INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, March 7, 2011, in the Council Chamber of the City of Columbia, Missouri. The recitation of the Pledge of Allegiance was lead by Boy Scout Troop 701 of Parkade Baptist Church. The roll was taken with the following results: Council Members THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE and MCDAVID were present. Council Member STURTZ was absent. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

SPECIAL ITEMS

Presentation of Resolution of Appreciation for Bill Watkins.

Mayor McDavid asked City Manager Bill Watkins to join him at the podium. He read and presented him with a resolution of appreciation, and thanked him for his many years of service to the City of Columbia.

REDI Presentation.

Dave Griggs, Chair of REDI, introduced David Kerr, the Director of the Missouri Department of Economic Development. Mr. Kerr commented that Columbia had received the first certified site for economic development in Missouri in 2009, and tonight, he was announcing the designation of a second certified site in Columbia. He presented the City with an official certification designating the Columbia Sutter Industrial Site as the seventh certified site in the State of Missouri.

Dave Griggs asked Mike Brooks and Bernie Andrews of REDI to come forward to help him recognize Mr. Watkins for all he had done for the community. He listed some of Mr. Watkins’ accomplishments in terms of economic development and acknowledged other ways he had benefited the community. He presented Mr. Watkins with a gift on behalf of everyone involved with REDI.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of February 21, 2011 were approved unanimously by voice vote on a motion by Mr. Thornhill and a second by Ms. Hoppe.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor McDavid made a motion to add R35-11, which would appoint an interim city manager, to the new business portion of the agenda. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mayor McDavid made a motion to add B74-11, which involved sanitary sewer rate changes, to the introduction and first reading portion of the agenda. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.
Upon her request, Mr. Thornhill made a motion to allow Ms. Nauser to abstain from voting on B60-11 due to a conflict of interest. Ms. Nauser noted on the Disclosure of Interest form that her family was in the alcoholic beverage distribution business. The motion was seconded by Ms. Hoppe and passed by voice vote.

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

SPECIAL ITEMS

**Ed Scavone, Chairman of the Finance Advisory Committee: Audit Report Presentation.**

Ed Scavone stated he was the Chair of the Finance Advisory and Audit Committee and explained none of the transactions noted were material or unusual as defined by professional standards. In addition no adjustments were necessary to the financial statements as a result of the audit. The audit firm provided a clean and unqualified opinion with regard to the Comprehensive Annual Financial Report (CAFR). The City was in compliance with the Single Audit Report, which reviewed grant funds. No findings were found as part of the Passenger Facility Audit. He noted two minor deficiencies involving internal controls were noted in the Management Letter and the City had responded to both findings appropriately per the auditors.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

SCHEDULED PUBLIC COMMENT

**Ian Thomas: Presentation outlining the economic and public health benefits of expanding public transportation services in Columbia and announcement of Columbians for Modern, Efficient Transit (CoMET).**

Ian Thomas, 2616 Hillshire Drive, stated he was the Executive Director of the PedNet Coalition, and wanted to speak to the Council regarding Columbians for Modern, Efficient Transit (CoMET), which was a campaign in the community with the goal of expanding public transportation services in Columbia. This group evolved from Columbia’s Healthy Community Partnership and six initiatives had been identified during a session designed to create a community vision for a healthy Columbia. One of the initiatives was the expansion of public transportation. They felt a vibrant city needed a modern, efficient transit system as it promoted public health, protected the natural environment, provided affordable mobility for everyone, used tax dollars responsibly, fueled a thriving local economy and built communities. They believed a modern, efficient transit system would enrich the lives and support the successes of all individuals, organizations, and businesses in Columbia by providing a reliable, convenient transportation service that promoted a health opportunity and sustainability. The goal of CoMET was to triple Columbia Transit services within the next three years. He provided a handout to the Council and described the information within it.

He thought there needed to be more balance within the City’s transportation policy. Public transportation, if frequent and reliable, would provide an alternative for those with and without choices. He asked the Council to review the strategies listed in the handout and to become a partner in the project. He also asked all citizens to support this attempt to change the
distribution of funding for transportation in Columbia to create a healthier, more sustainable and more equitable city.

PUBLIC HEARINGS

(A) **Construction of the Avenue of the Columns streetscape project along Eighth Street.**

Item A was read by the Clerk.

Mr. Watkins and Mr. St. Romaine provided a staff report. Mr. St. Romaine then introduced Bob Bushyhead of Land 3 Studio, who described the history of the project to the Council.

Mayor McDavid opened the public hearing.

Mary Wilkerson stated she was the Chair of the Historic Avenue of the Columns Committee and noted she was supportive of this project. She believed projects drove the streetscape, and the City Hall project was one of the largest on Eighth Street. This would allow for the creation of the first node of the streetscape at Eighth and Broadway. This was a public-private partnership with regard to the public right-of-way and the private landowners in terms of the way they developed their properties and their commitment to fund the streetscape. She noted all of the property owners at Eighth and Broadway had been supportive.

Ms. Hoppe thanked Ms. Wilkerson for her years of hard work on this project. Ms. Wilkerson gave credit to those that came before her as the grass roots effort had started in 1992 and she became involved in 2001.

Carrie Gartner, 11 S. Tenth Street, stated she was the Director of the Special Business District (SBD) and noted the SBD had been a long time supporter of the Avenue of the Columns project. Eighth Street had the potential of being a vital and energetic street and the Avenue of the Columns Committee was working to make that happen. She reiterated this was a public-private partnership and pointed out the four property owners on this corner had already made a huge investment in their properties.

Brent Gardner stated he was representing the Historic Preservation Commission and commented that brick streets were underneath the pavement on Eighth Street. He noted a brick street was a historic and connective element of downtown. He explained that many communities had decided to unearth their brick streets as part of economic redevelopment and asked the Council to consider the possibility of using the bricks underneath the pavement as a part of this project.

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

Ms. Hoppe asked if any other streets had been unearthed in Columbia. Mr. Glascock replied not to his knowledge. Ms. Hoppe understood the brick streets they currently had were always uncovered. Mr. Glascock stated that was correct.

Mayor McDavid commented that he would support this project as it was a public-private partnership.

