

TERM OF COMMISSION: November Session of the November Adjourned Term

PLACE OF MEETING: Courtroom One West, Boone County Courthouse

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
Deputy County Clerk Michelle Malaby

The special meeting of the County Commission was called to order at 7:00 p.m.

SUBJECT: Planning and Zoning Public Hearing

Department of Planning and Building Inspection Director Stan Shawver reported **Eastland Hills Development Co. requests to rezone 4.53 acres, more or less, located at 5075 E. St. Charles Road from R-S (Single Family Residential) to R-D (Two Family Residential) and to rezone 7.20 acres, more or less, located at 5075 E. St. Charles Road from R-S to R-M (Moderate Density Residential).** The property is located just east of Columbia and is accessed from St. Charles Road and I-70 Drive Southeast. All surrounding land located outside the Columbia city limits is zoned R-S. Adjacent land located inside the City limits is zoned C-3 (General Commercial). The rezoning area involved in the first request will encompass 13 lots, as shown on the preliminary plat. The rezoning area involved in the second request will encompass 18 lots, as shown on the preliminary plat. The Comprehensive Plan designates this area as suitable for low density residential development. There have been no previous requests concerning the site. Staff notified 39 property owners concerning this request. Six members were present at the meeting of the Planning and Zoning Commission on November 17th. Some people at that meeting spoke in opposition to the request. The Planning and Zoning Commission initially made a motion to recommend approval of the first request, to rezone the property to R-D, which failed. A motion to recommend denial of the request passed. A motion to recommend denial of the second request, to rezone the property to R-M, passed. The applicant subsequently appealed both denials.

Gene Basinger displayed a copy of the preliminary plat which was approved by the Planning and Zoning Commission. Mr. Basinger explained the development in detail using the color coded plat.

Commissioner Stamper asked Mr. Basinger what he understood the concerns of those at the Planning and Zoning Commission to be?

Mr. Basinger replied he does not know what the Commission's objections were. The people who live on St. Charles Road seemed to be opposed to more development and traffic in the area. Those who live in the development would most likely use I-70 rather than St. Charles Road.

Commissioner Vogt asked Mr. Basinger if he contacted the State Highway Department about connecting the road in the development to the access road?

Mr. Basinger replied one of the roads presents no problem. Another would connect on a curve and hill. They do not know if they could make it work.

In response to a request from Commissioner Stamper, Director Shawver illustrated where the Columbia City limits are in relation to the proposed development.

In response to a question from Commissioner Stamper, Director Shawver replied duplexes are permissible as a conditional use under R-S zoning.

Commissioner Stamper asked Mr. Basinger why does he want R-M zoning?

Mr. Basinger replied they want to buffer the commercial development by stepping the zoning down. They plan to return to request the County rezone an area for commercial use.

In response to a question from Commissioner Miller, Director Shawver replied the preliminary plat shows 98 lots. Eighteen are to be used for four-plexes, 13 for duplexes, and 67 for single

family units. The density of multi-family units would be 98. In light of Mr. Basinger's comment that one of the 18 lots would be used for a duplex--the density of multi-family units would be 96, for a total of 165 units.

Commissioner Stamper called two hearings--one on each request. No comments were made.

In response to a request from Commissioner Stamper, Director Shawver replied the Planning and Zoning Commissioner's concerns related to density and traffic problems. Some members spoke as though they could support part of the request. One member favored rezoning to R-D, another favored R-M.

In response to a question from Commissioner Stamper, Director Shawver replied the closest City sewer tap is 1000 feet to west.

In response to a question from Commissioner Stamper, Mr. Basinger replied the City of Columbia will not allow a development to tap into their sewer system unless the property is annexed into the City. That is not his intention.

Commissioner Stamper stated he shares the concerns about increased traffic.

Commissioner Vogt stated she agrees with Mr. Basinger's approach of stepping down his zoning. The area has traffic problems she does not want to add to. His planned roads may possibly help traffic flow to some extent. St. Charles road is a definite problem.

Director Shawver clarified the preliminary plat presented was for 98 R-S zoned lots. A statement of intent on the preliminary plat acknowledged they would seek the requested zoning. The preliminary plat, and all plats submitted to date, conform to R-S zoning.

In response to a question from Commissioner Stamper, Mr. Basinger replied the preliminary plat was filed in May of 1994.

Commissioner Vogt stated she cannot agree to increase the density of the area.

In response to a question from Commissioner Stamper as to whether the City issued any comments on the request, Director Shawver replied no.

Commissioner Miller stated she is disappointed the City will not allow the development to hook onto their sewer system. She agrees zoning needs to be stepped down from commercial to single family zoning. She cannot support changing the zoning to R-M. She could support R-D zoning.

Commissioner Stamper stated he shares the concerns stated by Commissioner Vogt and Commissioner Miller and moved that the County Commission of the County of Boone deny a request by Eastland Hills Development Co. to rezone 4.5 acres, more or less, located at 5075 E. St. Charles Road from R-S (Single Family Residential) to R-D (Two Family Residential) and to rezone 7.20 acres, more or less, located at 5075 E. St. Charles Road from R-S to R-M (Moderate Density Residential).

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 478-94.

