had received several phone calls supporting the more diversified offering of Kansas City and St. Louis. What bothered him the most about the St. Louis only proposal was that they already had one airline fail with the St. Louis only offering. He questioned why they would want to do the same thing again. He guessed the federal government would pick the lowest cost subsidy despite the recommendations. He suggested they go with the Airport Advisory Board's recommendation and give the two destinations a chance, even though it would mean some itinerary adjustments to make flights later in the day. Mayor Pro tem Loveless made the motion to endorse the Mesa proposal to both Kansas City and St. Louis. The motion was seconded by Ms. Crayton and approved by voice vote with only Mr. Janku voting no.

B194-06 Voluntary annexation of property located on the northwest side of Thompson Road, across from Beechwood Drive (5801 N. E. Thompson Road); establishing permanent R-1 zoning.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was the voluntary annexation of 1.85 acres of an unincorporated County island in north Columbia. The current Boone County zoning was R-S and was equivalent to the City's R-1 zoning. The Planning & Zoning Commission voted 8-0 to recommend approval of R-1 as permanent zoning.

Mayor Pro tem Loveless understood this was primarily to connect to City sewer and to build additional homes. Mr. Teddy replied that was correct.

Ms. Hoppe noted the report stated the Parks Master Plan indicated a need for a neighborhood park in the area and asked if this was a large enough parcel to contribute. Mr. Teddy replied that note was made anytime there was not a neighborhood park located within a mile. This was a small tract and the access would be off of Thompson. The Deer Ridge subdivision to the north would not have any connecting streets. If there were a small park, it would be accessible off of an arterial.

Mayor Pro-Tem Loveless opened the public hearing.

Gary Naugle, Sr., 1700 N. Dozier Station Road, stated he was the President of the Gary Naugle Company and was requesting the change. He explained the home on the property might be razed due to termites. It would either be an eight lot subdivision with the existing home or nine lots without the existing home. He reiterated that they might tear the home down.

Ms. Hoppe asked about the age of the home that might be razed. Mr. Naugle replied he thought part of it was built in the 1920's and the other part was built in the 1930's or

1940's. Ms. Hoppe stated the reason she asked was due to citizen concern about historic homes being torn down. Mr. Naugle commented that it was not a historic building.

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

The vote on B194-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B195-06 Rezoning property located on the north side of Buttonwood Drive, west of the intersection of Buttonwood Drive and Gray Oak Court from O-1 to C-P.

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposal would rezone about one acre of property from O-1 to C-P. The C-P uses on the tract would include all C-1 uses excluding the sale of packaged alcohol beverages or a bar, but including retail, screen printing and embroidery businesses. The statement of intent indicated a future building of up to 10,000 square feet. The Planning & Zoning Commission voted 8-0 to recommend approval of the proposed rezoning. There was some discussion regarding whether a retail screen printing and embroidery business would be allowed and it was determined that it would be.

Mr. Teddy stated the applicant spent time with Protective Inspection regarding the specific nature of the screen printing use and they were comfortable with it as a permitted use.

Ms. Hoppe asked if there was a traffic study. Mr. Teddy replied there was not a request for one at this stage since they were only looking at zoning. A development plan would be required at a later date with the details in regards to access and building location.

Mayor Pro tem Loveless opened the public hearing.

Bruce Beckett, 111 S. Ninth Street, stated he was representing the proponents and felt this was a sensible use for the property. The uses were restricted to C-1 uses plus a screen printing and embroidery business. Jeff and Barbara Glenn, who now operate Missouri Cotton Exchange across from Hickman High School, purchased the business when it was in that building. They, therefore, should not take the looks of that building as what might be at this location. He noted there were concerns expressed by the neighboring office district owner to the west regarding the uses that might be made of the property in the C-P zoning district. He reiterated they had restricted it to C-1, which was the most restrictive commercial zoning district. In addition, a plan would be brought back to the Council for approval. He noted commercial across the street and next door to the east and felt this was an appropriate place for commercial zoning with a low intensity use. He pointed out this was not a high volume retail business with a lot of walk in traffic and that they were only served by two UPS deliveries per day.

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

Ms. Hoppe stated she worked two buildings from this location and was surprised the report indicated the property on the west was vacant because there was a dental office there. She noted Mr. Gebhardt commented that he thought it was vacant land because the dental office was so small. She stated it was a gorgeous, huge dental office. She felt they did an exemplarily job in terms of preserving trees along the stream corridor. Her concern regarding

this was with traffic at Gray Oaks and Green Meadows, a new intersection by Kohl's and a possible exit for this development. She stated she would bring up the issue at the end of the meeting.

The vote on B195-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B196-06 Rezoning property located on the southeast corner of State Route WW and U. S. Highway 63 from A-1 to C-1.

The bill was given second reading by the Clerk.

Mr. Watkins explained this proposal would rezone approximately 1.86 acres from A-1 to C-1. Staff and MoDOT believed there could be some significant traffic problems resulting from the commercial development of the site. The Planning & Zoning Commission voted 8-0 to recommend denial of the proposed rezoning.

Mr. Teddy noted they received information after the Planning and Zoning meeting that MoDOT provided conceptual approval for a permit at that location. He explained a traffic study would be required if Council approved this rezoning and if it moved forward as a development project. He stated they interpreted the initial comments from MoDOT as being critical, although he did not think they ever stated they would deny any particular class of access permit. He pointed out staff shared the concerns of safety and possible impact on ingress and egress at that location.

Mayor Pro tem Loveless opened the public hearing.

John Pekkala, WW 63, LLC, 1005 E. Cherry, explained this was a small site impacted by the floodplain and a huge MoDOT drainage easement. Although it was 1.86 acres, they could maybe use half. He noted Paul Riggs, a neighbor, did not oppose to the project. In regards to access, he provided a list of steps MoDOT would require them to take. This included obtaining proper zoning, calculating traffic volumes, and providing detailed traffic plans, which showed the right-of-way and improvements that would be made. He felt traffic was a MoDOT issue, since it was their highway.

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

Mr. Janku asked for Mr. Glascock's views on the access issue. Mr. Glascock thought the access he already received for A-1 was a field entrance, which was for low volume such as a farm entrance. If it was zoned commercial, MoDOT would require a commercial entrance be put in. He stated it was not a good place for traffic because it was on the inside of a curve. He noted C-1 was open zoning, so it would be hard for them do anything.

Ms. Hoppe commented that the sixth ward neighbors were concerned with the dangers of a larger drive since there was not a clear view around the curve.

Ms. Nauser stated after reading the Planning & Zoning Commission minutes, she also had concerns about the curve and layout. She noted she would think more favorably of a C-P zoning rather than open C-1 zoning in order to limit traffic.

Mr. Janku stated he agreed. He felt a bank had some of the highest peak user numbers, even though it seemed like a low intensity use. He noted if it was open zoning, things could change even after the access permit was granted.

Mayor Pro tem Loveless commented that they would not have any opportunity to require a right-in/right-out or any other type of configuration in open C-1 zoning. He agreed he would have looked at it differently if it were planned commercial.

The vote on B196-06 was recorded as follows: VOTING YES: NO ONE. VOTING NO: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. ABSENT: HINDMAN, HUTTON. Bill declared defeated.

B197-06 Approving the River Birch West C-P Development Plan located on the west side of South Providence Outer Roadway, south and west of Jewell Cemetery; approving less stringent screening requirements.

The bill was given second reading by the Clerk.

Mr. Watkins stated the proposed development plan would consist of an apartment complex comprised of six buildings. There would be one with six units, three with eight units, one with ten units and one with twelve units for a total of 52 dwelling units. The applicant also requested a variance relating to the screening of C-P zoned property from residentially zoned property. Other than the variance request, the plan met all zoning regulation requirements and staff did not identify any problems. The Planning & Zoning Commission voted 8-0 to recommend approval of both the development plan and the accompanying variance request.

Mayor Pro tem Loveless opened the public hearing.

Dan Brush, 506 Nichols Street, explained he was the engineer on this project and stated it was a unique piece of property with a wooded area to the west and drainages that cut through the property. He noted they tailored their design to work with those items. He pointed out they met with the neighbors to the south and DNR and the plan with the variance request addressed the concerns they had.

Ms. Hoppe understood this was located between the Jewell Cemetery and the Waffle House off of Providence and asked if there would be a road exiting on the Outer Drive between those two sites. Mr. Brush replied there would be a road exiting on the south side of the Jewell Cemetery. Ms. Hoppe recalled testimony at the Planning & Zoning Commission meeting regarding concerns about that crossway. She noted cars were already turning right off of Carter Road on to Providence and cars going north on Providence were making left turns with no traffic lights or stop signs. She felt it was dangerous and was concerned about the added traffic. She understood it was a State highway, but wondered whether the developer would consider not allowing left turns north on Providence Road. Mr. Brush replied he understood MoDOT was studying the intersection. He noted the amount of traffic they were generating compared to the amount of traffic that already existed was miniscule and MoDOT did not feel a traffic study was warranted.

Mr. Janku asked if the exit was on the Outer Road. Mr. Brush replied yes and pointed out they were restricted by the existing right-of-way to that location.