Ms. Nauser stated she felt this public-private partnership benefited the community. She liked the fact this project could be done in phases, which allowed some time to address any funding issues, and thought they were fortunate that people were willing to invest in the downtown during this down economy.
Ms. Hoppe commented that she wanted to further investigate the unearthing of the brick street, but noted she was supportive of anything that would keep downtown Columbia strong, healthy and beautiful as that benefited the entire City.

Ms. Hoppe made a motion directing staff to proceed with final plans, specifications and construction of the Avenue of the Columns Streetscape project. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

OLD BUSINESS

B48-11 Amending Chapter 6 of the City Code relating to adoption of the 2009 International Plumbing Code.
B49-11 Amending Chapter 6 of the City Code relating to adoption of the 2009 International Mechanical Code.
B50-11 Amending Chapter 6 of the City Code relating to adoption of the 2009 International Residential Code for One- and Two-Family Dwellings.
B51-11 Amending Chapter 6 of the City Code relating to adoption of the 2009 International Property Maintenance Code.
B52-11 Amending Chapter 6 of the City Code relating to adoption of the 2009 International Fuel Gas Code.
B53-11 Amending Chapter 9 of the City Code relating to adoption of the 2009 International Fire Code.

Mayor McDavid noted a Council work session would be held on the buildings codes on March 15, 2011.

Mayor McDavid made a motion to table B46-11, B47-11, B48-11, B49-11, B50-11, B51-11, B52-11 and B53-11 to the March 21, 2011 Council Meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

B54-11 Amending Chapter 22 of the City Code to establish an abatement financial assistance program and an inflow and infiltration reduction program as it relates to sewers and sewage disposal.

The bill was given second reading by the Clerk.

Mr. Watkins and Mr. Glascock provided a staff report. Mr. Glascock suggested item (2) under eligible participants be changed to read “the property is used as a single-family owner-occupied residence” so rental units were not included.

Mr. Thornhill made a motion to amend B54-11 by changing Section 22-217.3(b)(2) to read “the property is used as a single-family owner-occupied residence.” The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Nauser understood employees would be allowed to assist with abatement and asked why the City would be involved. She wondered why they would not require the property owner to contract with someone themselves. Mr. Glascock replied that sometimes the work involved placing a cap on a clean out, which City staff could easily do in a cost-effective manner.

Ms. Hoppe asked if this ordinance would address the installation of something to prevent backwater. Mr. Glascock replied no. He explained they were trying to eliminate stormwater through this program. Ms. Hoppe understood if this program was effective, backwater prevention measures would not be needed. Mr. Glascock stated that was correct. Ms. Hoppe noted it would take time for the program to make a difference so backwater protection would be
needed for a while, and asked if legislation addressing that issue would be brought forward in the future. Mr. Glascock replied he had not planned on providing that type of legislation for Council consideration.

Ms. Hoppe asked if this legislation addressed a maximum amount of assistance available to a participant. Mr. Glascock replied the maximum that would be provided was $10,000. Ms. Hoppe asked if there was a method for determining the amount of assistance. Mr. Glascock replied the legislation included a table indicating what the City was willing to provide. Ms. Hoppe understood limited funds would be available, and wondered if they anticipated people needing assistance beyond what could be provided. She also wondered if funding would be provided on a first come, first served basis. She understood people could obtain assistance by asking for it or by the Public Works Department indicating the work needed to be done. Mr. Glascock stated that was correct, and explained that if they found a violation, they would offer assistance.

Ms. Hoppe commented that the target area was vague and left it up to the discretion of the Director and suggested they narrow the target area to the area south of I-70, east of Stadium and west of Old 63, so it was only eligible for the older parts of Columbia. Mr. Glascock explained the target area was the area identified for Sub-basin D. If another study was done, that new study area would also be included in the future.

Ms. Nauser asked if additional personnel would be needed to administer the program. Mr. Glascock replied they planned to initially administer it with existing personnel. Mr. Watkins thought they could handle it for the pilot area, but if expanded, additional resources might be needed. Mr. Glascock noted if it became too overwhelming, they could contract out the work. Ms. Nauser asked if property owners had the ability to contract for the work. Mr. Glascock replied yes, and noted they could also do the work themselves.

Russ Duker, 207 Foxwood Court, commented that he was a whitewater kayaker, a plumber and a taxpayer, and noted the ordinance allowed a maximum of $20,000 instead of $10,000. He stated industry had not been consulted with regard to this ordinance. In addition, taxpayer money would be used for a private property owner responsibility in the form of a loan at below current interest rates providing a subsidy for a few individuals. This ordinance would also maim a struggling industry as public rates were lower than private industry rates since not all costs, such as overhead, would be considered. He asked the Council to defeat or table the bill, and to consult with industry.

Mr. Thornhill asked Mr. Duker if he felt it was a good idea to eliminate the inflow and infiltration. Mr. Duker replied yes and noted he could suggest ways to eliminate it more easily. He commented that he did not believe this ordinance would solve the inflow and infiltration problem. He thought it would only postpone the inflow and infiltration problem because a property owner might wait until more funds were available before fixing the problem. He noted most of the problems were at the connection of the public and private pipes and believed the City could fix those problems easily. He reiterated he did not believe taxpayer money should be used for private property.

Ms. Hoppe understood he was requesting the Council table this bill to allow time for local industry to discuss the issue with staff. Mr. Duker stated it depended on the City's objective. If the objective was what was stated in the beginning of the ordinance, which was to eliminate the inflow and infiltration problem, he would defeat the ordinance, direct staff to inspect the laterals
and require property owners to fix any problems. At a minimum, he believed it should be tabled to discuss with local industry. Mr. Glascock noted they received the prices by contacting local industry. Mr. Duker agreed he had been consulted on prices, but had not been told what the ordinance would involve.

Reuben Stern, 309 W. Broadway, commented that his home was directly affected as 8-10 inches of raw sewage filled his basement when it rained heavily since water got into the system. He noted it had happened three times in the past year. He asked Council to consider adding backflow prevention to this ordinance as it was a common occurrence. He explained he was a landlord and a tenant, and his property included three units and had been grandfathered into an R-2 zoning. The amount of water coming out of his property was likely less than or equal to any of the surrounding single-family properties, but he would not qualify since it was technically an apartment building even though he lived there. He asked Council to consider amending the ordinance so properties like his could be included.

Ms. Hoppe asked for Mr. Glascock’s thoughts on expanding it to owner-occupied rental properties. Mr. Glascock replied he would okay with expanding it to Mr. Stern’s type of property.