SUBJECT: Sanitary Sewer Extension Change Order

Commissioner Stamper explained the change order deals with the Juvenile Justice Center sanitary sewer extension project. Plans did not include an easy way to attach an emergency pump to the pump station. Public Works Director Stan Elmore, Manager of Design and Construction Tom Ratermann, and the Boone County Regional Sewer District recommend approval of the change.

Commissioner Stamper moved that the County Commission of the County of Boone approve, and authorize the Presiding Commissioner to sign, the attached change order to the contract between Boone County and C.L. Richardson Construction Company for the Juvenile Justice Center

Sanitary Sewer Extension in the amount of \$1,510.70, not to exceed \$1,821.20, for the purpose of plumbing the pump station to allow for an auxiliary pump hookup.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 479-94.

SUBJECT: Award Bid 70-01SEP94, Microfilm Reader Printer for Probate Division

Commissioner Miller moved that the County Commission of the County of Boone award bid number 70-01SEP94, Microfilm Reader Printer for the Probate Division, to Custom Information Services, Inc. in the amount of \$4,789.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 480-94.

SUBJECT: Award Bid 94-22NOV94, TV/VCR and Video Cart, Juvenile Justice Center

Commissioner Stamper moved that the County Commission of the County of Boone award bid 94-22NOV94, TV/VCR and Video Cart for the Juvenile Justice Center, to the low bidder, Columbia Photo for five Quasar Television/VCR units for the total amount of \$2,150. The County Commission does hereby reject all bids received on the video cart.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 481-94.

SUBJECT: Clarify January 2, 1995 Holiday Status

Commissioner Vogt moved that the County Commission of the County of Boone designate January 2, 1995 as a holiday.

Commissioner Miller seconded the motion. Motion passed unanimously. Order 482-94.

SUBJECT: Contract for Renovation of Johnson Building

Commissioner Stamper moved that the County Commission of the County of Boone approve the attached agreement between Boone County and Reinhardt Construction Co. of Centralia, Missouri for renovation of Boone County offices located at 601 E. Walnut described within. By approving the contract, the County accepts the base bid of \$376,000, Alternates 1 through 4 and Alternate M-1, in the amount of \$99,300, and reserves the right to select Alternate 5, in the amount of \$8,800, prior to March 1, 1995.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 483-94.

SUBJECT: Extension of Lease of Public Defender's Office

Commissioner Stamper added the item to the agenda and moved that the County Commission of the County of Boone extend the lease between Boone County and Keepers-Dalton for the office space currently occupied by the Public Defender until March 31, 1994 for the same rent amount.

Commissioner Vogt seconded the motion. Motion passed unanimously. Order 484-94.

SUBJECT: Reports from Commissioners

Commissioner Stamper reported the Courthouse murals are complete. Funding was not set aside for mounting and hanging the murals. Commissioner Stamper stated he talked with the contractor who renovated the Courthouse, Paul Prost. He is willing to perform the work. The cost will be more than \$1,000 but less than \$1,500. Commissioner Stamper stated he would like to forego requesting bids for the work and direct Mr. Prost to proceed.

Mr. Patton stated according to statute it would not have to be bid. County policy has been to bid such items.

Commissioner Miller stated she would like to have Prost perform the work.

Commissioner Vogt stated it makes sense to have the original contractor hang the murals. Commissioner Vogt stated the photographic mosaic of the County also needs to be framed.

Commissioner Stamper moved that the County Commission of the County of Boone authorize an agreement with Paul Prost for mounting and hanging murals in the Boone County Courthouse. The cost of the work shall not exceed \$1,500.

Commissioner Vogt seconded the motion and asked if Mr. Prost plans to use the same oak? Commissioner Stamper replied yes. Motion passed unanimously. Commission Order 485-94.

Commissioner Stamper reported he was approached by Assistant City Manager Charles Hargrove regarding cooperative procurement of Woodhaven. The City wants to use thirty acres for an amphitheater and barn theater. The City's true desire is to strike an agreement by which the Philips property can be made contiguous with the City limits in order to annex it.

Commissioner Stamper reported he had a discussion with a representative of the Boone County fair. The Commission expressed interest in assisting them with their roadway development through a grant of special road project funds. Commissioner Stamper reported he received a letter from the Missouri Balloon Corporation about fair grounds improvements they would like to see occur before the 1995 Hot Air Balloon Nationals.

Director Shawver reminded the Commission one condition of the approval of the planned development of the fair grounds was that all entrances be paved by a time specific, which has elapsed. It would probably not be a good idea for the County to help pave the entrances.

Commissioner Stamper reported he met with Hallie Holland concerning the Park Street parking lot which he owns. There are 9600 square feet of vacant land. A service station was removed from the property prior to Department of Natural Resources rules regarding removal of underground storage tanks. The tanks were removed and the holes were filled with gravel. Mr. Patton suggests any purchase offer be made contingent on the property passing environmental testing. Mr. Holland is willing to give the County permission to test the property, but is not interested in sharing the cost of testing. Commissioner Stamper requested authorization to research the cost of testing. He will return to the Commission with a specific proposal for testing.

The Commission agreed.

Commissioner Vogt reported on the Energy and Environment Commission meeting and on the budget for furnishings.

The meeting adjourned at 8:10 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner