INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, October 15, 2012, in the Council Chamber of the City of Columbia, Missouri. The Pledge of Allegiance was recited, and the roll was taken with the following results: Council Members ANTHONY, HOPPE, MCDAVID, SCHMIDT, TRAPP, KESPOHL and DUDLEY were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of October 1, 2012 was approved unanimously by voice vote on a motion by Mr. Dudley and a second by Mr. Kespohl.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Upon his request, Mayor McDavid made a motion to allow Mr. Trapp to abstain from voting on R186-12 and R187-12 due to a conflict of interest. Mr. Trapp noted on the Disclosure of Interest form that he worked for Phoenix Programs, which received CDBG and HOME funds. The motion was seconded by Ms. Anthony and approved unanimously by voice vote.

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

SPECIAL ITEMS

None.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

AIRPORT ADVISORY BOARD
Thomas, David, 155 Maple Grove Way, Ward 5, Term to expire May 16, 2013

BICYCLE/PEDESTRIAN COMMISSION
Burden, Mike, 1011 Again Street, Ward 1, Term to expire July 31, 2013

BOARD OF ADJUSTMENT
Peters, Elizabeth, 305 McNab Drive, Ward 6, Term to expire November 1, 2017

CITIZENS POLICE REVIEW BOARD
Hargrove, Thomas, 107 Arbor Drive, Ward 3, Term to expire November 1, 2015
Jacob, Daniel, 4810 St. Charles Road, Ward 3, Term to expire November 1, 2015
Sheltmire, Stephan, 1908 Tremont Court, Ward 4, Term to expire November 1, 2015
Jeff Stack commented that there were hundreds of homeless people in the Columbia area preparing for another night without shelter while he and the Council were in the comfort of this public space. He stated he was speaking in support of opening up the Armory as an emergency shelter. He understood there was a possibility of a church opening its doors as a shelter, but noted more space was needed for adequate emergency housing. Two years ago, the United Methodist Church opened its doors and it was common for fifty people to be housed each night. He pointed out there were many more homeless people that needed shelter now as well. He explained the current church in question was about one-fifth the size of the downtown church used in 2010 and about one-third the size of the Armory, and understood only a dozen people could be housed at The Inn on Old Highway 63, which was used last year, per a Fire Department inspection. He did not believe fire was the only elemental condition to be concerned with and thought they should also be concerned about human exposure to winter conditions. He commented that housing was a right and not a privilege because life was harder to achieve without shelter particularly during the winter season. He understood there were concerns about unsavory individuals coming to the
Armory near the end of a volleyball or basketball game when trying to find overnight shelter, and questioned the priorities of the City in terms of recreation for those who could afford to join a league trumping life saving services for impoverished and homeless individuals. He was convinced the timing could be worked out and pointed out recreation was a privilege while shelter was a civil and a human right. He commented that another option would be to use the first floor of City Hall, and noted this would show a genuine concern for the homeless. He believed it could be a source of community pride for the Council to demonstrate a commitment toward helping end homelessness in Columbia by opening an emergency shelter, and would also be a first step toward a permanent emergency shelter. Two years ago, Pastor Hegemann at Wilkes Boulevard United Methodist Church welcomed dozens of concerned citizens for service memorializing a homeless man who died from exposure and the names of about ten other homeless people that had died on the streets within recent years were read out loud as well. He felt the homeless were victims of societal neglect and implored the Council to take action in order to avoid other names being added to the list this winter. He noted there were many volunteers willing to help, and asked the City to partner with them to help address this problem.

PUBLIC HEARINGS

(A) Consider an application by Columbia Party Bus, LLC to operate a motor bus to carry passengers for hire within the City of Columbia.

Item A was read by the Clerk.

Mr. Blattel provided a staff report.

Ms. Hoppe understood this would to give the Columbia Party Bus authority for one bus. Mr. Blattel stated he thought they were asking for authority for two buses.

Mayor McDavid opened the public hearing.

Ben Bradley stated he was the owner of the Columbia Party Bus and Tiger Detailing with offices located at 1729 Paris Road, and explained it was essentially a limo service, but he had really big and fancy limos, creating a classification change from limo service to charter bus service. He commented that these buses already existed as many operated outside of the City limits. He stated his would seat about 10 more people than other buses. He noted he wanted to operate this business at his existing office and not operate out of two locations, which was why he had come to the Council to obtain this license to operate. He pointed out his business would keep drunk people off of the roads as well.

Russell Perkins commented that he was a proponent for public transportation and believed party buses and limo services were needed in Columbia due to its size. He noted an influx of people would be coming to Columbia since the University of Missouri was now a part of the Southeastern Conference (SEC), and this would keep them safe while they spent money locally and in the downtown. A service such as this would provide adequate and safe transportation for larger groups and families for Mizzou games, birthdays, etc.

Eugene Elkin, 3406 Range Line, stated he had been contacted by a lady that had been forced to assist with party buses and had indicated illegal activities were taking place on those buses. If this was approved, he wondered how the City would control these types of activities.
There being no further comment, Mayor McDavid closed the public hearing.