Wayne Hawks, 3212 Westcreek Circle, stated he had developed the property, River Birch Apartments, across the street about eight years ago. He provided photographs and referred to the last one which illustrated the fence and was a main concern of theirs. He noted they were R-3 and Jewel Cemetery was R-1, so screening was required. He read a letter sent to DNR in which he indicated River Birch West would be more than happy to

accommodate DNR's plans for landscaping the area adjacent to the Jewel Cemetery stone fence. He felt they had gone to extremes to meet everyone's goals and needs with this development.

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

Mr. Janku stated when leaving an event being held at the Stoney Creek Inn, he recently used the stop light put in by the University at the bottom of the hill near the Reactor, which he felt was much safer. He noted the people that used this on a regular basis during peak times would take advantage of that.

Ms. Hoppe asked if there was signage directing people who might not be familiar with the light. Mr. Janku replied he did not know. He thought the people living in the area would know to use that light.

Ms. Hoppe recommended having signage directing people from the Outer Road back, rather than having them cross Providence. Mr. Glascock replied they could make that recommendation to MoDOT. Since it was a State maintained road, they would have to approve the signage. Mayor Pro tem Loveless suggested Ms. Hoppe make a motion asking staff to recommend it to MoDOT at the end of the meeting.

Ms. Hoppe stated she was very pleased to see the climax forest preservation and biking spaces and thought it looked like a great development. Her only concern was the one traffic spot.

The vote on B197-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B198-06 Amending Chapter 25 of the City Code as it relates to notes on plans, plat specifications, resubdivisions and self-imposed restrictions.

The bill was given second reading by the Clerk.

Mr. Watkins explained in March the Council directed the Planning and Zoning Commission to review and make recommendations to the proposed revisions to the subdivision regulations in order strengthen the not for development and similar restrictions on plats so it essentially made them legally binding. The Planning & Zoning Commission voted 8-0 to recommend approval of the proposed revisions subject to the term neighboring property being clarified, which he thought had been done.

Mayor Pro tem Loveless asked for the clarifying language. Mr. Teddy stated staff thought neighboring property was meant to be somewhat elastic because they would not have a situation in all cases where the note on the plat affected only those lots directly abutting. For example, it could be argued someone downstream from a common lot with a stream course running through it was very much affected. He commented that they did not have a particular problem with the language standing as it was written. The Planning & Zoning Commission just asked if there should be a more precise definition of neighboring property.

Mayor Pro tem Loveless opened the public hearing.

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

Mr. Janku stated he agreed with Mr. Teddy in that they should allow flexibility because there could be situations where the broader public interest was at stake, but the immediate neighbors had agreed to the change.

Ms. Hoppe commented that she agreed with Mr. Janku in that the definition of a neighbor would depend on each particular area. She thought there could be a larger surrounding public interest in keeping a restriction noted.

Ms. Nauser stated she also agreed and felt it was part of their public notification process. She commented that they had been accused of being too limited in who they notified or allowed to speak and believed this opened that venue a little further.

Mayor Pro tem Loveless asked if staff had any thoughts on how widely encompassing a neighboring property would be. Mr. Teddy replied in the case of a property that was part of a subdivision, which had a note indicating a common area for the benefit of the entire subdivision, it would be that particular subdivision. If it was a piece on the border of a subdivision, it would be the properties nearby where the magnitude of the change to a reasonable person would have an affect regardless of whether it was included in the subdivision or not.

Ms. Hoppe noted, in terms of stormwater, if there was a common area that reduced the amount of impervious surface, that might affect downstream neighbors as well as the subdivision. She felt that was another factor that needed to be considered.

Mr. Janku thought staff should come up with guidelines or procedures regarding the notification of parties of interest to be reviewed and agreed to by the Council and the Planning and Zoning Commission.

Ms. Crayton stated she felt the restrictions should be made known to the buyer prior to purchasing the property.

The vote on B198-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B214-06 Authorizing construction of improvements to the Columbia Terminal Railroad (COLT) Corridor – Phase II, between College Avenue and Fay Street; calling for bids.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was the second phase of the COLT corridor project. The first phase was located between Fay and Rogers. This project would be between College and Rogers. The expected cost was \$160,000 and would come from Community Development Block Grant money. The project was approved by the Railroad Advisory Board and included storm drainage work, grading, planting grass, general clean up, a 16 foot paved alley and a sidewalk. Mr. Dasho presented photographs of the area.

Mayor Pro tem Loveless opened the public hearing.

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

Mr. Janku stated he felt this was a good example of what Community Development Block Grant funds could do to fix up a neighborhood area. Mayor Pro tem Loveless agreed.

The vote on B214-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B215-06 Authorizing construction of a water main serving property located at 211 Bingham Road; providing for payment of differential costs.

The bill was given second reading by the Clerk.

Mr. Watkins noted this was a standard water agreement to pay differential costs. The City's cost was expected to be slightly under \$2,000.

Mayor Pro tem Loveless opened the public hearing.

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

Ms. Nauser stated she felt this, existing neighborhoods, was what their differential costs payments should go for. She noted she was referring to a comment she made a couple weeks ago in which she wanted this issue looked at when it was an ongoing process of the City.

The vote on B215-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

OLD BUSINESS

PR116-06 Expressing the City Council's preference relating to the height of light poles in nonresidential planned districts.

The policy resolution was read by the Clerk.

Mr. Watkins stated this was a policy resolution the Council previously asked for. It expressed the Council's preference that light poles in non-residential planned districts not exceed 25 feet in height. He pointed out the Planning & Zoning Commission would be holding a work session on a more extensive lighting ordinance later this month and that would come to the Council later in the summer.

Mayor Pro tem Loveless noted this was a stop gap measure to let the development community know what the Council wanted in terms of a light standard height until the lighting ordinance was in place.

The vote on PR116-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON, CRAYTON. (Ms. Crayton stepped out during the discussion for PR116-06 and did not return until after the official vote was taken.) Policy resolution declared adopted, reading as follows:

B199-06 Approving the Final Plat of La Grange Place – Plat 3, a Replat of Lots 42, 43, 44 and 62 and parts of Lots 41, 61 and 63 of La Grange Place, located between Maryland Avenue and Richmond Avenue, south of Rollins Street; granting a variance to the Subdivision Regulations.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was a proposed final plat of a replat of a number of lots in the Greek Town area. It was being requested in conjunction with a proposal to raze a building and construct a parking lot for the existing Gamma Phi Beta sorority. This was an

older area of town and with the replat of many older areas of town, it was hard to comply with all of the various subdivision regulations. The variance being requested was to not require the extension of a sanitary sewer to a parking lot. Staff felt that made sense. The Planning & Zoning Commission voted 7-0 to recommend approval of the variance request.

Mayor Pro tem Loveless asked if this was originally platted in 1916. Mr. Watkins replied he did not know, but it was one of the early plats.

The vote on B199-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B207-06 Appropriating funds for construction of methane gas extraction wells at the sanitary landfill.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was to appropriate \$145,394, the amount remaining in a previous solid waste bond issue, for the solid waste portion of the project that would increase the methane gas extraction wells at the landfills. He noted this was a two phase project. The first phase was the solid waste phase where they would build the additional landfill cell and add the extraction well technologies. The second phase would come about with approval of the August ballot and would create funds for the actual construction of a generator, which would convert the methane gas to electric energy.

The vote on B207-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B216-06 Authorizing acquisition of easements for construction of a 161 Kv transmission line near the intersection of Rolling Hills Road and Sugar Grove Road to the Grindstone Substation located on Ponderosa Street.

The bill was given second reading by the Clerk.

Mr. Watkins explained this bill would finalize the alignment of a 161Kv double circuit. He noted the Council had seen this previously and, at staff suggestion, withdrew the bill to allow staff to continue negotiating with affected property owners. He understood accommodations had been reached with all except one property owner with one pole.

Mr. Dasho explained this transmission line project would provide reliability to the City. The City needed to bring a new source of power into the Grindstone Substation. The new line would be coming from an existing 161 Kv line and would go down Sugar Grover Road, cross property owned by the University of Missouri, cross property associated with the Lenoir Home and come up Ponderosa to the Grindstone Substation. He noted the project was very important to the City in terms of being able to relieve overloads they felt would occur this summer. The line needed to be in place to effectively and efficiently operate the system without having to run gas generation. He stated they would like to have the project done by the first of July. He noted the poles and wires were already going up in the area even though they did not have all the finalized easements. The vast majority of the land owners had allowed them to go onto the property because they recognized the importance of the project

to the City. In this case, they needed authorization to move forward with the easements on this project.

Mayor Pro tem Loveless understood this was something MISO was requiring. Mr. Dasho replied that was correct and added it was required from the National Electrical Reliability Council as well as MISO in terms of how they had to operate and maintain a reliable transmission system.

Mr. Janku recalled a few years back when there was a major power failure in the Midwest around Ohio and understood that was tied into similar transmission issues. Mr. Dasho replied that was correct. He explained the transmission lines were heavily loaded and one line failed. Due to a lack of building transmission lines, a second one failed which caused a cascading of outages throughout the northeast and brought down over 80 million customers. He noted they needed to get ahead of these types of situations. Mr. Janku felt there could be a broader interest and wanted to point that out.

