

PARKS AND RECREATION COMMISSION

Thursday, September 18, 2008, 7 p.m.

ARC, 1701 W. Ash

MINUTES

Commission Present: Terry Kloeppe, Marin Blevins, Bill Pauls, Dennis Knudson, Gary Kespohl

Staff Present: Mike Hood, Mike Griggs, Gary Ristow, Tammy Miller

Kloeppe called the meeting to order at 7:01 pm.

Agenda: The agenda was approved on a motion by Blevins, seconded by Pauls.

Minutes: The August minutes were approved on a motion by Pauls, seconded by Knudson.

Monthly Report: Blevins asked about an item on the ranger's report about the man in the vehicle at the ARC?

Griggs responded that there was a report of a man who had committed suicide, but the report was unfounded. He was sleeping in his vehicle.

Blevins asked about a park violation that was listed regarding a metal detector?

Griggs said detectors were allowed, but not at athletic fields. Their use is encouraged in locating lost items on the ground, but no digging is ever allowed.

The August monthly report was approved on a motion by Knudson, seconded by Pauls.

Naming of Oakland / Albert-Oakland Park

Kloeppe asked for a report from staff.

Hood: At the August 21 Parks and Recreation Commission meeting following a presentation by Mr. Kurt Albert, the Commission asked staff for some additional information for review and consideration before they took a position on this issue. At the same time, they also asked the Council to delay any action on the naming issue until the Commission could look at it. The Council did honor that request. They have delayed any action pending a recommendation from the Commission.

In response to some of the requests the Commission had, staff has provided some additional information. One is a copy of the staff report that was submitted to the Council at their July 21st meeting. I will be talking a little more about that in a second. There was discussion at the August 21st Commission meeting about ordinances indicating the name of the park in the ordinance as Albert-Oakland, and I pointed out that there are also ordinances that indicate the name as Oakland. We provided you with some of those ordinances so that you could see those as well. And, we did include some pages from the City charter talking about the general powers of the City and the Council and the term enacting clause and I'll elaborate on that in just a second. Jumping to the staff report that was presented at the July meeting...that was presented to Council in response to a request for a report as to the official name of the 81.5 acres that is sometimes referred to as Oakland Park and also referred to as Albert-Oakland Park. Staff had prepared a similar report back in 2003 and we attached that to the July 15 report. I would note that in 2003 when the council reviewed that report, they ended up taking no action on it. I would also note that members of the Albert family appeared in front of the Council in the spring of 2004 and requested that the Council take official action on naming the park. Again, the Council took no action in 2004.

With respect to our 2003 report, I want to touch on a few items. That report stated that the Parks and

Recreation Department files had been reviewed as well as the City Clerk's and in staff's opinion, we could find no record of any Council action officially naming the park. Now, I know that Mr. Albert doesn't agree with me on this, and he will be presenting his information in just a few minutes but I will elaborate here as to why I have that opinion. I think it's also important that we talk about the history of the park and how it came about so that as Commission tries to make this decision tonight they understand the actual timeline. If you could pop the map up please? (Map shown on projection screen).

This is a map that shows the entire park and the different pieces of land that was acquired and the history of when they were acquired. Beginning at the bottom, the tract that is in blue is a 20-acre tract and that was donated by Paul and Marjorie Albert in 1964. It was donated to the City. At that time, there was no parkland at all in that part of the City and it was a very generous donation. There was an agreement that was signed between the City and the Albert family with a number of conditions. One, was that the land be used in perpetuity for parks and recreation purposes. Two, that the land be named C.M. Albert Memorial Park. My understanding is that it was being named in honor of Paul Albert's mother, which would be Kurt's grandmother. That was in 1964. In the early 70s, the school district built Oakland Junior High. And in 1971, the City began looking at trying to expand the parkland and acquire land adjacent to the school as part of a larger community park. That's very consistent with our policies that we still try to stick to today, acquiring land near elementary and junior high schools. If you look at the two properties that are shown in green, those properties were acquired by purchase by the City in 1972. The property to the east, known as the Clinkscales property is approximately 30 acres and it was acquired through a traditional land sale. There was an appraisal done, there was an offer made, the offer was accepted by the owner and it was sold to the City. The 20 acres to the west was acquired, and was known as the Simpson property. I do want to clarify here that that property was acquired from Marjorie Simpson. I did not realize until earlier this summer when Kurt told me, that Marjorie Albert and Marjorie Simpson are the same person. So that was Kurt's mother that sold her land to the City. That was a purchase that was actually processed through the condemnation process. Now there was negotiation with the family. Mrs. Simpson had a price and the City appraised the property but the appraisal valued it at much less than her asking price. I understand that it was a friendly condemnation where there was an agreement that the land would be sold, but that they went through the condemnation process to determine the actual value and what would be paid for the land. Ultimately, the condemnation commission awarded a little over \$35,000 (\$1800 an acre) which was exactly the price that was paid to the Clinkscales family for their land. So, both properties were acquired at \$1800 an acre.