Mayor McDavid made a motion to allow Mr. Bradley to operate Columbia Party Bus over the streets of Columbia. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

R186-12 Reserving funding and designating Show-Me Central Habitat for Humanity, Job Point and Community Housing Options as Community Housing Development Organizations (CHDO); approving an amendment to the FY 2012 CDBG and HOME Annual Action Plan.

The resolution was read by the Clerk.

Mr. Dudley made a motion to amend R186-12 per the amendment sheet. The motion was seconded by Ms. Hoppe and approved by voice vote with Mr. Trapp abstaining.

Mr. Teddy provided a staff report.

Ms. Anthony understood HUD had reduced the HOME funds to $413,859 as a result of a mistake made by the City. Mr. Teddy stated that was correct. He explained HUD had advised the City of an amount that needed to be spent before an April 30 deadline, but they had not had that funding committed to projects and HOME funding could not be uncommitted for a greater time than two years. Ms. Anthony asked how much money was lost. Mr. Teddy replied $49,933, and noted staff was recommending reducing the 2012 homeownership assistance, planning and administration, and the community housing development organization funds to accommodate the difference. Mayor McDavid asked if safeguards had been established to ensure this did not happen again. Mr. Teddy replied yes.

Mayor McDavid opened the public hearing.

Jim Loveless commented that he was President and CEO of Job Point, a not-for-profit, with offices at 2116 Nelwood, and noted he appreciated the City’s confidence in Job Point programs. He explained Job Point rehabilitated the older deteriorated housing stock in the central part of the City and constructed new modest homes in CDBG eligible areas. One of their challenges was to acquire lots at reasonable prices in the CDBG areas. The cost of a lot on which they built was included in the cost to the homebuyer, who were residents meeting low income requirements as set forth by the federal government, and purchasing lots with these funds helped provide the American Dream to people who otherwise would not be able to afford a home. He stated Job Point was pleased to be a part of this program and hoped the Council would endorse the recommendation of staff.

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

Ms. Anthony stated $49,000 was a lot of money to lose in an area that needed funding. She was glad changes had been made so this did not happen again.

The vote on R186-12, as amended, was recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDavid, SCHMIDT, KESPOHL, DUDLEY. VOTING NO: NO ONE. ABSTAINING: TRAPP. Resolution declared adopted, reading as follows:

R187-12 Approving the FY 2013 Housing and Community Development Action Plan.

The resolution was read by the Clerk.

Mr. Teddy provided a staff report.
Mayor McDavid opened the public hearing.

Jim Loveless stated he was President and CEO of Job Point, a not-for-profit, with offices at 2116 Nelwood, and noted Job Point had $76,180 in the economic development portion of the Action Plan. Besides building houses, Job Point provided training, job search assistance, job placement and job retention assistance, and training for certified nursing assistants and highway and heavy construction programs were included in this particular Plan. These two programs prepared low income Columbia residents with skills for a lifetime of employment in high demand jobs, and the return on investment in the first year of full job employment was 5 to 1 and a return on investment over a lifetime of work was likely incalculable. He believed some of the smartest investments that communities and the nation could make were in training its citizens with employable skills. He noted Job Point would also apply for $69,000 in HOME funds for its home construction program, and hoped Council would endorse this Plan.

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

The vote on R187-12 was recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDavid, SCHMIDT, KESPohl, DUDLEY. VOTING NO: NO ONE. ABSTAINING: TRAPP. Resolution declared adopted, reading as follows:

OLD BUSINESS

B255-12 Rezoning property located on the southwest corner of Grindstone Parkway and Rock Quarry Road from A-1 to C-P; approving the Grindstone & Rock Quarry Break Time C-P Plan.

Mayor McDavid explained B255-12 had been withdrawn by the applicant.

B269-12 Approving an extension of the PUD development plan of Hidden Creek Condominiums.

The bill was given second reading by the Clerk.

Mr. Teddy provided a staff report.

Mr. Kespohl asked for the total acreage of the tract. Mr. Teddy replied 56 acres. Mr. Kespohl understood one of the corridors for traffic was Hanover Boulevard. Mr. Teddy replied there would be two access points. One would be located opposite Hidden Creek Court and Riney, which was a dead end street on the north side of Hanover and would be extended as a public street through the site. Mr. Kespohl stated he was concerned with traffic on Hanover Boulevard going out onto Clark Lane as there was not a signalized intersection there and left turns were not allowed. It was currently a traffic hazard and the addition of more cars was a concern. He asked if there was any condition regarding traffic as part of the development. Mr. Teddy replied a turn lane requirement at Clark Lane to turn onto Hanover had been included in the 2005 ordinance, but a signal at the intersection had not been discussed. He explained in order for this development to have more than 227 units, left turn lanes would be required to be added on Route PP at Hanover and Olympic. In addition, the Riney Street extension would need to run through the property and be accepted as a public street by the City. Mr. Kespohl asked if a left turn off of Hanover and Olympic on to Clark Lane would be required. Mr. Teddy replied it had been included in the ordinance.
Mr. Dudley asked if they anticipated connecting to Vandiver Drive at some point. Mr. Teddy replied yes. He understood they had participated in discussions with area stakeholders that might be interested in a system that would connect indirectly to Rice Road and provide a middle collector route between Route PP/Clark Lane on the south and Mexico Gravel on the north since there was quite a distance between those two east/west routes. Mr. Kespolh asked if Rice Road was an unimproved street. Mr. Teddy replied Rice Road lacked curb and gutter in some sections. Mr. Kespolh stated Rice Road was very narrow.