Ms. Nauser stated she wanted to thank the property owners that were being cooperative for the greater good of the community and asked if this one property owner would hold up the City meeting the deadline. Mr. Dasho replied it could hold them up if the individual would not allow them on property. Redesigning the project to avoid this property would also hold them up because everything was designed and the poles were on site. Changes could require new manufactured poles, which would cause a delay. Ms. Nauser understood the delay or the redesign could cost \$700,000 or more. Mr. Dasho replied yes and explained that was because the poles now on site would not be of value to them and they would have to buy new poles and redesign the project.

Dan Cofran, an attorney with Spencer, Fane, Britt and Browne, LLP in Kansas City, stated he was in attendance on behalf of Raul Walter's Properties, the owner of the tract referred to by Mr. Dasho. Using a drawing, Mr. Cofran explained Mr. Walter's, through a trust, owned the southern most piece of land, which was about 6.5 acres. The proposal would run the transmission line along the southern edge of lot 6. They felt it was very broad and an excessive condemnation. They understood the City's need to augment its transmission capabilities so they did not have an Ohio situation and they did not want to impinge upon the City's need to get the line up and running prior to the peak season. However, they believed the proposed easement and right-of-way was far more than necessary. He described the existing Ponderosa as a two lane facility of about 24 feet of pavement with right-of-way. The total right-of-way width was about 60-66 feet. There was also a 15 foot existing easement that had the current power poles in it. The proposal was to go an additional 70 feet into lot 6, which would essentially break it in half. Thirty-five feet of that was for the actual transmission line easement. He noted they would be monopoles, not towers with several legs, and would require 4-5 feet at the base. In addition, the easement had to go out 17.5 feet to allow for wind blowing the cables for a total 35 foot easement. He noted the City was asking for a taking of 70 feet, not just 35 feet, in order to accommodate the eventual widening of Ponderosa to major arterial standards. This was designed to put the utility easement next to the additional right-of-way area for the future expansion of Ponderosa for a total 70 foot easement. Mr. Cofran stated they believed there were less aggressive ways to acquire what was necessary to support the City's need. They felt the proposed

easement and right-of-way was excessive both as a practical and legal matter. He stated they were proceeding based upon the Council declaring a public necessity for the transmission line, which did not include the 35 feet of right-of-way for a major transportation facility. He understood the basic professional work had not been completed to determine the public necessity for the roadway. He wondered if overlaying the power line easement over the desired roadway easement had been explored. In review of the design standards for a major arterial, he wondered if the raised median had to be 16 feet or if it could be narrower. He noted the buffers were very broad. He stated they believed there were a number of ways to scale back the taking so it was not an excessive use of the City's powers of condemnation. He explained if they could agree, they would be willing to do an easement, but noted they were not at that point right now.

Ms. Hoppe asked what the zoning was for that property. Mr. Cofran replied he thought it was zoned commercial. Ms. Hoppe thought a wider road might be advantageous to a commercial property. Mr. Cofran replied it might, but asked whether it needed to be a major arterial. He stated 110 feet was a lot of land.

Mr. Janku stated he did not believe the Council should design power line easements and suggested they pass the ordinance as drafted. If Mr. Cofran's client was amenable to working with the City, he thought they might be able to come to a reasonable solution.

Ms. Hoppe asked if the widening of the road was on a plan for the City. Mr. Glascock replied that when they did the Philips tract, a traffic study was completed. The traffic study stated if development happened, that road would need to be a five lane road. It would be a major arterial at that point. Mr. Glascock noted Mr. Dasho tried to go up U.S. 63 and Mr. Walter's representative asked them to go up Ponderosa. They accommodated that and explained they did not have the road design, but would try to do their best to tell them what was needed. Mr. Glascock felt they had done that. He explained they were trying to make sure they would never have to move that power line again.

Ms. Hoppe asked about the overlap of easements. Mr. Glascock replied if they overlapped the easements and it had to be moved, it would be very costly.

Ms. Nausser encouraged everyone to come to a meeting of the minds for the community good.

Mayor Pro tem Loveless explained the Council had long viewed this as a major access roadway to, at that time the largest development plan for the City, the Philips tract/Bristol Lake. He noted they looked at Ponderosa as the primary access until the overpass at U.S. 63 was built. They now had a major transmission line and he believed the base of the pole was at least 6 feet in diameter. He understood they could not be picked up and moved or shifted because they were engineered for one spot, so they need to look 20 years into the future. He stated if they were going to rebuild Ponderosa, they needed to put the pole in the right spot now so it would not need to be moved. He agreed with Mr. Janku in that they should go ahead and pass this and allow staff to work with Mr. Walter's representatives to see what agreement they might come to.

The vote on B216-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

B219-06 Appropriating funds for the renovation and restoration of the Martin Luther King, Jr. Memorial at Battle Garden; authorizing the City Manager to execute an amendment to an agreement with Russell-Marti Conservation Services, Inc.

The bill was given second reading by the Clerk.

Mr. Watkins stated this was a request by staff to appropriate funds for some additional work involved with the restoration of the Martin Luther King, Jr. Memorial at Battle Garden. He explained they found some additional brick work they believed might have contributed to the white powder which was what they were trying to get rid of through the project. This proposal was to appropriate funds from the fund balance of the Office of Cultural Affairs, which in next years budget would be folded into the general fund, and to allow an amendment to the contract with a conservation firm overseeing the project to include this work. This would also allow them to do all of the work that had been originally planned, rather than having to cut back on the landscaping or some of the other pieces of the restoration.

Mr. Janku stated he was glad this was being done. He understood the text of the quotes was difficult to read on the gray stone and wondered if that could be enhanced without violating what the artist did. Ms. Hunter replied that had been brought up and had been prioritized down the list due to the structural issues and repairs. She noted they worked closely with the artists, so she was not concerned with maintaining artistic integrity. She thought the artist would view that as a positive improvement. Ms. Hunter thought it could be addressed in the next year with the maintenance endowment fund established for the Memorial. Ms. Hoppe commented she had the pleasure and privilege of being on the Percent for Arts as a neighborhood representative for Stephens Lake and noted Ms. Hunter was a great in making sure that future art would meet standards without expenses to the City.

The vote on B219-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

B200-06 Approving the Final Plat of Thornbrook, Plat No. 14 located on the north side of Thornbrook Ridge, west of Scott Boulevard; authorizing a performance contract.

B201-06 Approving the Final Plat of Mill Creek Manor, Plat No. 4 located on the east side of State Route KK, at Crabapple Lane; authorizing a performance contract.

B202-06 Approving the Final Plat of River Birch West Subdivision located on the west side of South Providence Outer Roadway; authorizing a performance contract.

B203-06 Approving the Final Plat of The Vineyards, Plat No. 1 located on the south side of East Broadway/State Route WW, across from Cedar Grove Road; authorizing a performance contract.

B204-06 Amending Ordinance No. 018918, which levied special assessments for reconstruction of Sunflower Street from State Route E (Stadium Boulevard)

to Mayberry Drive, to void tax bills issued against certain properties; appropriating funds.

- B205-06 Confirming the contract with Case Excavating, LLC for construction of Sanitary Sewer District No. 149 (Edgewood Avenue).
- B206-06 Authorizing grant agreements with the Mid-Missouri Solid Waste Management District; appropriating funds.
- B208-06 Authorizing Change Order No. 1 to the contract with Garney Companies, Inc.; approving the Engineer’s Final Report relating to the Upper Hinkson Creek Outfall Sanitary Sewer Project.
- B209-06 Authorizing Change Order No. 1 to the contract with Boone Construction Company; approving the Engineer’s Final Report relating to the Auburn Hills Sidewalk Project – Phase I.
- B210-06 Authorizing Change Order No. 1 to the contract with Emery Sapp & Sons, Inc.; approving the Engineer’s Final Report relating to construction of the Concorde Office and Industrial Plaza Pump Station Interceptor.
- B211-06 Approving the Engineer’s Final Report relating to the Merideth Branch Storm Water Detention Basin project.
- B212-06 Approving the Engineer’s Final Report relating to the Rollins Road and Rothwell Drive storm drainage project.
- B213-06 Approving the Engineer’s Final Report relating to the Cow Branch Outfall Sewer Extension project.
- B217-06 Confirming the contract with G & G Mechanical Contractors, Inc. for construction of a water main along Brown Station Road to Route B.
- B218-06 Accepting conveyances for utility purposes.
- B220-06 Accepting donated funds from KMIZ through the New Century Fund for the purchase of equipment for the Fire Department; appropriating funds.
- B221-06 Amending Chapter 16 of the City Code as it relates to police animals.
- B222-06 Authorizing a PCS antenna co-location agreement with Cellco Partnership d/b/a Verizon Wireless for the lease of City property located at 1400 Ballenger Lane (Fire Department Station No. 5).
- R117-06 Setting a public hearing: voluntary annexation of property located on the east side of Oakland Gravel Road, approximately 1,450 feet south of the intersection of Oakland Gravel Road and Alfalfa Drive (6250 Oakland Gravel Road).
- R118-06 Setting a public hearing: voluntary annexation of property located north and west of the northwest corner of West Broadway and Strawn Road (State Route ZZ).
- R119-06 Setting a public hearing: construction of a salt storage facility on Big Bear Boulevard.
- R120-06 Setting a public hearing: construction of an addition to Fire Station No. 1 (201 Orr Street) and construction of renovations to Fire Station No. 2 (1212 West Worley Street).
- R121-06 Setting a public hearing: consider the proposal of the owners of the Mid-Missouri Mavericks to build a baseball stadium and sports complex at American Legion Park.

