

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 18, 2006
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET
6:30 P.M.**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: Terry Ruck, Monty Jordan, Donald Barklage, Stan Spadoni, Susan Eudaly, Gary W. Hicks, Jim Williams, Terry Harris, and Charlotte Wiggins

Council Members Absent: Judy Jepsen, Lou Magdits, and Richard Sibley

Department Directors in Attendance: Public Works Director Steve Hargis, Solid Waste Director Brady Wilson, Recreation Center Director Scott Caron, Finance Director Steffanie Rogers, Fire Chief Robert Williams, Police Chief David Pikka, Parks and Recreation Director Ken Kwantes, and Community Development Director John Petersen

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lee Bushie, Communications Coordinator Scott Grahl, and City Clerk Carol Daniels

Mayor Jenks called the meeting to order at approximately 6:30 p.m. and asked Councilmember Don Barklage to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

(A) Request for Ordinance to Rezone Property at 1103 Joyce Avenue from R-1 Zoning to C-0 Zoning (Wedding): Community Development Director John Petersen explained that the subject-zoning request involves approximately 0.4 acres. Some time ago Councilmembers Wiggins and Sibley met with the neighborhood to discuss where the hospital planned to expand and Joyce Avenue was somewhat a boundary in that area. Mr. Petersen added that the Comprehensive Plan recognized development might occur to the west, but not to the east. The Planning and Zoning Commission unanimously recommend approval of the requested rezoning. Mr. Petersen noted the Planning and Zoning Commission's rationale and justification stemmed upon couple of basic facts. One is it is located next to the hospital, although the hospital does not own the property. Secondly, by rezoning the property from R-1 (Single-Family) to C-O (Office District), it might help to preserve the structure longer.

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I. PUBLIC HEARINGS (continued)

(A) Request for Ordinance to Rezone Property at 1103 Joyce Avenue from R-1 Zoning to C-0 Zoning (Wedding) (continued): Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present addressed the Council. Mayor Jenks closed the public hearing.

City Counselor Lee Bushie read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING THE BASIC ZONING ORDINANCE NO. 3414, CHAPTER 42 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, AFFECTING THE REAL ESTATE KNOWN AS PROPERTY AT 1103 JOYCE AVENUE FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO C-O (OFFICE DISTRICT) ZONING.

(B) Request for Ordinance to Rezone Property at 1813 Vichy Road from R-1 Zoning to R-3 Zoning (Young): Community Development Director John Petersen described the subject property as a .68-acre tract. He noted the surrounding area has been fairly well zoned for multi-family use. The structure is a former single-family home and was converted to three apartment units. Given the land use and zoning pattern surrounding the property, a multi-family zoning is appropriate. The Planning and Zoning Commission recommend approval of the requested zoning.

Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present addressed the Council. Mayor Jenks closed the public hearing.

City Counselor Lee Bushie read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING THE BASIC ZONING ORDINANCE NO. 3414, CHAPTER 42 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, AFFECTING THE REAL ESTATE KNOWN AS PROPERTY AT 1813 VICHY ROAD FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING. (YOUNG).

II. SPECIAL PRESENTATIONS

(A) Update on Fort Leonard Wood Activities: Mr. Mike Bowers from the Public Affairs Office at Fort Leonard Wood apprised the Council on some of the construction

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II. SPECIAL PRESENTATIONS (continued)

(A) Update on Fort Leonard Wood Activities (continued): projects in Fort Leonard Wood. Two important projects currently under construction are the new Homeland Security Training Center and the Counter Explosives Hazardous Center. The Counter Explosives Hazardous Center is very important to the current war effort. Mr. Bowers reported that word was just received that the Fort would be getting a new military police battalion. Additionally, Fort Leonard Wood was told that \$16.8 million has been appropriated for research between the Fort's technology park and Whiteman Airport Base. He pointed out the University of Missouri-Rolla has a presence at Fort Leonard Wood's technical park. Mr. Bowers reported that troops are now being trained six days per week, instead of five because the Secretary of the Army advised training needs to be stepped up.

