

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, APRIL 2, 2007  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET  
6:30 P.M.**

**Presiding:** Mayor Pro-Tempore Lou Magdits

**Council Members in Attendance:** Terry Ruck, Monty Jordan, Donald Barklage, Stan Spadoni, Susan Eudaly, Judy Jepsen, Lou Magdits, Jim Williams, Terry Harris, Richard Sibley, and Charlotte Wiggins

**Council Members Absent:** Gary W. Hicks

**Department Directors in Attendance:** Public Works Director Steve Hargis, Solid Waste Director Brady Wilson, Recreation Center Director Scott Caron, Interim Police Chief Captain Mark Kearse, Fire Chief Robert Williams, Finance Director Steffanie Rogers, and Community Development Director John Petersen

**Other City Officials in Attendance:** City Administrator John Butz, City Counselor John Beger, Communications Coordinator Scott Grahl, and Deputy City Clerk Millie Street

Mayor Pro-Tempore Lou Magdits called the meeting to order at approximately 6:30 p.m. and asked Mr. Matt Forrest, Associate Pastor of the Vineyard Christian Church to give the invocation. Following the invocation, Councilmember Terry Harris led in the Pledge of Allegiance.

**I. CONSENT AGENDA**

A motion was made by Williams and seconded by Jepsen to approve the Consent Agenda, as amended. A voice vote on the motion showed unanimous approval. Motion carried.

The consent agenda consisted of the following:

**(A) City Council Minutes:** The minutes of the March 5, 2007, regular and Executive Session City Council meetings, the March 19, 2007 regular City Council meeting and the March 21, 2007, Special City Council Workshop.

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**II. PUBLIC HEARINGS**

None.

**III. CITIZEN COMMUNICATION**

**(A) Open Citizen Communication:** Mayor Pro-Tempore Magdits opened the floor to any citizen wishing to address the Council.

(1) Tracey Watson, 1008 W. 12<sup>th</sup> Street, informed the Council that she wrote a letter to Rolla Municipal Utilities (RMU) regarding the increase in her utility bills. She asked RMU to explain how the bill was computed and if a rate study or other type of study had been conducted. Ms. Watson said she is asking the Council this question, because this question went unanswered by RMU. In addition, she asked RMU if she could see the study, if one was done. Ms. Watson told the Council that she did a telephone survey of other cities' utility rates, noting that not all are members of the Missouri Public Energy Pool (MoPEP). She said she cannot understand how there can be such a huge difference in price per kilowatt-hour (kWh). The closest city in price per kWh to Rolla is Columbia, Missouri at 7.3¢ per kWh and Rolla still has higher rates than they have without all the benefits. Ms. Watson recalled that at the March 5 Council meeting, Dr. Stoffer stated that the month of January and February were extremely cold and, because of that, residents probably used more electricity than they did last year. Additionally, Dr. Stoffer said this means the bills the residents are now receiving might be twice as much as they were last year. Dr. Stoffer also stated that RMU has had an approximately 50% rate increase in the cost of power which was passed on to the citizens. Ms. Watson said no one would question that energy costs are rising and that increases are unavoidable. What is in question is the amount of the increase. Rather than make it sound like this will all even out when the weather warms, the citizens of Rolla need to know that what used to be your high bill, will now be your low bill. At the current rate structure, Ms. Watson said she would never see another \$200 utility bill again. She said the citizens look to their elected officials to look out for their best interests and she was shocked when the Council applauded Dr. Stoffer's statement that rates have stabilized and they would be lowering rates by 1¢ per kWh for the first 1000 kWh. Ms. Watson pointed out that the City Ordinance 35-161 fee (5% of the gross receipts of basic water and electric service payment in lieu of tax fee) is higher than the \$10 rate decrease. Ms. Watson asked why the residents are paying this fee. She said this is payment in lieu of tax (PILOT) for RMU to operate in the City when RMU is owned by the City.