R122-06 Authorizing various adopt a spot agreements.

R123-06 Authorizing an agreement with the Missouri Department of Health and Senior Services for the Summer Food Service Program for Children.

R124-06 Authorizing Amendments No. 1 and No. 2 to the agreement with the Missouri Department of Health and Senior Services for the Local Public Health Agency Consolidated Contract.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

R125-06 Authorizing an amendment to the agreement with Boone County and the Missouri Highways and Transportation Commission for the construction of the intersection of Route K and Scott Boulevard.

The resolution was read by the Clerk.

Mr. Watkins explained this was an amendment to an agreement the Council approved in March of 2005. It was a public/private partnership that made changes to the Route K and future Scott Boulevard intersection. The private sector part of the agreement was the extension of Scott Boulevard down to Route K. The partners for the City's piece were MoDOT, Boone County and the City of Columbia. MoDOT, because it was a MoDOT road, was going to administer the project. The bids came in a couple weeks ago substantially over the estimate due to the construction and the County underestimating some of the ancillary costs such as utility relocations. The County asked the City to consider providing additional funds to the project at the same percentage as the original partnership agreement. He understood MoDOT had agreed to this request in regards to funding their share.

The vote on R125-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R126-06 Accepting a 2005 Barrett Horse Trailer donated to the Columbia Police Foundation by Mike Teel of Mid-City Lumber Company.

The resolution was read by the Clerk.

Chief Boehm publicly thanked Mr. Teel and Mid-City Lumber for the donation of the horse trailer for the City's new mounted unit. It was a \$16,000 trailer, so the donation saved the City a considerable amount of money. He also thanked the Columbia Police Foundation for helping to facilitate the donation.

The vote on R126-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R127-06 Authorizing an amendment to the agreement with Boone County for the lease of office space for the Police Department located at the northwest corner of Seventh and Walnut Streets.

The resolution was read by the Clerk.

Mr. Watkins stated the City currently leased a number of office spaces around the downtown area for operations that did not fit in the current space in the City building. They had been discussing expansion for a while. In parallel to what they need here, they were currently leasing space for the Detective Bureau in the old Lifestyles building, now owned by Boone County. It had been their intent to move Water & Light Administration out of the Police building and allow the Police Department to move its entire operation into the Police building. Due to some delays, they requested a month to month extension for the lease of the Detective Bureau and the County agreed to do so at the same cost. There was a 60 day out clause from either side and they anticipated that was plenty of time to meet their needs. They were recommending to Council that the City extend the existing lease at the same cost with Boone County for the Detective Bureau until they find space for Water & Light Administration.

The vote on R127-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R128-06 Authorizing the purchasing agent to request proposals and contract for the Way-Finding Signage project as part of the Downtown Beautification Project.

The resolution was read by the Clerk.

Mr. Watkins stated the City worked very closely with SBD in a plan for improvements downtown called HUB (Helping Urban Beautification). It was divided into five phases with the first couple phases including street furniture and street lighting. The middle and ending phases included new way finding signs. This would be the final step in moving towards approval of the actual signage. The estimated cost for the entire program was \$177,000.

Carrie Gartner, 11 South Tenth Street, explained this was actually what the Council asked for about five years ago and what started the downtown beautification plan. She noted the Committee included property owners, merchants, representatives from all three colleges and representatives from the Historic Commission. They wanted to pick signs that would be visually attractive and would fit with the architecture and feel of the SBD. She felt they got what they wanted in that it was a complete package and designed to be used by pedestrians and people in cars. It also had things that added to the esthetics, such as black sign posts for stop and yield signs.

Ms. Hoppe commented that when she moved to Columbia in 1979, the downtown area was not nearly as vibrant, beautiful and historic looking as it was becoming. She felt it was the heart of Columbia and was proceeding well. She thought this was a wonderful change.

The vote on R128-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R129-06 Authorizing an agreement for financial assistance in connection with the removal of the remaining sections of the downtown canopy.

The resolution was read by the Clerk.

Mr. Watkins explained this would authorize an agreement between the City and the Columbia Special Business District. It was a public/private partnership because it also

included property owners. This would remove the rest of the canopy downtown. The SBD was also asking for City assistance in the re-establishment of the 12 street lights, which were currently on top of the canopy and would be removed as part of the canopy. In addition, they requested assistance with some of the electrical work necessary to slightly move three traffic lights associated with the canopies. The City would be spending about \$23,400 in terms of cooperation with SBD and up to an additional \$39,000 to add back the street lights and complete the work on the traffic lights.

Skip Walther, 700 Cherry Street, stated he was a member of the Special Business District Board and wanted to thank the Council for considering the request. He noted this was the last piece in a puzzle that they had been dealing with for a long time and believed it would be a wonderful change for downtown. They had collected well over \$100,000 from the property owners who had businesses or property where the canopies were located. He stated it was very heartening to know the property owners had contributed a lot of money.

Carrie Gartner, 11 S. Tenth Street, noted most of the people who owned canopies now were the people that paid to put the canopies up in the first place. They believed very strongly in preserving downtown and were good community minded people and team players.

The vote on R129-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R130-06 Authorizing the sale of Special Obligation Revenue Refunding and Improvement Bonds, Series 2006B.

The resolution was read by the Clerk.

Mr. Watkins explained last November the voters approved a number of ballot issues through the extension of the one-quarter cent sales tax to fund a number of improvements for roads and public safety. They had worked with the Council to determine implementation through the year 2008. In order to proceed with these projects, they needed to come up with financing.

Ms. Fleming explained this was the first step necessary in order for the City to offer the bonds at public sale. Two weeks from today, they would be issuing approximately \$22.5 million for new projects on the implementation schedule funded with the quarter cent sales tax through 2008. Also as part of the financing deal, they would refund the 2001 COPs, which would allow the City to better utilize the debt service reserves. They anticipated a savings that would free up the debt service reserve funds that were necessary. She noted the rating agencies and insurers reaffirmed the City's AA- rating.

The vote on R130-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R131-06 Approving the Preliminary Plat of The Villages at Arbor Pointe Phase 2 located on the north side of Waco Road, extended, west of Brown Station Road.

The resolution was read by the Clerk.

Mr. Watkins stated this would approve a preliminary plat creating 385 lots. He noted 381 of these lots would be for single family residential construction, two would be for common

areas and two would be for part of a PUD that would be located east of the subject site. The Planning & Zoning Commission voted 6-1 to recommend approval of the proposed preliminary plat.

Mr. Teddy noted there was mention of some other zoning classifications in R-1. The lots in Phase 2 of the Villages at Arbor Pointe would be R-1 lots. There was some existing zoning in other categories where the intent was to rezone. For the most part, those were in Arbor Pointe Phase 1, and the Council had already seen and acted on that preliminary plat.

Mayor Pro tem Loveless asked for an explanation of what the approval of the preliminary plat meant in terms of future actions that the Council might or might not have. Mr. Teddy stated this was the design of the subdivision. It was a map of the layout of streets and lots. The next step for the applicant, assuming the preliminary plat was approved, would be to develop a final plat, which was the document prepared for recording that enabled them to offer lots for sale. Along with the development of the final plat, they would develop their final engineering plans, specifications and construction drawings. Mayor Pro tem Loveless understood the preliminary plat was a conceptual plan and they would look at specifics as they were brought forward. Mr. Teddy replied that was correct and added that as long as there were no dramatic changes to the final plat, it would be an administrative act for the Council.

Mr. Janku stated he noticed there was a lot of connectivity to adjoining tracts, which was encouraged by the Council, and those streets then flowed into the parkway. He wanted to make sure staff was comfortable with the amount of traffic that could eventually flow into that. Mr. Teddy replied they designed a north/south collector street that would tie into the R-3 zoned tract to north. They thought that was good roadway planning. Mr. Janku stated he was anticipating traffic of future developments flowing through the neighborhood and wanted to know if this parkway could hold the volumes of developments on any adjoining properties that might be feeding into it. Mr. Teddy replied that was why it was designed as a collector with local streets branching out east and west from it. Those local streets should not be excessively burdened to anyone in particular if the surrounding area developed as expected.

Mr. Janku understood there would not be any houses fronting on the collector. Mr. Teddy replied they were corner lots for the most part or had rear lot lines of lots on cul-de-sacs. In one case, they had a crescent shaped street like a shared drive that would front that street. He noted they had access management in mind. Mayor Pro tem Loveless understood in the southwest corner, the crescent street was to allow more lots to be put in without fronting on to the collector. Mr. Teddy replied that was correct. He explained it would take the driveways off of the collector street.