Following his presentation, Mr. Bowers entertained questions from the Council.

III. OLD BUSINESS

(A) Ordinance to Amend Chapter 27 of the Rolla City Code Pertaining to Stop Signs: Public Works Director Steve Hargis explained the Council is asked to consider the final reading of the proposed ordinance. He noted the addition of the subject stop sign at Angus Valley and Highland Drive, was suggested by the residents in the area. Staff recommends approval of the ordinance.

City Counselor Lee Bushie read the following proposed ordinance for its final reading, by title. **ORDINANCE NO. 3783: AN ORDINANCE AMENDING CHAPTER 27 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI RELATING TO TRAFFIC.** A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Spadoni, Wiggins, Harris, Williams, Ruck, Jordan, Eudaly, and Hicks. Nays; None. Abstention: Barklage. Absent; Sibley, Magdits, and Jepsen. Motion carried. The ordinance passed.

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IV. NEW BUSINESS

(A) Request for Ordinance to Amend Section 37-55 of the City Code to be Consistent with RSMo. 94.830: City Administrator John Butz noted that this issue surfaced during the recent joint meetings with the Chamber of Commerce. When you compare the State legislative action under RSMo. 94.830, which specifically authorizes the question being posed to our taxpayers and look at what was ultimately placed in the City Code as a proper use of the “hotel tax fund,” the question of the wording, “manufacturing and other industrial and economic development purposes,” appeared in the City Code but was not specifically authorized in the Statute. Mr. Butz noted that RSMo. 94.830 states, “... the proceeds of such tax shall be used by the city solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city has contracted, and which is established for the purpose of promoting the city as a convention, visitor and tourist center.” Mr. Butz stated the committee asked staff to review the statute and to make City Code consistent with State Statute. Additionally, the committee also challenged staff to speak with the legislators about possible legislative changes. If the City is successful in getting the legislators to change the statute and allow a more liberal use of the hotel/motel tax, potentially the City has the opportunity to revisit this issue. Mr. Butz concluded that the subject ordinance would amend City Code so that the use of the funds is consistent between State Statute and the ordinance that was locally authorized.

After a brief discussion, City Counselor Lee Bushie read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE REPEALING SECTION 37-55 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 37-55 IN LIEU THEREOF PERTAINING TO THE HOTEL/MOTEL “LODGING” TAX.”

(B) Motion to Adopt a Revised “Exhibit B” to the Chamber Tourism Contract: City Administrator John Butz told the Council that Exhibit B, which was attached to the Chamber Tourism Contract, specified that it was going to be a working document, subject to modification. During its last meeting, the Council asked the Chamber to refine the benchmarks. Mr. Butz noted the proposed Exhibit B lists the benchmarks the Chamber will report on and monitor.

Councilmember Wiggins proposed that approval of the benchmarks be postponed until the end of March because the Chamber will be getting a new Board, benchmarks are normally not developed without a plan, and the contract requires a management-

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IV. NEW BUSINESS (continued)

(B) Motion to Adopt a Revised “Exhibit B” to the Chamber Tourism Contract (continued): marketing plan from the Chamber. Postponing approval of the benchmarks will give the Chamber time to develop the marketing plan. Ms. Wiggins indicated the Chamber Board should be following the benchmarks to determine their performance. She added that she and Councilmember Lou Magdits have volunteered to work with the Chamber in developing the benchmarks. Ms. Wiggins mentioned that Chamber President Maria Kardon and Tourism Director Gail Hustead have agreed this is a good timeline for them.

Ms. Maria Kardon, Chamber Board President, addressed the Council and stated that given the timeline of two weeks to provide the benchmarks, it did not give the Chamber committee enough time to pinpoint the best benchmarks. If the benchmarks can be presented at the April 2 Council meeting, it would give the Chamber enough time to meet with committee members as well as the Chamber Board. Other than what has been verbally communicated to them, the Chamber Board has not seen the benchmarks.

