

MINUTES
CITY COUNCIL MEETING – COLUMBIA, MISSOURI
MAY 15, 2006

INTRODUCTORY

The City Council of the City of Columbia, Missouri met for a regular meeting at 7:00 p.m. on Monday, May 15, 2006, in the Council Chamber of the City of Columbia, Missouri. The roll was taken with the following results: Council Members JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, and CRAYTON were present. Council Member HINDMAN was absent. The City Manager, City Counselor, City Clerk and various Department heads were also present.

APPROVAL OF MINUTES

Ms. Hoppe asked that her name be corrected on page 26 of the May 1, 2006 meeting minutes. The minutes of the regular meeting of May 1, 2006, as amended, were approved unanimously by voice vote on a motion by Mr. Hutton and a second by Ms. Crayton.

APPROVAL AND ADJUSTMENT OF AGENDA INCLUDING CONSENT AGENDA

Mayor Pro tem Loveless noted Report H would be added to the Reports section of the agenda. The agenda, as amended, including the Consent Agenda, was approved unanimously by voice vote on a motion by Mr. Hutton and a second by Mr. Janku.

SPECIAL ITEMS

None.

SCHEDULED PUBLIC COMMENT

Bob Waters – Environment & Energy Commission/KYOTO Protocol.

Bob Walters, 2704 Vail Drive, stated he was representing the Environment and Energy Commission (EEC) in regards to a letter sent by the EEC to the City Council and the County Commission in December of 2005. He explained that on February 16, 2005 the KYOTO Protocol took effect in the 141 countries that ratified it, and on that same day, Seattle Mayor Nickels challenged other U.S. mayors to join him in taking local action to meet global concerns. This effort had taken form by asking Mayors to sign on to the U.S. Mayors Climate Protection Agreement. As of May 4, 2006, 230 mayors had signed on to include five Big 12 city mayors and the mayors of St. Louis, Kansas City and several suburban St. Louis cities. The EEC was recommending the City of Columbia and the Boone County Commission also sign on to the agreement. Doing so would help reinforce the view that City and County residents were being led by elected officials who were concerned about a cleaner and more environmentally conscience future. He noted there were 12 target action items that local communities could do to help in reducing greenhouse gases. He listed them as being to inventory City operations, set up reduction targets and create an action plan to reduce emissions that may contribute to global warming; adopt and reinforce land-use policies that

reduce sprawl, preserve open space, and create compact, walkable urban communities; promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit; increase the use of clean, alternative energy by advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology; make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money; purchase only Energy Star equipment and appliances for City use; practice and promote sustainable building practices using the U. S. Green Building Council's LEED program or a similar system; increase the average fuel efficiency of municipal fleet vehicles, reduce the number of inefficient vehicles, launch an employee education program including anti-idling messages, convert diesel vehicles to bio-diesel; evaluate opportunities to increase pump efficiency in water and wastewater systems, recover wastewater treatment methane for energy production; increase recycling rates in City operations and in the community; maintain healthy urban forests, promote tree planting to increase shading and to absorb CO₂; and help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution. He commented that the EEC recognized many of these efforts, such as approving a minimum renewable energy portfolio for City power needs, researching the feasibility of utilizing methane gas from the city landfill, discussing LEED requirements for new city buildings, purchasing hybrid vehicles and expanding trail facilities, were already underway in the community. He stated the EEC was willing to work with the City and the County in achieving the 12 goals and pointed out they did not feel there was any downside in adopting some form of the Climate Protection Agreement.

Blake Segafredo – Worley & Fairview Intersection round-a-bout proposal.

Mayor Pro tem Loveless explained this request to speak had been withdrawn.

Gordon/Audrie Sabel – Building Codes.

Gordon Sable, 3800 Mint Julep Drive, stated they purchased their home in 1997, two years after it was built, and they were the second owners. He also noted he was a Licensed Contractor and a Licensed Professional Engineer. He explained that after the March storms, many discovered faults in the construction of homes in the Derby Ridge area. He noted when the roofs were removed, he noticed the roof sheeting was a hybrid panel board. He showed a sample that came from his roof and stated it was not a good product. He commented that Article 803.1 of the building code book for 1995 stated the minimum thickness of roof sheeting needed be 5/8. The hybrid board was 7/16 and had no tinsels or compression strength. He felt the City was going the wrong direction with its building program, then and now. He felt the hybrid product should never have been allowed and would not stand up to the test of time or weather. He understood the 2000 International Code allowed the product to be used with accessories such as H-clips and tongue and groove. He felt instead of quality and workmanship being the goal, the goal was getting the building up as fast and cheap as possible. He thought every effort needed to be made to strengthen the building codes. He provided a copy of his presentation for the Council.

Mr. Hutton pointed out the Building Construction Codes Commission was getting ready to hold public hearings to update the City Codes and that he could participate in the process if he wanted.

Randy Brown – Proposal of New Recycle Initiative.

Randy Brown of RF Technologies in Chillicothe, Missouri, stated he wanted Council's support in a new recycling initiative, which involved recycling asphalt shingles that were currently going into the City dump. This initiative, he explained, would take the government and business enterprise working together. He commented that he thought they had come up with a solution that was economically feasible, environmentally friendly and had residual benefits to the City. He explained a contractor paid a \$37 tipping fee per ton to dump shingles at the landfill. If the City were to offer contractors a discount on the tipping fees to persuade the contractors to deliver the shingles free of other debris, a company like his that owned a grinder could grind those shingles and make them available to paving companies. Those paving companies, after refining the material, could use it for paving contracts with the City and others. He noted the City would not only have to provide a discount in the tipping fee, but would also have to bid for a company to grind the shingles to a form the paving companies could use. Mr. Brown pointed out the incentive to the City was that it would free up space in the landfill for other material and that it was environmentally friendly. It also saved the paving company money by reducing the oil by-products used. He noted a company like his could not do this without the City because they did not have the site or people in place to accept deliveries. The City, however, was already accepting the material. He thought the residual benefit to the people of Columbia was the ability to control the cost of paving the roads. This was done by providing paving companies an alternative source for materials.

Mayor Pro tem Loveless asked Mr. Brown to provide this information to the Public Works Department, who could then provide a report to Council.

Mr. Hutton asked if the shingles had to be free of nails. Mr. Brown replied no and pointed out they had a magnet roller, which pulled out the nails. They just needed it to be free of other debris like wood and siding.

PUBLIC HEARINGS

B147-06 Voluntary annexation of property located on the west side of Lake of the Woods Road, south of Evergreen Acres Subdivision (2331 Lake of the Woods Road); establishing permanent R-1 zoning; imposing conditions; approving the Preliminary Plat of Forest Hills, Plat No. 1.

The bill was read by the Clerk.

Mr. Watkins explained this involved the voluntary annexation and permanent R-1 zoning of property in northeast Columbia. The most significant difference between this proposal and the one that was previously turned down was the agreement that Rice Road would be constructed prior to any building permits being issued. He noted the proposed preliminary plat would approve 94 lots.

Mr. Teddy stated in February, the preliminary plat had 86 lots. The only difference in the plat design was that there was now a row of lots at the easterly segment of Rice Road where before there was a single lot.

