

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, APRIL 21, 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, Lou Magdits, Jim Williams, Rick Morris, Mark Walburg, and Richard Sibley

Newly Elected Officials in Attendance: Ward IV Councilmember Don Morris, and Ward VI Councilmember Donna Hawley

Department Directors in Attendance: Public Works Director Steve Hargis, Police Chief Mark Kearse, Recreation Center Director Scott Caron, Finance Director Steffanie Rogers, 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 Rev. Danny Kemp of the Calvary Assembly of God Church to give the invocation.

Following the invocation, Councilmember Jim Williams led in the Pledge of Allegiance.

I. SPECIAL PRESENTATIONS

(A) Presentation of the 2007 Annual Audit: Ms. Jo Moore of Evers & Company, CPA's L.L.C., reported that her firm has completed the audit of the City's financial statements for the year ended September 30, 2007. She then provided the Council with an overview of the audit report and management letter. Following her presentation, Ms. Moore entertained questions from the Council.

(B) Motion to Approve Fiscal Year 2007 Independent Audit: Finance Director Steffanie Rogers addressed the City's responses to the auditor's management suggestions. Since the Council first received a copy of the audit at the onset of the meeting, approval of the audit would be considered during the Council's next meeting.

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES
APRIL 21, 2008
PAGE 2

I. SPECIAL PRESENTATIONS (continued)

(C) Rolla Area Chamber of Commerce Motel Tax Fund – Audited Financial Statements – December 2006 and December 2007: Mr. Mark Kean of Kean & Company, LLC, Certified Public Accountant, provided an overview of the Rolla Area Chamber of Commerce’s Motel Tax Fund Audit for December 31, 2006 and 2007.

(D) DirectionFinder (Citizen) Survey: Mr. Chris Tatham, representing ETC Institute, presented the results of the 2008 DirectionFinder Survey. The Council was provided with a complete copy of the survey results.

II. CITIZEN COMMUNICATIONS

Mayor Jenks opened the floor to anyone wishing to address the Council.

(A) Mr. Glenn Gibson: Mr. Glenn Gibson, 1635 Columbia Avenue, Rolla, Missouri, said he would like to address the SAFER (Staffing for Adequate Fire and Emergency Response) Grant. He said he became interested in this issue through newspaper articles and by attending the last Council meeting. Mr. Gibson said his reasons for supporting the grant is the fact that he is a homeowner and is concerned about fire. Additionally, his home is located on the edge of the Rolla City limits. Mr. Gibson said he has a stepson who is a firefighter on the Rolla Rural Fire Protection District. He noted that occasionally they are asked to help the City Fire Department. As a personal interest, he indicated that he wants to be sure his stepson has the assets to perform his duty safely. Mr. Gibson noted the Council unilaterally voted to accept three new mini subdivisions into the city during its last meeting. He said the Council voted to increase the city, but are having trouble trying to increase the Fire Department. As a taxpayer, Mr. Gibson said he is not opposed to a tax increase to have the additional firefighters so he would feel more protected.

(B) Dr. Tom Sager: Dr. Tom Sager, 8 Laird Avenue, addressed the Council concerning the proposed fire grant. He recalled that in 1997, the City annexed a large portion of land south of Rolla and closed the Main Street Bridge, which crossed the railroad tracks. Dr. Sager pointed out that this resulted in more people living in south Rolla and a major access road from the main fire station was eliminated. He told the Council that in about July 1997 he attended a Council Meeting and the City was going to address this issue. Dr. Sager said here we are eleven years later and it has not been addressed.

**CITY COUNCIL MEETING MINUTES
APRIL 21, 2008
PAGE 3**

II. CITIZEN COMMUNICATIONS (continued)

(B) Dr. Tom Sager (continued): He stated the City now has free money coming in and the City cannot afford to not accept this grant.

No one else present addressed the Council.

III. MAYOR/CITY COUNCIL COMMENTS

(A) Cemetery Ad Hoc Committee Update: Councilmember Sue Eudaly, chair of the Cemetery Ad Hoc Committee, reported that the Committee met five times for a total of about eight hours. Although the Committee reviewed the Cemetery Rules and Regulations, the cemetery fees were not discussed. Ms. Eudaly explained the Committee discussed the flower pick up schedule, how to secure the benches in the cemetery, and the October cemetery cleanup. She indicated the Committee would be bringing a complete report to the Council for its consideration in May.