Ms. Nauser asked for clarification regarding consultation with local industry. Mr. Glascock replied they had contacted local industry regarding prices and had tried to explain what they were attempting to do. In terms of prices, they included what they thought it would cost the City to do the work. He agreed this ordinance would not solve the entire problem, but he believed it was a good start.

Ms. Nauser commented that she believed it was a property owner responsibility to fix the problem versus the City fixing the problem. She thought it would be more useful for the City conduct inspections to find those properties that were non-compliant. She felt the repair should be done in the private market, but did not have a problem with providing a loan for the problem to be fixed. Mr. Glascock noted there were times when the City needed to replace a cap, which was a property owner responsibility, due to an emergency situation as it could cause a street to fail.

Mr. Thornhill commented that the wording for item (e) on page three was confusing as it referred to a $10,000 and $20,000 maximum. Mr. Glascock explained a maximum of $10,000 had been intended.

Mr. Thornhill noted they already used taxpayer money to provide low interest loans in terms of energy efficiency improvements, and those might not be considered as beneficial to the public in general as this program. In addition, most people would need to obtain a home equity loan or refinance on a mortgage, and those rates were about 4.5 percent right now. As a result, he did not feel the 4 percent in the ordinance was out of line.

Ms. Nauser made a motion to amend B54-11 by removing the last sentence from Section 22-217.2(a). The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Kespolh made a motion to amend B54-11 by changing Section 22-217.3(b)(2) to read “the property is used as a single-family owner-occupied residence having three units or less.” The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Dudley asked if this money would be available for people living on Sunset Lane. Mr. Glascock replied no because he believed they were on a private common collector. Mr. Watkins
stated he did not believe their problems involved the laterals. He thought it was the lines themselves.

Mayor McDavid stated he planned to support the passage of this ordinance because the people damaged by inflow and infiltration were generally not the ones in violation causing the problems. He thought they needed to protect those being damaged by inflow and infiltration. If the private sector provided a better way to address the situation, the ordinance could be changed to incorporate their suggestions.

Mr. Thornhill made a motion to amend B54-11 by removing “normally” from the first sentence of Section 22-217.2(e) and by removing the entire last sentence from Section 22-217.2(e). The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

Ms. Hoppe asked how much it would cost to install a backwater protection device and asked if it could be included in the ordinance. Mr. Glascock replied once that instrument was installed and there was flooding, if someone flushed the toilet, it would still come up and not go out. There was no way for a property owner to know if it was flooded or not. He thought the cost would be about $4,000.

Mayor McDavid suggested that issue be addressed separately from this ordinance.

B54-11, as amended, was given third reading with the vote recorded as follows:

VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. ABSENT: STURTZ. Bill declared enacted, reading as follows:

B57-11 Authorizing a general cooperative agreement with the Boone County Regional Sewer District relating to sewers in the Highway HH service area, Westwood Meadows Subdivision, El Ray Heights Subdivision, Cow Branch Watershed, Little Bonne Femme Pump Station and Jerry Morris Subdivision.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Tom Ratermann stated he was the General Manager of the Boone County Regional Sewer District with offices at 1314 N. Seventh Street and noted this would allow the Sewer District to close eight facilities in various watersheds and would renew two agreements signed in 1990 that would allow existing customers to remain connected to the City’s system. This would protect public health and the water quality in the creeks that flowed through the City of Columbia. He asked the Council to authorize the execution of the agreement.

Mr. Kespohl asked for a comparison of the Boone County Regional Sewer District and City of Columbia rates. Mr. Ratermann replied the rate for a typical 5,000 gallon per month customer in the Sewer District was $41 per month while the City’s rate was $18.

Sid Sullivan, 2980 Maple Bluff Drive, commented that the wording of this ordinance seemed to ignore the issue of inflow and infiltration because they were not considering the amount of sewage coming into the City’s sewer. They were only looking at the amount of water being used as they were being billed solely on their water records. He thought they should meter the amount of sewage coming into the sewer lines. While they were solving one problem in terms of sewage, they were adding stormwater into the sewer system. He suggested the City develop a policy for stormwater and how joint agreements would be handled. He stated concern for providing the Sewer District a 20 percent discount while the District was charging twice as much to its customers than the City. He believed this should be limited to five years to determine whether the County had recouped its capital costs.
Mayor McDavid asked Mr. Glascock to respond to Mr. Sullivan’s comments in terms of stormwater entry into the City’s system. Mr. Glascock replied the City had the option to monitor the flow of whatever was coming into the system, and if they saw anything they did not feel was normal, they could ask the Sewer District to fix the problem.

Mayor McDavid asked Mr. Watkins to respond to the Mr. Sullivan’s comments regarding the financial arrangement with the Sewer District. Mr. Watkins replied the Sewer Task Force reviewed the cost and agreed 80 percent was appropriate because there were certain capital costs the City was not contributing toward. As the City’s rates increased, the rates to those customers would increase as well. Mr. Glascock explained the Sewer District was maintaining its own infrastructure. They were only connecting to the City’s system and the City was only treating their effluent.

Ms. Hoppe understood the City’s charge was based on water usage instead of water flow, so there could be a lot of inflow and infiltration that the City was accepting. She asked why they were not metering in an effort to measure water flow as they could then charge for what they were accepting in terms of sewage. Mr. Glascock replied flow monitors for sewers were very hard to maintain. As a result, they were trying to monitor the flow of each place to determine the difference when there was dry and wet weather, and would work with the Sewer District to resolve any issues. Ms. Hoppe asked if the Sewer District had better financial resources than the City. Mr. Glascock replied they normally participated with the City on bond issues. In addition, the City and the Sewer District were both tier two authorities in terms of the sewer system.

B57-11 was given third reading with the vote recorded as follows: VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. ABSENT: STURTZ. Bill declared enacted, reading as follows:

B60-11 **Amending Chapter 17 of the City Code relating to intoxicating beverages and gambling and adding a provision limiting consumption of alcohol in three downtown City parks.**

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Carrie Gartner, 11 S. Tenth Street, stated the Columbia Special Business District was in favor of this ordinance as it would cut down on potential misbehavior without constraining event organizers.

Phil Steinhaus, 201 Switzler, stated he was representing the Columbia Housing Authority Board and the residents of Paquin Towers, and that they were in favor of this ordinance. He noted the residents of Paquin Tower initiated this, and the problems involved not only litter, but aggressive behavior that threatened many residents as well.

