

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
JULY 6, 2010

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Tuesday, July 6, 2010, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members HOPPE, MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY and NAUSER were present. The City Manager, City Counselor, City Clerk and various Department Heads were also present.

APPROVAL OF THE MINUTES

The minutes of the regular meeting of June 21, 2010 were approved unanimously by voice vote on a motion by Ms. Nauser and a second by Mr. Thornhill.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

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

SPECIAL ITEMS

H3 Studio Downtown Planning Charrette Presentation.

John Hoal of H3 Studio, Inc. explained he was going to provide an overview of the basic ideas that had emerged from the recent planning process. It was a three stage process in which they had already listened to the stakeholders and developed this presentation. They would refine the ideas presented based on the Council's and the public's input, and would ultimately provide a final report. He noted they focused on the area within the Broadway and Providence and Broadway and College intersections, but pointed out it was done in the broader concept of the extended downtown study area. He explained previous planning documents for the area had been reviewed in order to understand the City's policies, etc. In addition, the cultural history of the area and the market potential had been reviewed. He commented that as they benchmarked Columbia's downtown against other college community downtowns, they determined there was a lesser residential population, so that became a focus because residential neighborhoods connected to the downtown tended to support the commercial life and office buildings of the downtown. The North Village Arts District at the intersection of Broadway and College was one of the focus areas and two key issues were that three colleges interfaced and supported the neighborhood here and the north portion of this area was not well connected as a grid system, so there were a lot of traffic and circulation issues. He described the ideas for the area, which included developing College as an urban boulevard system and allowing intersections to operate as four way intersections. He also listed the concerns and comments of area stakeholders and noted this was a 10-20 year development strategy. He commented that the Providence and Broadway intersection was another focus area, but it was a more complicated intersection in that it was hard to determine where the downtown stopped and was where much of the traffic to the

downtown came from. He explained this area had changes in character due to past random and sporadic development and described the ideas for the area to include clear wayfind signage. Suggestions also included continuing the streetscape design to Fourth Street and making other areas, such as Cherry Street, more pedestrian friendly. He displayed all of the ideas for the entire downtown during the presentation. He commented that in moving forward, this would need to be integrated into the City's Master Plan and form-based codes.

Mr. Sturtz asked Mr. Hoal to discuss the importance of breaking down walls and making connections with the north and south parts of the downtown, to include the Flat Branch area. Mr. Hoal replied great downtowns were made by being extremely well connected to adjacent neighborhoods. In talking to the property owners and others that used the downtown, he understood there were traffic and circulation problems. As a result, it needed to be opened up in terms of circulation and needed to be well connected to adjacent neighborhoods. The ultimate need for any downtown was for people to use it and live in it, so connectivity in terms of vehicular traffic and pedestrian traffic was very important.

Mayor McDavid commented that he believed this was a wonderful vision of how Columbia could look and viewed this as a permission giving document for developers to act upon over the next 10-20 years.

SCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

(A) Authorizing the construction of the Rangeline Sewer and Streetscape Improvement Project along the east side of Rangeline Street between Wilkes Boulevard and Rogers Street.

Item A was read by the Clerk.

Mr. Watkins provided a staff report. Mr. Glascock noted the memo indicated this would be funded in fiscal year 2011, but since this was an expedited project, it would be funded in fiscal year 2010 instead.

Ms. Hoppe asked if the money available in fiscal year 2010. Mr. Glascock replied yes.

Mayor McDavid opened the public hearing.

Bob Hutton, 1001 Rogers Street, stated he was representing Columbia College and pointed out the memo was inaccurate in indicating the costs of both parties were almost equal as the College's costs were considerably higher than indicated in the memo. He explained they were hoping to go to bid within the next week or two for a projected start date of mid-August, so it would hopefully be completed before the first of 2011.

Mr. Sturtz asked for clarification with regard to how the College was improving the street lights and the landscape in the area. Mr. Hutton explained this project started due to safety concerns in crossing the street as a result of potential development on the east side of Rogers Street and due to Rangeline already being difficult to cross. They then thought of beautification and the upgrading of utilities. He noted the project was centered on the median, which would be a six foot landscaped median down the center of most of the street. The street lighting would be in the median and double-armed antique lantern-like streetlights

would be used. He noted the College would be paying for about 3,000 feet of new sidewalk, new curbs and gutters, new storm water and a large portion of the underground of the utilities.

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

Mr. Sturtz pointed out this was the kind of public/private partnership they should embrace and believed it was a great model. He was pleased to see this stretch of street would be improved holistically in terms of sewers, lighting, landscaping, etc.

Ms. Hoppe commented that Columbia College had been a good citizen in terms of its great landscape and its forward thinking with regard to environmental and energy efficiency issues and the upkeep of its buildings.

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

(B) Consider proposed changes to the Columbia Transit bus routes.

Item B was read by the Clerk.

Mr. Watkins provided a staff report and pointed out that if Council wanted to proceed with the changes, they would try to have the routes in place by August prior to school starting. Mr. Glascock described the proposed changes in detail.

Ms. Nauser asked how close the route would get to the Boone County Jail and the Juvenile Office. Mr. Glascock replied it would go to the intersection at the four-way stop near those facilities, but it would not go down the outer road. Ms. Nauser understood it would stop at the intersection.