IV. OLD BUSINESS

(A) Ordinance to Consider the Formation of an Educational/Governmental Channel to be Known as Rolla Channel 6 (RC6): City Administrator John Butz recalled that a suggestion was made during the last Council meeting that the proposed agreement be amended by adding a clause regarding minimum performance standards. He pointed out that paragraph six under "Scope of Services" has been added that identifies specifically the minimum programs. Mr. Butz noted that Communications Coordinator Scott Grahl would be the City's coordinator of the effort and overseeing, to a large degree, what is done by the joint effort of this program. However, Fidelity Communications will hire an individual to be the program manager. Mr. Butz told the Council that the City's cost for this effort would be approximately \$15,000 per year. Mr. Butz reported that the School Board has approved the proposed agreement subject to City Council action.

City Counselor John Beger read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 3857: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF ROLLA, MISSOURI (CITY), TO ENTER INTO A CABLE SERVICE AGREEMENT WITH THE ROLLA PUBLIC SCHOOLS (RPS) AND FIDELITY CABLEVISION, INC. FOR THE PURPOSE OF FORMING AN

APRIL 21, 2008

IV. OLD BUSINESS (continued)

(A) Ordinance to Consider the Formation of an Educational/Governmental Channel to be Known as Rolla Channel 6 (RC6) (continued): EDUCATIONAL AND GOVERNMENTAL CABLE CHANNEL. A motion was made by Eudaly and seconded by Spadoni to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Hicks, Magdits, Morris, Eudaly, Barklage, Jepsen, and Spadoni. Nays; Jordan, Williams, Ruck, Sibley, and Walburg. Motion carried. The ordinance passed.

(B) Motion Accepting the April 8, 2008 Certified Election Results: City Administrator John Butz referred the Council to the April 8, 2008, election results as certified to the City. He requested a motion accepting the results. A motion was made by Hicks and seconded by Jordan to accept the April 8, 2008, election results as certified by County Clerk Carol Bennett. A voice vote on the motion showed twelve (12) ayes, zero (0) nays, and zero (0) absent. Motion carried.

(C) Comments/Recognition (Ward IV Councilman Judy Jepsen and Ward VI Councilman Richard Sibley): Mayor Jenks presented retiring Ward IV Councilmember Judy Jepsen and Ward VI Councilmember Richard Sibley with a plaque in appreciation for their dedicated service to the City of Rolla.

V. ELECTED OFFICIALS SWEARING-IN CEREMONY:

City Clerk Carol Daniels administered the oath of office to the following newly elected officials: Ward I Councilmember Monty Jordan, Ward II Councilmember Stan Spadoni, Ward III Councilmember Sue Eudaly, Ward IV Councilmember Don Morris, Ward V Councilmember Jim Williams, and Ward VI Councilmember Donna Hawley.

Note: Municipal Judge William Hickle and City Attorney (prosecutor) Robert J. Stoltz were administered the oath of office in the City Clerk's Office on Tuesday, April 22, 2008.

Following the swearing-in ceremony, Mayor Jenks welcomed new Councilmembers Don Morris and Donna Hawley to the City Council. He then turned the floor over to Community Development Director John Petersen, who addressed the following item.

VI. PUBLIC HEARINGS

(A) Request for Ordinance to Rezone Property at 1501 Martin Springs Drive from C-2 and R-3 to C-3 District Zoning (Dietzmann): Community Development Director John Petersen told the Council the subject property contains 31.79 acres and is located in what is called the Rolla West area. The Planning and Zoning Commission recommend approval of the subject rezoning. The applicant has requested that the Council consider the first and final readings of the subject ordinance.

City Counselor John Beger read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 3858: 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 1501 MARTIN SPRINGS DRIVE (DIETZMANN). A motion was made by Hicks and seconded by Spadoni to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven (11) ayes, one (1) nay and zero (0) absent. Motion carried. City Counselor John Beger then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Rick Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jordan, Williams, Hawley, Ruck, R. Morris, Spadoni, Walburg, Barklage Magdits, Eudaly, D. Morris, and Hicks. Nays; None. Absent; None. Motion carried. The ordinance passed.