B60-11 was given third reading with the vote recorded as follows: VOTING YES: THORNHILL, KESPOHL, DUDLEY, HOPPE, MCDAVID. VOTING NO: NO ONE. ABSENT: STURTZ. ABSTAINING: NAUSER. Bill declared enacted, reading as follows:

B63-11 **Amending the FY 2011 Annual Budget to add positions in the Finance Department and the Public Works Department; amending the FY 2011 Annual Budget to delete positions in the Public Works Department, City Manager’s Office and Information Technologies; amending the Classification and Pay Plans; reclassifying and transferring**
positions in the Public Works Department, City Manager’s Office and Information Technologies; transferring funds; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins and Mr. St. Romaine provided a staff report.

Mr. Dudley asked if those currently working on GIS would be moved to Public Works. Mr. St. Romaine replied yes. The goal was to move those people with full time GIS responsibilities.

Mr. Dudley asked how long it would be budget neutral. Mr. St. Romaine replied the GIS Technician would be partly funded by the reduction of a full time position to a half time position. For the rest of this fiscal year, it would remain budget neutral, and for next year, they would need funds for an additional GIS technician, but felt it could be funded with grant money.

Karl Skala, 5201 Gasconade Drive, recalled cooperation between the University and the City in the past for the CIM system and asked if that would be shifted to the Public Works Department as well. Mr. Watkins replied one of the issues with the CIM system was that the underlying base, which involved addressing, was not well developed. The goal was to allow the CIM system to fit over the basic GIS information, but the CIM system would still be the responsibility of the Health Department.

Mr. Dudley asked how the Information Technology (IT) Department felt about this. Mr. Watkins replied he felt the GIS program had floundered over the last five years and believed this reorganization would allow the basic piece of the GIS system to be completed. Mr. Dudley stated he was uncomfortable with the move because he felt it was accessible to all if in the IT Department. Mr. Watkins noted it would still be available to everyone if moved to the Public Works Department.

Mr. Kespohl asked how it previously floundered and why he thought it would be better with this reorganization. Mr. Watkins replied he believed the reason was because everyone was working in silos. Although he had the utmost respect for the IT Department, he did not believe they were communicating well or listening to the needs of the departments in the manner needed. The City was a part of a consortium with Boone Electric and Boone County in terms of GIS and was well behind the other two organizations. He noted the GIS system would be the basis for police records and whatever program they decided to purchase to replace HTE, so they needed a good baseline as the current system had too many errors. He believed a change and real accountability was needed.

Ms. Hoppe understood the IT person being moved to Public Works would still communicate with IT on whatever was needed. Mr. Watkins commented that one of the issues was who controlled the server that housed the GIS system and they needed someone with the IT experience while moving that responsibility.

Mr. Dudley commented that in his experience IT was there to serve everyone and in his view Public Works should tell IT what it needed with IT providing what was needed. Mr. Watkins noted Public Works would be creating the base and they had always been responsible for establishing addresses. As a result, he thought it made sense to move this to Public Works. He pointed out it would be an enterprise as they would be serving all of the other departments.

Ms. Hoppe understood IT would be available if they ran into a technical problem. Mr. Watkins stated that was correct.

Mr. Kespohl stated his concern was that all department work other than Public Works would be delayed in terms of GIS due to this change. He thought a priority would need to be
established. Mr. St. Romaine noted the City had a GIS Steering Committee, which was made up of all of the major department heads that had a need for GIS, and they would prioritize projects for the entire City.

B63-11 was given third reading with the vote recorded as follows:  VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID.  VOTING NO: NO ONE.  ABSENT: STURTZ.  Bill declared enacted, reading as follows:

B64-11  Authorizing an agreement with Broadway Lodging LLC for the acquisition of property located on the east and west sides of Short Street, adjacent to Walnut Street, to allow for the construction of a parking garage.

The bill was given second reading by the Clerk.

Mr. Watkins and Mr. St. Romaine provided a staff report.

Ms. Hoppe and Mr. St. Romaine provided a staff report.  They provided some examples.

Ms. Nauser asked how the purchase price and fees the buyer would pay to rent spaces had been determined. Mr. St. Romaine replied the fees they would pay to lease the parking spaces were at the existing market rate. A discount was provided if spaces were paid on a yearly basis. In addition, another discount was provided if more than a certain number of spaces were leased.

Ms. Hoppe asked how the $1.25 million for the land would be paid. Mr. St. Romaine replied it would come from the parking utility. Ms. Hoppe asked if the City had that much cash. Mr. St. Romaine replied they had that in the retained earnings account.

Mayor McDavid understood the market rate was one they decided as it was not based on a cash flow balance as they were cash flow negative. Mr. St. Romaine agreed parking garages were initially subsidized by the parking meters. They would provide a positive cash flow only after they were paid off. He noted they would need to increase meter rates to maintain a positive cash flow in the utility if they built the garage at Short Street.

Mr. Dudley asked if the developer had been approached with regard to helping to pay for the construction of the garage since he would use a number of the spots and had an option to purchase more spots later. Mr. St. Romaine replied he would let the developer answer that question, but noted he had agreed to do the demolition and re-grading of Short Street for whatever the City decided to do.

Mayor McDavid understood the City subsidized the downtown in general. This proposal was for an $8 million garage with 300 parking spaces and each space would cost $27,000. They would have to borrow money to build the garage and would pay the bondholders $133 per month per spot, but they would lease the parking spot to the Regency Hotel for only $60 per month. He was in favor of subsidizing the downtown in general, but felt this was a substantial subsidy to a private enterprise. He noted he wanted this private enterprise to succeed as it would benefit downtown, but had concerns. Mr. St. Romaine asked why they would treat the Regency any differently than they had others. None of the businesses in the downtown had a requirement to provide parking spaces, and as a result, he believed it was a responsibility of government to provide parking spaces. If they did not provide that parking capacity, businesses...
would relocate outside of the downtown. Parking had an indirect impact on the vibrancy of
downtown and the sales tax generated from people utilizing the businesses in the downtown.

Mayor McDavid asked why they would go to the bond market if they had $13 million in
reserves. Mr. Blattel replied the retained earnings was not a representation of cash, so they
only had about $4 million in cash.