Mayor Pro tem Loveless understood there were a number of lots with access on to Rice Road. Mr. Teddy replied that was correct and pointed out Rice Road was not on the list that prohibited such accesses. Mayor Pro tem Loveless asked if, as a general rule, they did not allow drive way access on to neighborhood collectors. Mr. Teddy replied there were a number of neighborhood collectors on the list.

Mr. Hutton asked if the requirement that Rice Road go through before any building permits were issued was fool proof. Mr. Boeckmann replied that since it was tied in with the annexation and zoning, he did not think there would be a problem.

Mr. Janku stated he did not think the Knox box was necessary since Rice Road was going through, but understood that was a County Commission issue, not a City issue. Mr. Teddy assumed it could be changed. The approval by the County Commission indicated the gate with the Knox box would remain until Rice Road was extended and 75 percent of the lots were built out. He noted that although Rice Road had to be built to the Lake of the Woods Road ahead of any homes in the subdivision, they did tell the applicant they could do phased plats. Mr. Hutton felt as long as the road was going through, that was okay.

Mayor Pro tem Loveless opened the public hearing.

Tim Crockett, Crockett Engineering Consultants, 2608 N. Stadium, stated it was their intent to build Rice Road in the initial phase from its current terminus all of the way to Lake of the Woods Road prior to any building permit. In regards to Mayor Pro tem Loveless's question, he thought as a rule of thumb the City allowed driveways on neighborhood collectors, but not on major collectors. Mr. Glascock commented that the combination of driveways were generally more on neighborhood collectors than on major collectors. In regards to the gate and Knox box to the south, Mr. Crockett understood it would go away once 75 percent of the homes were constructed within the development and Rice Road was extended for the complete distance.

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

Mr. Hutton explained this item was back due to his request. He felt Rice Road going through in the first phase was good for the entire neighborhood. He was glad it came back in this form.

The vote on B147-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B173-06 Rezoning property located near the southeast corner of Forum Boulevard and Forum Katy Parkway from R-3 PUD to C-P; approving the Lot 3 Katy Place Heights Subdivision Plat 2 C-P Development Plan; approving a revision to the Katy Place Heights PUD Development Plan; approving less stringent screening requirements.

The bill was given second reading by the Clerk.

Mayor Pro tem Loveless explained the applicant requested this item be tabled.

Mr. Hutton made a motion to table B173-06 to the June 19, 2006 Council meeting.

The motion was seconded by Mr. Janku.

Mayor Pro tem Loveless opened the public hearing.

There being no comment, Mayor Pro tem Loveless continued the public hearing to the June 19, 2006 Council meeting.

The motion, made by Mr. Hutton and seconded by Mr. Janku, to table B173-06 to the June 19, 2006 Council meeting was approved unanimously by voice vote.

B174-06 Approving a revision to the Timber Creek PUD Development Plan located on the west side of Stadium Boulevard (State Route E), north of I-70.

Mayor Pro tem Loveless noted, per the applicant's request, this item, B174-06, was withdrawn.

B191-06 Authorizing the Douglass Park pool improvement project; calling for bids; appropriating funds.

The bill was given second reading by the Clerk.

Mr. Watkins explained the planned improvements included renovating the pool shell, plumbing and mechanical systems and possible minor improvements to the bath house at an estimated cost of \$299,000. The City's FY06 budget included an appropriation of \$149,000 of which \$99,000 was from Community Development Block Grant funds and \$50,000 was from parks sales tax funds. An additional \$150,000 was included in the November ballot issue and in order to award the construction contract in late summer, those additional funds needed to be appropriated.

Mayor Pro tem Loveless understood this would allow the City to open the pool on schedule next summer. Mr. Hood replied that was their goal. They wanted to initiate construction as soon as they closed at the end of this summer season to be in a position to open on Memorial Day, 2007.

Ms. Hoppe understood the deep water was being changed and asked for clarification. Mr. Hood explained the maximum depth at Douglass Pool was 9 feet and did not come close to meeting current day standards for diving facilities. Once the pool was renovated, there was no way they could have diving with only 9 feet of water. In order to maximize the use of the pool, they wanted to do something similar to what they did at the Lake of the Woods Pool 3-4 years ago. There they reshaped the bottom of the deep end to create more 3-5 foot deep areas. He noted one could get a lot more swimmers in those areas since they could touch bottom. It also gave them the opportunity to add amenities such as slides, splash down type devices and climbing walls. He stated they wanted to explore some of those options to make the pool as unique and interesting for the swimmers as they could. Ms. Hoppe asked if they would still have opportunity to do traditional swimming. Mr. Hood replied yes. He explained they would be taking the 9 foot water and making it a 4-6 foot depth, so people could still swim laps.

Mayor Pro tem Loveless opened the public hearing.

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

Ms. Crayton commented that she was glad the improvements would be made and the use of the pool would not be interrupted this or next summer.

The vote on B191-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B193-06 Amending the boundaries of the Columbia Special Business District.

The bill was given second reading by the Clerk.

Mr. Watkins stated earlier this year they had received two petitions to expand the Special Business District. One was along Ninth Street and the other was along Orr Street. This bill would add these two areas to the Special Business District.

Mayor Pro tem Loveless opened the public hearing.

Carrie Gartner, Director of the Special Business District, 11 S. Tenth Street, stated this was a request by four property owners, and was welcomed by the Board. She noted they were property owners who were aware of the benefits of being a member of the Special Business District and of the services the office provided. She felt the expansion helped keep the central city area strong.

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

Mr. Janku pointed out the property owners would be paying an extra tax to help support downtown. He commended them for being willing to do that. Ms. Hoppe agreed and stated she felt it was important to keep the downtown area strong.

The vote on B193-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

(A) Voluntary annexation of property located on the northwest side of Thompson Road, across from Beechwood Drive (5801 N. E. Thompson Road).

Item A was read by the Clerk.

Mr. Watkins explained this involved the voluntary annexation of 1.85 acres, a County island surrounded by the City, in northeast Columbia. They were requesting annexation for subdivision and connection to the City sewer. The applicant was requesting R-1 zoning and the Planning & Zoning Commission voted 8-0 to recommend approval.

Mr. Teddy noted the applicant met with the Board of Adjustment and received a variance for the existing house in order to incorporate the house into the future subdivision. He pointed out the variance was approved pending annexation.

Mayor Pro tem Loveless opened the public hearing.

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

OLD BUSINESS

B175-06 Granting a variance from the Subdivision Regulations relating to sidewalk construction along a portion of the south side of David Drive within the Farmway Columbia Subdivision.

The bill was given second reading by the Clerk.

Mr. Watkins stated David Drive was an improved, local, non-residential street with curb and gutter, but no sidewalk. The subject property was located within an industrial zoning district on a short cul-de-sac and was the last of 10 lots to be developed along David Drive.

None of the other nine properties with street frontage on David Drive had sidewalks. He noted the property was originally platted as the Farmway Columbia Subdivision in 1992 and was since replatted. Since the replat of this property occurred after January 1999, the developer was required to meet all of the new Subdivision Regulations, including the construction of required sidewalks. The Planning & Zoning Commission voted 6-0 to recommend approval of the variance.

Mr. Teddy stated in applying the criteria for variances, staff believed they made a good argument for a variance. He noted there was a sidewalk along Brown Station Road that served the general public and occupants of the subdivision. The physical conditions were not conducive to completing a sidewalk around the cul-de-sac and if it were not for the replat of the subdivision, there would not be a requirement for it.