At the same time, the City entered into an agreement with the school district for a 5-acre tract that is land that is leased from the school to complete the park. This acreage was needed for the parking lot required due to the development of the swimming pool and tennis courts. At that point, the park expanded to 75 acres. In 1982, we entered into an agreement with the school board to acquire an additional 6.5 acres. That's the property kind of to the east side, adjacent to the school property. That was so we could relocate a couple of shelters that had been in other areas of the park that weren't easily accessible or not being heavily used. That summarizes how the park was put together.

When we reviewed the files and records in 2003, we located three documents that we thought addressed the name issue. I will say upfront, there are literally hundreds of documents in the file that use the name Albert-Oakland Park. That name was used from 1972 until probably the mid- to late-1990s. I think we can probably document that at least by 1997, we were shifting the use to the Oakland Park name. Every document in that period uses the name Albert-Oakland. However, it's our contention that we cannot find any official Council action that actually names the park Albert-Oakland. We're not exactly sure how the Albert-Oakland name was developed. Mr. Albert believes it was developed as part of the negotiation with

the Simpson property and that may very well be. Unfortunately, we can't find anything in writing that confirms that.

The first document of importance is the actual donation agreement from back in '64. That indicated the 20-acre tract to be donated was to be known as C.M. Albert Memorial Park. The City has maintained a sign on that tract with that reference. I won't say that it has been there every day. We've had vandalism over 40 years. The sign may have been down a day or so for repairs, but we do keep a sign on the property that identifies it as C.M. Albert Memorial Park. I will acknowledge that we have probably been remiss in not listing it on our web site and not listing it in some of our publications. I'll take responsibility for us not doing that. We have always referred to the park as Albert-Oakland or Oakland Park and that included the acreage known as C.M. Albert Memorial Park. I will note that we have been holding a number of documents up at this time and sign development and renovations pending the outcome of this discussion because we would like very much to put an official name on the property.

The next document is ordinance 315-71, passed at the time they were planning and developing this park, which refers to the park in the body of the ordinance as Oakland Park. I do not believe that the ordinance names the park as Oakland Park, but it does give some indication that some of the discussion regarding the park being referred to as Oakland.

City ordinance 47-72 was approved on March 6, 1972. You will also find Resolution 27-72. The wording of the two documents are virtually identical. The purpose of those documents was to authorize the agreement with the school district to lease the five acres. In the introductory comments to that ordinance, in what I would call the "whereas" clauses, there is a whereas that says the City of Columbia is developing a public park to be known as Albert-Oakland Park. I think that clearly implies that the City intended the park to be called Albert-Oakland Park. However, I do disagree that the ordinance officially named it. This goes back to my statement about the enacting clause. My understanding, and it may be a technicality that only the courts can resolve, is that the official action of the ordinance only follows after the enacting clause. Any information that is presented prior is considered introductory and explanatory. There is usually a summary of what the ordinance is and there may be several "whereas" clauses which is information that sets the stage for the ordinance. Following the "whereas" there is an enacting clause that usually states "now it is hereby ordained that..." and my understanding is that it's only those sections that are the official actions of the ordinance. If you'll look at that particular ordinance, the information presented after the enacting clause does not make any reference at all to the name of the park. There is nothing that is an official action that says what the park should be named or how the park shall be known. It has a lot of implications, but in my opinion, it's not an official naming.