Ms. Hoppe understood the downtown route had a 20-minute headway and asked how many minutes the other routes would take. Mr. Glascock replied 40 minutes during peak times. He explained they could not currently make 40 minutes for the 101 South during peak hour. This was holding them up and they felt they might be losing passengers as a result.

Mr. Sturtz asked if options other than an orbital system had been reviewed so the buses did not have to go the Wabash Station. Mr. Glascock replied a joint facility with police and/or fire was being considered, so they could get away from an orbital system. He noted this would cost a lot of money.

Ms. Hoppe asked if the school administration or school board had been consulted on the changes affecting Rock Bridge High School since there would not be service mid-day or in the evenings. Mr. Koopmans replied the school board had not been consulted, but ridership counts had been taken.

Mr. Sturtz noted the Public Transportation Advisory Commission had raised several concerns to include weekend service and asked if their concerns could be addressed in terms of fiscal implications. Mr. Glascock replied there was a Saturday route, but it was completely different than the weekday route. They wanted to change it to mirror the weekday route. Adding service on Sundays would require an increase in the operating subsidy since they did not generate enough revenue.

Ms. Hoppe understood the Public Transportation Advisory Commission had suggested changes to the maps to make the routes clearer as a result of public testimony. Mr.

Koopmans explained if the route changes were approved, all of the maps would need to be revised. Ms. Hoppe asked if street names, times and bus stops could be better labeled. Mr. Glascock replied a draft of the maps would be provided to the Public Transportation Advisory Commission for review and comment.

Mr. Kespohl understood the revenues from the advertisements on buses would cover a portion of the costs and asked for a status. Mr. Glascock replied they currently had five advertising contracts in place. He thought more people would advertise as they saw more people advertising on the buses.

Mayor McDavid opened the public hearing.

Mike Seat, 1206 Sunset Drive, stated he would personally benefit from this as he lived near West Boulevard, so he was pleased to see the route change for 101 South. He also explained he was a recent resident of Columbia, and that in his research prior to relocating after retirement, Columbia had stood out with the exception of its public transportation. He did not believe it was bad. He just felt it should be expanded.

Eugene Elkin, 3406 Rangeline Street #81, stated he was glad something was finally happening as it had been 4-5 years since he and others had addressed this issue. He was not sure of the start and stop times of the routes. He thought the City needed to be honest in that it was in a development stage in terms of public transportation. He was pleased employment centers were being incorporated into the routes.

Alyce Turner, 1204 Fieldcrest, stated she was pleased to see the transportation system being improved, but hoped, in the future, the evening hours could be increased for working people because the system currently only ran past 5:30 p.m. two days of the week.

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

Mr. Thornhill asked what the costs would be to run the buses for an additional three hours per day so it was extended to 8:00 p.m. or 8:30 p.m. Mr. Glascock replied it would cost an additional \$110,000 per year for one additional cycle of all routes per day. Mr. Thornhill asked if the costs would be covered if the maximum advertising capacity was met. Mr. Glascock replied he did not know as there were many variables with regard to advertising. Mr. Sturtz asked if any of that would be defrayed by fares. Mr. Glascock explained they had seen an increase in ridership recently, but most qualified for half-fares, so they had not seen an increase in revenue.

Ms. Hoppe stated she had attended the Public Transportation Advisory Commission meeting and understood another suggestion had been for the signs on the bus stops to indicate the route in case someone did not have a map. She asked if staff was working toward this. Mr. Glascock replied they were working toward it. He noted they were also working toward automatic vehicle locators, so they would know how many minutes the bus was away from the bus stop. He explained they would go with low cost systems as much as possible until they had more money.

Ms. Hoppe commented that she was happy to see the City expanding the bus system and making it more efficient. She believed the bus system was key to many things, to include economic development, affordable living and less street maintenance.

Mr. Thornhill believed staff did a good job as the public comments received were positive.

Mr. Kespohl made a motion directing staff to proceed with the proposed changes. The motion was seconded by Mr. Dudley and approved unanimously by voice vote.

(C) Consider the FY 2011 Capital Improvement Project Plan for the City of Columbia, Missouri.

Item C was read by the Clerk.

Mr. Watkins pointed out the CIP was not resource constrained, which meant there might be projects listed where funding had not been identified. He noted proposed changes from the Council and the Planning and Zoning Commission had not yet been incorporated into the draft CIP. He explained the 2011 projects listed in the final CIP would become the capital budget for the City once Council approved the final budget in September 2010, so the 2011 portion was resource constrained. He listed and described some proposed modifications to the CIP.

Mr. Sturtz commented that there were a number of projects that had pertinence to the presentation and plan proposed by H3 Studio. He asked how they could integrate some of those ideas into the CIP. Mr. Watkins replied they would want to integrate the concepts of the median streets and streetscape as projects were designed, but that did not change the fact they did not have any money for the projects.

Mr. Watkins explained the Council needed to discuss the building of a tenth fire station and the purchase of fire equipment due to the lack of funding. He noted they had a verbal agreement with Ameren for the first option to buy the downtown lot once remediation was completed. Remediation had not been started, so they were proposing to change the date associated with that project.

Ms. Hoppe asked if the Ameren lot being discussed was on Orr Street. Mr. Watkins replied yes. Ms. Hoppe noted this conflicted with the presentation of H3 Studio. Mr. Watkins explained the lot could be used for something else, but the funding for it would then need to be moved to the appropriate capital improvement account. Mr. Sturtz asked if a purchase price had been set for the clean lot. Mr. Watkins replied no and explained it would be based on an appraisal.