The vote on B175-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B176-06 Approving the Final Plat of Vanderveen Crossing, Plat No. 14A, a Replat of Lot 942 of Vanderveen Crossing, Plat No. 14 located on the south side of Blue Ridge Road, east of the intersection of Snow Leopard Drive and Blue Ridge Road; granting a variance to the Subdivision Regulations.

The bill was given second reading by the Clerk.

Mr. Watkins stated the proposed replat would create two R-1 zoned lots. One would be a .2 acre lot suitable in size for the construction of a single family residential structure. The other would include the Bear Creek floodplain and a tributary system which flowed through the Vanderveen Crossing subdivision. The plat met all requirements except a request for a variance, which prohibited single family and two family residential developments from taking direct driveway access on to Blue Ridge Road. The Planning & Zoning Commission voted 6-1 to recommend denial due to safety concerns regarding access of the driveway.

Mr. Teddy pointed out this was a replat of a single platted lot out of Vanderveen 14. The concern involved the precedent in putting a driveway on a major collector when the Subdivision Regulations did not allow it and safety as it would be located at a curve along the roadway. Mayor Pro tem Loveless asked about the street classification for Blue Ridge. Mr. Teddy replied it was a major collector.

Mr. Janku asked if this would impact the trail access. Mr. Hood replied staff did not believe it would substantially impact where the trail would be located because he thought the trail would run close to the location of the sewer line.

Mr. Janku asked if any sight distance surveys were completed at the curvature of the road. Mr. Teddy replied no.

Tim Crockett, Crockett Engineering Consultants, 2608 N. Stadium, stated that since Blue Ridge Road was designed under current design standards, it met any horizontal and vertical sight distance limitations that might be there. In regard to the land being dedicated to the park, he noted, it was the intent of the developer to convey to the City the large lot. He noted there were several other areas there, which made it a larger and more complex situation. He commented that there were some unplatted and platted properties in the area.

They had met with the Parks Department to discuss those issues. In regards to the variance, Mr. Crockett pointed out a similar variance was granted for a preliminary plat to the south and east of this current location for single driveway access to service two lots within the Vanderveen development.

Mr. Janku asked Mr. Crockett for clarification regarding the sight distance issue. Mr. Crockett explained the design criteria the Public Works Department had in their Subdivision Regulations allowed for a minimum sight distance for the different standards of streets. The horizontal curvature on a major collector was in the range greater than a residential street. This allowed for the increased speed in traffic, stopping sight distance and other situations. He reiterated the street was designed under current standards to accommodate sight distance.

The vote on B176-06 was recorded as follows: VOTING YES: NO ONE . VOTING NO: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. ABSENT: HINDMAN. Bill declared defeated.

B177-06 Approving the Final Plat of Katy Place Heights Subdivision Plat 3 located on the southeast corner of Forum Boulevard and Forum Katy Parkway; authorizing a performance contract; granting a variance to the Subdivision Regulations.

The bill was given second reading by the Clerk.

Mayor Pro tem Loveless explained there was a request to table this item.

Ms. Hoppe made a motion to table B177-06 to the June 19, 2006 Council meeting. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

B182-06 Amending Chapter 14 of the City Code to prohibit parking along a section of Cliff Drive.

The bill was given second reading by the Clerk.

Mr. Watkins explained this ordinance was prepared at the request of City Council and would prohibit parking on the south side of Cliff Drive from Ann Street to Rockhill Drive from 8:00 a.m. to 4:00 p.m., excluding Saturdays and Sundays.

John Evelev, 1708 Cliff Drive, stated he lived on the side of the street where they hoped to limit parking. On weekdays, he explained, there was a great deal of overflow parking from the hospital, which filled the street. It was a slightly curved street with a yield sign at the end, so traffic moved reasonably fast and the sight lines were poor. He noted it was closer and more convenient for hospital employees to park on the street rather than in their designated areas. He stated it made it difficult for residents to exit safely from their driveways. It also limited their ability to park in front of their houses.

Mr. Janku asked if he understood he would be subject to the same prohibitions during the same period. Mr. Evelev replied he understood.

Jane Smith, 1712 Cliff Drive, stated she concurred with her neighbor. She felt it was esthetic and safety issue and this would help preserve one of the old neighborhoods. She appreciated the Council's consideration on this issue. She pointed out all of the homes had driveways and it would not be a huge burden for the residents to have limited parking during those time periods.

The vote on B182-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B189-06 Authorizing a Right of Use Permit with Bob and Nancy Martin to allow the installation of electric heating mats within a portion of the Augusta Drive right-of-way.

Mayor Pro tem Loveless noted, per the applicant's request, this item, B189-06, was withdrawn.

B190-06 Calling a special election relating to the issuance of Electric Utility Revenue Bonds in the amount of \$60,000,000.

The bill was given second reading by the Clerk.

Mr. Watkins stated the Council was being asked to consider a referendum for the August election for bonds in the amount \$60 million. The Water and Light Advisory Board forwarded a recommendation to Council to fund major improvement projects in the transmission and distribution system, renewable energy, and distributed generation facilities. They thought this would meet their capital needs for at least five years. Although the last time an electric issue was brought to the voters was in 1997, they typically brought these to the Council and voters every five years. He pointed out this did not include any funds for power supply. That was a separate issue and they would continue to discuss that issue with the Council and the community in the foreseeable future. This was simply to fund capital improvements in distribution and transmission to improve the reliability of the City's system. He noted a list of projects had been shared with the Council and public and that this issue was first brought to the Council's attention last August during the budget presentation. Staff worked with the Water & Light Advisory Board and the Council to structure the issue so the City could pay the bonds off with four one percent increases in rates. He pointed out this would only be paid for by electric customers. It was not a tax increase. The one percent for a typical residential customer was about 60 cents per month for the first year, \$1.20 the next year, and so forth. He stated they tried to do their best to structure this to minimize the rate impact on customers. The alternative would be a substantially higher rate increase. Staff felt the combination of some rate increases and some bonds made the most sense in terms of rate payers.

Mayor Pro tem Loveless understood at 60 cents per month, at the end of the last one percent increase, a residential customer would be paying about \$28.80 more per year on their entire year's electric bill. Mr. Watkins replied that was correct for a typical residential customer.

Ms. Hoppe asked if there were plans to increase the program to help low income people pay for the rate increase. Mr. Dasho replied staff had been in discussion with several groups, including the Housing Authority, to come up with ways to lower costs for low income residents, particularly with air conditioning. He believed they had a new program to replace room air conditioners with more efficient units, which would do a good job reducing costs for low income customers and renters. They were also looking at programs associated with energy audits for renters. He stated they would be coming back to Council with recommendations regarding conservation, low income customers and renters. Ms. Crayton

noted in some instances landlords penalized renters for contacting the City for inspections. She did not want a renter to be penalized for having an energy audit. She thought there should be an incentive. She pointed out the renter paid the electric bill. She also noted assistance from the Health Department was a one time deal, so if a low income person had a high bill three months in a row, they could not get assistance each time. She thought the person paying the bill needed more assistance. Mr. Dasho stated that was what they were looking into. He felt through conservation efforts, they could lower a person's bill so they received a long term benefit. In terms of the landlords, he thought they might need to take an approach where they provided incentives and also looked into ordinance changes to encourage conservation measures to keep costs down for the customer.