(B) Request for Ordinance to Rezone a Fractional Part of 1400 & 1500 N. Elm from R-3 to M-1 Zoning, and Rezone 1402 and 1404 N. Elm, Along with a Fractional Part of 1500 N. Elm from M-1 to R-3 Zoning (Robertson): Community Development Director John Petersen showed the Council a map depicting the current zonings and the proposed zonings of the subject properties. The rezoning is being requested to allow for the potential expansion of the business. The Planning and Zoning Commission recommend approval of the proposed rezoning request. At the request of the property owner, Mr. Petersen asked that the first and final readings of the proposed ordinance be conducted at this meeting.

Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request.

VI. PUBLIC HEARINGS (continued)

(B) Request for Ordinance to Rezone a Fractional Part of 1400 & 1500 N. Elm from R-3 to M-1 Zoning, and Rezone 1402 and 1404 N. Elm, Along with a Fractional Part of 1500 N. Elm from M-1 to R-3 Zoning (Robertson) (continued): Petitioner, Mr. Harold Robertson, 12675 Ridgecrest Drive, Rolla, Missouri, told the Council that Busy Bee Laundry has been in Rolla since 1929. It originally began on Elm Street. In 1948, John Schuman constructed the building that currently houses the laundry. Mr. Robertson said he is in the process of the selling the laundry to Penn Enterprises.

No one else present addressed the Council concerning the subject-rezoning request. Mayor Jenks closed the public hearing.

City Counselor John Beger read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 3859: 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 A FRACTIONAL PART OF 1400 AND 1500 NORTH ELM AND 1402 AND 1404 NORTH ELM ALONG WITH A FRACTIONAL PART OF 1500 NORTH ELM AND 103 EAST 14TH STREET (ROBERTSON). A motion was made by Walburg and seconded by Hicks to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed ten (10) ayes, two (2) nays, and zero (0) absent. Motion carried. City Counselor John Beger then read the proposed ordinance for its final reading, by title. 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; R. Morris, Walburg, Spadoni, Williams, Ruck, Hawley, Magdits, Eudaly, D. Morris, Barklage, Hicks, and Jordan. Nays; None. Absent; None. Motion carried. The ordinance passed.

(C) Request for Ordinance to Rezone Property at 1349 Highway 72 from R-3 Zoning to C-2 Zoning (Huffman/Taylor): Community Development Director John Petersen noted that the subject property entails approximately nine acres and four parcels of ground. He reported that the Planning and Zoning Commission recommend approval of the proposed rezoning with the conditions outlined in the proposed ordinance.

After a lengthy Council discussion, Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request.

VI. PUBLIC HEARINGS (continued)

(C) Request for Ordinance to Rezone Property at 1349 Highway 72 from R-3 Zoning to C-2 Zoning (Huffman/Taylor) (continued): Petitioner, Mr. Floyd Huffman, 11660 Highway 72, Rolla, Missouri, told the Council that the trailer park began in 1948 as a trailer sales and it always will be a trailer sales. He said, however, he would like to make it better. Mr. Huffman said the reason he left the ten-foot strip residential is that he wants to get along with his neighbors and does not want any opposition. Mr. Huffman said he is perfectly willing to construct the buffer zone so the neighbors will be assured he is not trying to hurt them. With a five-lane highway and a traffic light, Mr. Huffman said he did not think it was wise to leave residential along Highway 72. Mr. Huffman then addressed comments and questions from the Council.

Mr. Lawrence C. George, 39 Johnson Street, said he is probably surprising his neighbors because he is speaking in favor of Mr. Huffman's request because of the concerns he and his wife have had in the past. Mr. George said he and his wife feel they should not oppose Mr. Huffman's proposal for several reasons. One reason is if something is not done to change the environment, property values will continue to diminish. Every time the Council rejects a request to rezone Mr. Huffman's property, nothing is done and it gets worse. Mr. George said he is only opposed to the rezoning of 41 Johnson Street.

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 8

Ms. Joyce Darr, 37 Johnson Street, told the Council that she has lived in her home for almost 40 years. When she moved to Johnson Street in 1968 the trailer park was nice. Ms. Darr said she was very heartened by the discerning questions the Council has been making after the presentation. She said this has become a self-perpetuating cycle. We went through all of these requests for rezoning for the trailer park and eventually the front part was rezoned to commercial. In one or two of the presentations it has been said it is not fair to not make 41 Johnson Street a part of a commercial zoning because we gave it to Tune's and it is across the street from Tune's. Ms. Darr said there is nothing fair about any of that in the Johnson-Laird Subdivision. She said it is not fair or suitable to turn R-1 (single-family) housing or subdivisions into a commercial venture. It is not fair to bring increased traffic on streets where we have children playing on their bicycles, where school buses are starting and stopping, and where we have the danger of increased light and noise. Ms. Darr said she knows the trailer park is a mess, but there have been very few problems that she has personally faced in 40 years. She said she would like