Mr. Kespohl asked how long the federal runway funds were available. Mr. Glascock replied they worked with the City's schedule. Mr. Kespohl understood there was not an expiration date on those funds. Mr. Glascock said that was correct.

Mr. Kespohl asked if the Eighth Street plan would be done this year. Mr. Watkins replied yes and described the area involved.

Ms. Nauser understood the Vawter School and Scott Boulevard road project was being moved to 2016 and noted she was concerned with moving it one year because it would involve a new Council process making the removal of it possible. She commented that a new subdivision was being developed at the end of Scott Boulevard and Route KK, which would increase traffic. In addition, a large parcel of land in the area was for sale and could be developed in the next few years. She stated she would be more comfortable in leaving it as a 2015 project even though there was no funding. She reiterated she was concerned with moving it to the next tax ballot initiative because it might be removed from the list. Mr. Watkins noted some preliminary design work had been done. In addition, the phases would

need to be done in order, and Phase II would take a while. He agreed this would remove it from the 2005 ballot issue, but pointed out they did not list streets in the 2005 ballot. Council created a list of the streets they believed were priority, and those were the ones being constructed. Ms. Nauser understood and explained she was just concerned with moving it to the next tax ballot issue as it might not be deemed a priority project and pushed off further into the future.

Mayor McDavid opened the public hearing.

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

Ms. Hoppe understood the CIP and the changes described by Mr. Watkins did not reflect the recommendations made by the Planning and Zoning Commission, and that those recommendations would be discussed at a work session. Mr. Watkins replied those recommendations would be discussed along with these proposed changes at the work session.

OLD BUSINESS

B137-10 Approving a revision to the Pride/Phoenix Soccer Park C-P Development Plan located northwest of the intersection of Brown School Road and Roger I. Wilson Memorial Drive (5023 Roger I. Wilson Memorial Drive); granting a variance relating to sidewalk construction.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report. Mr. Teddy explained the applicant had already responded to the one recommendation of the Planning and Zoning Commission involving the redesign of a parking lot so the access point would align with Alcott Street.

Ms. Hoppe asked for clarification on the recommendations of the Planning and Zoning Commission with regard to the sidewalk and for clarification as to what the applicant was now requesting as it had changed since the Planning and Zoning Commission meeting. Mr. Teddy explained the request to the Planning and Zoning Commission had been for a variance from the requirement to build a sidewalk along Brown School Road. The Planning and Zoning Commission recommended 50 percent of the cost be provided as surety instead of 100 percent, and that the applicant be allowed three years to install the sidewalk with the condition that there would be a hold on additional vertical construction until the sidewalk was installed. The applicant's new proposal was for relief from the requirement to install the sidewalk at this time even if the concession was built, and that the sidewalk would be installed only if buildings were constructed on the commercially zoned property to the east or additional improvements were constructed on the west side of their own site.

Mr. Sturtz asked if there was any correspondence in the files between 1999 and 2010 indicating the applicant was having a problem with the requirement for sidewalks. Mr. Teddy replied he was not aware of anything. He explained a plan had been approved in 1999 showing a 5-foot public sidewalk, but an agreement for the installation of the sidewalk had not been entered into until December of 2004 when the subdivision plat was approved. Mr. Sturtz asked for the deadline given in 2004. Mr. Teddy replied the deadline was for the end of 2007. Mr. Sturtz understood the sidewalk was three years overdue. Mr. Teddy stated that was correct and noted staff did not monitor the requirement proactively. The requirement was normally triggered by building construction and they were only now requesting

permission to erect a building on the site. Mr. Sturtz asked if the lack of monitoring was due to being understaffed. Mr. Teddy replied there was a need for a system that would create a tickler for these deadlines. Mr. Sturtz felt it made what they did meaningless when someone did not follow through with the requirements of an agreement approved by Council. Mr. Watkins pointed out the Public Works Department was holding discussions for major changes as many communities required financial bonds. The City only required a contract at this time. This would result in additional costs for developers, but there had been a number of instances where commitments had been made but not fulfilled. Mr. Sturtz asked if there was a standard such as 50 percent across the country. Mr. Watkins replied there was not.

Mr. Thornhill understood the staff report indicated concerns with the sidewalk ending where the applicant was required to install it because there would be a gap until a point on the south side of Brown School. In addition, there were visibility issues due to the slope and curved angle. It was a wide stretch of road with poor visibility and higher speeds. He did not think they wanted people walking there until it connected. Mr. Sturtz understood that gap was about one quarter of the entire stretch. Mr. Thornhill stated that was correct and explained it was a privately owned commercial tract that was not currently scheduled for development. Mr. Sturtz noted gaps had been dealt with in the past in different ways. Mr. Thornhill understood it was not a good place for a mid-block crossing.

Ms. Hoppe asked what was meant by vertical development on the property on the west. Mr. Teddy replied it was building construction, parking lot improvements, etc.

Ms. Hoppe understood the ordinance would provide total relief from the sidewalk requirement and the amendment sheet followed the Planning and Zoning Commission recommendation, so the language would need to be changed. Mr. Boeckmann explained it was typical to provide Council what the applicant was requesting instead of what the Planning and Zoning Commission was suggesting in case the applicant was unwilling to make the adjustments recommended by Planning and Zoning Commission. The Council could then vote on what the applicant was requesting. In this case, an amendment sheet was prepared at the same time as the ordinance with the recommendations of Planning and Zoning Commission.