Ms. Nauser noted the intermittent stream along the east part of the property was a major tributary to the Bear Creek and asked if there were any type of stormwater regulations to limit the amount of water flowing into the tributary or if there was a stormwater plan. Mr. Teddy replied at this stage, it was only a conceptual design the Public Works Department looked at for stormwater management. He pointed out they would have to meet the engineering requirements of the City when they designed their stormwater management system. Mayor Pro tem Loveless understood that came at the final plat stage. Mr. Teddy

replied that was correct and added construction drawings were usually submitted with the final plat. He noted they might have requested a land disturbance permit, which could be done with reliance on the preliminary plat and a site development plan would be submitted for that. It would cover earth work and stormwater management and erosion control.

Ms. Hoppe understood the council memo indicated no fiscal impact to the City. With 385 lots, she wanted to know what affect this would have on the City in terms of cost, infrastructure, roads, sewers, schools, fire fighters, etc. She asked if that calculation was does for large additions. Mr. Teddy understood that had been discussed in the past, but stated they did not do fiscal impact studies on subdivisions. He noted they reported impacts in general terms, but did not quantify it. He stated there was no staff report to back up the staff report the Council received. Ms. Hoppe asked what “no fiscal impact” meant. Mr. Teddy replied they typically checked no fiscal impact if there was nothing that required an outlay from the City budget. Ms. Hoppe asked if he meant no immediate outlays. Mayor Pro tem Loveless understood since this was a conceptual plan, there really was no City outlay of funds. They did not need to approve any budgetary additions to accommodate this conceptual plan. As the final plats came through, they then saw more expenditure of City funds to accommodate the new development.

Ms. Hoppe stated when they approved the preliminary plat, it set in motion the first stage of adding 385 lots to the City and she felt it would be responsible to know what kind of fiscal impact this would have. Mr. Watkins explained it was a difficult analysis to make. He was not sure they had the fiscal impact information, such as the structure of houses, size of the structure, type of occupants such as the number of children going to the schools, offsetting taxes, charges and fees, increased street maintenance, and etc. He stated if this was something the Council really wanted them to do, they would need to add staff with the necessary skills, models and expertise to do it.

Mr. Janku explained the one time they did anything like this was when they did the major voter initiated/planned annexations and were required to document that they could provide services to the areas being annexed. He felt zoning triggered the fiscal impact because that provided the right to develop the property within certain guidelines. He noted it was an incremental cost in that each little development by itself added something, but did not really tip it to require additions such as a new fire station or added police officers.

Mayor Pro tem Loveless thought there were some compounding problems. For example, this primary road that served this subdivision was a collector road and the ordinances, at this time, would require the developer to build a residentially scaled road. The City saw the need for a collector, so the City was paying the difference between the developer’s cost of the residential road and the collector status. Other properties in the area would use the collector and the compounding of all that was very intricate. Every time the Council had discussed it in the past, they had decided the model they had been using to develop the City, with a few exceptions, had worked pretty well and they did not need to take further steps at those times. Ms. Hoppe stated she did not want to discuss it now, but felt it was important for City finances to keep up with development and for them to know exactly how much things were going to cost and who was going to pay for it.

Chad Sayer, Allstate Consultants, 3312 Lemone Industrial Drive, stated he was present to answer any questions.

The vote on R131-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

R132-06 Approving the Preliminary Plat of Copperstone located south and east of the southeast corner of Scott Boulevard and Vawter School Road; granting variances to the Subdivision Regulations.

The resolution was read by the Clerk.

Mr. Watkins stated this was a proposed preliminary plat that would create about 183 lots for single family residential development and some common areas. It was located on the southeast corner of Scott Boulevard and Vawter School Road. They were requesting two variances in regards to the length of some cul-de-sacs and sidewalks. With the exception of the two variance requests, the plat met all of the subdivision regulation requirements. The Planning & Zoning Commission voted 7-0 to recommend approval of the proposed plat and the two variance requests.

Mr. Teddy noted staff was supportive of the preliminary plat design as was the Planning & Zoning Commission. The one issue they differed on was the sidewalk variance. There was a non-conventional walkway system proposed on one side of the streets. Those sidewalks were setback farther from the street than conventional. There was also a meandering path system, referred to in the minutes as a pedway system, with an 8 foot walkway within the common areas that started at mid-block locations and wound through the subdivision along the common areas. Staff's opinion was that it was a nice feature, but they also felt there should be sidewalks on both sides of the streets. The Planning & Zoning Commission felt it was an innovative plan and the 8 foot walkway system could be considered an alternative walkway. An additional issue for staff was whether the sidewalks and pathways would be public or private. It was their opinion the non-conventional type walkways should be built for and owned and maintained by a homeowners association.

Mr. Janku asked which sidewalks were only on one side of the street or if they were all like that. Mr. Teddy replied none of the streets had sidewalks on both sides.

Adam Harrison of Rick Harrison Site Design, 8832 Seventh Avenue North, Minneapolis, MN, provided some handouts and explained a problem with suburbia was that chunks of land were being purchased at one time and the same developer did not build the entire area. It was designed by different engineers and ended up being a maze for drivers and pedestrian connectivity did not exist. He stated that even when sidewalks were a part of an ordinance, it did not necessarily mean connectivity existed. As soon as a fence was built in the rear yard, one would have to get in the car to see a neighbor in the rear. He stated another problem with suburbia was that they were typically showcasing the rear of the home, which was the most cluttered part of the home. He noted one of the main architectural elements in any subdivision was car clutter. As a result, they came up with a few design standards such as coving. A cove was an indent in the building setback line, like a cove in a lake. When properly designed, there was a reduction in all impervious surfaces and it was a more esthetically pleasing development. Density, in a conventional design, was to build the

most amount of street to get the most amount of setback. With coving, they stretched the street from the setback and got more setback with less street. In this case, there was 42 percent less street and 40 percent larger lots. The only difference between a cove plat and a conventional plat was adding a dimension to setback line or the build to line for the building itself. He noted there were two types of space, real space, the space between buildings, and illusional space. In coving the real space was being expanded between the homes. More important was the illusional space, which was how far one looked, while sitting in a home, before seeing the next visual object. He pointed out the meandering walks added character and an element of aesthetic appeal. They broke up the monotony of the standard walk system. He noted everything they designed since 2002 had meandering walks. The advantages to coving were less streets, less maintenance, less impervious surface, more green space, larger lots, a safer road pattern since the curving pattern slowed traffic, more parking in front of the homes, which reduced the car clutter, and a unique setting to each home. He pointed out there were no four-way intersections because there were 32 impact points at a four-way intersection. A three-way intersection only had 9 impact points. He stated Copperstone would have a simple and safe street pattern, a meandering walkway connecting the entire neighborhood, oversized cul-de-sacs that could be landscaped, 32.6 acres of front yard space, which was an average of 8,900 square feet, and 35.6 acres of common space.

Mayor Pro tem Loveless asked why only half of the homes had sidewalks. Mr. Harrison replied the thought behind it was that there was very little talking with neighbors in a conventional neighborhood because the street separated people. He felt this was a way to meet the neighbors and to interact. Mr. Harrison noted there were some areas where there were sidewalks on both sides.

Mayor Pro tem Loveless stated it appeared that only half of the homes had sidewalks in front of them. He noted the City had been diligent in regards to having sidewalks in front of every home in newly developed areas. He liked the philosophy behind the design, such as the coves, curving streets and oversized lots, but he did not understand why sidewalks were not on both sides of the street.

Phebe Lamar, an attorney with offices at 111 South Ninth Street, stated she agreed the concept of having sidewalks on both sides was important in normal everyday neighborhoods. She noted there were two sidewalks on two sides of the street in the long extended cul-de-sac on the bottom end of the drawing and that did not need to connect to other areas because the eastern side had five acre estate lots that backed up to it. In addition, on the south it also had large lots that backed up to it. She noted all of those were in the County rather than the City. She pointed out there was not need for connectivity for any of the neighborhood because there were lots that backed up to it rather than streets. She felt the pedways were a great idea for Columbia. She stated they essentially widened the sidewalks and made them 8 foot pedways rather than 5 foot sidewalks to encourage pedestrian traffic. The pedways provided a way to get to a destination without getting into a car. If someone on the north side of the neighborhood wanted to get to the south side to the swimming pool, they could walk through the common areas in the neighborhood to get to their destination without getting into their car. She felt this would encourage pedestrian

traffic. She pointed out the subdivision was also attempting to work with the topography and the existing trees. She noted if there was not a pedway on one side of the street, there might be a pedway backing up to the home and a pedway across the street that was accessible. She explained they could not do both 5 foot sidewalks and 8 foot pedways because it was not financially feasible, so they had to make a choice. She asked the Council choose the 8 foot pedways because it was a new innovative method of encouraging pedestrian traffic and was environmentally friendly because it provided an option for maintaining the trees and green space. She pointed out the plan provided for 70 acres of green space out of a total of 144 acres.

Ms. Hoppe asked if the lots without a sidewalk would be cheaper. Ms. Lamar replied no. She pointed out the developer was open to whatever the Council wanted as far as whether the sidewalks were public or private. She thought the Council would want them as public sidewalks so it was accessible to other people who might want to walk. She noted the developer was willing to have the homeowners association maintain all the pedways regardless of whether they were public or private. She stated it almost provided a new trail system in itself because of the pedway system.