I personally do not feel that there has ever been an official action by the Council to name the park. I don't think there's an official action to name it Albert-Oakland Park; I don't think there was ever an official action to name it Oakland. You'll find in our recommendation that some type of action be taken. To wrap this up, I think that from 1970s through the mid 90s, the park is known as Albert-Oakland Park. Beginning in the 1990s, the City changed its practice and we began referring to the property that was purchased as Oakland Park and other donated part as C.M. Albert Memorial Park. Since I know it will come up, that action was taken at the specific direction of the City Manager's office. Although we continue to sign this tract as C.M. Albert Memorial Park, I will be the first to admit that there is a sign over on Oakland Gravel Road that reads Albert-Oakland Park as well. This is one of those signs that is in need of renovation. Overall, this is an issue that the staff would very much like to get resolved.

I think that there are three options for the Commission to recommend to the Council. One option would

be to name it its historical name. In other words, officially name it Albert-Oakland Park. The second option would be to name it as two separate parcels, which is the practice used for the last 10-12 years with C.M. Albert and Oakland Park. This is used in other parks such as Capen Park, which is adjacent to Grindstone Recreation Area. You also recently addressed the new property with A. Perry Philips Park and Gans Creek Recreation Area. There is precedent and it would be legitimate to name it that if that is your preference. The third option, and I am not recommending this, but it would be to develop a completely new name for the property. I don't think that's where any of us want to go, but it is an option. At this point, it's staff's position that we need this issue resolved so we can move forward with sign renovation and the printing of our park guides which are currently out of stock. Our concern is that it be named and we have no objections to either of the two options outlined. We would just appreciate official action being taken.

Unless there are questions...that's it.

Kloeppel: Questions from the Commission? Seeing there are none, we're going to open it to the public. I'm going to establish a few ground rules first. First of all, each speaker please go to the podium, give your name and address, and sign in. I'm going to give Mr. Albert 10 minutes. Anyone else who would like to speak, I'm going to limit your time to 3 minutes. So, with being said....

Kurt Albert: We would like to share some documents with the Commissioners....my wife is going to go first.

Kloeppel: OK.

Patrice Albert, 400 E. High Pointe Lane: As Kurt mentioned, I am his wife. What I'd like to start out with is a brief history of the Columbia park system, most of which you are already aware of, but what I'd like to highlight is the fact that by 1964, the Columbia park land totaled slightly less than 68 acres. The Albert family donated 20 acres on April 8, 1964. This donation was 29.4 percent of all of Columbia's park land. It was the largest donation of park land in the 138 year history of Columbia and was 45 percent of all donated park land. The additional acreage from the Albert family in 1972 brought the contribution to 57 percent of all of Albert-Oakland Park—that's 40 of the 70 acres. These historic facts help explain why the Albert-Oakland name was given to the park in ordinance 47-72 and resolution 24-72. This is a hyphenated name and it is appropriate, given the history of the park. It is also uncontroversial that both the ordinance and resolution naming the Albert-Oakland Park were adopted by unanimous vote. And the name Albert-Oakland Park was not only in the whereas clauses, but also in that first summary section right under where it says "A resolution...."

I'm proud to tell you that the Albert family donated 80 acres of wildlife preserve in northeast Boone County, preserving about a third-mile on both sides of the upper Cedar Creek. Part of this land is actually in Callaway County. They also donated 8 acres in the River Hills near Sapp for a wildlife preserve. Both preserves total 88 acres and are under the protection of the Audubon Society. The Albert family donated 20 acres that formed the C.M. Albert Park and sold cheaply 20 more acres to bring into existence Albert-Oakland Park. For these 128 acres, the citizens of Columbia and Boone County paid a total of \$35,000. Marjorie Albert Simpson had no health care plan, no retirement fund, and seven children. This land was her only asset. She could not afford to give it to the City. But she still understood the need for a park. Everyone knew it was worth more. In fact, Jimmy Sears developed the land immediately across Blue Ridge, right across from the park, he was selling quarter-acre lots for \$8,000-\$10,000, clearing about \$20,000 per acre after expenses. This means that in the area at that time, if developed into lots, the land would bring in \$400,000. At the same price per acre, the Crane property and Stephens Lake would yield \$500,000 and \$1.2 million technically.