A motion was made by Wiggins and seconded by Spadoni that the Chamber present the benchmark report during the April 2, 2007, Council meeting. A voice vote on the motion showed unanimous approval. Motion carried.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion to Award the Financing of a 2006 Caterpillar 420E Backhoe: Parks and Recreation Director Ken Kwantes noted that five local financial institutions submitted bids for the financing of the 2006 Caterpillar backhoe. Staff recommends that the bid be awarded to the low bidder Central Federal Savings and Loan at an interest rate of 4.69%. A motion was made by Williams and seconded by Harris to award the financing bid for the 2006 Caterpillar backhoe to Central Federal Savings and Loan, Rolla, Missouri, at an interest rate of 4.69% for five years. A voice vote on the motion showed unanimous approval. Motion carried.

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(B) Motion to Award the Bid for the Sale of a 1993 John Deere 310D Backhoe:

Parks and Recreation Director Ken Kwantes reported that only one bid was received for the sale of a 1993 John Deere backhoe. Staff is recommending award of the bid to

V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion to Award the Bid for the Sale of a 1993 John Deere 310D Backhoe

(continued): Mr. Damon Deibero for \$19,000. A motion was made by Williams and seconded by Eudaly to award the bid for the sale of a 1993 John Deere backhoe to Mr. Damon Deibero for \$19,000. A voice vote on the motion showed unanimous approval. Motion carried.

(C) Motion to Award the Bid for the Purchase of a New Forklift for the Solid Waste

Department: Solid Waste Director Brady Wilson requested award of the sole bid for a 2007 Toyota forklift to Forklifts of Central Missouri for \$26,411, after trade-in. This forklift will be used in the Recycling Center. After a brief discussion, a motion was made

by Williams and seconded by Harris to award the bid for a 2007 Toyota forklift to Forklifts of Central Missouri for \$26,411 following trade-in. A voice vote on the motion showed unanimous approval. Motion carried.

VI. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Jenks opened the floor to any citizen wishing to address the Council. No one present responded.

VII. MAYOR/CITY COUNCIL COMMENTS

(A) Walker Street: Councilmember Williams reported that he has received several requests from residents along Adrian Avenue asking that Walker Street, from Ridgeview to Black Street, be made two-way. He noted that this is the only block on Walker Street that is one-way and it is causing traffic to reroute through Adrian Avenue.

Mayor Jenks indicated that this matter would be referred to the Public Works Department.

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(B) Parking Along Elm Street from 14th to 18th Streets: Councilmember Hicks recalled that a few meetings ago he mentioned the situation with parking along Elm Street from Fourteenth Street to Eighteenth Street. He said there seems to be a traffic tie up at this location at times. Mr. Hicks asked if the City has considered either making this area one-way or allow parking only on one side of the street. He noted he has received complaints of vehicles having to backup in order to travel through the street.

VII. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Parking Along Elm Street from 14th to 18th Streets (continued): City Administrator John Butz indicated that staff would look into this matter.

(C) 2006 International Codes Review: Councilmember Ruck asked when the 2006 Codes Committee would be meeting.

City Administrator John Butz reported that in speaking with Codes Administrator Brian Epstein, he said that when the committee met in July or August, they discussed deferring the committee meetings for twelve months.

(D) Smoking Committee: Councilmember Ruck asked when the Smoking Committee would again be meeting.

Recreation Center Director Scott Caron said that they are awaiting receipt of the surveys from the University of Missouri-Columbia before meeting again.

(E) RMU Newsletter: Councilmember Wiggins commended Rolla Municipal Utilities (RMU) for the new newsletter contained within the monthly utility bill.

VIII. EXECUTIVE SESSION

None.

IX. COMMENTS FOR THE GOOD OF THE ORDER

None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 7:05 p.m.

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Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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