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**III. CITIZEN COMMUNICATION (continued)**

**(A) Open Citizen Communication (continued):** Ms. Watson also asked why alternative sources of energy have not been considered. She said there has to be a better solution than just to say, "Sorry folks." Ms. Watson said she realizes that not all of her questions can be answered tonight. Therefore, she provided Councilmember Sibley with a copy of her presentation as well as the rate study she conducted by telephone. Ms. Watson emphasized that by far, Rolla has the highest utility rates.

Regarding the letter Ms. Watson wrote to RMU, Mayor Pro-Tempore Magdits asked if she received a response from RMU.

Ms. Watson said she received a response to her letter, but the question about how the rates are computed was not addressed. She added that Councilmember Sibley has a copy of her letter along with RMU's letter.

Mayor Pro-Tempore Magdits said that despite the efforts of the City and RMU to explain the rate increase, it has apparently not been effective.

(2) Ms. Eva Simon, 1319 Woodlawn Drive, told the Council that she moved to Rolla in August and she is upset about the electric bill. She said there are many people in Rolla who are relying on Missouri Ozarks Community Action (MOCA) for support with their electric bills. Ms. Simon pointed out that MOCA ran out of money last month. She said it is bad for the economy because it causes a domino effect. Ms. Simon said the electric bills are larger than some people's house payments. She said she would like to see RMU make a plan to lower the electric rates, because it is hurting the community. If more money is paid for electricity, the residents will not be able to shop and put money back into the community.

(3) Mr. Pete Walker, 811 Fairgrounds Road, addressed the Council regarding the proposed animal control ordinance. He said he does not have a problem registering and paying a license fee for his dogs, as long as cats are also licensed. Mr. Walker said there is a terrible problem with cats in his neighborhood.

City Administrator John Butz recalled that one recommendation was to have both dogs and cats registered. He said once the ordinance is drafted, a public hearing would be held.

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**IV. ACKNOWLEDGEMENTS and SPECIAL PRESENTATIONS**

None.

**V. REPORTS OF MAYOR AND COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS**

Mayor Pro-Tempore Magdits referred the Council to (A) the February 2007 Rolla Municipal Utilities Monthly Report; (B) the March 13, 2007, preliminary minutes of the Planning and Zoning Commission meeting; (C) the February 2007 City's Cash Position and Expenditure Report; (D) the February 2007 Development Review Committee Meeting Minutes; (E) the February 28, 2007, March 1, 2007 and March 3, 2007, Rolla Health & Recreation Center Advisory Committee Meeting Minutes and; (F) The FY 2007 CENTRE Financial Analysis.

Councilmember Barklage noted that the Administration expense in the Recreation Fund is already 72% of the total budget after only 42% of the fiscal year.

Recreation Center Director Scott Caron explained the reason for the low balance is because the bonded interest payments are paid March 1 and September 1 of each year and the first payment is almost \$1 million.

Councilmember Wiggins noted the February 28, 2007 Rolla Health and Recreation Center Advisory Committee Meeting Minutes indicate an 87% retention rate of The CENTRE's membership. Ms. Wiggins asked what is being done to keep this good retention.

Recreation Center Director Scott Caron said he is not sure there is any one thing that attributes to this good retention rate. He said staff tries to maintain the facility in a good condition as well as offering additional programs.

Councilmember Wiggins said this is good news for the City in terms of memberships. Additionally, Ms. Wiggins complimented the Recreation Center staff for the increase in the recapture rate.

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### **V. REPORTS OF MAYOR AND COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS (continued)**

City Administrator John Butz referred the Council to Page V.A.1. of the Rolla Municipal Utilities Statistics Report for February 2007. He noted the report shows that 32,609,581 kilowatt-hours (kWh) were purchased in February 2007 for a cost of \$2+ million, which computes to about 6.5¢ per kWh. Mr. Butz pointed out that when Rolla Municipal Utilities (RMU) says they are going to increase the rates to 9.3¢ per kWh, 6.5¢ of the 9.3¢ is just consumption. With the information RMU provides in this report, it might be helpful if some of the data in the report is tracked on a monthly basis for a couple of years. Mr. Butz said this might help understand what has happened on the wholesale market. He indicated he would meet with RMU to provide this information.