VI. PUBLIC HEARINGS (continued)

(C) Request for Ordinance to Rezone Property at 1349 Highway 72 from R-3 Zoning to C-2 Zoning (Huffman/Taylor) (continued): to see the trailer park cleaned up, but it is the owner's responsibility. Ms. Darr said there is not any room for more pads, but there is a place to put more rickety old trailers. She suggested that the conditions be amended by stating that no more trailers be allowed in the park. Additionally, Ms. Darr said a green zone is not adequate for a buffer, because you still do not have a visual barrier unless you have a windbreak of trees. Wooden fences are too low and they require maintenance. Ms. Darr said the only acceptable buffer would seem to be one that would consist of a high concrete wall such as they have along major highways that buffer noise from a highway to residential areas adjacent to it. Ms. Darr stressed that 41 Johnson Street needs to be removed from the rezoning request in addition to the small houses at the top Highway 72.

Mr. Carlton Washburn, 2 Johnson Street, said he has only owned the house for about four weeks, and he just found out tonight about the proposed rezoning. He said there appears to be a lot of information that still needs to be gathered. Mr. Washburn asked the Council for extra time, not only for the citizens within the area, so some of the information that was aired tonight could be circulated to other interested persons.

Ms. Mary Cunningham, 31 Johnson Street, told the Council that her backyard is adjacent to Mr. Huffman's property. She indicated that she is opposed to the rezoning because of

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 9

the unknown of what is going to be placed on the property behind her home. She emphasized that she is not opposed to development and improving the property. Ms. Cunningham said the buffer zone is of concern to her. She expressed concern with the traffic flow into Johnson Street and the rezoning of the two small houses at the top of Johnson Street. If the houses at the top of Johnson Street are changed into a commercial area, she stated the traffic is going to be horrendous. Ms. Cunningham noted there are many children in the neighborhood and safety is an issue.

Mr. Tom Sager, 8 Laird Avenue, pointed out the trailer park continues to deteriorate. He said he has not seen the plans for the proposed area if it is rezoned. He suggested the Council find out the plans for the property before rezoning it. Mr. Sager said he likes the idea of a walking/bicycle trail, suggested by Councilmember Don Morris. If Mr. Huffman is serious about his rezoning request, he should consider donating the property for a walking/bicycle trail to the City.

VI. PUBLIC HEARINGS (continued)

(C) Request for Ordinance to Rezone Property at 1349 Highway 72 from R-3 Zoning to C-2 Zoning (Huffman/Taylor) (continued): Mayor Jenks referred the Council to a copy of an e-mail from Mr. Gary Taggart, 6 Keeney Court, expressing his opposition to the subject rezoning (a copy of Mr. Taggart's e-mail was included in the agenda materials).

Following a brief discussion, City Counselor John Beger 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 1349 AND 1331 HIGHWAY 72 AND #41 JOHNSON (HUFFMAN/TAYLOR).

VII. NEW BUSINESS

(A) Motion Authorizing the Request for Proposals for Professional Administration Services for the Rolla West Master Plan (MS&T Tech Park) (correction noted during May 5, 2008, Council meeting): Community Development Director John Petersen informed the Council that the City has been notified that there might be some planning money available to the City and the Missouri University of Science and Technology (MS&T) to help perform a master plan for the MS&T Tech Park. Mr. Petersen reported that the Request for Proposals (RFP), contained in the agenda

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 10

materials, was sent to twenty firms/individuals that do this type of work. However, only one RFP was received from the Meramec Regional Planning Commission (MRPC). Mr. Petersen explained that MRPC would conduct the administrative duties and in exchange, they would receive \$11,450.

Regarding the "Development Master Plan for Rolla West," wording contained in the agenda documents, City Administrator John Butz said the State is proposing an amendment to the existing Rolla West Master Plan with HNTB. Mr. Butz said he wanted to make sure the Council knew that this is not for the Rolla West Master Plan that is underway. The resources will go into the MS&T Tech Park. If the grant is received, it will be done as an amendment to the Rolla West Master Plan, but it is for the MS&T Tech Park.