Mayor McDavid understood that without an increase in parking rates, the parking utility
would have a negative cash flow each year of several hundred thousand dollars. Mr. Blattel
stated that was correct. Mayor McDavid understood they would have to double the downtown
parking meter revenue to break even. Mr. Blattel stated it would have to be close to double. Mr.
St. Romaine noted that was one option. Another option would be to extend hours on meter
collection. Mr. Blattel pointed out a garage normally lasted 50 years while the life of the bond
would be 20 or 25 years, so there would be a period of time in the future that the cost of
constructing the garage would no longer be a factor while cash flow was still being provided.

Mr. Kespohl commented that if they included the Short Street Garage in the parking utility
numbers, the loss on the parking utility starting in 2012 would be $227,000. In 2013, it would be
$512,000 and in 2014, it would be $496,000 based on the estimated numbers. He noted he
wanted a commitment from the SBD to look into parking fees and hours, and to provide a
recommendation within the next two weeks.

Mr. Thornhill noted he had requested a report on the status of the parking utility about a
month ago and asked when it would be received. Mr. St. Romaine replied he was not sure.

Mayor McDavid understood this garage could not be built without an increase in parking
fees. Mr. Kespohl agreed. Mayor McDavid commented that if they passed this ordinance
tonight, they were essentially passing a recommendation for substantial increases for parking in
the downtown without the input of a stakeholder. Mr. St. Romaine thought the SBD was
committed to working with the City to look at the parking meter rates.

Ms. Hoppe commented that she thought they would have a work session to really look at
the need for additional parking since they had just built a large parking structure. She was not
sure there was a need for additional parking and the Regency Hotel developer had indicated he
did not need a parking structure in order to build the hotel. She did not believe she had
sufficient information to justify another parking garage.

Carrie Gartner, 11 S. Tenth Street, explained the SBD and CID Board would meet
tomorrow afternoon, and although she could not formally speak for the Board, she noted how
the process worked in 2000 in order to assist the City in meeting its bond obligations. She
thought the process would be similar and noted they were committed to working with the City on
this issue.

Mr. Kespohl asked if she thought they could provide a recommendation within two weeks.
Ms. Gartner replied it depended on how soon the City could provide options and noted they
would try.

Mayor McDavid asked if Ms. Gartner thought they should table this issue for two weeks
knowing the hotel needed to move forward quickly and knowing the only way the City could
build a garage would be by substantially increasing the cost to park at a metered spot. Ms.
Gartner noted that even if they put together a committee to provide a recommendation within
two weeks, the entire Board would not get together to review the recommendation until April.
Karl Skala, 5201 Gasconade Drive, suggested this issue be tabled because an answer regarding the rates from the SBD was needed before they could proceed regardless of the answer.

Robert Hollis, an attorney with offices at 1103 E. Broadway, stated he was representing the Regency Hotel, and in terms of the time frame, no dates had been set in stone, but every two weeks of delay would harm the entire project. It would be a disaster to try to construct a garage after the hotel was already in place, so the two projects really needed to be done together to the extent possible.

Mayor McDavid asked if the Regency Hotel would be built in the absence of a parking garage. Mr. Hollis replied that was the intent. He also noted that there was no requirement for a garage to be in place in terms of parking. He commented that they understood it made sense for a garage to be constructed there, but it was not necessary. Mayor McDavid asked if they could wait a month for an answer. Mr. Hollis replied they could wait two weeks.

Ms. Hoppe understood demolition would not occur until this summer, so an answer would be needed by then. Mr. Hollis stated they had hoped to know by now due to the amount of time it would take to design the garage as it needed to be designed in conjunction with the hotel. Many things needed to be addressed before demolition began.

Mr. Thornhill asked if it was impossible to build a garage two years from now and after the hotel was finished. Mr. Hollis replied he thought it would be because the patrons of the hotel would need to park somewhere. He also did not know if a garage of that size could be constructed that close to a hotel. He thought it would be difficult even if it could be built. In addition, he was not sure the franchisor would agree to allow a garage to be built after the hotel was already done.

Randy Gray, 301 Edgewood, stated he was the Chair of the Downtown Columbia Leadership Council (DCLC) and noted the construction of the Short Street parking garage had received unanimous support from the DCLC with the condition that it would preserve vehicular and pedestrian access to the North Village Arts District. This could be accomplished through the sympathetic use of Short Street and a well designed archway in the proposed new parking garage. He commented that it was an accepted downtown development strategy that parking garages minimized interruptions in pedestrian interests and activities, and as a result, they needed to ensure the Walnut Street façade for the proposed garage was compatible with the economic activity of the North Village Arts District.

Paul Love, 100 Sondra, noted there had been complaints from local businesses when the new garage had been built regarding potential damage and interruptions to their business, so if they waited too long to build this one, they might receive the same type of complaints. He understood they would likely be doubling the downtown parking rate if they built the garage, and suggested input be received from those that worked downtown as they would be impacted the most.

Carrie Gartner commented that she would recommend to the SBD Board that they hold a special meeting within two weeks. She noted the decision would be up to them, but it might help in terms of the timeline.

John Ott, 212 Bingham Road, noted he had properties and spent a lot of time in the area of the proposed parking garage. He thought there was a need for the garage even if the hotel did not necessarily need parking as many cars were parked in the area and many businesses
were located in the area. He believed the area was in need of parking and that the cost of the parking spots needed to be reviewed as well.

Ms. Hoppe asked Mr. Ott if he had any objection to charging what it would cost for the parking spaces. Mr. Ott replied he believed there was a limit to what they could charge, but he agreed there might be room for an increase in those prices as well. He was glad they were talking about pricing in terms of the meters as there seemed to be an opportunity to get a garage that was needed through the re-pricing of metered parking.

Ian Thomas, 2616 Hillshire Drive, agreed a vibrant and busy downtown was good for Columbia and that they had been charging too little for parking historically, but he was not sure a new structure would address the parking issues they had. He noted he had read the 2001 and 2010 parking studies and felt there were problems with the way those studies had been conducted. He suggested Council review those studies in terms of assumptions and interpretations of data. The PedNet Coalition conducted its own independent and unprofessional survey of parking spaces between 10:00 a.m. and 11:00 a.m. for five consecutive days in November, 2009 at the four garages that existed at that time, and found about 500 empty spaces in those four garages. It was a combination of two-thirds permit spaces and one-third metered spaces. He believed they had enough parking capacity in the downtown, especially with the new 700 plus space garage. He did not think many people were willing to park in a higher level, which created a perception for the need for parking. In addition, the City had a transportation policy that relied heavily on the assumption that almost all journeys would be completed by private automobile, which was inefficient in terms of cost compared to other transportation modes, and he thought that needed to be changed for many reasons to include health and the environment. He noted there were three items on the agenda that appeared to be in conflict with this and listed those. He asked the Council to consider his points.