Mr. Janku asked Mr. Dasho to go over the presentation they had previously seen at the pre-council work session. Mr. Dasho explained this was an electric system bond proposal, specifically electric distribution and transmission projects. This involved capital projects, which had 20 year or longer lives. By borrowing money, the cost would be spread over the life of the projects. This was for the nuts and bolts of the system, things like wires, poles, transformers and etc. There was also a renewable fuels project involved for some back up power supply, but that was a small portion of the bond issue. He stated that they were looking at \$72 million of capitol improvements, \$12 million of which would be paid for through revenues. The remainder would be paid with bonds and a one percent rate increases in 2007, 2008, 2009 and 2010. The transmission portion of the bond issue was about \$12.5 million. They were required by the Federal Energy Regulatory Commission (FERC), the National Electric Liability Council and the State Energy Reliability Council (SERC) to maintain certain levels of reliability. They tested the system with modeling to determine what additions needed to be made. He explained the existing system needed upgrades, some substations needed to be retired, work would be done at the Blue Ridge Substation, and land needed to be purchased due to the expansion of I-70 and the loss of the pole yard. They would also be undergrounding some existing overhead lines on an annual basis. This would be about \$9.8 million. The expansion of the system for both residential and commercial properties would be about \$9.2 million. The cost of the transformers and capacitors was \$6.3 million over five years. Annually, they replaced about two percent of the transformers and added about three percent for system expansion. Mr. Dasho noted about \$3 million would be used to develop a renewable energy project at the landfill in conjunction with Public Works. They hoped to have that project on-line in 2008. New connections involving the connection from the transformer location to the meter at the customer's location would be about \$2.6 million over five years. There were a couple of small distribution generation projects that provided emergency backup for water and light during extreme peak periods in the summer. They could put those at large industrial customer locations to provide paid emergency backup service from which both the City and customer benefited. The wiring, replacement and placement of new electric street lights involved a cost of \$1 million over five years. In addition, \$5 million would be used for reserve requirements and some contingency amounts were included.

Mayor Pro tem Loveless understood they were talking about \$72 million in electrical system upgrades, renovations, repairs and expansion with \$60 million of that being funded by bonds and all of it being paid off by the electric customer.

The vote on B190-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

B192-06 Amending Chapter 26 of the City Code as it relates to taxation of telephone companies and telecommunications companies to conform with the Municipal Telecommunications Business License Tax Simplification Act.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would bring the City into compliance with legislation passed by the Missouri General Assembly last year. It was intended to be revenue neutral and would replace the current seven percent gross receipts tax on telephone companies with a three percent tax on telecommunications companies. He pointed out the numbers were provided by the Missouri Department of Revenue. Another difference involved the State collecting the money instead of the City, so there would be a delay of one month's receipts this fiscal year, which would lower revenues by as much as 1/12.

The vote on B192-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Bill declared enacted, reading as follows:

CONSENT AGENDA

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

- B178-06** **Approving a Final Plat of Thornbrook, Plat No. 15 located south of the intersection of Thornbrook Parkway and Thornbrook Terrace; authorizing a performance contract.**
- B179-06** **Approving a Final Plat of Spencer's Crest Plat 4-B, a Replat of Lot 8B Spencer's Crest Plat 4-A, located on the east side of Rangeline Street (State Route 763), south of Kennesaw Ridge Road; authorizing a performance contract.**
- B180-06** **Approving the Final Plat of Vintage Falls Plat 1-B located on the southeast corner of Ivanhoe Boulevard and Sable Court; authorizing a performance contract.**
- B181-06** **Amending the FY 2006 Annual Budget by adding a new position in the Public Works Department; amending the Classification Plan; appropriating funds.**
- B183-06** **Amending Chapter 14 of the City Code as it relates to special parking permits for unmetered off street parking facilities.**
- B184-06** **Calling for bids for the Wabash Station refurbishment project.**
- B185-06** **Calling for bids for the West Broadway/Marygene Street storm drainage improvement project.**

- B186-06** Confirming the contract with Brenneke Construction, LLC for construction of storm drainage improvements of two culverts on Rock Quarry Road, between Nifong Boulevard and Gans Road.

- B187-06** Confirming the contract with J. C. Industries, Inc. for construction of the F-1 Relief Sewer – Phase 2 (UMC South Campus Relief Sewer) and Maryland Avenue and Richmond Avenue Drainage Project – Phase 2.

- B188-06** Authorizing Amendment No. 2 to the agreement with Burns & McDonnell Engineering Company, Inc. for engineering services relating to the design of Chapel Hill Road, from Scott Boulevard to Stonecrest Subdivision; appropriating funds.

- R108-06** Setting a public hearing: construction of improvements to the Columbia Terminal Railroad (COLT) Corridor – Phase II, between College Avenue and Fay Street.

- R109-06** Setting a public hearing: construction of a water main serving property located at 211 Bingham Road.

- R110-06** Authorizing various Adopt-A-Spot agreements.

- R111-06** Authorizing CDBG and HOME agreements with various community agencies.

- R112-06** Authorizing the municipal judge to establish a memorial in the Howard Municipal Building to honor municipal court employees who were employed by the City at the time of their deaths.

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

NEW BUSINESS

R113-06 Authorizing the University of Missouri to temporarily close a portion of University Avenue to allow for construction of pedestrian crosswalks.

The resolution was read by the Clerk.

Mr. Watkins stated this bill was prepared at the request of the University. It would close a portion of University Avenue between Hitt Street and Matthews for three weeks, May 16 through June 3 to allow the University to construct two brick paver crosswalks similar to what the City had downtown. Traffic would be rerouted while the street was closed.

The vote on R113-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Resolution declared adopted, reading as follows:

R114-06 Authorizing an agreement with Callahan & Galloway, Inc. for the lease of office space located at 223-225 N. Ninth Street for the summer C.A.R.E. Gallery program.

The resolution was read by the Clerk.

Mr. Watkins explained this would authorize staff to lease space at 223 - 225 N. Ninth Street for the C.A.R.E. Gallery. The lease amount was \$750 per month for a three month

lease. The C.A.R.E. Gallery program introduced youth and the annual C.A.R.E. program to the arts. It was very popular and provided an art, job and education component.

Mr. Hood noted this would allow them to increase the number of youth participating in the Gallery. In past years, they have had 10-12. This would give them the additional space to increase it to 20. In addition, it would be much more centrally located. One of the problems with the Rock Quarry location was transportation for the kids to that area.

The vote on R114-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Resolution declared adopted, reading as follows:

R115-06 Authorizing an agreement with Harrington & Cortelyou, Inc. for engineering services relating to the design and final plans of the Providence Road bridge over Bear Creek.

The resolution was read by the Clerk.

Mr. Watkins stated this was an engineering contract for the bridge portion of Providence Road extended. This project was approved by the voters last November in the street ballot issue and was given a very high priority by the City Council.

Mr. Glascock commented that this showed phase one as 38 feet with the sidewalk. He stated he wanted to reserve the option of possibly keeping the pedway involved in the first phase for pedestrian access. This would allow them the option of an additional five feet. Mr. Watkins pointed out they were proposing to build the bridge in two phases. The first phase would give them two driving lanes and either a pedway or a sidewalk on one side. As the traffic needs justified it, they would come back and complete the other half of the bridge. He noted it would be designed in such a way that the other half was already anticipated.

