

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JULY 7, 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, Gary W. Hicks, Don Morris, Lou Magdits, Jim Williams, Rick Morris, and Mark Walburg

**Council Members Absent:** Stan Spadoni, Susan Eudaly, and Donna Hawley

**Department Directors in Attendance:** Public Works Director Steve Hargis, Police Chief Mark Kearse, Finance Director Steffanie Rogers, Solid Waste Director Brady Wilson, Fire Chief Robert Williams, 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 a member of the Rolla Ministerial Alliance to give the invocation.

Following the invocation, Councilman Monty Jordan led in the Pledge of Allegiance.

**I. CONSENT AGENDA**

**(A) Consider Approval of the City Council Minutes:** A motion was made by Williams and seconded by Jordan to approve the consent agenda, as submitted. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

The consent agenda consisted of the following:

The minutes of the June 2, 2008, regular and Executive Session Council meetings, and the June 16, 2008, regular City Council meeting.

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**II. PUBLIC HEARINGS**

None.

**III. CITIZEN COMMUNICATIONS**

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

**(A) Flood Plain Concerns:** Mr. Frank Bridges, president-elect of the Rolla Board of Realtors, told the Council that the Federal Emergency Management Association (FEMA) contracted with a company to digitize flood maps across the nation. When this was done, 53 houses in Rolla were placed in the flood plain, which has resulted in higher insurance premiums for the homeowners. Mr. Bridges noted that Congresswoman Jo Ann Emerson has sent letters to FEMA regarding homeowners' concerns. He said he knows the houses are not in a flood plain because of the detention basins the City has constructed.

Mr. Darren Lingle, Director of Congresswoman Jo Ann Emerson's Rolla Office, stated that continued communications with FEMA, the City, and Congresswoman Jo Ann Emerson is the key to solving the flood map issues.

Public Works Director Steve Hargis noted there is an item later in the agenda that would assign some work to Allgeier, Margin and Associates, Inc., to conduct flood plain studies. Mr. Hargis explained that a few years ago FEMA conducted a meeting at The Centre where they told the City they were going to remap the community. Mr. Hargis said City staff requested that the remapping be postponed until the City could complete its improvements. The City was assured at that time that all FEMA planned to do was to take the paper maps and turn them into a digital file so they would be easier to use by the different firms that conduct the locates for mortgage companies. Mr. Hargis explained that it got to the point where the remapping was done and the City was told that it had until February 20 to accept the new maps as "gospel" or stand the risk of losing insurance capabilities. Therefore, the City had no choice but to go ahead and pass the ordinance authorizing the new maps as being the official document. Mr. Hargis pointed out that in addition to his duties as public works director, he is the flood plain administrator. As flood plain administrator, he must make sure the City's codes and regulations meet all the FEMA requirements so that when an audit is conducted, the City can maintain the federally subsidized flood insurance. Otherwise, the \$3,000 a homeowner might pay for insurance would be ten times that amount for homes located within the flood plain.

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**III. CITIZEN COMMUNICATIONS (continued)**

**(A) Flood Plain Concerns (continued):** Mr. Hargis explained that later in the meeting, staff would ask Council to prepare revisions to the flood plain map for the Dutro Carter Creek and Spring Creek Tributary. He pointed out that the bulk of the homes that are affected by the FEMA mapping are located in the basins that have already been completed.

No one else present addressed the Council.

**IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS**

**(A) The CENTRE Interns:** Mayor Jenks introduced to the Council Ms. Jessica Buchanan and Mr. Anthony Reed who are interning at The CENTRE.

Due to audio interference, Mayor Jenks reminded those in attendance to turn off their cell phones.

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

Mayor Jenks referred the Council to **(A)** the May 2008 Rolla Municipal Utilities Monthly Report; **(B)** the June 10, 2008, Preliminary Minutes of the Planning and Zoning Commission Meeting; **(C)** the May 2008 City's Cash Position and Expenditure Report; **(D)** the May and June 2008 Rolla Municipal Court Report; **(E)** the May 27, 2008, Development Review Committee Meeting minutes; **(F)** the May 28, 2008, Rolla Health & Recreation Center Advisory Committee Meeting Minutes; **(G)** The Centre FY-08 Financial Analysis, and; **(H)** the SplashZone FY-08 Financial Analysis.

**VI. OLD BUSINESS**

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**(A) Resolution Authorizing the Emergency Shelter Grant Contract with Russell**

**House:** City Administrator John Butz recalled that at the last Council meeting the Council approved the grant agreement between the City and the Department of Social

**VI. OLD BUSINESS (continued)**

**(A) Resolution Authorizing the Emergency Shelter Grant Contract with Russell**

**House (continued):** Services. He noted the City has been receiving this grant for about ten years. The proposed Contract for Services authorizes Russell House to act as the City's sub-contractor for the grant. Mr. Butz told the Council the City is allowed to keep a small amount of the transaction for processing the grant.

City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1666: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, THE CONTRACT FOR SERVICES BETWEEN THE CITY OF ROLLA AND THE RUSSELL HOUSE. A motion was made by Williams and seconded by Barklage to approve the proposed resolution. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried. The resolution passed.