VII. NEW BUSINESS (continued)

(A) Motion Authorizing the Request for Proposals for Professional Administration Services for the Rolla West Master Plan (MS&T Tech Park) (correction noted during May 5, 2008, Council meeting) (continued): After discussion, a motion was made by Williams and seconded by Hicks to award the Professional Administration Services for the Rolla West Master Plan (MS&T Tech Park) (correction noted during May 5, 2008 Council meeting) to the Meramec Regional Planning Commission (MRPC). A voice vote on the motion showed twelve (12) ayes, zero (0) nays, and zero (0) absent. Motion carried.

(B) Request for Ordinance to Approve the Subdivision Plat of Robbie Addition (Robertson): Community Development Director John Petersen explained that there are five lots in the subject subdivision. All easements requested have been provided and the Planning and Zoning Commission recommend approval of the plat as submitted. Mr. Petersen added that the applicant has asked that the Council consider the first and final readings of the proposed ordinance at this meeting.

City Counselor John Beger read the following proposed ordinance for its first reading, by title. City Counselor John Beger then read the proposed ordinance for its final reading, by title. ORDINANCE NO. 3860: AN ORDINANCE APPROVING ROBBIE ADDITION, A SUBDIVISION IN ROLLA, MISSOURI (ROBERTSON). A motion was made by Hicks and seconded by Morris to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven (11) ayes, one (1) nay and zero (0) absent. Motion carried. City Counselor John Beger then

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 11

read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Hicks to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Barklage, Hicks, Hawley, Ruck, Jordan, Spadoni, Walburg, Williams, Magdits, Eudaly, D. Morris, and R. Morris. Nays; None. Absent; None. Motion carried. The ordinance passed.

(C) Request for Ordinance to Accept the Contract with TranSystems, Inc, for Professional Services at the Rolla National Airport: Mayor Jenks informed the Council that this contract was previously adopted by resolution. However, the new attorney for the Missouri Department of Transportation (MoDOT) prefers that these contracts be approved by ordinance rather than a resolution.

VII. NEW BUSINESS (continued)

(C) Request for Ordinance to Accept the Contract with TranSystems, Inc, for Professional Services at the Rolla National Airport (continued): Public Works Director Steve Hargis recalled that in 2006 TranSystems, Inc., was retained as the consultant to complete the master plan for the Rolla National Airport. He added that the master plan is in its final stages. In addition to the master plan, Mr. Hargis pointed out that seal coat and restriping qualifications were obtained. The subject ordinance would authorize the Mayor to enter into an agreement with TranSystems, Inc., for the seal coat project. Mr. Hargis told the Council that the seal coat is eligible for a reimbursement of up to 95% and the contract amount is \$27,728.73.

Following some discussion, City Counselor John Beger read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 3861: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND TRANSYSTEMS, INC. FOR PROFESSIONAL SERVICES AT THE ROLLA NATIONAL AIRPORT. A motion was made by Hicks and seconded by Eudaly to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven (11) ayes, one (1) nay, and zero (0) absent. Motion carried. City Counselor John Beger then read the proposed ordinance for its final reading, by title. 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; D. Morris, R. Morris, Spadoni, Williams, Ruck, Hawley, Magdits, Jordan, Walburg,

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 12

Barklage, Hicks, and Eudaly. Nays; None. Absent; None. Motion carried. The ordinance passed.

(D) Motion to Close Certain Streets and Parking Lots for Rolla's 2008 Route 66 Summerfest to be held on June 6 and 7: Public Works Director Steve Hargis explained that a request has been received from the Downtown Business Association to close certain streets and parking lots during the annual Route 66 Summerfest scheduled for June 6 and 7. Staff recommends approval of their request.

After some discussion, a motion was made by Williams and seconded by Eudaly to close the requested streets and parking lots as requested by the Rolla Downtown Business Association for the 2008 Route 66 Summerfest on June 6 and 7, 2008. A voice vote on the motion showed twelve (12) ayes, zero (0) nays, and zero (0) absent. Motion carried.

VIII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Resolution to Consider a Revision to the FY 2008 Budget: Finance Director Steffanie Rogers explained that the requested mid-year adjustments to the fiscal year 2008 budget increase revenues by \$101,561 and increase expenditures by \$342,215. The increase in the expenditures is primarily due to the Ridgeview Street improvement project. Ms. Rogers continued by outlining some of the major specific budget adjustments.