Mr. Dudley understood the parking lot aligned with Alcott Drive and asked if something would be put in place to restrict the flow of traffic for the times people might try to shoot the gap there due to a large number of games going on at the same time. Mr. Teddy replied he was not aware of any limitations other than traffic control personnel. Mr. Dudley thought there might be a lot of young drivers trying to shoot the gap. Mayor McDavid noted there were nine fields and he did not believe they would end at the same time. He did not believe there would be mass egress.

Matthew Kriete, a civil engineer with Engineering Surveys and Services with offices at 1113 Fay Street, commented that their needs had grown since the original plan, so the new plan included some storage, a covered shelter and a larger concession stand. He thought lining up the intersection was best for safety. He noted the sidewalk variance was being requested due to the financial hardship it would create for the organization and due the safety issue described by Mr. Thornhill. The concession stand was to be funded by a strictly defined grant that would not support the construction of the sidewalk. They would need time

to raise funds for the sidewalk. In addition, the sidewalk would not go anywhere and there were only two places to safely cross the street, and those were where the stop-controlled intersections were located. Mid-block crosswalks would be unsafe due to traffic volume, the lack of pedestrian traffic and the speed people traveled.

Ms. Hoppe understood the cost of the sidewalk was \$36,000 and that ten years had passed since approval in 1999. She asked what had been done to raise funds for the sidewalks. Mr. Kriete replied the initial agreement was for the sidewalk to be built at the request of the City in conjunction with Brown School Road, but that request had never been made. The performance contract was different, so they really had not had ten years.

Phil Hanson, 801 Canterbury, explained they had spent about \$600,000 in the past ten years developing the park.

Mayor McDavid asked if they would hold tournaments with out of town teams on the fields. Mr. Hanson replied yes. He explained they were trying to expand their tournaments and the nine fields would allow them to hold larger tournaments.

Mayor McDavid asked if Pride owned the land or if there was a contract for the use of land. Mr. Hanson replied four of the six lots were owned by Pride. The two lots to the west were not owned by Pride at this time, but they were hopeful those lots would be donated to them in the future. Three of the four owned lots had been donated, while the other one had been purchased by Pride.

Mayor McDavid understood Pride was proposing the sidewalk would be built if there was vertical construction on the four fields or if the commercial area was developed. He asked if the commercial lot was the triangular area. Mr. Hanson replied it was further east. Mr. Kriete clarified it was both.

Mayor McDavid noted many people liked to walk in between games since there was some free time and asked where people would walk if there was no sidewalk. He thought that should be considered. Mr. Hanson explained pedestrians would have to cross a lot of undeveloped ground with woods and high grass, so they hoped to install a walking trail that would connect to the sidewalk on the south side at some point.

Mr. Kespohl understood the soccer club would be willing to put in the sidewalk at some point in time. Mr. Hanson stated that was correct. He explained they would like to put it in with conjunction with the development of the rest of the park. Mr. Kespohl asked if he had a time frame for it. Mr. Hanson replied he would estimate 5-8 years unless they received a major donation.

Mayor McDavid asked if they had approached the Convention and Visitors Bureau for funding with regard to the tournaments they wanted to host. Mr. Hanson replied that was something they needed to do. He noted they had held a 90 team tournament this past spring that had created a need for hotel rooms.

Mr. Kespohl understood one option was for the City to build the sidewalk and tax bill the soccer club and asked about its possibility. Mr. Hanson replied they would prefer to build it themselves because it would be cheaper. If they built it now, the sidewalk would be built on three lots they owned and two lots they did not own. He noted he was not pleased to have to build the sidewalk on the two lots they did not own.

Ms. Hoppe understood Stan Kroenke was involved and asked if he was the owner of the parcels not owned by Pride. Mr. Hanson replied he thought he was an owner of the parcels donated to Pride.

Mayor McDavid understood the letter dated June 21, 2010 stated the sidewalk would be constructed in conjunction with the development on the west side of the park, but did not believe there would be much room for vertical construction with the four soccer fields there. Mr. Kriete explained there were two options for vertical construction. One was the parking lot itself and the other was the secondary concession stand to the north that would be built in conjunction with the four fields.

Mr. Sturtz stated he appreciated the investment of the Columbia Soccer Club to the area, but believed the rule of law should be followed. The street plan would not be completed overnight. It was an incremental and methodical process. If they decided not to continue with the street plan, he believed it would create other issues. He stated he could not approve a major sidewalk variance ten years after approval.

Mr. Thornhill asked if a major sidewalk variance had been granted for the Copperstone development. Mr. Watkins replied he thought they substituted different internal sidewalk configuration plans. Mr. Thornhill understood it varied from the original plan. Mr. Watkins stated that was correct. Ms. Nauser recalled they had provided easements as well.

Mr. Thornhill asked if the sidewalk requirement would have been triggered if the original 3,100 square foot plan had been followed. Mr. Teddy replied it would have triggered the requirement. Mr. Thornhill understood the additional square feet did not affect the sidewalk requirement.