Ms. Hoppe asked if Mr. Thomas could provide the Council his comments regarding the assumptions and interpretations he questioned in the 2001 and 2010 parking studies. Mr. Thomas replied he would be happy to provide it.

Mayor McDavid made a motion to table B64-11 to the March 21, 2011 Council Meeting. The motion was seconded by Mr. Kespohl.

Ms. Hoppe stated she would like to know how much the City should charge for each parking spot if they wanted the parking structure to pay its own way. Mayor McDavid thought the City needed to talk to the hotel owners with regard to the cost to park in the garage since they would have covered parking adjacent to the hotel as well. Mr. Kespohl thought the cost per space per month was $190 for a 25 year bond, but the City was only charging $60. The cost was $117 if amortized over 40 years instead of 25 years. As a result, they had to subsidize the garage with parking meter money. Ms. Hoppe asked why they could not charge $117 per month if there was a need. She thought they needed to have that discussion. Mr. Thornhill commented that he did not believe they could charge substantially more for parking spaces in the new garage than they did in the other garages. Ms. Hoppe thought this needed to be further discussed at a work session.

The motion made by Mayor McDavid and seconded by Mr. Kespohl to table B64-11 to the March 21, 2011 Council Meeting was approved unanimously by voice vote.

Mr. Watkins suggested this issue be discussed at the March 15, 2011 work session.
B65-11 **Authorizing an amended and restated redevelopment agreement with Columbia Hotel Investments, Inc. relating to the Tiger Hotel TIF project.**

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Craig Van Matre, an attorney with offices at 1103 E. Broadway, stated he represented the present owners of the Tiger Hotel and they had worked out an arrangement with Glyn Laverick with regard to completing the Tiger Hotel TIF project. It was a half finished project, which needed to be totally finished, and the restructuring of the financing would allow it to be completed. The City was not at risk. His clients would not profit from this, but they still wanted to see it succeed as their reputations were involved, and Mr. Laverick and his investors were at risk if it did not succeed. He asked the Council to approve this transfer.

Karl Skala, 5201 Gasconade Drive, understood this transfer did not affect the 23 year period of the overall TIF. Mr. Watkins stated that was correct.

Mr. Dudley understood the City did not have anything to lose financially, but noted he was hesitant in approving this transfer. He thought the financing would come from a bank or another financial institution versus an individual. He noted there had been bad publicity surrounding Mr. Laverick and many of his constituents were recommending the City not approve this.

Mayor McDavid commented that the previous Council passed this TIF with the hope the Tiger Hotel would be a successful project, which this Council hoped for as well. The only thing that had changed was that the principles were not able to obtain conventional financing, which he believed had to do with the change in the financial markets as many people had been unable to obtain financing within the last couple of years. They had come up with another way to finance this project and the previous Council had structured this in a way that the citizens of Columbia were not at risk while the City would benefit from a successful project. On that basis, he would support this ordinance.

Mr. Kespohl stated he respected the current owners of the Tiger Hotel and their decision to turn this development over to someone they had chosen. Since the City had nothing to lose, he thought they should support the ordinance.

Ms. Hoppe agreed with Mr. Kespohl, and noted that although she did not know Mr. Laverick, she understood the current owners had extensive contact with him and had a reputation of success and good judgment in the community. In addition, the City had the potential for a really great project without any risk. As a result, she planned to support this ordinance.

B65-11 was given third reading with the vote recorded as follows: VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. ABSENT: STURTZ. Bill declared enacted, reading as follows:

**CONSENT AGENDA**

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

B42-11 **Rezoning property located on the west side of McKee Street south of Alan Lane (1517 McKee Street) from R-2 to PUD-6.6; approving the McKee Street PUD Development Plan; setting forth a condition for approval.**
B43-11 Rezoning property located on the east side of Garth Avenue and south of Lathrop Road (600 South Garth Avenue) from R-3 to R-1.

B44-11 Approving the Final Plat of Westmount Extension Subdivision located on the east side of Garth Avenue and south of Lathrop Road (600 South Garth Avenue); granting a variance from the Subdivision Regulations relating to sidewalk construction.

B45-11 Approving the Final Plat of Heritage Commons located 100 feet south of the intersection of Muirfield Drive and Royal Heritage Drive.

B55-11 Amending Chapter 14 of the City Code to prohibit parking on Santana Circle and Santana Lane.

B56-11 Authorizing a right of use permit with 10th and Elm, LLC to allow construction and maintenance of private balconies to extend within Tenth Street and Locust Street rights-of-way.

B58-11 Authorizing an Asset Purchase and Sale Agreement and an Assignment and Assumption Agreement with Ameren Energy Generating Company for the purchase of Ameren Energy Generating Company’s interest in the Columbia Energy Center, subject to voter approval of the issuance of Water and Electric System Revenue Bonds.

B59-11 Accepting conveyances for utility purposes.

B61-11 Accepting an Enforcing Underage Drinking Laws Grant from the Missouri Department of Public Safety; appropriating funds.


R21-11 Setting a public hearing: reconstruction of connections of the bike lanes on Stadium Boulevard to the MKT Trail.

R22-11 Setting a public hearing: construction of the Old 63 Grindstone Pedway project between Grindstone Nature Area and Stadium Boulevard and between Bluffdale Drive and Moon Valley Road.

R23-11 Setting a public hearing: construction of improvements at the Bonnie View Nature Area – Phase I.

R24-11 Setting a public hearing: construction of the Scott’s Branch Trail (from Rollins Road to Weaver Road) project.

R25-11 Setting a public hearing: considering an agreement for construction of a storm water conveyance system in Alley A located between Ninth Street and Tenth Street.


R27-11 Setting a public hearing: consider grant applications relating to the Safe Routes to School Program.