In addition to the only \$1800 per acre, Marjorie received consideration in naming the park. Marjorie's recently been in the hospital. She is 91 years old. My sister-in-law is looking into any records she might have. Her then attorney is 92 and healthy. His partner is looking for records in a storage area. More records might be forthcoming. Thank you for your service to the citizens of Columbia.

Kurt Albert, 400 E. High Pointe Lane: My name is Kurt Albert. I'm going to speak loudly because my hearing isn't very good. I would hope that you have as much time...I understand you received the information from the City about a week ago. And I would hope that you would take the time to look at what I've presented for you. I agree with Mr. Hood that there is a 315-71 but if you will notice, it is Oct. 18, 1971 and in your copies there, there is a timeline, there is a bunch of documents and they are in order of the timeline so if you can keep them in that order as you look at them. You will find a letter from Don Allard of the City...a day later, it says "there is no official name of the park at this time" to Booker and Associates "and I will inform you when this happens." They were informed. We have no record of that but you don't either. But they consistently use Albert-Oakland Park all through the construction...instead of actually getting a master plan for Oakland Park, they have a master plan for Albert-Oakland Park, which you got that document last time.

There are a number of things here that I make note of. I don't agree with Mike on all of these things but I'm looking through...he says hundreds, but I believe it may tip over 1,000 documents. Mike Hood told us last time that there had to be a resolution of naming and yet when he searched a number of places, there was a resolution, it's 24-72 and he was unable to find it. There is another memo here from about four years ago from Mr. Beck, saying "I have reservations about naming the entire area Albert-Oakland Park because of the historical aspect of his actions taken against public officials, the mayor and Council etc." I think the etcetera may be Beck himself. I hope that Mr. Hood has the chance to speak to you about the environment where some of these things took place. I think the reservations were stronger than mere reservations; I have said so before Council, I am awaiting their decision on a request I made on Monday.

Also, this document that was said to be given to the City in 2003...there are signs that it was never really on the agenda, it was perhaps never really given to Council. I am unable to detect if that's true, but there is some evidence that Council did not even see it. That may be why they took no action. We did talk to Council about four years ago.

I also disagree with this map here. I would put the two pieces on the bottom in blue to recognize the Albert contributions. It is also true that with the contract with my family, there is a clause "should be perpetually known as C.M. Albert Park." Perpetually is a fairly long period of time. It is not known...I went down and spoke to the front desk at the Parks department. I said "can you tell me where C.M. Albert Park is?" I was told "What? We don't have a park of that name." I showed a photograph of the sign, which does exist. "Oh we call that Oakland Park." I knew these things.

There are a number of issues and I've given you my talking points. I haven't really developed a speech. I have six weeks of research, it will probably take longer than 10 minutes for me to present, but I have given you...I've pared it down. I spent about six and a half days going through all resolutions and ordinances from the past 45 years to the present. I believe that with an ordinance and a resolution, I have the third most perfect name in the history of the park system of this city. It is also true that I don't think Mr. Hood could provide us with a more perfect name, particularly in that era.

More recently, I am particularly after September 2, 1999 which is a date that Mr. Hood may care to talk

about. Before that, there isn't one. The issues as I see them as does the department have a resolution naming the park? You were asked by the Council, Mr. Skala, and you said no? Is that correct?

Hood: Naming it which way? I said there was no resolution naming it either way.

K. Albert: But there is no resolution to name it Oakland Park?

Hood: No, I stated that earlier in my presentation.

K. Albert: We'll have to determine if the intent of the Council is clear. Now, after having seen upwards of 10,000 resolutions in this six-and-a-half day search...through paper copies, I was making about nine feet every eight hours and then going through the microfiche from 1991 back. The intent of the Council is always known in the...in fact, I can see the pyramid shape and it's usually in the first line or two or the last line or two, the intent. The third question I think we need to address were past Councils, mayors, city managers, planners, staff, federal agencies incorrect when they called it Albert-Oakland Park? And are the cities incorrect for all these years and finally, how do you explain this to the citizens and potential land owners in the future? A lot of what we have to say we did in paragraph form so you have the chance to look at it and study it. The reason is, I was told we would get three minutes and I thought it was too difficult to condense this into three minutes.