B269-12 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, TRAPP, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B272-12  **Amending Chapter 12A of the City Code as it relates to stormwater rules and regulations.**

The bill was given second reading by the Clerk.

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

Mr. Kespolh asked if this was an improvement to the ordinance in terms of encouraging the redevelopment of impervious surface areas, such as Business Loop. Mr. Glascock replied yes. Mr. Kespolh asked if it took away from what the City was trying to do in terms of stormwater. Mr. Glascock replied no.

Mayor McDavid stated it was nice to have this finalized. Mr. Glascock explained it had been a long drawn out battle, but the result was worth it.

Mr. Kespolh commented that this had reached the consensus he had hoped it would. Mr. Glascock stated it was not something in which everyone was in agreement, but it was something everyone could live with.

B272-12 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, TRAPP, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B273-12  **Amending Chapter 2 of the City Code to eliminate the Stormwater Advisory Commission.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Mr. Dudley stated he appreciated the Stormwater Advisory Commission’s work as the stormwater ordinance revisions had been a contentious item for a long time.

B273-12 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, TRAPP, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B278-12  **Authorizing a cooperative agreement with the Greenbelt Land Trust of Mid-Missouri for development of an open space/green infrastructure plan.**

The bill was given second reading by the Clerk.

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

Mr. Kespolh pointed out Item F of the agreement indicated an agreement period beginning July 1, 2012 and asked if that was correct. Mr. Hood replied he thought that was
the date agreed upon when they first started negotiations. Mr. Kespohl asked if the date could be changed. Mr. Hood replied yes and suggested it be changed to October 15, 2012.

Mr. Kespohl made a motion to amend the agreement associated with B278-12 so the agreement was effective beginning October 15, 2012 instead of July 1, 2012. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mr. Trapp stated he was not sure there was anything finer the City could do than to prioritize and identify areas they wanted to preserve in order to maintain the rural character of Boone County, and this was a step towards identifying the highest priority areas they wanted to preserve. This would also reduce uncertainty with regard to development decisions and zoning questions because the public would know what types of development were off limits. He thought they might want to proceed regionally in the future and reiterated this was a great start.

Ms. Hoppe thanked staff for working with the Greenbelt Land Trust and the Department of Conservation and noted other communities, such as Nashville, had engaged in this process. She believed it was a great way to augment funds, resources and technical expertise in an effort to make good decisions in terms of natural resources and what was valuable to the community. She pointed out this had been a visioning goal of the community for a long time. She felt this was a good way to determine the best use of the money and believed working with the Department of Conservation would be valuable.

Ms. Anthony stated she was thrilled to see this and thanked Ms. Hoppe for her work on this issue. She was excited about the creation of the green infrastructure network as interconnection was important. She felt this would be an excellent planning tool.

B278-12, as amended, was given third reading with the vote recorded as follows:
VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, TRAPP, KESPOHL, DUDLEY.
VOTING NO: NO ONE. Bill declared enacted, reading as follows:

**B283-12 Establishing a moratorium on illuminated window signs that have electronic changeable copy.**

The bill was given second reading by the Clerk.

Mr. Matthes provided a staff report.

Ms. Anthony explained this would be effective while the Planning and Zoning Commission reviewed the current sign ordinance to determine if it needed to be amended. She believed allowing stores to use the interior of the window to display digital changing signs had been an oversight when the sign ordinance was originally drafted. She felt if this technology had been known then, it would have been addressed in the sign ordinance when last updated. She suggested this moratorium to allow the Planning and Zoning Commission time to review and make recommendations to Council regarding the sign ordinance and for Council to obtain public input and discuss the recommendations.

Mr. Dudley asked if this would affect external signs, such as those at football fields and churches. Ms. Anthony replied the Commission would look at regulating what was not previously regulated. She understood external signs were already regulated by ordinance. This would address interior signs.
Mayor McDavid asked if Council was only aware of the one interior sign. Ms. Anthony replied there were several interior signs, and pointed out another was located at Business Loop and College. Mr. Schmidt commented that he had seen several of these signs since this issue had initially been discussed.

Mr. Kespolh wondered if the date in Section 4 of the proposed ordinance could be changed from October 1, 2012 to October 15, 2012. He asked if there was a reason for the October 1 date. Mr. Boeckmann replied October 1, 2012 was the date the bill was introduced. He did not believe there had been a rush to install these types of signs within the past two weeks, so he was not sure it mattered if the date was changed. Mr. Kespolh stated he thought the date should be changed.