R28-11 Setting a public hearing: voluntary annexation of property located east of the intersection of North Tower Drive and Prathersville Road (1775 and 1785 Prathersville Road).

R29-11 Setting a public hearing: voluntary annexation of property located west of the intersection of U.S. Highway 63 and the Prathersville Road interchange (1795 Prathersville Road).
R30-11  Setting a public hearing: voluntary annexation of City-owned property located at the terminus of Casa Circle (4304, 4305 and 4308 Casa Circle).


R32-11  Transferring funds for the 2011 Parks and Recreation Department Heritage Festival.

R33-11  Authorizing an antenna site license agreement with the City of Centralia, Missouri to improve radio coverage for Public Safety Joint Communications.

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

NEW BUSINESS

R34-11  Recognizing the Youth Community Coalition as the leading youth engagement organization in the City of Columbia; authorizing the Youth Community Coalition to serve as an advisory body to the City Council as it relates to the needs and issues of Columbia’s youth.

The resolution was read by the Clerk.

Mr. Watkins provided a staff report.

Ms. Nauser thanked staff for bringing this forward and thanked those involved with the Youth Community Coalition for doing wonders with the youth in the community and building bridges with others organizations. She looked forward to the collaborative efforts that would come out of this.

The vote on R34-11 was recorded as follows:  VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID.  VOTING NO: NO ONE.  ABSENT: STURTZ.  Resolution declared adopted, reading as follows:

R35-11  Appointing an Interim City Manager.

The resolution was read by the Clerk.

Mayor McDavid explained the Council met tonight and decided to ask the Acting City Manager, Paula Hertwig Hopkins, to be the Interim City Manager as it would likely be 3-10 weeks before they had a City Manager on-site.

The vote on R35-11 was recorded as follows:  VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID.  VOTING NO: NO ONE.  ABSENT: STURTZ.  Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

B66-11  Appropriating funds toward future improvements to Mexico Gravel Road.

B67-11  Accepting conveyances for sidewalk, access to storm water facilities, temporary construction and drainage purposes.
B68-11 Accepting Stormwater Management/BMP Facilities Covenants.

B69-11 Accepting a grant from the U.S. Environmental Protection Agency for the “City Green: The District” project to reduce greenhouse gas emissions for commercial buildings in the central downtown area; authorizing a grant agreement; appropriating funds.

B70-11 Accepting conveyances for utility purposes.

B71-11 Naming Bonnie View Nature Area; approving the Bonnie View Nature Area Master Plan; authorizing the construction of improvements at Bonnie View Nature Area – Phase I; calling for bids through the Purchasing Division.

B72-11 Authorizing construction of the Scott’s Branch Trail (from Rollins Road to Weaver Road) project; calling for bids through the Purchasing Division.

B73-11 Accepting a donation from the National Association of Chiefs of Police to be used for the Police Department’s K-9 Program; appropriating funds.

B74-11 Amending Chapter 22 of the City Code as it relates to sanitary sewer rates.

REPORTS AND PETITIONS

REP41-11 Intra-Departmental Transfer of Funds Request.

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

REP42-11 Street Closure Requests.

Mr. Watkins provided a staff report.

Mr. Dudley made a motion to approve the street closures as requested and to authorize the use of one parking space during the Family Fest events. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

REP43-11 February 2011 Stormwater Variance Summary.

Mr. Watkins provided a staff report and noted it had been provided for informational purposes.

REP44-11 Columbia Regional WWTP Facility Phase I Improvement Project – Fourth Request for Extended Work Hours.

Mr. Watkins provided a staff report and noted it had been provided for informational purposes.

Ms. Hoppe asked if there had been any noise complaints. Mr. Glascock replied not to his knowledge. Ms. Hoppe understood by-pass pumping was involved and asked if it was noisy. Mr. Glascock replied it could be noisy since people were running equipment, but he did not believe it would be noisier than any of the other work being done. Ms. Hoppe asked if it was any closer to the residents. Mr. Glascock replied it was not.

Mr. Dudley noted this was the fourth request for extended hours and asked if they could put an indefinite period on it to allow the contractors to get the work done. Mr. Watkins stated he thought there would be 4-5 more requests and staff needed to inform the Council. Mr. Glascock commented that he thought it was important for Council to know the time limits, etc.

Mr. Watkins and Mr. Hunt provided a staff report and noted it had been provided for informational purposes.

**REP46-11  Blind Boone Highsteppers.**

Mr. Watkins provided a staff report.

Ms. Nauser asked why they did not make their request as part of the budget process. Mr. Watkins replied it was because the Council did not have a contingency fund. Mayor McDavid noted they had a social services fund. Mr. Watkins stated they would have had to have made changes to the recommendations of the Community Services Advisory Commission if they would have included funding for the Blind Boone Highsteppers then.

Mayor McDavid noted he was a fan of the Blind Boone Highsteppers, but did not like the process of specific organizations coming to the Council on an ad-hoc basis. He thought it needed to be a part of the budgetary process. They had several organizations that were dependent on City funding and could not handle all of these organization’s requests if they came to the Council. He thought they should fund them, but only during the budget process.

Mr. Kespohl asked if they were told not to come during the budgetary process. Mr. Watkins replied they were told they did not fit within the social services review process for this fiscal year. Ms. Hoppe asked why that was. Mr. Watkins replied they had gone to a three year funding cycle to allow the Commission to focus on broader groups, and youth services was not being considered this fiscal year. Mayor McDavid understood they could come forward this upcoming fiscal year. Mr. Watkins stated that was correct. Mayor McDavid asked when they would receive funding if they were a part of that budget cycle. Mr. Watkins replied October at the earliest.

Mayor McDavid thought they needed to go through the budget process. Mr. Kespohl agreed, but wondered if they should provide half to get them through this fiscal year. Ms. Hoppe asked if they did not have funds to get through October. Mr. Watkins replied he did not know. Mayor McDavid reiterated that he thought they should go through the budget process as there were many worthy organizations. Mr. Kespohl agreed.

**COMMENTS BY PUBLIC, COUNCIL AND STAFF**

Mr. Dudley commented that he had received a call from the driver of a walking school bus that resided on Bourn regarding a crosswalk across Rollins, next to Bourn. She wondered when the crosswalk would be in place and if there would be a crosswalk in the future on Hulen. Tracker item 3143 indicated it had been completed, but she had indicated there were no painted crosswalks. Mr. Glascock stated he would look into it and get back to Mr. Dudley.