### **VI. OLD BUSINESS**

**(A) Ordinance to Amend and Add Certain Provisions to the Rolla Planning and Zoning Code, Chapter 42, Article II, Subdivisions:** Community Development Director John Petersen informed the Council that the proposed amendments to the subdivision regulations were recommendations from City departments and Rolla Municipal Utilities and suggestions made during the comprehensive planning process. Additionally, input was sought from subdivision designers, engineers, and developers. Mr. Petersen then briefly outlined the most significant changes to the subdivision regulations.

After some discussion, City Counselor John Beger read the following proposed ordinance for its final reading, by title. **ORDINANCE NO. 3799: AN ORDINANCE AMENDING CHAPTER 42 OF THE ROLLA CITY CODE, KNOWN AS THE PLANNING AND ZONING CODE, ARTICLE II SUBDIVISIONS, BY ADOPTING CERTAIN REVISIONS AND ADDITIONS.** A motion was made by Wiggins and seconded by Sibley to approve the proposed ordinance with the exclusion of Section 2. A roll call vote on the motion showed the following: Ayes; Eudaly, Barklage, Spadoni, Ruck, Sibley, Harris, Jordan, Jepsen, Wiggins, Williams, and Magdits. Nays; None. Absent; Hicks. Motion carried. The ordinance passed.

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**(B) Ordinance to Rezone Lot 149 of Parkview II Subdivision from R-R to R-1 and Lot 4 of Parkview Subdivision from R-R to C-2 Zoning (Buckey):** Community Development Director John Petersen explained that the subject property fronts on Bishop Avenue with a lot extending into the Parkview Subdivision. He noted that the Council, at

**VI. OLD BUSINESS (continued)**

**(B) Ordinance to Rezone Lot 149 of Parkview II Subdivision from R-R to R-1 and Lot 4 of Parkview Subdivision from R-R to C-2 Zoning (Buckey) (continued):** its last meeting, voted to amend the proposed ordinance by changing the rezoning request for Lot 149 of Parkview II Subdivision from R-R (Rural Residential District) to R-1 (Single Family District) zoning.

City Counselor John Beger read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 3800: 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 LOT 149 OF PARKVIEW II SUBDIVISION FROM R-R (RURAL RESIDENTIAL DISTRICT) TO R-1 (SINGLE FAMILY DISTRICT) ZONING AND LOT 4 OF PARKVIEW SUBDIVISION FROM R-R (RURAL RESIDENTIAL DISTRICT) TO C-2 (GENERAL RETAIL DISTRICT) ZONING (BUCKEY). A motion was made by Barklage and seconded by Spadoni to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jordan, Williams, Sibley, Ruck, Harris, Spadoni, Wiggins, Barklage, Magdits, Eudaly, and Jepsen. Nays; None. Absent; Hicks. Motion carried. The ordinance passed.

**(C) Resolution Establishing a Policy to Enter into Development Agreements:** Community Development Director John Petersen explained that the proposed resolution is intended to expand the “tool box” of the City and the Rolla Regional Economic Commission (RREC). It would provide a way to offer a prospective developer the ability to receive rebates for some of the expenditures they would have for public improvements associated with the development they have constructed.

After much discussion, City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1628: A RESOLUTION DETERMINING THE INTENT OF THE CITY OF ROLLA, MISSOURI TO ENTER INTO DEVELOPMENT AGREEMENTS TO FINANCE THE COSTS OF CERTAIN PUBLIC IMPROVEMENT PROJECTS OR SERVICES WITH FUTURE TAX REVENUES. A motion was made by Jordan and seconded by Jepsen to approve the proposed resolution. A voice vote on the motion showed six (6) ayes and five (5) nays. Motion carried. The resolution passed.