I'm going to show you the official highway map of the state of Missouri. One of the things that came about as a result of the naming resolution, there was an ordinance too, within three months of the letter that said we don't have a name yet, but we got one. The state of Missouri has given money and has officially put this on the map. This is also true of the map of the great United States of America and that is because we requested money from the federal government and it is now on our official maps for this city. I know this might be difficult to find, but I'm going to show you an insult to my family that (approaches the Commission with park guides) you may have seen these. They were passed out for years, they have been withdrawn. You will not find on this map anything Albert, you will not find on the web site C.M. Albert Park, you will find four leash-free areas where your dog can poop but you will not find Albert anything. Now I'm sorry but I don't want to hang my head in shame. You will also find this insult and I can give you these, I will gladly share it with you.

Kloeppel: What is the date on this?

Albert: You'd have to ask Mr. Hood, probably 2006, 2008, 2004 for sure, the map is. You'd have to look for the evidence on these things. I wish to point out a small thing, a 1/10 acre park that is 4,000 square feet, the Village Square Park, is listed. A park, C.M. Albert Park, 200 times larger park is not. This is no accident, it is completely erased, it is unknown even by your staff. I gave you a photocopy of the critical pieces...

Kloeppel: Let's go ahead and wrap it up.

Albert: I will gladly do so. Now you will see it says Bear Creek, it says the Bear Creek Trail links Oakland to Cosmo Park. You cannot do that without passing through C.M. Albert Park which does not exist. You will see a Cosmo-Bethel, but the Cosmo Club contributed no acreage to Bethel. You will see a Cosmo Trail, Nature Area, a large park. You will see Lions-Stephens Park, the Lions Club contributed nothing. At Stephens Lake, they contributed nothing. So, this here (holds up guide) is a glowing insult to my family and it's something that is undeserved and I know where it comes from. I think this would be difficult to explain to the citizens. Now I know there are other citizens here who have something to say and I will gladly sit down and let them speak.

Kloeppel: Any questions?

Kespohl: Was all this tract of land--donated land, purchased land—in the ownership of the Alberts at one

time?

Albert: Yes, the entire tract was our farm.

Kespohl: Even the school?

Albert: Yes, absolutely. And it is in my opinion, if your neighbor loans you a lawn mower, it is incorrect to say it is my lawn mower. He has loaned it to you. These 11 ½ acres can be recaptured given proper notice by the school system. We do not own it, the school system does.

Kespohl: How are the Clinkscales related to this?

Albert: We sold it to them, then they sold it to the city. The park is 70 acres. Now I know that one wants to argue and dilute we don't have 57 percent coming from the Albert family because of this. Well, that doesn't belong to the city. They belong to the school system and can be recovered. The reason that the ordinance 47-72 and the resolution 24-72—the reason they exist is to give 5 acres for a parking lot. A 250-car parking lot to service Albert-Oakland Park. Now, that's very interesting. Now, you'll also notice...

Kloeppel: Go ahead and wrap it up.

Albert: OK, thank you.

Mick Wilson, 305 W. Broadway, Ashland: Ladies and gentlemen, my name is Mick Wilson and I'm a lawyer from Ashland. Kurt has provided me with all of this documentation and I've looked through it. I just want to make very brief comments. Kurt is immersed in the details and I would like to provide a little background. The Albert family through a gift to Columbia and a sale to Columbia helped create a park at Oakland and Blue Ridge, which you see there. The family did so in the 1960s and 70s. Money was short. These pieces of property were gladly accepted at that time by the City of Columbia. They were important additions to a fledgling parks department. They were big, large increases, important stuff in the '60s and '70s. A resolution and many ordinances followed over many years and one resolution named it, in my opinion Albert-Oakland Park. A bunch of ordinances—hundreds probably as Mr. Hood said—records referencing Albert-Oakland Park. In later years, one member of the family whose generosity helped create this park became in the words of a recent newspaper article, like fingernails on the blackboard of city government. I might say, because of my farming background, a thorn in the side of city government. For whatever reason, the park that I have always known as Albert-Oakland Park now seems to be referenced as Oakland Park. You can't even find a reference in the parks department anywhere about C.M. Albert Park. I think that Albert-Oakland Park was, is and should be as shown by the name from the late 60s until really very recently. I think that a tip of the hat is needed to the generosity of the family that helped create that park. Had the 20 acres that you see there not been donated, I question if the rest of it had been purchased because typically you are going to try to add to a donation to make it a bigger park. In my opinion--yes, they only donated 20 acres—but that facilitated the entire rest of the park. It gave a core upon which to create a larger park. I think it's a real mistake to lop the head off the statue at this point and replace it with a new head. I think that's a bad idea. What does that say? In 30 or 40 years, your kind gift will be disregarded, buried? We'll make a plastic sign, and then we'll take it off in 20 or 30 or 40 years and bury it? This may be a legal issue, but to me, I think it's a moral issue and it's an ethical issue. And that's where it rests. That's all I have to say.

