

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 19, 2008
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, Judy Jepsen, Richard Morris, Richard Sibley, and Mark Walburg

Council Members Absent: Lou Magdits and Jim Williams

Department Directors in Attendance: Public Works Director Steve Hargis, Police Chief Mark Kearse, Fire Chief Robert Williams, Solid Waste Director Brady Wilson, and Community Development Director John Petersen

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

Mayor Jenks called the meeting to order at approximately 6:30 p.m. and asked Pastor Gary Teague of the Apostolic Pentecostal Church to give the invocation.

Following the invocation, Mayor Jenks asked Councilmember Gary Hicks to lead in the Pledge of Allegiance.

I. CITIZEN COMMUNICATION

Mayor Jenks opened the floor to any citizen wishing to address the Council.

Professor Lance Haynes of Missouri S & T introduced Kiernan Shea of the St. Pat's Board and a senior at Missouri S & T. Professor Haynes recalled that he addressed the Council about a year ago and stated that Missouri S & T would be trying to increase the involvement of the community during the St. Pat's celebration. Professor Haynes told the Council that a coloring book of the first St. Pat's has been prepared that would be distributed to the first through fourth graders in the area. He then told the Council the story of the first St. Pat's celebration. Professor Haynes reported this year's St. Pat's

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I. CITIZEN COMMUNICATION (continued)

parade would be held on March 15 at 11 a.m. on Pine Street. He said he believes this year's parade will be the biggest parade in 20 years. At this point, it appears that as many as seven high school bands will be participating. Professor Haynes continued by outlining some of the other events planned for this year's St. Pat's celebration.

No one else present addressed the Council.

II. OLD BUSINESS

(A) Ordinance to Consider a Cellular Service Settlement with Sprint/Nextel: City Administrator John Butz informed the Council that this is the fourth and final cellular company the City has been actively working with through the Missouri Municipal League (MML). He explained that Sprint/Nextel has a total economic impact of \$48,387. However, for the past few months, Sprint/Nextel has been paying under protest and would be subject to an additional \$29,741 in back taxes. Mr. Butz added that execution of this agreement does not assure the City of getting this money. He noted that the ordinance provides for a 2% fee to MML for future lobbying/litigation funding on behalf of Rolla and Missouri cities.

City Counselor John Beger read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 3849: AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH SPRINT AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO THE MISSOURI MUNICIPAL LEAGUE. A motion was made by Jordan and seconded by Barklage to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jepsen, Morris, Spadoni, Ruck, Sibley, Jordan, Walburg, Barklage, Hicks, and Eudaly. Nays; None. Absent; Williams and Magdits. Motion carried. The ordinance passed.

III. NEW BUSINESS

(A) Discussion Regarding the Possibility of a Governmental Channel (PEG): City Administrator John Butz stated that this is follow up to the conversation the Council had on December 17, 2007, when the first draft of the Memorandum of Understanding was presented. He noted that this has been the result of several months' worth of discussions

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III. NEW BUSINESS (continued)

(A) Discussion Regarding the Possibility of a Governmental Channel (PEG) (continued): and planning among the City Administration, the school district, and Fidelity Communications regarding the proposed public, educational, and governmental (PEG) channel. Mr. Butz added that Missouri S & T has been very active in those meetings, but because of their workload with their name change, they are not able to commit to being an active member in the operation of a governmental channel. Mr. Butz said he would like to obtain the Council's formal approval of the Memorandum of Understanding in mid March. Mr. Butz then addressed questions and comments from the Council concerning the proposed PEG.

IV. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion to Award the Bid for a Half-Ton Pickup Truck for the Department of Public Works: Public Works Director Steve Hargis reported that bids were received for a new half-ton 4 x 2 pickup for the Public Works Department. Staff is recommending the bid be awarded to the low bidder, Denny Ford, Rolla, Missouri, for \$13,000. Mr. Hargis pointed out that Denny Ford's bid was \$1,119 lower than the State bid. After a brief discussion, a motion was made by Eudaly and seconded by Spadoni to award the bid for the half-ton pickup truck to Denny Ford, Rolla, Missouri, for \$13,000. A voice vote on the motion showed ten (10) ayes, zero (0) nays, and two (2) absent. Motion carried.

V. MAYOR/CITY COUNCIL COMMENTS

(A) Clothing Donation Boxes: Councilmember Jepsen reported that she was asked several times today if the City has any jurisdiction over the yellow clothing donation boxes located throughout the city.

Mayor Jenks said he is proposing to send a letter to the company that owns the boxes and ask them to remove them from Rolla. He also suggested asking a representative from the Salvation Army, Goodwill, and Phelps County Community Partnership (PCCP) thrift stores to co-sign the letter. Mayor Jenks said it bothers him that the boxes are in Rolla because the other thrift shops are having problems stocking their shelves. If a positive response is not received about removal of the boxes, Mayor Jenks said an ordinance would need to be drafted to prohibit them and this might be difficult to do.

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VI. COMMENTS FOR THE GOOD OF THE ORDER

“Comments for the Good of the Order” continued following “Executive Session Action” below.

VII. CLOSED EXECUTIVE SESSION

A motion was made by Eudaly and seconded by Spadoni to adjourn into Executive Session pursuant to RSMo. 610.021 to discuss real estate. A roll call vote on the motion showed the following: Ayes; Ruck, Eudaly, Sibley, Jordan, Spadoni, Hicks, Barklage, Morris, Jepsen, and Walburg. Nays; None. Absent; Williams and Magdits. Motion carried.

Following a brief recess, the Council adjourned into Executive Session at approximately 7:16 p.m.

VIII. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 8:11 p.m.

City Counselor John Beger announced that during Executive Session the Council discussed preliminary measures for making certain City-owned real estate available for sale and development. By a vote of ten to zero, the Council voted to plat the property into proposed lots.

The Council was also advised there is a party interested in purchasing a portion of that real estate. By a vote of ten to zero, the Council decided to offer a part of the real estate for sale to the interested party with various conditions, all of which will be made public upon finalization of the contract.

VI. COMMENTS FOR THE GOOD OF THE ORDER (continued)

(A) RCDC Property Access: Public Works Director Steve Hargis informed the Council the City owns 40 acres of property that is located north of the former landfill site. The Rolla Community Development Corporation (RCDC) owns about 60 acres located east

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VI. COMMENTS FOR THE GOOD OF THE ORDER (continued)

(A) RCDC Property Access (continued): and north of Brewer Science. RCDC has requested the City clear the rights-of-way for access to the property in order to show prospective developers. Mr. Hargis asked the Council for authorization to park a City loader on the site and allow Public Works personnel to work on clearing the property on weekends. RCDC would pay the overtime wages for the personnel as well as the fuel for the equipment. During the discussion that followed, the Council expressed concern in doing work for a not-for-profit organization and taking work away from local contractors. City Administrator John Butz indicated staff would speak with RCDC on other ways to get the work done.

IX. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 8:16 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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