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**VI. OLD BUSINESS (continued)**

**(D) Ordinance to Adopt Changes to the City of Rolla Personnel Manual:**

Finance Director Steffanie Rogers explained the Council is asked to consider the final reading of the proposed ordinance, which would adopt the amendments to Personnel Manual. She briefly pointed out some minor changes made to the Personnel Manual since the first reading of the proposed ordinance.

City Counselor John Beger read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 3801: AN ORDINANCE AMENDING SECTION 32-1 OF THE CITY CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO PERSONNEL. A motion was made by Williams and seconded by Spadoni to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Harris, Wiggins, Spadoni, Williams, Ruck, Sibley, Magdits, Eudaly, Jepsen, Barklage, and Jordan. Nays; None. Absent; Hicks. Motion carried. The ordinance passed.

**VII. NEW BUSINESS**

**(A) Motion to Allow UMR-IFC to Use the Airport for the Greek Week Games on 9/15 and 9/22:**

City Administrator John Butz explained that the Greek Week Games have been conducted at the Rolla National Airport for the past eight or nine years. Staff has met with student representatives to discuss some parking issues. Mr. Butz indicated that additional security has been added this year as well as limited hours for beer sales. Based on the discussions with the students, Mr. Butz said staff feels comfortable recommending that the UMR Interfraternity Council (IFC) use the Rolla National Airport for their Greek Week Games on September 15 and September 22 with beer sales. A motion was made by Williams and seconded by Wiggins to allow the UMR-IFC to use the Rolla National Airport for the Greek Week Games on September 15 and September 22 with beer sales. After some discussion, a voice vote on the motion showed unanimous approval. Motion carried.

**VIII. CLAIMS and/or FISCAL TRANSACTIONS**

None.

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**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Formation of an Ad Hoc Committee to Consider Inspections for Rental Houses:**

City Administrator John Butz recalled that the formation of a committee to consider inspections for rental houses was discussed during the Council's last meeting. The suggestion was first to provide the structure of the committee. In addition to Councilmembers Ruck, Williams, and Hicks, staff is recommending the appointment of one large-scale rental housing property owner/manager, one small-scale rental housing owner/manager, one renter and one UMR (MST) housing representative or manager.

After a brief discussion, a motion was made by Barklage and seconded by Eudaly to approve the formation of the Ad Hoc Committee to consider inspections for rental housing. A voice vote on the motion showed unanimous approval. Motion carried.

**(B) City Administrator's 2006-07 Goals and Objectives:** Mayor Pro-Tempore Magdits said that he is extremely disappointed that it is April and the Council still does not have the goals and objectives completed for City Administrator John Butz. He said the committee should address this issue by the next Council meeting. Mayor Pro-Tempore Magdits asked Council members to provide their input to committee members this week.

Councilmember Wiggins suggested adding the following under Goal No. 4 – Internal Operations & Fiscal Oversight: 5) the mid-year review of the City Administrator's Goals and Objectives will be conducted in April of each year.

**(C) Annual RMU Public Meeting:** Mayor Pro-Tempore Magdits suggested that RMU conduct, at least once a year, a public meeting where they would present their budget and address questions to RMU staff and/or board members. Some of the discussion, which followed, concerned possibly televising the Board of Public Works meetings and conducting the meetings in the evening when more citizens might be able to attend.

**(D) Veterans Memorial Park:** Mayor Pro-Tempore Magdits recalled the Council recently approved designating Southside Park to Veterans Memorial Park in order to reflect the contributions of veterans. If feasible, he suggested redesignating the park on Memorial Day weekend. Mayor Pro-Tempore Magdits pointed out that many families of veterans would be in town during that weekend.

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**X. EXECUTIVE SESSION**

None.

**XI. COMMENTS FOR THE GOOD OF THE ORDER**

**XII. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 8:09 p.m.

Minutes respectfully submitted by Deputy City Clerk Millie Street.

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CITY CLERK

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MAYOR

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