Kloeppel: Any questions?

K. Albert: Can we ask questions?

Kloeppel: No.

Diane Oerly, 1712 Sky Lane Drive: My name's Diane Oerly, and I live right here (pointing to map). I moved there in 1988 and the area was always known as Albert-Oakland Park. I don't quite understand the shift in the late '90s to drop that name; I don't understand changing the name. To me, it just creates

confusion and causes animosity. It just persists beyond people's lives. To take that name off of a park because of anger...I completely agree with Mike Hood, that it's gone on long enough. I would encourage you to officially name the park what it's always been named, Albert-Oakland Park. We might want to put the plaque back on the pool too. I would just ask you to step up and act in a mature fashion and let past animosities go to rest.

Kloeppel: Any questions?

Oerly asked Pauls if he was from Ward 2. She offered him some pictures of the trail, pointing out there were no signs on the trail.

Pauls mentioned he is on the trail a lot and accepted the pictures from Oerly.

Annette Kolling-Buckley Greenlee, 2738 Northland Drive: My name is Annette Kolling-Buckley Greenlee and I'm the president of the Northland Parker neighborhood subdivision. Did you get the letter that I sent you? (Commissioners said yes). Historically, our neighborhood association is the first one in Columbia. Paul Albert was our neighbor and lived up the road from us. As he got older, we used to go over sometimes and help him out. And he helped us out.

I remember when the pool was named in 1975, that was a big deal, especially for our part of town. All of our land in Northland Parker was not even annexed into the city. So, that park and pool were a big deal. I remember walking the park and the first leg of the greenbelt was done in my neighborhood. I think at this point in time, if we need the enacting clause to make this formal 40 years after the fact, then that is what we should do. This piece of land that was a family farm was the biggest park in Columbia for a long time. To me, it's a no-brainer—it should be Albert-Oakland Park.

Kloeppel: Any questions? OK, anyone else who has not spoken? We'll close the public comment and I'll open the discussion up among members of the Commission.

Blevins: Have the Clinkscales family ever stepped forward?

Hood: No, not that I'm aware of. Now, I don't claim to be intimately familiar with the early history of the park, but I'm not aware of that.

Pauls: I'll make comment, since this is in my ward. I've lived there since '86. I'm familiar with a lot of the political background of this. Also, I didn't know the Albert family originally owned the entire area and sold the parts. I agree that it's an ethical and moral question. I think the ethical and moral answer to it is to name it the historical name, Albert-Oakland Park. And that's what I'll support. I will talk to Second Ward Councilman Janku, I haven't yet. He's a neighbor of mine. As the Second Ward Parks and Rec Commissioner, I will make my intentions known to him before the next Council meeting. I just think it's the right thing to do. It's a historical name. I have always referred to it as Albert-Oakland. At Blue Ridge Elementary, we played baseball at Albert-Oakland Park. Sometimes we just said Oakland, but we always knew it was Albert-Oakland Park.

I think there was animosity and I think it's time to get over all of that and go ahead and officially name it Albert-Oakland Park. I would really not like to see a new name and I don't even like separating it out because I agree with the gentleman who stated there might possibly not even be a park there without the donation. That was the most interesting comment to me and the one I will hang my hat on. I know that Mr. Albert is so passionate about it—I never get passionate about anything—but I think that's true. I don't think that park would be what it is today had it not been for the Albert family. I watched Paul Albert on those Commission and Council meetings for years. I see why he's whatever—but he entertained me thoroughly. I think you need people like that in the city, especially in a city like this with so many

different folks. So, I move that we recommend to the Council that we name the park by its historical name, Albert-Oakland Park.