Mr. Kespolh made a motion to amend B283-12 by changing the date in Section 4 from October 1, 2012 to October 15, 2012. The motion was seconded by Mayor McDavid.

Ms. Anthony commented that she preferred to keep the date as October 1 in case a sign was installed within the last two weeks. She thought the intent was for this to begin on the date it was initially discussed.

Ms. Hoppe asked if there was a legal problem to keep it at October 1, 2012. Mr. Kespolh replied it was a retroactive date. Mr. Boeckmann explained the federal government did this all of the time with its legislation, but he was not certain state government did it often. He noted had not seen any cases on it.

Mr. Schmidt stated he planned to vote against the motion.

The motion made by Mr. Kespolh and seconded by Mayor McDavid to amend B283-12 by changing the date in Section 4 from October 1, 2012 to October 15, 2012 was defeated by voice vote with only Mr. Dudley, Mayor McDavid and Mr. Kespolh voting in favor of it.

Curtis Bohl, 116 W. El Cortez, commented that he had operated the largest non-conforming signage in Columbia for the last 29 years. He asked why the City would want to keep business advertising in the mid-twentieth century by eliminating LED signage instead of just regulating it. This ordinance would prevent a television retailer within the City from putting a television in his store front window in order to sell his product since most televisions were LED or LCD and had moving images. He asked the Council to reconsider this ordinance by allowing LED signage with certain restrictions. He understood other communities had allowed LED signage because they used less energy and were easier to maintain. He commented that a lot of gas/service stations had installed digital signage for pricing, and understood those signs were currently illegal per Section 23-2(l) of the Code of Ordinances as it indicated no display signs which contained or included electronically operated changing alpha-numeric messages were allowed. He wondered why those signs had been allowed. He pointed out the Missouri Theatre sign was similar. He noted many businesses had LED signs that only indicated they were open, and wondered if those signs were illegal. He asked the Council to table this item and reconsider the proposed changes to the sign ordinance.

Mr. Schmidt stated he believed Mr. Bohl had some valid points, which was the reason he felt a moratorium was needed.
Ms. Anthony agreed Mr. Bohl had some valid points and noted that was the reason she thought it should be studied. She commented that she did not believe they could retroactively declare the signs in existence illegal. Mr. Boeckmann stated those signs had grandfather rights. Ms. Anthony explained they were not stating the existing signs were illegal. They were reviewing what should be done with regard to digital signs. The moratorium would allow them time to study the issue to ensure they came up with good policy.

Mayor McDavid stated he agreed with Ms. Anthony, but was not going to vote in favor of this ordinance because he felt more work was needed. The sign business was a matter of taste and he was not sure he should be an arbiter of taste. He commented that he thought the City of Columbia had likely disturbed taste the most in terms of advertising on the buses. He felt it was time to look at the whole process, but was not sure this was the solution.

Mr. Dudley stated Mr. Bohl had brought up a good point in that there were a lot of signs that could fall within this ordinance, and if the moratorium passed, the City would be telling businesses it could not have any advertising that was not on a piece of paper.

Mr. Schmidt felt the moratorium made sense if the City would end up grandfathering all of the existing signs, and thought it was incumbent upon them to review the issue within a reasonable amount of time.

Mr. Trapp stated he agreed they should put a moratorium on these kinds of signs as they were distracting. He noted the human visual feel was attracted to movement, so there were safety issues in addition to the aesthetic issues. He agreed they could not be arbiters of taste, but felt they could design a city that was attractive, one in which people wanted to live and one which looked less like Las Vegas.

Ms. Hoppe commented that she believed this technology was new when the sign ordinance was passed, so Council did not know how to control or address it. LED signs that did not constantly blink or change, such as those at gas stations, might be useful and not create a safety issue. The Planning and Zoning Commission would review the subject and provide recommendations to Council. She noted she would vote in favor of the moratorium as she believed it was reasonable.

Mr. Dudley explained he lived a block and a half away from the sign at the corner of Stadium and Broadway, and noted he had not noticed an increase in accidents at the intersection since the sign was installed. In addition, he had passed through the intersection 4-5 times per day safely without being distracted by the moving sign. He stated he would vote against this ordinance.

Mr. Kespohl understood the ordinance needed to be changed so LED signs were restricted, but noted he was more concerned with the message on the sign than the actual sign itself, but did not believe they should control free speech. He commented that if the Council put a moratorium on indoor signs within 10 feet of the window, he was concerned that businesses would put these signs on the outside of their businesses. Ms. Hoppe pointed out that would be in violation of the City’s existing ordinances. Mr. Kespohl asked if the sign at the corner of Stadium and Broadway would be allowed on the outside of the building. Ms. Anthony replied Mr. Teddy had indicated it would not be allowed. Mr. Kespohl pointed out there were a lot of outdoor rolling signs within the City, and he was not sure if
they had been approved by the Board of Adjustment or not. He was aware of one on Highway 63 in the yard of a Church, which he agreed was distracting. Ms. Hoppe thought it had been outside of the City limits when it was first installed. Mr. Kespoohl understood the moratorium would give the Council time to come up with a better solution and reiterated he thought the sign would be moved to the outside of the building if there was a change in the ordinance. He stated he would vote against the proposed ordinance.