Ms. Hoppe asked if the houses without front yard sidewalks would be less expensive. Ms. Lamar replied she was not aware of a cost difference in the lots due to having a pedway or not. A lot of the houses that did not have a pedway on their side of the street still had access to a green space and/or pedway behind their house. She pointed out two-thirds of the lots backed up to a green space/common area.

Mr. Janku understood certain cul-de-sacs were not required to have sidewalks per the street standards. Ms. Lamar replied those were cul-de-sacs under 250 feet. Mr. Janku asked if any of these met that requirement. Ms. Lamar replied some did meet those standards and would not have to have sidewalks at all, but still had the pedways that accessed one side of the street.

Ms. Nauser stated she drove by this property everyday and was excited to see something innovative on that land. It sickened her to think someone would plow through that land and cut down all the trees. She commented that she planned to support this and believed they needed to look outside the box. She was tired of seeing subdivisions on grids. She felt it would cut down on water runoff and noted there would be brakes between the concrete, so there would be less stormwater runoff. She stated she was not going to be a stickler for having a sidewalk on two sides of the street because the 8 foot pedway would give anyone in the subdivision ample opportunity to walk and it would be a much more pleasant walk to walk through a meandering sidewalk rather than a sea of concrete.

Ms. Hoppe commented that she was excited to see them working with the land, providing a pedway internal system and reducing impervious surface. She noted she was on the Committee which recommended sidewalks on both sides, so she was torn in regards to that. She felt, ideally, it would be great to have both.

Mr. Janku thought the pedways needed to be public to allow people using that area to have an area to cut through. He also had concerns primarily with the process. He noted they went through the street standards process and he thought they could comply with the street standards and still have this design. He did not think they mandated or defeated this design.

He appreciated the developer's innovative design and commented that it showed what could be done within the traditional R-1 development. He noted there were certain points with gaps that he felt needed to be corrected. Even though this was a great, innovative design, he did not feel they showed, using the ordinance, why a variance was required or justified. He pointed out the requirement of having sidewalks on both sides of the street had been in the ordinances since the 1970-80's. His concern was how they would deal with the next one and how they would determine what was appropriate and what was not.

Ms. Nauser thought it would be easy if someone showed innovation and a lot of green space. She stated half of the people walked in the street rather than the sidewalk. She reiterated she was not a stickler for sidewalks on both sides because she saw a way for people to get through the subdivision safely.

Mayor Pro tem Loveless stated he liked the layout and since he did not have strong feelings against it, he would support it.

Mr. Glascock commented that the meandering sidewalks caused problems with inspections because the inspectors would not know exactly where they would be. As houses were developed, they were not developed incrementally, so there might be one in one part of the subdivision and one in another. He stated he would like to have that detailed if this were to be approved. In addition, since the crosswalks were not at intersections across the street, he felt those should be raised crosswalks to address safety concerns. He reiterated the sidewalks needed to be detailed so the builder, unless one builder built them all, would have the grade set when they began building. Mayor Pro tem Loveless asked if those would be details for the final plat. Mr. Glascock replied he wanted to make that request clear now. Ms. Lamar stated the developer would build all of the pedways. In regards to the crosswalks, they had already planned to raise them. Mayor Pro tem Loveless stated he believed Mr. Glascock was as concerned with the sidewalks as the pedways. Ms. Lamar stated it was all the same and the developer would be building all of it. Mr. Glascock asked if they would go in before the houses. Ms. Lamar replied yes. Mr. Glascock asked if the developer would replace any section that broke or got cracked. Ms. Lamar replied that she believed if the builder cracked them, the builder would probably have to repair them, but she noted most were set far enough back from the street that there should not be an issue.

Mr. Janku asked if the public versus private was specified in the ordinance. Ms. Lamar replied she did not believe it was because there had not been a decision regarding that since staff was not in favor of it and they were ambivalent. Mr. Janku asked what would happen in the absence of language. Mr. Boeckmann replied this was just a resolution and the ordinance for the final plat would have the dedications. Mr. Lamar stated if they had a preference to feel free to specify it and they would comply.

Mr. Janku stated he was concerned about the gap on the west side at the bottom, near the entrance way on the north. He was not sure they wanted people to cross over and cross back. He noted that was at the entry point where the traffic would be heavy and he thought they would want to have a continuous pedway there. Mr. Harrison asked if that was at the north entrance. Mr. Janku replied yes and added that there was also a gap on the street going down where they had to cross to come back up. He thought at those particular points,

they would want the continuity of the pedway. Mr. Harrison stated it would not be an issue to put a walk there.

Ms. Hoppe was concerned with the houses without sidewalks due to children that either had to cross the street to get to the sidewalk to visit a friend, get into the street to visit a friend three doors down or walk on the grass. She was concerned that they had no safe route. Ms. Lamar noted one of the advantages of this development was the winding streets that slowed people down. Another was the large front yards where they could get back out nearly to the street without having to get into the street if they were going two houses down. Mr. Harrison pointed out the houses without sidewalks were on the inner island where the connections were behind the houses. If they were going two doors down, they would use the open space behind the house and would not be using anyone's property, which was even safer. Mayor Pro tem Loveless noted that was presuming that the back yards of the houses were not fenced. Mr. Harrison did not think that would be allowed by the development. Mayor Pro tem Loveless asked whether the common area would be mowed. Ms. Lamar replied one of the requirements by City ordinance was that those areas be mowed. Mayor Pro tem Loveless noted that was 12 inches.

Mayor Pro tem Loveless understood all of the specifics would be with the final plat and ordinance. Mr. Boeckmann replied that was correct.

Mr. Janku recalled the developer/engineer stating this was not a deal breaker at the Planning & Zoning Commission and asked if that was correct. Ms. Lamar replied it was not a deal breaker in that they still intended to develop the subdivision. It was a deal breaker in that they would not build both the five foot sidewalks on both sides of the streets and the eight foot pedway system. Mr. Janku asked if the variance was denied if they would build it with five foot sidewalks. Ms. Lamar replied yes, but clarified it would not include the pedway system that went through the common areas. The pedway system, as it was currently drawn, was within 3.5 percent of the same square footage as building five foot sidewalks on both sides of the street. It would actually cost more to build them that way due to increased cost of engineering, surveying, and etc.

Mr. Janku asked if they wanted to vote the variance first. Mr. Boeckmann noted the preliminary plat showed the pedways and it could not be separated. He suggested voting on it the way it was or having someone who wanted sidewalks rather than the pedway make a motion deleting the section granting the variance.

Mr. Janku commented that it was a beautiful plan and had a lot of great stuff in it, but the problem was what would follow. He thought they might need to reconvene the Street Standards Committee and reopen the whole issue. He felt many other plans would try to incorporate this. Ms. Hoppe stated the Committee really did not contemplate a situation where there were interconnecting pedways within the development.

Mr. Watkins asked what the goal of sidewalks was. He thought it was being able to walk an interconnection within the subdivision. He understood what Mr. Janku was saying and from the staff perspective, he thought they would be faced with more of these. However, if the overall objective was to be able to walk within a subdivision and get places, they were just substituting the normal way of pedestrian interconnectivity with something that was a little different. He noted Mr. Janku brought up a couple good points in that there were some minor

areas where they could delete some gaps. Ms. Hoppe stated she believed there were multiple goals in interconnectivity to include exercise and safety. She believed the people who were promoting the two sidewalks would still like to see two sidewalks for safety if she recalled correctly. She asked if they could do this one and do an ordinance for the future. Mr. Janku pointed out it would set a strong precedent.

Ms. Nauser agreed with Mr. Watkins in that the primary purpose of sidewalks was to get people to walk and move. They had the pedway system to encourage people to ride their bikes rather than getting in their cars and this was a park-like setting with interconnectivity through the neighborhood. She thought it might be worthwhile to get the Street Standards Committee back together, so they could have a little flexibility to encourage innovation in design. She stated this was what she envisioned Columbia wanting in the community.

Mr. Glascock pointed out the developer would put the walkways in up front and therefore the system would be in as the houses were going in. Currently, each sidewalk was built in front of the house with the house. This would set a precedence that the developer would be putting it in up front. He did not think many developers would want to do that. Mr. Janku agreed that was something they tried to do before and had not been successful. He stated part of their goal was to treat people fairly and equally when they came before the Council. He thought they needed to come up with some principles that could be applied. One was the eight foot pedways and another was that they were built in advance. He noted, he thought the pedways needed to be public like a regular public sidewalk. Ms. Hoppe stated she agreed it could be an alternative sidewalk and that it should be public sidewalk.