Mayor McDavid commented that this organization had taken it upon itself to build a valuable asset in the form of a park for the City at its own expense, but he also felt a sidewalk was needed on the street. He understood Pride would build it based on some contingencies, but wondered if there was a way to enforce it if that proposal was accepted.

Mayor McDavid made a motion to amend B137-10 to include the condition that the sidewalk north of Brown School Road shall be constructed in conjunction with development on the west side of the park (i.e. vertical construction and parking lots) or in conjunction with development (vertical construction) of commercial property directly east of Pride Park. He noted these stipulations were in the June 21, 2010 letter from Engineering Surveys and Services.

Mr. Boeckmann noted the actual amendment would be similar to the amendment sheet in that “granting a variance from the Subdivision Regulations regarding sidewalk construction” would be removed from the title, “setting forth conditions for approval; authorizing a performance contract” would be added to the title, Section 3 would be changed to “The approval of the revision to the C-P development plan described in Section 1 is subject to the following condition: 1. A revised performance contract shall be executed to provide that the sidewalk north of Brown School Road shall be constructed: a. in conjunction with the development on the west side of Pride Park (i.e. vertical construction or parking lots) or b. in conjunction with the development (vertical construction) of the commercial property directly east of Pride Park”, Section 4 would be added to read “The City Manager is hereby authorized to execute a performance contract with Columbia Pride, Inc., E. Stanley Kroenke,

Dennis R. Harper, William F. James, Jr. and Robert L. Walters in connection with the approval of the C-P development plan of Pride/Phoenix Soccer Park. The form and content of the contract shall be substantially as set forth in 'Exhibit C' attached here to and made a part hereof as fully as if set forth herein verbatim" and the current Section 4 would be renumbered to Section 5.

Mayor McDavid revised his motion to be the same as what Mr. Boeckmann described.

Mr. Sturtz asked for clarification. Mr. Boeckmann replied the original bill that was introduced and labeled B137-10 would grant a sidewalk variance, so it would not need to be built. As a result, the Council would need to amend it so they were not granting the variance. If they looked at the amendment sheet that was created for the Planning and Zoning Commission recommendations, it would be exactly like that except Section 3 would reflect the two provisions of the applicant instead of the Planning and Zoning Commission recommendations. In addition, a new performance contract would be drafted to reflect those provisions.

Ms. Nauser suggested that this item be tabled so the changes could be seen prior to approval. She felt it would be less confusing. Mayor McDavid stated he was prepared to vote on the amendment. He commented that they were allowing the applicant to not build the sidewalk until one of the two provisions happened, if they approved the amendment. Mr. Sturtz thought they should vote on the amendment.

The motion made by Mayor McDavid to amend B137-10 by removing "granting a variance from the Subdivision Regulations regarding sidewalk construction" from the title, adding "setting forth conditions for approval; authorizing a performance contract" to the title, changing Section 3 to "The approval of the revision to the C-P development plan described in Section 1 is subject to the following condition: 1. A revised performance contract shall be executed to provide that the sidewalk north of Brown School Road shall be constructed: a. in conjunction with the development on the west side of Pride Park (i.e. vertical construction or parking lots) or b. in conjunction with the development (vertical construction) of the commercial property directly east of Pride Park", adding Section 4 to read "The City Manager is hereby authorized to execute a performance contract with Columbia Pride, Inc., E. Stanley Kroenke, Dennis R. Harper, William F. James, Jr. and Robert L. Walters in connection with the approval of the C-P development plan of Pride/Phoenix Soccer Park. The form and content of the contract shall be substantially as set forth in 'Exhibit C' attached here to and made a part hereof as fully as if set forth herein verbatim" and renumbering the current Section 4 to Section 5, was seconded by Mr. Dudley and approved unanimously by voice vote.

Mr. Dudley asked if they wanted to add a time limit for the construction of the sidewalk. Mayor McDavid understood they would have 36 months after one of the stipulations had been met. Mr. Thornhill thought the development to the east or west would trigger the sidewalk to be built immediately. Mr. Boeckmann explained there would not be a time limit with only the stipulations in the letter.

Mr. Dudley commented that he wanted to place a 12 month time frame on it, but would be willing to go to 24 months. He felt they could have more tournaments the sooner everything was built. Mayor McDavid pointed out this did not keep them from building the

fields, etc. They could or could not build those. The time frame would only apply to the sidewalk construction. He felt 24 months from now was a severe stipulation as the project might not be completed in 24 months.

Mr. Kespohl made a motion to amend B137-10, as amended, by adding a third stipulation to the condition indicating the sidewalk north of Brown Station Road would be constructed within five years from the passage of this ordinance if it was not already constructed due to one of the other two stipulations. The motion was seconded by Mayor McDavid and approved unanimously by voice vote.

B137-10, as amended, was given third reading with the vote recorded as follows:
VOTING YES: HOPPE, MCDAVID, THORNHILL, KESPOHL, DUDLEY, NAUSER. VOTING NO: STURTZ. Bill declared enacted, reading as follows:

B144-10 Amending Chapter 2 of the City Code as it relates to the membership and duties of the Downtown Columbia Leadership Council.

The bill was given second reading by the Clerk.

Mr. Watkins provided a staff report.