Ms. Anthony pointed out the moratorium had an end date of April 16, 2013. She noted the date was purposeful in trying to give the Planning and Zoning Commission enough time to review the sign ordinance while not allowing it to be open-ended, and stated it was a relatively short period of time. Mr. Kespoohl hoped this would be resolved prior to April.

B283-12 was given third reading with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, SCHMIDT, TRAPP. VOTING NO: MCDAVID, KESPOHL, DUDLEY.

Bill declared enacted, reading as follows:

B296-12 Authorizing an air service agreement with American Airlines, Inc.
B297-12 Authorizing an air service guarantee participation agreement with the County of Boone, The Curators of the University of Missouri, the City of Jefferson and Cole County; authorizing air service guarantee participation agreements with various Chamber of Commerce members.
B298-12 Authorizing an agreement with Zimmer Radio, Inc. for marketing and advertising.
B299-12 Appropriating funds for an airline revenue shortfall guarantee.

The bills were given second reading by the Clerk.

Mr. Matthes provided a staff report.

John Clark, 403 N. Ninth Street, commented that he believed this was about economic development incentives as the City would be going into business with American Airlines. He stated he was generally supportive of moving toward a regional airport, but was concerned with this. He noted the budget had indicated the City could not continue to bear the burden of several items, to include the airport, and wondered how taking on 100 percent of the risk and the loss of revenue in terms of fees amounted to a reduction in carrying the burden of a regional airport. He thought it sent a message that Columbia would continue to carry this burden. If this was successful, there would be more economic development and a population growth, and he wondered how the money would get to the City’s budget, and in particular, the City’s general fund. He did not believe it would improve the City’s fiscal position and was concerned with the City taking on 100 percent of the risk. He knew who would lose if this was not a successful investment, but wondered who would gain. He wondered how more growth, absent a major change in the revenue profile of the City, would not lead them into a deeper financial hold since a 57 percent population growth from 1990-2009 had not adequately funded operations, improvements and capital projects. He thought an analysis needed to be done in terms of an adequate return on investment and noted he would be more comfortable if the City pushed those that were putting money into the fund to use part of those funds to purchase insurance protection so the City was not responsible for the entire cost. He encouraged the Council to move in that direction as it sent a message to the partners that the City would not bear the entire burden.
Eugene Elkin, 3406 Range Line Street, understood there had been discussion of rebuilding the terminal in the future as it was trying to get businesses to Columbia for growth, but noted all of the entities involved needed money so he wondered how long it would be before they saw a profit.

Don Laird stated he was President of the Columbia Chamber of Commerce with offices at 300 S. Providence, and noted the Columbia Chamber of Commerce was proud to have played a supporting role in this effort. He congratulated the City for its leadership on the project as it was a historic move for the community and the area. In addition to the City of Columbia, the University of Missouri, Boone County, the City of Jefferson and Cole County were also heavily involved. Thirty-nine area businesses had also agreed to provide financial assistance, and they expected more. He felt improved air service was important to the entire citizenry and noted many people had indicated they were pleased to hear about service to Chicago and Dallas.

Ms. Anthony explained she would not be able to attend the October 22, 2012 Special Council Meeting, but wanted to express the fact she was supportive of this.

Mr. Kespohl pointed out Zimmer Radio Group was not the only marketing company that could support the airport. Other marketing groups could participate as well, if they wanted.

Mr. Schmidt stated he would also miss the October 22, 2012 Special Council Meeting and noted he thought it was significant that the business community that had asked for airport service from the government was providing financial support. This represented really good work by an impressive list of agencies and private entities that had worked together to make this happen.

Mayor McDavid explained these bills would be held over and voted on at a Special Council Meeting at 8:00 a.m. on October 22, 2012 in the Council Chamber.

CONSENT AGENDA

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

B268-12 Granting a waiver from the requirements of the City Code for sidewalk construction along portions of the north side of Roosevelt Road, the east side of Lenoir Street and the south side of New Haven Road, adjacent to the Lenoir Woods Retirement Center; setting forth a condition for approval.

B270-12 Vacating excess sanitary sewer easements located east of State Farm Parkway and south of Nifong Boulevard acquired as part of the Clear Creek Pump Station Force Main Improvement Project.

B271-12 Vacating excess sanitary sewer easements located west of Sunflower Street and south of Granite Creek Drive acquired as part of the Valley View Pump Interceptor Sewer Project.

B274-12 Amending Chapter 14 of the City Code to establish front-in angle parking and to remove back-in angle parking on a portion of the south side of Ash Street between Seventh Street and Ninth Street.
B275-12 Authorizing a right of use permit with Western Oil, Inc. to allow construction, operation and maintenance of a private drive approach and landscaping within a portion of the Buckner Street right-of-way.

B276-12 Authorizing and accepting a conveyance for a Trash Compactor, and Underground Electric, Telephone, Cable TV Utility Facilities; accepting a conveyance for access to storm water facilities.