Knudson: So that's a motion? I just want to say that Mr. Albert, the only way I knew him was on the radio at times and I knew he had animosity at times, and at other times, he was doing something good, and then stirring the pot again. I think since he has died, he is the one who was the owner of the land and gave that first tract, I would be inclined to second this motion. I went home after the last meeting. My wife had called and she's out of town. I asked her what did you call the park up there that we used to always go to? And she said, well Albert-Oakland. I really feel like at some point in time it should be named that. Even though there are feelings on both sides...I think our parks department is as good as they come and know they have feelings both ways. I know that city people that had to deal with your father...I had to deal with a mother that sounds very much like your dad. I think it should be named Albert-Oakland. I second his motion.

Kespohl: I think we have to go back and look at the agreement made with Marjorie Albert when the donation was accepted. And I would like to know from Kurt, the Simpson piece that belonged to Marjorie Simpson, was that a remarriage?

Albert: Yes.

Kespohl: Ok, and she lives in Springfield. When she was married to Paul, it was clearly her intent to name that park after Paul's mother. It says so in this agreement. It's my opinion that we name the whole park C.M. Albert Memorial Park because that's what the agreement says. Those two tracts of land belonged to the Albert family. I think we're bound by the agreement and because it was a gift, we have to name it C.M. Albert Memorial Park. I don't think we can call it Albert-Oakland.

Blevins: I just have one comment. Going back to the crux of what the ordinance does in the enacting clause, is the words "be it ordained by the city of Columbia." If you go to 47-72, you'll see that just prior to those exact words Albert-Oakland, it seems like the intent is to be ordained even though they talk about the school. Based on that, I think that it should be Albert-Oakland Park.

Pauls: I like leaving Oakland as part of the name just because it locates it. If you take Oakland off of it, then new people to town...I like having a park with a street name as part of the name. If you'd have asked me the first two letters of Albert, I would not have known and I've been there for years. I know now, but I wouldn't have. I think C.M. was just part of that agreement for 20 acres. That was only a requirement for that tract. Mike, I'm not a park director, but it seems like once that increased, then the naming convention for the donated part was not a requirement for the entire park.

Hood: It does get a little tricky. In discussing with Kurt, I understand Kurt and correct me if I'm wrong, that you felt your mother in negotiating the sale of the Simpson property reached an agreement that the entire park would be called Albert-Oakland Park?

K. Albert: My understanding was that Don Allard had a gentleman's agreement with Bill Grimes, her attorney. In fact, if you will look, there are three letters there and I believe it was the second or third letter in the reference title, he says for the expansion of Albert Park in the negotiation. These days, there is an ombudsman for the State of Missouri appointed by the governor and these lowball appraisals are no longer possible. We sold it, it's yours. It was for years and I hope it to be in the future what it was, thank you.

Hood: Do you feel Albert-Oakland is an acceptable name, rather than C.M. Albert?

Albert: Yes, I see no problem with a hyphenated name, in fact, I see a solution.

Blevins: I'd like to call the question.

Kloeppel: I'm not going to reiterate what anyone else has said, I just want to say I agree with the fact that historically it's been Albert-Oakland. I think we have an obligation to call the park that. All right. We have a motion on the floor that we recommend to City Council that this park be officially named Albert-Oakland Park.

Albert: And facilities?

Kespohl: Terry, what about this agreement that everybody signed? It violates an agreement.

Kloeppel: You can vote against it.

Pauls: I think that if Council has a legal disagreement, then they can talk to the City Counselor about it.

Kespohl: I see a problem there.

Kloeppel: The motion reads that we recommend to Council that the park area be named Albert-Oakland Park.

In favor: Kloeppel, Blevins, Knudson, Pauls

Opposed: Kespohl

Motion passed.

Budget Report

Hood updated the Commission on the state of the fiscal 2009 budget, just approved by the City Council. Hood said that after the Commission meeting in August, Council had asked staff to trim an additional \$100,000 from the budget, which was completed.