Randy Gray, 301 Edgewood, stated he was Chair of the Downtown Columbia Leadership Council (DCLC) and explained the ordinance revisions would make the DCLC more efficient. He noted there were 11-14 neighborhood associations adjacent to the downtown, and in the past, four neighborhoods had been included by name. Instead of Council designating neighborhoods, individuals from any neighborhood association could apply to the Council to be appointed. In addition, one residential representative would be added that could also be a neighborhood association representative. The other changes would allow the total voting membership to be 13 instead of 16. This would allow for a quorum of seven instead of nine.

B144-10 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B138-10 Approving the Final Plat of Bellwood, Plat No. 3 located on the west side of Reedsport Ridge, north of West Broadway and west of Strawn Road (Route ZZ); authorizing a performance contract.**
- B139-10 Vacating drainage easements located within the Vistas at Old Hawthorne Plat 3; accepting a conveyance for drainage purposes.**
- B140-10 Vacating sidewalk easements located within Copperstone Plats 1, 2, 3 and 4; accepting conveyances for sidewalk purposes.**
- B141-10 Calling for bids for construction of the East Side Sidewalk Reconstruction Project, Phase 2, to include the reconstruction of sidewalks along both sides of Broadway between William Street and Short Street, and along both sides of College Avenue between Paquin Street and Windsor Street.**

- B142-10 Authorizing application for FY 2011 transit planning, operating and capital assistance grants.
- B143-10 Accepting conveyances for utility purposes.
- B145-10 Accepting and appropriating donated funds for a garden to be planted at Steinberg Playground in Columbia Cosmopolitan Recreation Area and for the Memorial Tree and Bench Programs.
- B146-10 Accepting and appropriating donated funds from Pepsi for youth programs in the Parks and Recreation Department.
- B147-10 Accepting and appropriating donated funds from Friends of Paquin for adapted community recreation programs in the Parks and Recreation Department.
- R130-10 Setting a public hearing: construction of sanitary sewers in Sewer District No. 165 (Maple Bluff Subdivision).
- R131-10 Setting a public hearing: considering approval of a design concept proposed by artist Stuart Keeler for the Fifth and Walnut Parking Garage Percent for Art Project.
- R132-10 Authorizing an agreement with the Missouri Department of Health and Senior Services for the Summer Food Service Program.
- R133-10 Authorizing Amendment No. 5 to the agreement with the Missouri Department of Health and Senior Services for Maternal Child Health Services.
- R134-10 Authorizing Amendment No. 1 to the agreement with the Missouri Department of Health and Senior Services for the Show Me Healthy Women Program.
- R135-10 Authorizing agreements with Midwest Sports Productions and Stephens College – Department of Mass Media for tourism development funds.

The bills were given third reading and the resolutions were read with the vote recorded as follows: VOTING YES: HOPPE, MCDAVID, STURTZ, THORNHILL, KESPOHL, DUDLEY, NAUSER. 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.

- B148-10 Approving the Final Plat of Farley’s Commercial, Plat No. 1, a Replat of part of Lot 1 of the Administrative Replat of Lots A, B and C of Farley’s Second Addition to the City of Columbia, located at 1100 Business Loop 70 West.
- B149-10 Authorizing an annexation agreement with Stuart B. and Martha A. Head for property located at 3553 North State Route E.

- B150-10 Vacating a portion of a utility easement across Lot 2 within Jackson Subdivision located on the southwest corner of Worley Street and North West Boulevard.
- B151-10 Amending Chapter 14 of the City Code as it relates to parking prohibitions, parking limitations and hourly parking meter zones on portions of Waugh Street and Locust Street.
- B152-10 Amending Chapter 14 of the City Code to restrict parking on portions of Fairview Avenue and Coats Street.
- B153-10 Amending Chapter 22 of the City Code as it relates to deferred tax bills for sanitary sewer projects.
- B154-10 Authorizing construction of the Rangeline Sewer Improvement Project along the east side of Rangeline Street between Wilkes Boulevard and Rogers Street; calling for bids through the Purchasing Division.
- B155-10 Authorizing construction of the Business Loop 70 Sidewalk and Waterline Improvement Project along the south side of Business Loop 70 from Jackson Street to Jefferson Street; calling for bids through the Purchasing Division.
- B156-10 Authorizing the acquisition of easements for construction of the Business Loop 70 Sidewalk and Waterline Improvement Project along the south side of Business Loop 70 from Jackson Street to Jefferson Street.
- B157-10 Authorizing a right of use permit with 10th and Locust, LLC to allow construction, improvement, operation and maintenance of balconies to extend within the right-of-way from the building located at 120 South Tenth Street.
- B158-10 Appropriating funds for the Sewer District No. 167 (Shepard Hills Subdivision) project.
- B159-10 Authorizing an agreement with the Boone County Fire Protection District for additional radio equipment and site improvements to enhance radio transmissions within Boone County.
- B160-10 Amending Chapter 13 of the City Code to repeal Article VI relating to private detectives and business licenses.
- B161-10 Appropriating tax increment financing (TIF) application fees.
- B162-10 Accepting donations from Boone County National Bank, Columbia Lodging Association and the Downtown Optimist Club for a Police Department Employee Awards Ceremony; appropriating funds.
- B163-10 Accepting funds from the Missouri CIT Council to be used by the Police Department for crisis intervention team training; appropriating funds.
- B164-10 Accepting a Youth Community Coalition Grant from the Missouri Division of Alcohol and Drug Abuse to be used by the Police Department for enforcement activities; appropriating funds.
- B165-10 Authorizing a subaward agreement with The Curators of the University of Missouri for the Police Department to provide training to law enforcement and social service providers; appropriating funds.
- B166-10 Appropriating funds for Share the Light Program.
- B167-10 Accepting a grant from the State of Missouri Division of Tourism Cooperative Marketing Program for tourism promotion and marketing; appropriating funds.