B277-12 Accepting Stormwater Management/BMP Facilities Covenants.

B281-12 Amending Chapter 19 of the City Code as it relates to health club membership salary advances and emergency medical consultation for City employees.

B282-12 Amending Chapter 19 of the City Code as it relates to the Personnel Advisory Board.

R176-12 Setting a public hearing: construction of the Ash Street and Hubbell Street storm water management project.

R177-12 Authorizing a program services contract with the Missouri Department of Health and Senior Services for child care health consultation.

R178-12 Authorizing a service agreement with Columbia Housing Authority Low-Income Services, Inc. (CHALIS) for implementation of The Missouri Foundation for Health Tobacco Prevention and Cessation Initiative.

R179-12 Authorizing a memorandum of understanding with the Missouri Department of Health and Senior Services relating to deputizing and oversight of local public health agencies to provide vaccines for underinsured children.

R180-12 Authorizing Amendment No. 1 to the memorandum of understanding with the Missouri Department of Corrections for tuberculosis testing and vaccination services.

R181-12 Authorizing an Adopt a Spot agreement with Pulse Medical Staffing.

R182-12 Authorizing an agreement with Columbia Swim Club for sports development funding under the Tourism Development Program.

R183-12 Authorizing an agreement for banking services with US Bank of Columbia, MO.

R184-12 Authorizing an agreement for professional engineering services with Bartlett & West, Inc. for design services for the Worley Street Sidewalk Phase 2 project.

R185-12 Authorizing a school resource officer agreement with the Columbia School District.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: ANTHONY, HOPPE, MCDAVID, SCHMIDT, TRAPP, KESPOHL, DUDLEY. VOTING NO: NO ONE. Bills declared enacted and resolutions declared adopted, reading as follows:

NEW BUSINESS

None.
INTRODUCTION AND FIRST READING

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

B285-12 Changing the name of a portion of Ballenger Lane, located between Clark Lane and approximately 400 feet north of Ria Street, to Hector Place.

B286-12 Approving the Final Plat of Wyndham Ridge, Plat No. 2 located east of Scott Boulevard on Abercorn Drive; authorizing a performance contract.

B287-12 Authorizing a new performance contract with DFR, LLC in connection with the approval of the Final Plat of Deerfield Ridge Plat 2.

B288-12 Amending Chapter 22 of the City Code to allow for reduced pricing of mid-semester bus passes.

B289-12 Amending Chapter 14 of the City Code to change the speed limit on a portion of Forum Boulevard.

B290-12 Authorizing the construction of a sidewalk along the north side of Texas Avenue from Garth Avenue to Providence Road; calling for bids through the Purchasing Division.

B291-12 Authorizing the acquisition of easements for construction of a sidewalk along the north side of Texas Avenue from Garth Avenue to Providence Road.

B292-12 Authorizing a grant of easement for utility purposes to Union Electric Company, d/b/a AmerenUE, relating to the Short Street parking garage project.

B293-12 Authorizing grant agreements with the Mid-Missouri Solid Waste Management District for the purchase of rear-loading recycling containers and outdoor recycling displays; appropriating funds.

B294-12 Amending Chapter 2 of the City Code to remove the Planning and Zoning Commission liaison requirement from the Bicycle/Pedestrian Commission and the Environment and Energy Commission.

B295-12 Amending the FY 2013 Annual Budget to add and delete positions in the Water and Light Department; amending the FY 2013 Pay Plan and Classification Plan to reclassify, make a title change and close positions in the Water and Light Department.

REPORTS AND PETITIONS

REP157-12 Authorizing Free FastCAT Service to Promote and Market the FastCAT Route.

Mr. Glascock provided a staff report.

Ms. Hoppe commented that the bus that was used this past weekend for the Alabama game had been the old blue bus and asked why one of the newer buses had not been used. She noted Mr. Kespoohl had raised the issue of the bus stopping on William Street to stay on schedule and pointed out it was still occurring. She asked if there were plans to change this and suggested allowing the bus to go slower so it would keep moving. Mr. Glascock replied staff was working through that issue. With regard to the football weekend, a bus had been added to the route, so in addition to the two FastCAT buses, a blue bus had been added.
Mayor McDavid asked if the City offered pro-rated semester passes. Mr. Glascock replied the ordinance approving this would be voted on at the next meeting, but Council could give him permission by motion to start it sooner.

Mayor McDavid made a motion to offer pro-rated semester passes. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Mayor McDavid made a motion directing staff to market the two proposed “free service” periods. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

REP158-12 **Hominy Branch Trail and Sewer Construction, and Trash Left by Workers.**

Mr. Glascock provided a staff report.