In August, the Commission had recommended that the Paquin recreation program be restored, as well as the full-time position housed there. The Council did restore the program at full funding for six months, then partial for the second half of the year. The position was retained.

The Council also restored funding for Lake of the Woods Pool, largely at the urging of Councilman Skala. The Council also voted to eliminate the winter trout fishing program and closing the lake for swimming at Twin Lakes Recreation Area. Little Mates Cove will remain open.

Ristow added that all proposed fee increases were approved as well. Staff will be meeting soon to discuss how to maximize funding for the Paquin program for the new fiscal year.

October Meeting Date

Hood reminded the Commission that he and Kloeppel will be in Baltimore for the NRPA Conference the week of the next regularly scheduled Commission meeting. He said the Commission could go ahead and meet at that time (Oct. 16) or the meeting could be rescheduled.

After brief discussion, Pauls moved that the October meeting date be moved back a week to October 23. Blevins seconded the motion. All in favor, motion passed.

Council Items

Hood mentioned that the Heibel March Building at Field Park will soon be turned back over to the City. The Central Missouri Counties Human Development Corporation (CMCHDC), which was raising funds to restore the building, is stopping its efforts. Hood added that the building has had some recent vandalism as well. The City will need to decide soon what to do with the building and how to proceed. The Historic Preservation Commission is looking to create the Historic Preservation Trust Fund, Hood said, so the building may be part of that effort.

Knudson asked about the condition of the interior?

Hood said it was in terrible condition, and there are no utilities to the site. The cost of renovation and making the building usable would be very high.

Kespohl commented that with no parking, the building would not serve much use.

Blevins and Pauls asked about the Historic Preservation Commission's role and their track record?

Hood answered that he did not think the Commission had tackled a project as large as the Heibel building will be. He said the main historic significance of the building is that it is a typical example of a neighborhood grocery store.

The next Council item issue Hood discussed was that the Council will hold a public hearing on the County House Branch Trail, which is set to be constructed between Stadium and Twin Lakes. This is one of the first trail projects to move forward from GetAbout Columbia funds.

Kespohl asked about the Lutheran Church, if they were on board with the plan?

Hood said that yes, they are comfortable with the proposed route, which will include two bridges that the church can use.

Pauls asked about easements, if any had been obtained?

Hood said that process would start, and that property owners had already been informally contacted.

Griggs added that the proposed trail follows the sewer line, so many owners had already donated property for that infrastructure.

Capital Projects

Griggs shared these updates:

PMC: repairs continue on the 2006 hail-damaged roof.

Garth Nature Area: the additional parking lot is open. It is gravel at this time, and will be paved at a later date. Staff felt it was important to open it with daylight savings time ending soon, knowing that larger crowds will be visiting the area early in the evening.

Cosmo-Bethel: Work continues on four additional tennis courts and the large shelter. A rededication will be held there on October 12.

Stephens Lake waterfall: Water fall liner and boulders are being placed.

Antimi: Irrigation system installed at the Black and Gold fields. A new scorer's table has been built by Eagle Scout John Morrison.

Auburn Hills: Seeding has been done in the open areas, a new ADA walkway has been installed and trail preparation has been completed.

Atkins: The utility building is under construction. The scoreboard at the gold field has been installed and player benches in the dugouts have been placed.

Valleyview: Trail improvements including the addition of two culverts have been made.

PMC: New greenhouse is being built and the parking lot near soccer field #19 is being expanded.

Griggs showed numerous photos showing recent trail damage from flooding. Many trees were down and the trail surfaces are eroded in many areas. Griggs said he anticipates a cost of \$40,000 in rock alone and about \$18,000 in labor to make repairs.

Commission Comments

Kloepfel shared that Kristen Heitkamp had resigned her position, because she took a different job that had different demands. The City Clerk is advertising the position, which is the at-large seat.

Staff Comments

Hood reminded the Commission that the City's Boards and Commissions reception is tentatively scheduled for October 30. Invitations will be sent. An interested party meeting will be held at Rock Quarry Park for new tennis and basketball courts. The Cosmo-Bethel rededication will be at 1 pm on October 12.

Meeting adjourned 8:45.