City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1659: A RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2007, AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Williams and seconded by R. Morris to approve the proposed resolution. A voice vote on the motion showed eleven (11) ayes, one (1) nay, and zero (0) ~~nays~~ absent (correction noted during May 5, 2008, Council meeting). Motion carried. The resolution passed.

(B) Discussion of SAFER Grant: Fire Chief Robert Williams stated that according to the Staffing for Adequate Fire and Emergency Response (SAFER) grant, the staff funded by the grant must be hired by May 31, 2008. He told the Council that these positions have not yet been advertised and before advertising for these positions, Council approval of the SAFER grant is necessary. Chief Williams informed the Council that the "performance period" would end on November 30, 2008. After that time, the grant period will be reduced.

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 13

City Administrator John Butz advised the Council that considering the tight nature of the General Fund fiscal condition, acceptance of the grant by the Council will likely necessitate the need to approach voters for a fire sales tax.

After a lengthy discussion, a motion was made by R. Morris and seconded by Barklage to accept the SAFER grant. After additional discussion, a roll call vote on the motion showed the following: Ayes; Ruck, Hawley, Jordan, Spadoni, Barklage, R. Morris, D. Morris, and Walburg. Nays; Eudaly, Williams, Hicks, and Magdits. Motion carried.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Schuman Park Flag: Councilmember Jordan stated that it was good to see the new flag on the cell tower in Schuman Park. He suggested having a light placed on the flag at night.

(B) DirectionFinder Survey: Councilmember Magdits complimented the City staff on the excellent results of the DirectionFinder Survey. He said Rolla has a lot to be proud of and the employees deserve the recognition.

(C) High Grass: Councilmember Williams reminded Rolla citizens to keep their lawns mowed.

(D) Ordinance Readings: Mayor Jenks noted that a few years ago an ordinance was approved wherein the first and second readings of an ordinance would not be conducted during the same Council meeting. Mayor Jenks suggested amending this ordinance so that non-controversial issues may be approved at one meeting. If there is a controversial issue, the Council could choose to consider the ordinance in two readings.

After a brief discussion, the Council consensus was to continue with the first and second readings at two meetings, unless otherwise directed by the Council.

(E) Clothing Donation Boxes: Councilmember Rick Morris said he felt the City never closed the issue on the yellow clothing donation boxes. The last issue was there was a charitable organization within the city that was going to accept a percentage of the donations but have since declined. Mr. Morris said he feels these boxes have a negative

APRIL 21, 2008

CITY COUNCIL MEETING MINUTES

APRIL 21, 2008

PAGE 14

impact on Rolla. He noted there is trash lying around some of the boxes. Mr. Morris said the City should not be handcuffed by the company providing the boxes.

City Administrator John Butz said the company that owns the boxes has expressed a willingness to relocate a few of the boxes because they are not producing the volume they had hoped. The company is still looking for organizations that they could support. Mr. Butz said an ordinance could be passed which would affect accessory uses on the property. However, this would affect all existing businesses that choose to do some accessory use on their property. Many cities have talked about what their options are and no one has come up with any solutions.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. EXECUTIVE SESSION

A motion was made by Eudaly and seconded by Hicks to adjourn into Executive Session pursuant to RSMo. 610.021 to discuss, union negotiations, litigation, and personnel. A roll call vote on the motion showed the following: Ayes; Hicks, Magdits, Jordan, Williams, Ruck, Hawley, R. Morris, Eudaly, Walburg, Barklage, D. Morris, and Spadoni. Nays; None. Absent; None. Motion carried.

The Council adjourned into Executive Session at approximately 10:04 p.m.

XII. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 10:35 p.m.

City Counselor John Beger reported that during Executive Session the Council was advised on the status of efforts to unionize City employees. No formal action was taken and City Administration will continue to communicate with representatives of the prospective union and report back to Council.

City Counselor Beger stated that the City Council was also advised on the status of pending litigation with no formal action being taken.

APRIL 21, 2008

**CITY COUNCIL MEETING MINUTES
APRIL 21, 2008
PAGE 15**

City Counselor Beger mentioned that the Council was also advised on the expiration of the probationary status of Police Chief Mark Kears. By a vote of eleven (11) to zero (0) the Council voted to terminate Chief Kears's probationary status and confer regular department head status upon him.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 10:36 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

APRIL 21, 2008