Mr. Janku understood the bridge could be built in phases, but asked if the need was there when this project was bid, if they could build it at one time, instead of in phases, since the plans would be for the entire bridge. Mr. Glascock stated they would build the entire substructure and the only part that would need to be added would be the girders and deck. Mr. Watkins noted the cost estimate of the first phase of the bridge was about \$1.5 million. He pointed out that not all of the road projects were approved by the voters last November and this was one of the ways staff felt the roads could be done while still saving a few dollars until some future date. He agreed, however, that they could look at the need for doing the entire bridge when they went out for bid. Mayor Pro tem Loveless understood the engineering contract was a not to exceed amount of just under \$100,000.

Mr. Janku stated Mr. Glascock's suggestion for the additional width was excellent and worth pursuing. He understood part of this would address the noise issue and he felt that was important because there was neighborhood nearby that would be concerned about the impacts on their neighborhood. He stated he hoped the pedestrian fence involved would be done in an aesthetically pleasing manner. He also felt the lighting of the bridge would be important to the nearby residents and asked that it be minimized if possible. He was glad they were moving forward because it was much needed and desired.

Mr. Watkins pointed out that as they moved forward with design, they would be holding a public hearing.

The vote on R115-06 was recorded as follows: VOTING YES: JANKU, HUTTON, LOVELESS, NAUSER, HOPPE, CRAYTON. VOTING NO: NO ONE. ABSENT: HINDMAN. Resolution declared adopted, reading as follows:

INTRODUCTION AND FIRST READING

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

- PR116-06 Expressing the City Council’s preference relating to the height of light poles in nonresidential planned districts.
- B194-06 Voluntary annexation of property located on the northwest side of Thompson Road, across from Beechwood Drive (5801 N. E. Thompson Road); establishing permanent R-1 zoning.
- B195-06 Rezoning property located on the north side of Buttonwood Drive, west of the intersection of Buttonwood Drive and Gray Oak Court from O-1 to C-P.
- B196-06 Rezoning property located on the southeast corner of State Route WW and U. S. Highway 63 from A-1 to C-1.
- B197-06 Approving the River Birch West C-P Development Plan located on the west side of South Providence Outer Roadway, south and west of Jewell Cemetery; approving less stringent screening requirements.
- B198-06 Amending Chapter 25 of the City Code as it relates to notes on plans, plat specifications, resubdivisions and self-imposed restrictions.
- B199-06 Approving the Final Plat of La Grange Place – Plat 3, a Replat of Lots 42, 43, 44 and 62 and parts of Lots 41, 61 and 63 of La Grange Place, located between Maryland Avenue and Richmond Avenue, south of Rollins Street; granting a variance to the Subdivision Regulations.
- B200-06 Approving the Final Plat of Thornbrook, Plat No. 14 located on the north side of Thornbrook Ridge, west of Scott Boulevard; authorizing a performance contract.
- B201-06 Approving the Final Plat of Mill Creek Manor, Plat No. 4 located on the east side of State Route KK, at Crabapple Lane; authorizing a performance contract.
- B202-06 Approving the Final Plat of River Birch West Subdivision located on the west side of South Providence Outer Roadway; authorizing a performance contract.
- B203-06 Approving the Final Plat of The Vineyards, Plat No. 1 located on the south side of East Broadway/State Route WW, across from Cedar Grove Road; authorizing a performance contract.
- B204-06 Amending Ordinance No. 018918, which levied special assessments for reconstruction of Sunflower Street from State Route E (Stadium Boulevard) to Mayberry Drive, to void tax bills issued against certain properties; appropriating funds.
- B205-06 Confirming the contract with Case Excavating, LLC for construction of Sanitary Sewer District No. 149 (Edgewood Avenue).
- B206-06 Authorizing grant agreements with the Mid-Missouri Solid Waste Management District; appropriating funds.

- B207-06 Appropriating funds for construction of methane gas extraction wells at the sanitary landfill.
- B208-06 Authorizing Change Order No. 1 to the contract with Garney Companies, Inc.; approving the Engineer’s Final Report relating to the Upper Hinkson Creek Outfall Sanitary Sewer Project.
- B209-06 Authorizing Change Order No. 1 to the contract with Boone Construction Company; approving the Engineer’s Final Report relating to the Auburn Hills Sidewalk Project – Phase I.
- B210-06 Authorizing Change Order No. 1 to the contract with Emery Sapp & Sons, Inc.; approving the Engineer’s Final Report relating to construction of the Concorde Office and Industrial Plaza Pump Station Interceptor.
- B211-06 Approving the Engineer’s Final Report relating to the Merideth Branch Storm Water Detention Basin project.
- B212-06 Approving the Engineer’s Final Report relating to the Rollins Road and Rothwell Drive storm drainage project.
- B213-06 Approving the Engineer’s Final Report relating to the Cow Branch Outfall Sewer Extension project.
- B214-06 Authorizing construction of improvements to the Columbia Terminal Railroad (COLT) Corridor – Phase II, between College Avenue and Fay Street; calling for bids.
- B215-06 Authorizing construction of a water main serving property located at 211 Bingham Road; providing for payment of differential costs.
- B216-06 Authorizing acquisition of easements for construction of a 161 Kv transmission line near the intersection of Rolling Hills Road and Sugar Grove Road to the Grindstone Substation located on Ponderosa Street.
- B217-06 Confirming the contract with G & G Mechanical Contractors, Inc. for construction of a water main along Brown Station Road to Route B.
- B218-06 Accepting conveyances for utility purposes.
- B219-06 Appropriating funds for the renovation and restoration of the Martin Luther King, Jr. Memorial at Battle Garden; authorizing the City Manager to execute an amendment to an agreement with Russell-Marti Conservation Services, Inc.
- B220-06 Accepting donated funds from KMIZ through the New Century Fund for the purchase of equipment for the Fire Department; appropriating funds.
- B221-06 Amending Chapter 16 of the City Code as it relates to police animals.
- B222-06 Authorizing a PCS antenna co-location agreement with Cellco Partnership d/b/a Verizon Wireless for the lease of City property located at 1400 Ballenger Lane (Fire Department Station No. 5).

REPORTS AND PETITIONS

(A) Intra-departmental transfer of funds.

Report accepted.

(B) 2006 Building Codes.

Mr. Watkins explained this was a report requesting the Building Codes Commission be authorized to begin the review process for the 2006 International Building Codes.

Mr. Janku hoped the Building Codes Commission would take into account the comments made Mr. Walters regarding environmental issues. Mr. Watkins stated they would make sure they were communicated to the Commission.

Ms. Hoppe asked how the public would know when the Commission had a hearing so they could get involved. Mr. Watkins explained all of the meetings were posted, included on the City calendars that ran in the newspapers and were noted on the City Channel. He believed if anyone had a specific interest, they could communicate their name to the Chairman of the Commission to make sure they were notified. Mayor Pro tem Loveless asked that Mr. Sabel be on that list.

Mr. Hutton made a motion to direct the Building Codes Commission to begin the review process of the 2006 International Building Codes. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

(C) Columbia Youth Basketball Association collaboration.