Ms. Hoppe explained a constituent had taken her on a walk of this area due to a concern with parallel tree clearings. She displayed a video and some photos of the area, which showed how close the trail and sewer line were to each other. She understood the logic of minimizing the number of bridges built, but wanted assurance that the departments were working together. She asked where the trail and sewer were on the same path and where they could not be on the same path. She wanted assurance that this analysis had been done. Mr. Glascock displayed the path of the sewer on the overhead and noted it essentially followed the prior route because it was a relief sewer that needed to tie in at a certain location. He displayed the path of the water line and stated he believed it was new construction. He noted it appeared to be in the vicinity of the trail or the sewer until they tied into the pump station. Mr. Hood explained the trail was new construction and the design team included representatives of the Parks and Recreation Department, the engineering firm that was selected, which was also the engineering firm hired to design the sewer line, and the Public Works Department. He noted they had some flexibility in meandering or moving the trail to avoid certain areas or vegetation. Factors taken into consideration when selecting the route of the trail were minimizing the number of bridges, minimizing the number of actual easements, etc., while still making it desirable for the users.

Ms. Hoppe asked if any part of the sewer path was used by the bike trail or if there were there two parallel paths. Mr. Hood replied they were in the same corridor in some places, but in other areas they were in two separate corridors. He explained they tried to keep it within the same corridor when possible, but noted he was unsure as to whether the trail sat on top of the sewer line. It would likely be parallel and within ten feet of the sewer line. Ms. Hoppe understood there were some areas where staff tried to keep the bike path within the tree clearing for the sewer line. Mr. Hood stated that was correct. Ms. Hoppe commented that she did not see this when she walked it so she wanted to be sure it was done. Mr. Hood pointed out a larger section would run side by side during Phase 2 of the project. Mr. Kespohl asked for clarification regarding Phase 1. Mr. Hood replied Phase I started at Green Valley and extended to the connection at Lansing in the Woodridge neighborhood.

Ms. Hoppe stated she wanted to ensure they minimized cost and tree clearing by having the paths overlap when appropriate. Mr. Glascock explained they tried to hire the same consultant so the projects were designed together. He pointed out if the sewer was
already in existence, another easement had to be purchased for the trail. The same easement could not be used because it was more intrusive since the property owner lost the use of the land. He noted sewer was a gravity system whereas a water line was a force main and could go anywhere. In addition, a trail could be located anywhere.

Mr. Schmidt understood the water line and sewer line had to be ten feet apart per state law, so the clearing would be at least 20 feet wide, and if for some reason the trail could not follow either path, the clearing would have to be at least 30 feet wide. He thought that might be the root of the problem. Mr. Glascock stated that was part of the problem, but pointed out water and sewer lines were not normally in the same area.

Mr. Schmidt commented that in 20-30 years, the vegetation would be re-established and no one would know it had been cleared. Mr. Hood stated the opening would fill in rather quickly, but mature trees took more time to restore. He pointed out tree planting was a part of the project.

Mr. Kespoahl understood the trail had crossed the creek three times. Mr. Hood stated that was correct. Phase 1 included three bridges.

**REP159-12 Repairs to Rosemary Lane.**

Mr. Glascock provided a staff report.

Ms. Hoppe understood staff would also prepare an ordinance to ensure those that destroyed the street paid for the repairs because the City had limited funds. Mr. Glascock explained an issue was having an inspector at the location to see who tore up the street or how it was torn up. Ms. Hoppe thought a comparison of the condition before construction and after construction could be used. In this situation, it was clear the road was torn up exactly where the driveway started, which was caused by the big trucks coming in and out of the driveway. Mr. Glascock stated staff would try to bring something to Council.

Ms. Anthony stated she agreed with Ms. Hoppe. She understood there were several construction projects going on at the same time in this area, but thought the burden should be put on the developers. She suggested taking pictures to show developers what the street looked like before the project began. She thought it could be part of the development regulations. She reiterated the City did not have the funds to repair the roads, and if they were being ruined due to a development, it should be a cost to the development.

Ms. Hoppe commented that the City could not count on developers volunteering to pay for the repair as was done by The Crossing and thought this should be required of everyone so it was equitable.

**REP160-12 Memo from the Environment and Energy Commission relating to the Mayor’s Climate Protection Agreement Report Card Report.**

Ms. Hoppe thanked the Environment and Energy Commission for their continued work.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

John Clark, 403 N. Ninth Street, stated he admired Mr. Blattel, the Finance Director, for his work and noted he had been doing this with an outdated system. With regard to the destruction of roads, he suggested the City develop a remote camera system to be placed at significant construction sites where the destruction of roads, trees, etc. was possible, and for
the cost to be a part of the development fee. This would allow for the review of sites on a regular basis without requiring inspectors to be at the job site. With regard to the comprehensive planning process, he believed it had evolved into a process that would give a blessing to an excessive population growth of 2.5 percent without examination. He understood this was being done in order to get the comprehensive plan done by a certain date. He stated the University inaccurately calculated the economic projections at three growth rates, and the net result was not having projections in terms of economic results and fiscal impacts of a 2.5 percent growth rate per year for the next 18 years. He asked Council to insist this economic analysis be completed prior to completion of the comprehensive plan.