The vote on R132-06 was recorded as follows: VOTING YES: LOVELESS, NAUSER, HOPPE, CRAYTON, JANKU. VOTING NO: NO ONE. ABSENT: HINDMAN, HUTTON. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

- B223-06 Rezoning property located on the southeast corner of Smith Street and Fay Street from R-3 to O-1.**
- B224-06 Rezoning property located at 1101 and 1107 Hinkson Avenue from M-1 to C-2 and H-P; designating the Diggs Building as a landmark.**
- B225-06 Approving the Japanese Steakhouse C-P Development Plan located on the north side of Broadway Bluffs Drive, northwest of the intersection of East Broadway and Trimble Road.**
- B226-06 Approving the Final Plat of Monterey Hills, Plat No. 1; authorizing a performance contract.**
- B227-06 Vacating a utility easement within the Grasslands Subdivision.**
- B228-06 Amending Chapter 20 of the City Code as it relates to terms of office for the Planning and Zoning Commission.**
- B229-06 Authorizing construction of a salt storage facility on Big Bear Boulevard; calling for bids.**

- B230-06 Authorizing construction of an addition to Fire Station No. 1 (201 Orr Street) and construction of renovations to Fire Station No. 2 (1212 West Worley Street); calling for bids.
- B231-06 Authorizing an agreement with Boone County Regional Sewer District for property located in Happy Hollow Estates Subdivision, W. B. Smith Subdivision, Walnut Brook Subdivision, Country Farms Subdivision, Bearfield Valley Subdivision and Persimmon Road.
- B232-06 Authorizing acquisition of easements for construction of the Chapel Hill Road street improvement project from Scott Boulevard to Gillespie Bridge Road.
- B233-06 Authorizing acquisition of easements for construction of the Southwest Outfall Relief Sewer Project.
- B234-06 Calling for bids for reconstruction of Hope Place from West Boulevard to Hardin Street.
- B235-06 Authorizing the City Manager to execute a right of use permit with The Curators of the University of Missouri to allow construction, improvement, operation and maintenance of median islands within portions of the Hitt Street and Rollins Street rights-of-way and two (2) curb radius bulbouts within the Conley Avenue right-of-way.
- B236-06 Accepting conveyance; authorizing payment of differential costs for water main serving Bristol Lake Subdivision; approving the Engineer's Final Report.
- B237-06 Accepting conveyances for utility purposes.
- B238-06 Authorizing an agreement with the Missouri Department of Health and Senior Services for the Community Pandemic Preparedness Planning program; appropriating funds.
- B239-06 Authorizing an agreement with the Boone County Historical Society for funding for the Nikawa Pavilion and reconstruction of the Easley Country Store; appropriating funds.
- B240-06 Amending the FY 2006 Pay Plan and Classification Plan to upgrade the purchasing agent position.
- B241-06 Authorizing an intergovernmental cooperation agreement with the Northwoods Transportation Development District and ALL, LLC.
- B242-06 Authorizing the issuance of Special Obligation Revenue Refunding and Improvement Bonds, Series 2006B.
- B243-06 Authorizing an agreement with Boone County relating to repayment for the Environmental Impact Study on the extension of Route 740.

REPORTS AND PETITIONS

- (A) Intra-departmental transfer of funds.

Report accepted.

- (B) Proposed goose roundup.

Mr. Watkins stated this was a proposed goose roundup in which 50 geese at four City owned lakes would be rounded up by the Department of Conservation and the USDA Wildlife Services.

Mr. Hood explained the Parks and Recreation Department had been working for several years to try to control and manage the geese population in certain areas of the park system and the techniques used had not been successful. He noted the Department of Conservation had approved a permit to proceed with the roundup. They were hoping to be able to move forward this month.

Mayor Pro tem Loveless explained the situation with resident Canada Geese, nonmigratory birds that were here all year long, in the urban areas was a growing nationwide concern. He noted the Minneapolis/St. Paul area had addressed the issue most aggressively by rounding up and removing several thousand geese per year. He commented that there was the potential for the population to explode. If one thought about a goose having a 20 year reproductive lifespan and producing an average of four goslings per year without any natural predators, they could see what would happen. He pointed out this was, from the Department of Conservation's perspective, the action of last resort. He explained the young were released someplace else and imprinted on the area where they started flying. The adults would fly back home, so the adults would be taken to a meat processing plant and processed under the guidance of the U.S. Department of Agriculture. The meat was then given to food banks throughout the State.

Mr. Janku made the motion directing staff to proceed as recommended.

Ms. Hoppe asked whether the Parks and Recreation Department could put up signs to encourage people not to feed the birds. Mr. Hood replied that was on some of the rule signs, but they might need to put up more readily observable signs.

The motion made by Mr. Janku was seconded by Ms. Crayton and approved unanimously by voice vote.

(C) Street closure requests.

Mr. Watkins explained this was a request for street closure for the 21st Annual Columbia Apple Cup proposed to be held Saturday, June 10th from 5:00 p.m.-11:00 p.m. and Sunday, June 11th from 6:00 a.m.-5:00 p.m. in the downtown area, primarily Elm, Sixth, Ninth and Connelly. Staff reviewed the proposal and had no objections.

Mayor Pro tem Loveless commented that since the event was this weekend, it was too late for the churches to announce from the pulpit to their congregations that they would need to go a different direction to avoid the street closings.

Aaro Froese, 3606 Southland Drive, explained the race course on Sunday would not go by a church. On Saturday night, it only went in front of Elm Street in order to avoid the State Road Championships being held the same day near Mill Creek Elementary and Woodcrest Chapel. It was being run in conjunction with the Missouri State Championship and was a coup for Columbia because it was the first time Columbia had ever hosted a road race state championship.

Mr. Janku made a motion to approve the request. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

(D) Shared parking and parking lot interconnections.

Mr. Watkins stated this report was requested by the Council and he suggested they accept the report and schedule it for a work session.

Mr. Janku noted that although they both involved parking, they were separate issues. He thought shared parking was more difficult than the connection and the connection issue to him was no different than when they talked about the connection between residential neighborhoods. He did not believe it should be any different with commercial property. He felt shared parking was difficult to require when one's peak hours might change and linking would create problems. Mr. Watkins asked if they should separate the issues. Mr. Janku thought it would move easier if they did. Mr. Teddy stated he agreed they were separate concepts. Mayor Pro tem Loveless felt it needed to be discussed at a work session.

Mayor Pro tem Loveless made the motion to accept the report and to ask staff to put it on the work session schedule. Ms. Nauser seconded the motion.

Ms. Nauser noted she recalled a comment in an Environmental and Energy Commission report they received stating the subdivision and zoning regulations had not been reviewed or updated in 20 years and asked if that was accurate. Mr. Teddy replied amendments had been made since then. Ms. Nauser asked when the last formal review was completed. Mr. Teddy replied he did not know when the last top to bottom review was done, but agreed it had been a while. Ms. Nauser thought looking at new policy might be a good reason for a work session. She also commented that if it had been 20 years, it might be time to look at it in its entirety.

The motion, made by Mayor Pro tem Loveless and seconded by Ms. Nauser, was approved unanimously by voice vote.

(E) Potential Sanitary Sewer District on Thompson Road and Wyatt Lane.

Mr. Watkins stated this involved a potential sanitary sewer district on Thompson Road and Wyatt Lane for Council consideration.

Ms. Nauser asked how the cost would be split between the property owners and the City. Mr. Glascock replied the property owners would pay for the bulk of it. The City would do the engineering. Mr. Janku asked if they were capped at \$5,000. Mr. Watkins replied they were. Mr. Glascock pointed out that if the land was sold in the future, the rest came in. Mr. Janku understood a significant percentage could be picked up by the City for a long time and asked if the cost allocation would be different if other properties were included. Mr. Glascock replied they could look at that. He noted they would have to come back to Council with a design. This was to do the preliminary engineering, so they could get an estimate of the real cost.

Ms. Nauser asked if this was recently annexed property. Mr. Glascock replied this was a request for a sewer district to get off site approval, so they would have to annex.

Mr. Janku made a motion for staff to proceed as recommended.

Mr. Janku explained they started capping these because there were some long term residents who indicated the cost for sewer was so prohibitive to them that the City decided to have a cap until they sold their property or subdivided. He stated money was set aside in the budget for this, but it also required quite a bit of public dollars.

The motion made by Mr. Janku was seconded by Mayor Pro tem Loveless and approved unanimously by voice vote.

(F) Alternatives to fixing storm water problems and Kansas City’s 10,000 Rain Garden Initiative.

Mr. Watkins stated this was a request by the Council in regards to alternative means for addressing stormwater issues based on Kansas City’s Rain Garden Initiative. He suggested Council accept the report and make sure their questions and concerns were addressed.

Ms. Nauser noted she attended the Show-Me Yards tour a couple weeks ago and was very impressed by the work many people in the community had done in regards to stormwater retention and environmentally sound yard maintenance. She asked that when the stormwater management plan was developed, if that became policy or if policy was initiated off of that plan. Mr. Glascock replied they were in the process of changing their stormwater manual, but did not have a stormwater plan. They had manuals with standards that people used when developing their stormwater plans. He noted the Stormwater Task Force, which was made up of County and City residents, would review the document for concurrence or corrections. Once the Task Force reviewed the document, it would be submitted to Council for their review.

Mr. Janku noted the paragraph at the bottom of the page stating, “in the past there has not been sufficient community support to ensure that water quality is included early enough in the concept phases of design to be budgeted” and asked if they thought that would change with the new manual. Mr. Glascock replied there would be two manuals. One would deal with water run off and the other would address water quality. They would work in tandem and the developers would have to address both when submitting their plans.

Mayor Pro tem Loveless asked how close to being on schedule the storm water task force report was. Mr. Glascock replied it would be submitted to them this month.

Mayor Pro tem Loveless understood no action was required on this report.

(G) Scott Boulevard improvement project from Rollins Road to Brookview Terrace.