Mr. Watkins stated this report was a cover memo to a proposal put together by the Columbia Youth Basketball Association (CYBA). At the April 17th pre-council work session, representatives of the Association talked about a possible collaboration between the City and CYBA to build and donate to the City a multi-court, multi-use, indoor recreation building capable of housing up to eight basketball courts. The proposed building would be located on City property near the ARC and programming would be done by the Parks & Recreation Department. The CYBA was asking for a period of time to allow them to have exclusive right of use for the property while they did fundraising. They estimated the cost of the building would be about \$3 million. An indoor basketball facility was called for in the Parks and Recreation Master Plan. He noted this was put before the voters as part of a joint Farmer's Market/indoor recreation facility last April, but the voters did not approve it. Staff was suggesting, if Council wished to proceed, to direct staff to advertise for a 30 day period for RFP's to see if other groups might have an interest in this piece of property. He noted it was a very valuable piece of property that was partially donated to the City and partially purchased by the City.

Mr. Hutton stated he thought they needed to consider the site master plan and how building this facility would impact the use of the rest of the land. He wondered if it would take up so much land that it would preclude any other use of the site. Mr. Janku thought the report suggested that they thought the site could accommodate one other major facility. Mr. Hutton agreed, but wanted to know how big a facility could still be accommodated while still allowing for parking. He stated the other concern he had was architectural compatibility with the ARC. He was not sure he wanted a shell metal building next to the ARC. He commented that \$3 million for such a large structure seemed low considering compatibility with the ARC when soft costs such as furniture, site work and etc. were included. He thought architectural compatibility needed to be included in the MOU. Mr. Janku pointed out that if they received several proposals, they would have similar issues in review of those. He understood it might be tough on staff, but felt they would need to analyze whether the competing proposals included reasonable costs, had operational issues and accounted for how the operational costs would be paid for. He understood they were aiming for early July, but thought they

were being optimistic in thinking it could be done by then. Another thing he felt needed to be evaluated was who had the best possibility of raising funds. Ms. Hoppe felt a base standard for architectural compatibility could be what they proposed for the ballot issue in November. Mr. Watkins stated they could do that, but suggested a site plan and some kind of general description of what the exterior of the building would look like be included in the MOU. Ms. Hoppe thought the materials planned to be used should also be included.

Mr. Janku made the motion to direct staff to contact the other organizations which had expressed interest in the potential development of the Ash and Clinkscales site and allow 30 days for those entities to provide updated information as to the status of their project and/or proposals, to advertise to the public and any other entities that might be interested in coming forward to make their interest known and to prepare a resolution authorizing a memorandum of understanding between the CYBA and the City as outlined in items 1-4 of the report and including the issues of architectural standards discussed tonight, which would allow CYBA to begin their fundraising effort. He noted it was his understanding this would be brought back to the Council for consideration in July for a public hearing. Mayor Pro tem Loveless asked if staff's review of the spacing and layout of the facility could also be part of the motion. Mr. Janku stated he would include that as part of his motion. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

(D) Chapter 100 Incentive Review Panel.

Mr. Watkins noted on May 5th, ABC Laboratories, Inc. announced they would build a new pharmaceutical research facility in the Discovery Ridge Research Park and their expansion was contingent upon infrastructure improvements, which the City was moving ahead with in conjunction with their partners, and state, federal and local participation in the project. The project was also contingent upon the issuance of Chapter 100 revenue bonds. Mr. Watkins explained the County had previously put together a policy regarding Chapter 100 bonds and as part of that policy, there was a review group composed of a representative from each taxing jurisdiction that imposed a property tax. The City was one of five that would be affected by ABC Laboratories. The group wanted to have their first of a number of meetings later this month, so the Council needed to appoint its representative. The representative could be just about anyone. He suggested be someone who had not expressed an opinion in one way or another and could listen to the facts. He noted this panel was only for this project. He also thought it needed to be a Council Member. Mayor Pro tem Loveless agreed stating it would put a staff member in a difficult situation. He noted the Mayor would not be around during the time period when this group wanted to meet, otherwise, he would suggest they appoint him. Mr. Janku asked if it was advisory to the Boone County Commission or if it was a decision making appointment. Mr. Watkins replied it was advisory to the Boone County Commission. The Commission had the ability to issue the bonds and indicated that if certain criteria were met, they would consider them on a case by case basis. Mr. Hutton asked about the five taxing bodies represented. Mr. Watkins stated they included the City, County, School District, Fire Protection District and Library District.

Ms. Nauser suggested Mayor Pro tem Loveless. Mayor Pro tem Loveless stated he would also be gone during this time frame and would not be able to serve. Ms. Nauser stated

it sounded very interesting, but noted she had not made up her mind in regards to the issue. Mr. Hutton felt that was made her a good representative. Mr. Janku made the motion that Ms. Nauser serve as the City representative on the Chapter 100 Incentive Review Panel. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

(E) Wendt/American Legion Stadium MOU.

Mr. Watkins stated this report presented a draft memorandum of understanding (MOU) pertaining to a possible partnership to build an approximate 2,500 seat stadium. This would be a partnership with the American Legion and the ownership of the Mavericks baseball team. Staff was recommending they circulate the MOU and hold public hearing on June 19th. At that point, Council could decide if they wanted to move forward. He understood the American Legion representatives were still discussing the issue and had not decided what they wanted to do, but felt a deadline needed to be set in regards to making a decision as to whether to move forward with it or not.

Mayor Pro tem Loveless noted he received an e-mail requesting this stadium be built to specifications that would allow teams from other leagues to play on it as well. He understood there were different specifications for the different leagues. This person suggested that in case the Independent League where to move out, it could then be used to attract different league teams. Mayor Pro tem Loveless asked that the design include the requirement that this stadium be built to accommodate other team specifications. In addition, he noted section 6 of the MOU stated an annual rent of \$12,000 per year. He asked that the fee increase proportionately during the life of the lease since it was a 40 year lease. He also asked what the projected timeline was for cost recovery. He understood the Columbia Diamond entity would be making a significant investment and he preferred the lease period be the time it took to recover the cost plus an additional period for profit that the Council decided. He felt 40 years was a very long time for this type of structure. Mr. Janku thought maintenance and new equipments costs also needed to be addressed. He noted Highway WW needed to be improved and thought this could impact that. He understood the MOU stated “the City shall work with MoDOT to provide mutually agreed road access to the site for reasonable use of the Sports Complex”, but it did not state who would provide for the cost. He felt those costs needed to be discussed up front. Mr. Watkins stated he believed the goal the Wendt’s had anticipated with MOU was to craft a big picture. It was not legally binding so other agreements, such as a financing and maintenance, would need to be negotiated subsequent to this MOU. They were of the opinion that unless there was a feeling that the concept of providing the land and becoming a partnership made sense, they did not want to spend money moving forward with it. He agreed all of those items needed to be addressed, but was not sure whether the specifics needed to be address in the MOU. Mr. Janku thought they might not need to work out the percentage or dollar amount, but felt the MOU needed to be clear in regards to whether they were expected to pay for part of the road or not. Mr. Watkins pointed out the MOU indicated Council would approve the site plan and the structure and he felt the access was a very important part of the site plan.

Ms. Hoppe understood they did not want to get into specifics, but thought this might be a good opportunity for the City to partner with them in terms of increasing the bus transportation to that area so they did not have the excess need for parking.