Eugene Elkin, 3406 Range Line Street, listed his volunteer service in the community and noted his home was in a proposed blighted area. He understood the County Commission was opposed to a blight designation in Boone County. In addition, many Habitat for Humanity homes would be in the blighted areas. With regard to a homeless shelter, he believed the Armory was a good location, and suggested the activities scheduled at the Armory be moved to the ARC to accommodate it as a shelter. Mr. Elkin listed the names of people such as Don Stamper, Larry Moore and Billy Sapp, who he believed were pushing the Enhanced Enterprise Zone initiative, and asked that the initiative to declare areas as blighted be stopped.

Justin Thomas, 202 W. Sexton Road, pointed out the Citizens Police Review Board (CPRB) planned to hold a special meeting during the first weekend in November in order to follow up on the organizational review in the Police Department. He thought it might be a good time for Council to reach out to the CPRB if they were interested.

Mayor McDavid understood the Comprehensive Plan Task Force had a vacancy and asked for clarification regarding the filling of that vacancy and any future vacancies. Ms. Amin explained the Comprehensive Plan Task Force currently had one open vacancy, and the Chair of the Task Force and staff had suggested it and any other future vacancy not be filled since the Task Force was within six months of completion of its duties and someone new would likely not be able to add much value to the process. She noted she had to advertise the vacancies unless Council instructed her otherwise, and was asking Council for guidance.

Ms. Anthony commented that the Task Force was currently in a tough phase in drafting the document, and if someone new was brought into the process, they would have to educate them and bring them up to speed.

Mayor McDavid asked how many people served on the Task Force. Ms. Amin replied there were 15 total members that could be appointed, and 14 people were currently on the Task Force.

Ms. Anthony made a motion to not fill the current and any future vacancies on the Comprehensive Plan Task Force. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.
Ms. Hoppe explained Council had received a letter from the Chair of the Downtown Columbia Leadership Council asking them to adopt the Charrette Report that H3 Studio had prepared. She asked staff to draft legislation for the next Council Meeting to adopt the report.

Ms. Hoppe thanked the Public Works staff for the improvements at the intersection of Ann, University and Cliff Drive near Boone Hospital as it had been difficult to maneuver in the past. Traffic flow appeared to be moving beautifully as a result of the improvements.

Mr. Trapp understood there were some possibilities in terms of a homeless shelter, but noted they still might need to be creative and push the comfort zones of people as a winter shelter was needed. He stated he planned to follow up with the City Manager to ensure a shelter was in place this winter.

Ms. Anthony asked if the Armory was being considered for the shelter and stated she wanted a report indicating whether it was a suitable shelter. Ms. Hoppe suggested the report include acceptable alternatives as well. Mr. Matthes stated they had a few alternatives that were each compelling in a different way. They would work with Mr. Trapp and create a short list.

Mr. Trapp stated he was appreciative of the efforts of staff and the people of the community.

Mr. Trapp explained he had the privilege of meeting with people such as Dr. Kenneth Minkoff, who was an expert on co-occurring mental health and substance abuse, and he had asked for the City’s response to opiate overdoses, which was a nationwide trend involving prescription pain pills and cheap heroine. Mr. Trapp asked staff to provide a report regarding the community response to this trend, and asked for the report to include screening and identification, practice guidelines with regard to how physicians within the City handled opiate pain management, and prevention and education. He understood they were doing a lot, but he wanted a total community assessment.

Mr. Trapp commented that there were nice crosswalks on three sides at Providence Road and Blue Ridge Road, but there was not a crosswalk across Blue Ridge Road on Providence, and asked if there was a reason for this or if it was an oversight. He noted it was a challenge to those that walked to work in the Vandiver corridor.

Ms. Anthony stated she thought Mr. Clark’s comment regarding the Comprehensive Plan Task Force had been accurate, and noted she had participated in a meeting earlier today and had been assured the University of Missouri would fulfill its contractual obligation of providing the economic analysis, which was crucial to a good quality plan.

Ms. Anthony explained her husband took a job in Providence, Rhode Island, shortly after she was elected to Council in April, 2011 as it was too good to pass up. Since then, she had experienced some of the travel involved in visiting her husband and father, who lived in Connecticut and recently had a valve replacement. This made her realize she needed to spend as much time with her family as possible. She stated she believed she had done a good job for the City and Fifth Ward, and noted she had really enjoyed it and had hoped to
complete the term, but she was not able to be in Columbia as often as needed. She felt the City and the Fifth Ward deserved a representative that could be in Columbia more often, and stated she was resigning effective November 30. She commented that she had appreciated the opportunity.

Mayor McDavid commented that Ms. Anthony would be missed.

Ms. Hoppe stated she believed Ms. Anthony had served the Fifth Ward very well and was sad to see her go. She asked how Ms. Anthony’s position would be filled. Mr. Boeckmann replied a special election would have to be held. Mayor McDavid asked for the date of the special election. Mr. Boeckmann replied he would have to check state law in terms of when the special election could be held. Mr. Dudley asked if it would be on the April 2012 ballot. Mr. Boeckmann replied he though they might be able to hold it prior to then.

The meeting adjourned at 9:02 p.m.

Respectfully submitted,

Sheela Amin
City Clerk