REPORTS AND PETITIONS

REP55-10 Intra-Departmental Transfer of Funds Requests.

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

REP56-10 Forum Street Lights Report.

Mr. Watkins provided a staff report.

Ms. Nauser explained she had equal requests for and against the lighting, but noted there was a need along that section of Forum. She understood there were three options and wanted to modify the options. She did not believe the lights south of Nifong were an issue since those did not involve a residential area. The residential portion of Forum was of concern. She knew some portions of the road were very dark making it difficult to cross the road. She wondered if the existing light poles could be altered to add an extra light fixture to illuminate Forum Boulevard. She did not know if they needed to add the same number of lights that had initially been requested. This would allow the landscaped medians to not be altered. Mr. Schmitz stated this issue could be revisited. He understood the original concept was to light the entire route. In other parts of town, only the intersections had been lit. He explained it was difficult to light both north and south bound lanes at the south end due to the medians and trees, so they would require lights in both directions, but they would only light the intersections. This would allow them to reduce the number of lights substantially while still meeting the goal of reducing incidents with pedestrians and vehicles. He asked for Council to let staff know of the type of standard that should be used. Ms. Nauser stated she felt the standard should be consistent.

Mayor McDavid commented that he thought the issue was the design of the lights and not the number of lights, but it sounded as though the main issue was the amount of light being produced on the street. Ms. Nauser replied it had been both at one time.

Mayor McDavid understood Ms. Nauser did not have a problem with continuing to use the galvanized steel standards already in place. Ms. Nauser stated she did not.

Mr. Schmitz pointed out the national standard would not be met as it would require substantially more light. They were lighting the intersections considered dangerous. He noted the Water and Light Advisory Board recommended the standard poles be used as they would not require painting and other maintenance issues. They would redirect the arms of some the current lights or add some foundations.

Ms. Nauser asked for a new proposal to be brought forward. Mr. Schmitz replied they could provide another option of minimum lighting, which would include intersections and pedestrian crosswalks, if there were any.

Ms. Nauser made a motion directing staff to provide plan that would have the minimum amount of lighting for the specified section of Forum and the addition of the lights shown south of Nifong. The motion was seconded by Mr. Kespohl and approved unanimously by voice vote.

REP57-10 RBBQ Street Closure Request.

Mr. Watkins provided a staff report and pointed out this report included the street closures, the festival layout plan, the waiver of the open container ordinance and the ticketed area procedures for the Roots N' Blues N' BBQ Festival.

Mr. Thornhill made a motion directing staff to prepare a resolution for consideration at the August 2, 2010 Council Meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP58-10 Wabash Anniversary Celebration Street Closure Request.

Mr. Watkins provided a staff report.

Mr. Kespohl made a motion to approve the street closure as requested. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

REP59-10 Task Force Memberships.

Mr. Watkins provided a staff report.

Mayor McDavid made a motion to establish a seven member sewer task force and indicated he wanted each Council Member to nominate two people to potentially serve on the task force so he could appoint three people representing single family residential interests, one person representing rental property interests, one person representing University interests, one person representing small commercial interests and one person representing institutional and larger commercial interests.

Mr. Kespohl asked how the people should be nominated and if a form needed to be completed. Mayor McDavid suggested the nominations be provided to the City Clerk. Mr. Kespohl understood they would nominate people and tell the Clerk which group they represented. The Mayor stated the Clerk would inform the Council of the process and that he would like to be able to make appointments at the July 19 Council Meeting.

Mr. Dudley asked how the nominees would be interviewed. Mayor McDavid replied there would not be a commitment by the Council to interview.

Mr. Sturtz asked if names should be provided by Monday. Mayor McDavid replied the first or middle of next week would be fine.

The motion made by Mayor McDavid was seconded by Ms. Nauser and approved unanimously by voice vote.

Mayor McDavid made a motion to establish a thirteen member infrastructure task force and indicated he wanted each Council Member to appoint two people to serve on the task force while he appointed one person. He noted he would also like for the appointments to this task force to be made at the July 19, 2010 Council Meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

None.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Pat Fowler, 606 N. Sixth Street, provided a handout and stated she wanted to renew a request she had previously made in writing to City staff. On June 13, she learned Jefferson

Junior High School would be converting a vacant lot into a parking lot and this would impact her neighborhood's storm water and sanitary sewer infiltration issues. She pointed out North Sixth Street had a history of flooding. She explained she purchased her home a year ago and understood some remedial steps had been taken. She wrote a letter to the Columbia Public Schools asking that the neighbors be included in the conversation and sent that same letter to Mr. Glascock and Mr. Teddy making the same request. On July 2, she had been contacted by Phil Teeple of the Public Works Department and he had indicated the City did not have the ability to call the meeting, but that the Columbia Public Schools did and had agreed to host it. In addition, he had stated the City did not have the ability to notify the neighbors. He also suggested she prepare an agenda, which she indicated she would. She asked when the meeting would be held and was told after the City received the report, which he thought would be in mid- or late July. She explained she had learned from Mr. Sturtz the meeting would be held after the plans had been approved. She stated she would not have engaged in all of the steps she had taken if she wanted to be included after plan approval. She was now asking the Council to help the neighbors on North Sixth Street. She asked the Council to ask staff to include the neighbors on North Sixth Street in a conversation about sewer infiltration and storm water issues given the history of flooding in that area. She noted she had a pump and back-up pump in her basement and that she stayed home to pump water out with the back-up pump when needed. She had a sewer back-up endorsement on her homeowner's policy and was willing to figure out how to pay for flood insurance. She asked to be included in the conversations so she knew what she was up against and so the City knew of the history of flooding on North Sixth Street.