Ms. Nauser stated she was not sure she was convinced this was the direction they needed to be headed. They had so many projects on the horizon and she did not know if they should be subsidizing professional or semi-professional sports when there were so many other things that needed to be on the top of the priority list. She did not know whether she wanted this to go any further. She commented that she had not seen anything that justified the need or desire for the stadium. If it failed, she asked what they would do because she did not see a lot of other uses for a baseball stadium. Mayor Pro tem Loveless thought the Wendt's discussed designing the field in such a way that it could be readily converted for soccer and a variety of other field-type sports. Ms. Nauser stated she did not believe there was a need in Columbia for this project at this time. Ms. Hoppe thought there was a great need expressed by the Parks & Recreation Department for soccer fields and practice areas. She understood there would be 300 times when the community would be able to use this field, so she felt the community would be using it more than half the time. Mr. Watkins felt that could be slightly misleading because they broke one day into three time periods with the morning being one event, the afternoon being another event and the evening be a third event. He agreed there would be opportunities for public use, but it might not be as overwhelming as suggested.

Mr. Watkins pointed out that if they did not proceed with the stadium, they still had a very strong commitment to the American Legion to spend the money that was in the last November parks issue to make major improvements to that one field. It would be a field where the American Legion could play baseball and hold tournaments. It would be a show piece at that level for the community. He reiterated they had a commitment to the American Legion that it would be a ball field and that was why the Legion's participation in the project was critical. If the Legion decided this was something they were not going to proceed with, he felt this was then something Council had a moral obligation to say no to.

Mr. Janku felt this could be a significant benefit to the community and thought some of the issues raised could mitigate the risk to the community. He stated he was willing to keep it moving forward at this time.

Mr. Janku made the motion to direct staff to set an advertised public hearing in June and to prepare a draft MOU that would include the ideas mentioned tonight to be the subject of the hearing. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

(F) Electric connection charge.

Mr. Watkins stated this report noted the City Manager would be proposing as part of the budget preparation a one time \$250 electric connection charge for new residential development. This would not impact any existing customers. It would only impact new customers and would help defray some of the cost of the providing the new service. He stated he was bringing it up now because he did not think it was fair to bring it up in

September when it would take effect in October. This would give people plenty of notice to add this cost into any new construction budget.

Mr. Janku made the motion that a one time electric connection charge of \$250 for new residential development be included as part of the budget. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

Mr. Janku commented that as part of the budget process they would hold public hearings, so this would go through that process before being adopted by the Council.

(G) STP enhancement applications.

Mr. Watkins explained this was a report back to Council regarding enhancement applications. Staff was preparing three applications they felt had a good chance of being funded. Those three were the Grindstone Park to Stephens Lake Park Phase II Trail, the Providence Road Pedway - Southampton Drive to Green Meadows Road and the Rangeline Street Sidewalk & Pedway - Big Bear Boulevard to Smiley Lane. He pointed out they talked about a number of other potential items such as brick streets and canopies, but noted the canopies were coming down and the brick streets were thought to be a little premature.

Mr. Janku stated he noticed two of the projects had 8 foot pedways and one had a 10 foot pedway and asked if that was a street standard issue. Mr. Teddy replied it was suggested to staff to make the one on the Providence Outer Road 10 feet. He was not sure if that originated with the Pilot Project Advisory Committee, but took that suggestion. Mr. Janku asked if there was room along the corridor for that. Mr. Glascock replied that if they got between the outer roadway and Providence, there would be plenty of room. He pointed out they would have to figure out how to accommodate it at the intersections. Mr. Teddy noted that because of the cost, they would split the project into two phases. Going all of the way up to Green Meadows was coming in at over \$1 million.

Ms. Nauser made a motion to accept the report. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mayor Pro tem Loveless asked when this came back to the Council to please let them know where the 10 foot pedway suggestion came from.

(H) Air service proposals.

Mr. Watkins stated they received information Friday from the FAA that two firms had submitted proposals to provide essential air service to Columbia to replace Trans States that would be leaving later this summer.

Mr. Glascock explained the Department of Transportation received three proposals from two companies. The lowest option was from Mesa Air Midwest with an annual subsidy of just under \$600,000. This would provide 12 non-stop round trips per week to Kansas City and 12 non-stop round trips to St. Louis per week. The second lowest annual subsidy proposal was approximately \$730,000 by Regions Air. They were proposing 24 non-stop trips per week to St. Louis. The third proposal by Mesa was for 24 non-stop round trips per week to Kansas City with an annual subsidy of just under \$800,000. All proposals would allow for walk up fares as low as \$59 one way. The DOT was asking the City to respond within two weeks. He noted they did allow the City to extend the comment period upon

request. He suggested Council direct staff to ask for an extension so the City could get the airport consultant involved since they had completed a travel demand survey. After receiving comments regarding the proposals from the consultants, they could provide comments to the Council at the next meeting, which was about three weeks away.

Mayor Pro tem Loveless asked what would happen if they asked for an extension, but it was denied. Mr. Glascock replied that he did not believe that would happen, but if it did, they would need to provide an answer. He stated he did not believe they would have provided the option for the extension if they were not willing to do it. He felt they could make a good case in that their governing body would not have a chance to review the consultant's recommendation. Mr. Janku thought if the City provided a specific date, they would allow the extension. Mr. Glascock recommended June 9th, which was the Friday after the next Council meeting. Mr. Janku stated he supported staff's request, but thought they should solicit public input prior to the Council meeting. He understood the Airport Advisory Board and the consultant would provide recommendations. Mr. Watkins asked if he would like to hold a public hearing on June 5th. Mr. Janku replied any action would be helpful. Mr. Watkins suggested they advertise a public hearing. Mr. Janku wanted to know if the Airport Advisory Board could also get together. Mr. Glascock stated he would try to get the Advisory Board together for a special meeting. Mr. Janku noted that if the FAA did not give them additional time, the Council could get together for a special meeting to consider the consultant's recommendation. Mr. Watkins thought another alternative would be to direct staff to work with the Mayor Pro tem to write a letter with their concerns or comments, if they could not get together for a special meeting.

Mr. Janku made a motion to ask the Department of Transportation to give them until June 9th to respond to their request and during the interim period, after receiving the consultant's report, to ask the Airport Advisory Board and staff to solicit input from the public with the understanding that a public hearing would be held at the June 5th meeting at which time the Advisory Board would make a recommendation to the Council. The motion was seconded by Ms. Hoppe and approved unanimously by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

DISABILITIES COMMISSION

Graham, Andrew, 1006 Queen Ann, Ward 6, Term to expire June 15, 2009.

Henson, Lee, 3104 Greenbriar, Ward 5, Term to expire June 15, 2009.

Ricciotti, Edward, 1917 E. Walnut #1, Ward 3, Term to expire June 15, 2009.

ENVIRONMENT AND ENERGY COMMISSION

Collins, Nancy, 1201 Pacquin, Ward 1, Term to expire June 1, 2009.

Deken, Elizabeth, 1942 Jackson, Ward 2, Term to expire June 1, 2009.

HOUSING AUTHORITY BOARD

Rogers, Genie, 1400 Business Loop 70E, Ward 2, Term to expire May 31, 2010.

PARKS AND RECREATION COMMISSION

Grus, Julia, 910 Clayton Street, Ward 1, Term to expire May 31, 2009.