Mr. Dudley asked if the speed limit on Rollins could be reduced to slow traffic near the school and the S-curve around the lake, and how soon it could be reduced. Mr. Glascock asked what the speed limit was today. Mr. Dudley replied he thought it was 35 mph. Mr. Glascock commented that he would check into it.

Mr. Dudley asked if the City had an Emergency Preparedness Plan for a major disaster, such as an earthquake or tornado, for the public to review, and if there was training available for the public. Mr. Watkins replied they had a number of plans coordinated by Emergency
Management. In addition, there were a number of volunteer groups, such as CERT, that were being trained to assist with some of the plans. He was not sure if they had something for the general public, but would check and get back to Council. He thought a significant portion of those plans could be made available to the public.

Ms. Hoppe asked if Council could be provided a report informing them of where the public could find that information if it existed. Ms. Nauser asked if it was on the City’s website. Mr. Watkins replied he assumed it was, and if it was not, he thought it should be. Mr. Dudley commented that if it was on the website, he was not looking in the correct location.

Ms. Hoppe thanked everyone that helped with the True/False Film Festival as it was a successful event that brought many people to Columbia.

Mr. Kespohl asked if there were 27,000 participants or 27,000 tickets sold. Ms. Hoppe replied she thought it was the number of tickets sold.

Ms. Hoppe made a motion directing staff to contact the Youth Community Coalition to provide input to Council on the needs of youth in terms of the bus system. She wanted recommendations on how it could be made better for youth in the community. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Ms. Hoppe noted there was a large missing chuck of asphalt at the west edge of Rock Quarry Road between Grindstone and Stadium, and she had recently seen a car that had been disabled due to it. She asked staff to look into repairing it as it was into the road now versus only being on the shoulder.

Ms. Hoppe asked for staff to provide information regarding backwater prevention. She wanted the cost, the needs and possible funding sources to install them.

Ms. Hoppe asked for a report regarding the problems the City had with lateral lines, how they could be repaired and possible funding sources to repair them. She understood it was a property owner responsibility to repair the laterals under the street to connect to the sewer, which could be very expensive and difficult to do. She also understood other communities required lateral inspections as part of the sale of a house and wanted information on what those other communities did in terms of the sale of homes and inspections.

Ms. Nauser commented that the media sometimes provided misinformation in that the Council would discuss and vote on items under the introduction and first reading portion of the agenda. She wanted to make them aware of the fact the Council did not discuss or vote on those items at that time, and that they were discussed at a future Council Meeting.

Mr. Thornhill stated there were a lot of sidewalks throughout the community that needed to be repaired and he believed they needed to find a way to replace and repair old sidewalks. He asked for report regarding funding availability to facilitate the repair and replacement of existing sidewalks. Ms. Hoppe suggested including them in the CIP. Mr. Thornhill wanted to know the potential funding sources, such as CDBG funding, GetAbout money, etc. available.
Mayor McDavid commented that he believed there were two substantial flaws with the TMDL. The EPA had acknowledged stream monitoring, best management practices and phased adaptive management for improving the stream, but had also placed a 3-5 year limit on the results. Given the fact it would take 1-2 years to monitor and that they had an adaptive management program, he believed the 3-5 year limit created an unrealistic expectation with regard to the TMDL. In addition, Columbia was on the impaired stream list for failure to protect warm water aquatic life, which was measured by the Missouri Stream Condition Index where 16 and above was supportive, 10 was average and 4-8 were non-supportive. The EPA was requiring the Hinkson Creek to achieve 100 percent Stream Condition Index scores of 16 or greater. He believed this was unrealistic and unscientific. He referred to an article by Charles Rabini that was published by the Department of Natural Resources, which indicated 291 measurements of reference streams were below 16 during 41 times and was 14 percent. As a result, he did not believe achieving a score of 16 or more on each test done on a biologic system such as this was possible. The Hinkson Creek would likely remain on the impaired stream list indefinitely. He commented that the City had done a lot of work on the Hinkson Creek over the last ten years and it was not bad in comparison to many other Missouri streams, but still had the most stringent EPA restriction.

Mayor McDavid made a motion for the City of Columbia to join Boone County and the University of Missouri in appealing the EPA’s TMDL with regard to those two technical issues he had described. He explained this implied that if the Boone County or the University of Missouri backed out of this, his motion would be null and void. The motion was seconded by Mr. Dudley.

Ms. Hoppe asked if this appeal would involve the court system. Mayor McDavid replied it would be an administrative appeal directed at the two technical issues he mentioned. Mr. Boeckmann pointed out he thought the administrative appeal would be through the District Court. Ms. Hoppe asked how long that process would take. Mayor McDavid replied he was told the three entities needed to file an appeal within 30-45 days, but was not sure if it was a hard deadline. Mr. Boeckmann stated he was not sure how long the appeal would take. Ms. Hoppe asked if the City would be taking measures to improve the stream while the appeal was being decided upon. Mayor McDavid replied he thought they would embark on a fairly robust round of measuring. The City would pay for and conduct testing, which he thought would start this year. He believed the stream had been improved by initiatives being carried out by the City.

Ms. Hoppe commented that as long as they were moving forward on improving the stream and increasing measures to control construction, erosion and runoff, she felt it was a reasonable motion.

The motion made by Mayor McDavid and seconded by Mr. Dudley for the City of Columbia to join Boone County and the University of Missouri in appealing the EPA’s TMDL with regard to the two technical issues Mayor McDavid had described was approved unanimously by voice vote.

Mayor McDavid made a motion that Council hold a closed meeting on the following dates: Friday, March 18, 2011 at 5:00 p.m. in Conference Room 1C; Saturday, March 19, 2011 at 8:00 a.m. in Conference Rooms 1A, 1B and 1C; Sunday, March 20, 2011 at 8:00 a.m. in Conference Room 1A/1B; and Monday, March 21, 2011 at 6:00 p.m. in Conference Room 1A/1B of City Hall, 701 E. Broadway, Columbia, Missouri, to discuss a personnel matter as
authorized by Sections 610.021(3) and (13) of the Revised Statutes of Missouri (RSMo). The motion was seconded by Mr. Dudley with the vote recorded as follows: VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. ABSENT: STURTZ.

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Sheela Amin
City Clerk