Mr. Watkins explained Scott Boulevard was a street with three owners, the City, Boone County and MoDOT. They continued to discuss the cost share agreement, but in order to move the project forward, the City wanted to begin the design. He noted this project was given high priority by Council and he believed they needed to work on the design, at least conceptually, in tandem with the discussions with MoDOT and the County. The first piece would be to look at what a typical cross section would be and staff had proposed a typical cross section. Mr. Glascock explained that since there was federal money involved, MoDOT would incorporate their practical design process. They, therefore, were trying to model it after what had been done on 763 and thought MoDOT would be amenable to this. They wanted Council’s concurrence before starting the detailed design. Mr. Watkins suggested the Council consider a motion to hold a public hearing on a cross section of this street for July.

Mayor Pro tem Loveless understood the consulting engineer had held some meetings with people in the vicinity. Mr. Glascock replied they had not held anything. He noted that

they had come up with 3-4 designs of what they needed to do, conceptually. They had not had any interested party meetings. Mr. Janku recalled a big public meeting being held in conjunction with the County Commission.

Mr. Janku made a motion to move forward as recommended and to notify the Bicycle/Pedestrian Commission in case they wanted to make comments at the public hearing.

Mr. Watkins thought the County should also be made aware of this. Mr. Janku agreed.

The motion made by Mr. Janku was seconded by Mayor Pro tem Loveless and approved unanimously by voice vote.

(H) Cooling Centers.

Ms. Browning explained this request was from the May 1st Council meeting and that they put together some information covering things that had been going on for a number of years in the community by lots of different agencies in order to show there was a fare amount of work already going on to protect the most vulnerable citizens during periods of extreme heat. She noted currently the Health Department collected information and reports for the Missouri Department of Health and Senior Services on heat related illness, hospitalization, emergency room visits and ambulance runs and did a lot of media advisories in the summer. They were proposing to expand the collaboration and coordination among the agencies and to dedicate more formal staff time to this process should there be extreme heat this summer. She explained one of the public health nurses would be assigned to the coordination of cooling centers, working with VAC, the Boone County Council on Aging, Public Works, Columbia Transit and etc. She noted they were also working with the Columbia Housing Authority in regards to other options. She pointed out they already had a program of monitoring ambulance runs for triggers and would add heat related illnesses as an ambulance trigger so it could be mapped. She did not believe it would be a surprise where those locations would exist since it tended to be pockets with older homes without air conditioning or areas with higher concentrations of seniors trying to conserve and keep their bills low. She reiterated there were already good systems in place in Columbia for people checking on the elderly through various programs and they were just proposing to expand them.

Ms. Crayton stated she was glad to see the City was going to take care of the seniors. She explained there was an incident involving her mother this week in St. Louis. The air conditioning went out in a senior citizen building when the temperature was 93 degrees and no one checked on the seniors. If her mother's housekeeper had not come the following day, she probably would have died. She felt this needed to be taken seriously. She thanked the City for assisting with this.

Ms. Crayton made the motion to direct staff to proceed as recommended. The motion was seconded by Mayor Pro tem Loveless and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Ms. Hoppe noted that just past the first entrance to Hollywood Theatres on East Point Drive, there was a large chunk out of the sidewalk, which staff was aware of since they placed a barricade at that location. She explained there was another spot just to north of that, before getting to the first turn for Hollywood Theatres. Also, at 1900 Bluff Pointe, there was another needed repair. She asked that those sidewalks be fixed and wondered why this was occurring. She asked if it was due to poor construction, settling or the use of salt. Mr. Watkins stated staff could prepare a report. Mr. Glascock explained that many times it was due to wet weather and water getting underneath the pavement at certain points causing soft areas. At that point, the foundation was not there to hold the street up, so potholes developed. With asphalt, it happened when the water got underneath the pavement or in between the layers causing them to pop out. He thought the ones at East Point were concrete, and therefore, there was water getting under the pavement and allowing it to settle. Ms. Hoppe asked if the developer or the City was responsible. Mr. Glascock replied the City was responsible. Ms. Hoppe asked if it was designed properly to reduce water effects. Mr. Glascock replied it depended on the type of road. If it was a collector, it generally had base rock underneath which allowed the water to drain out from underneath the pavement. If it was residential, it was put right down on the soil, and therefore, there was no drainage to get out of the pavement. He stated he did not know exactly how that was designed, but he would look into it. Ms. Hoppe noted another spot north of Stadium on Audubon within the first block.

Ms. Hoppe explained there was an intersection with no visibility at Gray Oak and Green Meadows where Kohl's and new Wal-Mart was located, which was reported to staff. She noted action was taken and now there was a stop sign at the intersection coming from Gray Oak, signage cautioning that traffic did not stop and signage encouraging people to take a left turn where there was no visibility. She felt it emphasized to the driver it was a dangerous situation, but then encouraged the driver to take the left. She did not think it remedied the situation and asked if the City could reduce the hill to the right on Grey Oaks. Mr. Glascock explained in the future, when Gray Oak went all of the way through to Rock Quarry, the signal would be moved down to Gray Oak and that would become the signalized intersection. It would be at Gray Oak where it crossed Green Meadows and the signal would be removed from the Wal-Mart entrance. Ms. Hoppe asked what could be done in the interim because she felt it was a dangerous spot. Mayor Pro tem Loveless suggested she request a staff report with suggestions on how to deal with the problem. Ms. Hoppe made a motion directing staff to prepare a report with suggestions on how to address the intersection at Gray Oak and Green Meadows. The motion was seconded by Mayor Pro tem Loveless and approved unanimously by voice vote.

Ms. Nauser asked that when they were in the conceptual and design stage for Fire Station #7 that they implement some of the new innovative stormwater initiatives they had been talking about. She noted a low lying spot between the church and fire station that seemed to collect a lot of water. She thought there could be a collaborative effort between the church and the City as a way to promote people dealing with stormwater issues on their

own property. She was not sure she needed a report. She just wanted staff to keep that in mind. Mr. Glascock noted they did that on Fire Station #8.

Ms. Nauser stated she wanted to see incentives, if feasible, to get people to start collecting rain water on their own property or landscaping their yards with native plants that did not use so much water as a way of conservation. She noted many communities in Arizona and Texas provided incentives for landscaped yards with native plants that did not use water. She suggested eliminating a fee of some type, such as the stormwater fee. She thought there was a lot of interest and community support. She stated she believed the Hinkson Creek project had already allocated their 20 rain gardens in the first year. She requested a report on the issue. Mr. Glascock stated he and Mr. Dasho would work on a report.

Ms. Crayton stated Lunch in the Park was beginning on June 12th and asked that they be sure to announce that to the community and areas they might not be able to reach directly to ensure the kids got to the park for lunch and swimming activities. She noted it was something they did every year in Douglass Park.

Ms. Crayton asked staff to gather a list of community services that detailed what other activities were being offered in the community for low income children and if the programs were free or at a reduced price. She stated they wanted to find positive places for the children to go. She understood the Parks and Recreation Department was doing there part and wanted to know what other community organizations were doing. She felt a list would assist parents in making decisions.

Mr. Janku noted developers were extending Smiley Lane and there was very little indication of the terminus. He thought barricades needed to be re-established at the terminus.

Mr. Janku stated with the extension of Parker, south of Vandiver, there was a lot more traffic going to the Heriford and Burlington intersection to avoid the Vandiver/Route B intersection. He noted there was a yield sign at Burlington, but thought that should be changed to a stop sign.

Mr. Janku made a motion to refer the issue of the design of the Garth Nature Area to the Parks and Recreation Commission for their input and for them to solicit public input. The motion was seconded by Mayor Pro tem Loveless and approved unanimously by voice vote.

Mayor Pro tem Loveless stated when he was westbound on Rogers Street on his bicycle trying to cross College, he was on the south side of the road where the push button was to activate the light and noted a pedestrian could not see the lights from any location there. He commented that there was a sign stating if the light said this, do not walk, and if the light said this, walk, but he could not see the lights. He asked staff to coordinate with MoDOT in regards to doing something about that intersection.

Ms. Hoppe asked the staff to consult with MoDOT regarding signage to direct people to use the Outer Road rather than going across Providence near Carter Lane. Mr. Janku understood that was at the River Birch West Apartments and they wanted encourage people to use the stop light at the University. Ms. Nauser asked if they could look at making it a limited access, so when they came out of the Outer Road going south, they could only take a right out in front of the Texaco station and make a right in. She thought it should be like the intersection at Nifong and Providence where there was a barrier so people could only make right hand turns. Mr. Glascock asked if she was referring to Carter Lane. Ms. Nauser stated she was talking about the Outer Road at the Green Meadows intersection. Mr. Glascock asked if she wanted to extend the barrier onto the west side of Providence. Ms. Nauser replied yes and added this would allow people on the Outer Road to only take a right hand turn out. She thought it should be looked at. Mr. Glascock noted MoDOT would do that. Mr. Janku asked if they should wait until the fire station was moved because it could impact them. Mr. Glascock stated they would need to look at that. Mayor Pro tem Loveless thought a staff report might be appropriate.

The meeting adjourned at 10:49 p.m.

Respectfully submitted,

Sheela Amin
City Clerk