Kloeppel, Terry, 4308 Watertown Place, Ward 5, Term to expire May 31, 2009.

Knudson, Dennis, 2100 Southwood Drive, Ward 6, Term to expire May 31, 2009.

BOARD OF PLUMBING EXAMINERS

Schulz, James (Bill), 1716 Stirling Court, Ward 5, Term to expire May 31, 2008.

Shanker, Richard, P. O. Box 10202, Ward 6, Term to expire May 31, 2007.

Mayor Pro tem Loveless explained the Council was not able to schedule the Planning & Zoning candidate interviews prior to this meeting, so they would not be making those appointments until the June 19, 2006 Council meeting. Ms. Crayton made a motion direct staff to set up interviews on June 19, 2006 prior to the Council meeting. The motion was seconded by Mr. Janku and approved unanimously by voice vote. Mr. Janku noted the interviews would begin at 5:30 p.m. and each would be provided 10 minutes.

COMMENTS BY PUBLIC, COUNCIL AND STAFF

Audrie Sable, 3800 Mint Julep Drive, stated she noticed Council finally had an item introducing a preference for light heights. She thought it was a little late given all of the commercial building going on. She understood the Council denied a request for 30 foot light poles at the proposed Moser's store on Rangeline because they were concerned about lights on the nearby subdivisions. She noted that area was almost all commercial, except for Kennesaw Ridge. She felt the store itself would have blocked some of that lighting. She believed the lighting would have made the parking lot much safer. She stated she was sorry the proposal was withdrawn because the store would have been an enhancement to the area.

Rick Jackson, 911 Yale, stated he wanted to speak about the Mavericks proposal. He explained he and his wife, Joy, were host families for the team and his wife headed up the committee that placed the boys in homes. He noted his son played for the Frontier League in Rockford, so the Frontier League and the Mavericks held a special place in their hearts. He understood there was a concern raised that since Kansas City and St. Louis were within driving distance, there would not be enough local interest to support them due to the availability of Major League Baseball. He noted he got on the internet and obtained statistics for 2004 and 2005. He pointed out there were two teams in the Frontier League within 50 miles of St. Louis and in 2004, those two teams were at the top of the list for attendance in the Frontier League. Gateway was at the top with an average of 4,535 and River City was close behind with an average of 4,119. The Northern League, which was considered the premier of Independent Baseball, had a Kansas City team which ranked third in the league in 2004 with an average attendance of 5,080. There was also a team in St. Paul/Minneapolis, Minnesota, which was ranked second in the league with an average attendance of 6,095. The website used to obtain those figures did not have anything for 2005, so he had to find another website. He found one which ranked teams according to attendance, but not by

league. Number two in the nation was the St. Paul team with 6,171 and the fourth ranked team was Kansas City with 5,555. The Gateway Grizzlies were at number 15 with an attendance of 3,619 and the River City Rascals were at about 24 or 25 with an attendance of 2,379. Mr. Jackson left copies to be provided to the Council.

Ms. Crayton thought the City needed to be more stern with people that sped in front of emergency vehicles. She recently saw three cars come right in front of a Police vehicle that had his sirens and lights on. If the Police Officer had not slowed down, there would have been an accident. She thought citizens should be able to turn in license plate numbers for those speeding in front of emergency vehicles.

Mr. Janku stated earlier they received comments from Mr. Brown regarding recycling of asphalt shingles and thought that should be pursued as expeditiously as possible due to the amount of shingles that were being replaced. Mr. Janku made a motion for a staff report regarding this issue and included in the motion that if the staff felt this was worth pursuing that they should bring legislation forward for the next agenda. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

Mr. Janku commented that they received a letter from Mr. Van Matre stating the dual round-a-bouts were now out of the picture. He understood there were still other options being considered and eventually there would be a public hearing before the Council. He asked if it would be possible to obtain input from the Bicycle/Pedestrian Commission on the alternatives before the Council had its public hearing. He asked that whatever alternatives were still under consideration be forwarded to the Bicycle/Pedestrian Commission for their consideration.

Mr. Janku asked how they would respond to EEC report given by Mr. Walters. Mr. Watkins thought a staff report would be appropriate. He noted they had already begun doing some of the research on it. Mr. Janku made the motion to direct staff to provide a report to Council regarding this issue. The motion was seconded by Mr. Hutton and approved unanimously by voice vote.

Mr. Hutton noted they discussed moving up the Planning & Zoning application process so Council had more time to interview candidates before appointments needed to be made. Mr. Hutton made the motion that staff be directed to do whatever necessary to change the process to allow the application process to be moved up one month. The motion was seconded by Ms. Crayton and approved unanimously by voice vote.

Ms. Nauser noted some constituents had contacted her regarding stormwater overflow problems on Woodrail Terrace. She noted they also asked for a study to be done at the intersection of Green Meadows and Forum. That was becoming a busy intersection and would increase with opening of Wilson's Fitness and new apartment complexes. Ms. Nauser made the motion that staff be directed to look into the stormwater problems on Woodrail Terrace and the traffic problems at Green Meadows and Forum and to provide reports on

both items. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Ms. Nauser commented that the nice landscaping at the Green Meadows extension was once again torn up due to tractor-trailer trucks. She noted eight bushes had been destroyed. She requested a report in regards to traffic at that area, which was on the other side of the Green Meadows extension and Buttonwood. Ms. Hoppe stated she passed that area regularly and agreed with Ms. Nauser's observations. She noted it was not only trucks that had a problem, but also cars. Ms. Nauser asked staff to report back on the situation and provide some solutions. Mr. Glascock asked for clarification regarding the location. Ms. Nauser replied it was at the Green Meadows extension and Buttonwood, where the curve was. Mr. Glascock asked if it was at Providence. Ms. Nauser replied yes. She thought tractor-trailers could not make the turning radius.

Ms. Hoppe thought they should have a provision regarding the Planning & Zoning Commission to allow someone to serve a month after their term expired if the Council could not appoint someone new prior to then. Ms. Hoppe made the motion to direct staff to develop legislation allowing someone to serve up to one month after their term expired if no one else was appointed. The motion was seconded by Mr. Janku and approved unanimously by voice vote. Mayor Pro tem Loveless asked if it could be written to say until the position was filled. Ms. Hoppe thought they wanted to limit it. Mayor Pro tem Loveless thought they should write it that way, but could change it when it came before the Council if they felt the need.

Ms. Hoppe noted Southwood, off of Old 63, was an asphalt street that had not been paved for over 10 years. She understood staff indicated it would be reviewed in a year to see if needed to be paved. She commented that the cement could be seen in many places. She asked staff to look at it and provide a report regarding the criteria of when streets would be repaired. She felt 10 years was a long time. Ms. Hoppe made the motion to direct staff to provide a report that outlined the criteria used for when periodic maintenance was completed on streets and a report regarding this specific street and to let them know, if this did not qualify, why it did not qualify. The motion was seconded by Mr. Janku and approved unanimously by voice vote.

Mayor Pro tem Loveless noted correspondence received by Mr. Van Matre regarding the Kohl's lighting. He stated his clients had exchanged the drop lens fixtures to flat lens fixtures. This would dramatically lessen the light spillover. He noted the Council appreciated that voluntary effort.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Sheela Amin
City Clerk