Mayor McDavid asked what control the City had in terms of the Columbia Public Schools paving a vacant lot. Mr. Glascock replied it would require a construction permit and staff would review those plans. He did not believe they had received the plans yet, but would check. He stated they had tried to provide Ms. Fowler the information requested and noted Mr. Teeple was in error in stating the City could not call the meeting as it could. The issue was that the Columbia Public Schools was only required to do things indicated in the ordinances. He could not require any more.

Mr. Sturtz understood staff could request the Columbia Public Schools attend a meeting. Mr. Glascock stated that was correct and noted they were working on that.

Mayor McDavid believed the larger issue was storm water management in the neighborhood, and even if they could prevent the paving of the lot, there was still a flooding issue. He asked how that could be dealt with. Mr. Glascock replied the plans would need to be reviewed to determine if they met the ordinance requirements. They would not let a house flood due to a parking lot.

Ms. Hoppe understood the parking lot would have to comply with the new storm water ordinances. Mr. Glascock stated that was correct.

Ms. Fowler noted there was still a sewer issue as she was told that the storm water ended up in the sewer, which was why it reached capacity during a heavy rain.

Mr. Sturtz felt this was a proactive approach by the neighbors to start a dialogue about what could be done to mitigate some of the problems associated with this lot being developed. He did not think they were asking for the lot not to be paved. They wanted

solutions for preventing their homes from being flooded any further. He thought it would be good for the City to bring these different groups together to find creative solutions. He expected the meeting to occur before the plan was approved.

Alex McKelvey, 1318 Anthony Street, asked for the catalyst for B160-10, which would repeal Article 6 of Chapter 13 relating to private detectives. Mayor McDavid replied this bill had only been introduced and Council would not act until the July 19, 2010 Council Meeting.

Ms. Amin pointed out B160-10 was supposed to be on the consent agenda.

Mr. McKelvey asked for B160-10 to be placed under old business instead of the consent agenda.

Mr. McKelvey asked who he should contact with questions regarding B160-10. Mr. Boeckmann replied he or the Finance Department Director could assist with his questions.

Mr. Sturtz pointed out any citizen could make a request to remove something scheduled for the consent agenda to the appropriate place on the agenda, and understood the deadline was Wednesday by noon. Ms. Amin explained the Wednesday at noon requirement was for zoning related items. A request could be made regarding any other item prior to the agenda being approved by Council.

Mr. Thornhill made a motion directing staff to prepare the legislation that would allow the board and commission appointments to be made at the beginning of the meeting instead of the end of the meeting. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Ms. Nauser noted she had met with some individuals regarding zoning violations in terms of rental properties on June 22 and wanted staff to look into the issues that came out of that meeting and to provide a report.

Mayor McDavid stated he attended the same meeting and explained it involved the issue of 6-10 college students renting property in a R-1 zoned district and the difficulty in enforcing the associated regulations.

Ms. Hoppe stated she had attended the Public Transportation Advisory Commission meeting that had been held in the conference room and there were several people in wheelchairs that could not enter the area until someone opened the door for them since the doors were not handicap accessible.

Ms. Hoppe made a motion directing staff to make the doors to both of the conference rooms on the first floor handicap accessible. The motion was seconded by Mr. Thornhill and approved unanimously by voice vote.

Ms. Hoppe noted some of the poles that were painted black in the downtown were peeling and asked if staff was working on that issue. Mr. Watkins replied they were.

Ms. Hoppe stated the City recently purchased deteriorating properties near Oak Towers through the Neighborhood Stabilization Program and asked if the City had a process in place to work with small businesses and contractors in the central neighborhoods and to

encourage them to bid on the work. She also wondered how quickly the contractor would be paid for their work once an invoice was submitted, what the decision making process was to approve payment and if there was an appeal process if there was a disagreement between the contractor and inspector. She also asked if any affirmative steps were being taken to hire graduates from construction programs, such as Job Point and the Career Center.

Ms. Hoppe made a motion directing staff to provide a report with the responses to her questions above. The motion was seconded by Mr. Sturtz and approved unanimously by voice vote.

Mr. Kespohl made a motion directing staff to provide a report regarding the reduction of speed and the installation of traffic calming devices on Murfreesboro Drive. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Kespohl thanked staff for painting stripes on Starke Road.

Mr. Kespohl announced he would be holding office hours every Wednesday from 3:30 p.m. to 6:00 p.m. in the Council offices in City Hall.

Mr. Dudley made a motion directing staff to provide a report regarding the reduction of speed on Chapel Hill Road by the ball fields. He understood it had recently been increased. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Mr. Dudley reminded everyone the Wastewater Treatment Plant tour was scheduled for Saturday at 2:30 p.m.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Sheela Amin
City Clerk