**(B) Resolution Authorizing the CDBG Grant Agreement for the Master Plan of the Missouri S & T Tech Park:**

City Administrator John Butz recalled that about a month ago the Council conducted a public hearing and approved a resolution which authorized the Mayor to seek funding under the Community Development Block Grant (CDBG) program. Mr. Butz reported the City received formal documentation on the award of \$71,800 in CDBG funds. Approximately \$11,000 of this grant will be for administrative services for the Meramec Regional Planning Commission (MRPC), which would administer the grant. He noted that the Department of Economic Development was willing to allow the City to use the HNTB contract under the Rolla West Master Plan to incorporate this element.

City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1667: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, THE CONTRACT BETWEEN THE CITY OF ROLLA AND THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT. A motion was made by Hicks and seconded by Jordan to approve the proposed resolution. A voice vote on the motion showed eight ayes, one nay, and three absent. Motion carried. The resolution passed.

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**VII. NEW BUSINESS**

**(A) Request Ordinance for Reauthorization of the Financial Disclosure Requirements:** Finance Director Steffanie Rogers asked the Council to consider the first reading of an ordinance, which would readopt the public officials' financial disclosure requirements. Currently, Section 2-237 of the Rolla City Code requires the mayor, city administrator, finance director, and Rolla Municipal Utilities general manager to file a financial disclosure statement with the State of Missouri. If the Council wishes to readopt the financial disclosure requirements, Ms. Rogers noted that the Missouri Ethics Commission must receive a copy of the ordinance in their office by September 15.

City Counselor John Beger read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE OF THE CITY OF ROLLA, MISSOURI, REPEALING SECTION 2-237 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND ENACTING A NEW SECTION IN LIEU THEREOF.

**(B) Motion to Approve Proposals to Prepare Revisions to the Flood Plain Maps for the Dutro Carter Creek and Spring Creek Tributary:** Public Works Director Steve Hargis told the Council that Mr. Joe Wilson with Allgeier, Martin and Associates, Inc., is present to address any questions regarding the proposed contract with the City pertaining to revisions to the flood plain map for the Dutro Carter Creek and Spring Creek Tributary.

A motion was made by Williams and seconded by Don Morris to approve the revisions to the flood plain map for the Dutro Carter Creek and the Spring Creek Tributary. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(C) Resolution Authorizing the Mayor to Sign an Application for the DREAM Program offered by the Missouri Department of Economic Development:** Community Development Director John Petersen recalled that for the past two years the City has applied to be part of the Downtown Revitalization Economic Assistance for Missouri (DREAM) program. He noted that the program is established to help approximately ten communities each year fund technical expertise and planning activities for their downtowns.

**VII. NEW BUSINESS (continued)**

**(C) Resolution Authorizing the Mayor to Sign an Application for the DREAM Program offered by the Missouri Department of Economic Development (continued):** After some discussion, City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1668: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI (THE "CITY") TO SUBMIT AN APPLICATION FOR THE DOWNTOWN REVITALIZATION ECONOMIC ASSISTANCE FOR MISSOURI PROGRAM (DREAM) TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT ("DED"). A motion was made by Barklage and seconded by Ruck to approve the proposed resolution. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**VIII. CLAIMS AND/OR FISCAL TRANSACTIONS**

**(A) Motion to Award the Bid for the 2008 Micropave Activities for City Streets:** Public Works Director Steve Hargis reported the City recently advertised for bids for the 2008 Micropaving project. One bid was received from Donelson Construction of Clever, Missouri for \$2.94 per square yard. Mr. Hargis noted that this is an 8% increase over last year's quote. Given the success of last year's project and the cost of overlays, staff is recommending the addition of 60,000 square yards to the original 120,000 square yards. Mr. Hargis explained that staff would be removing about 30,000 square yards of pavement from the proposed overlay list and adding half of the pavements in the parking areas at The Centre, as well as adding streets along the Tour of Missouri route, which were planned for overlays in the near future. The total requested square yards of micropaving would be approximately 180,000 square yards at \$2.94 per square yard. Payment would be based on actual measured quantities. Mr. Hargis referred the Council to the list of streets, contained within the agenda, which would be paved.

Following some discussion, a motion was made by Williams and seconded by Jordan to award the bid for the 2008 Micropave Activities for City streets to Donelson Construction, Clever, Missouri for \$2.94 per square yard with the final amount to be based on actual measured quantities. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

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**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Appointment of William Lindgren to fill the Unexpired Term of Ryan Morris for the Rolla Health and Recreation Center Committee (Expires (Oct. 2008):** A motion was made by Rick Morris and seconded by Magdits to appoint Mr. William Lindgren to the Rolla Health and Recreation Center Advisory Committee to complete the unexpired term (October 2008) of Mr. Ryan Morris. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(B) Reappointment of Madison Daily to the Rolla Housing Authority Board for a Four-Year Term:** A motion was made by Jordan and seconded by Hicks to reappoint Mr. Madison Daily to the Rolla Housing Authority Board for a four-year term. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

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

**(A) Mini Bikes:** Councilman Hicks stated that several individuals have asked him about the laws affecting mini bikes. Since the mini bikes are difficult to see, he said a suggestion was made to require the riders to wear orange vests so they are more visible. With the high gas prices, he said he believes it will become more of a problem and said the Council should probably address it before it becomes too problematic.

Mayor Jenks suggested contacting the Missouri Municipal League and other municipalities to see how they handle mini bikes.

City Counselor John Beger pointed out that the mini bikes are street legal and a valid driver's license is required. He said he would be drafting an ordinance for Council consideration that mirrors State Statute on this issue.

Councilman Barklage mentioned that bicycles are also becoming more popular. He noted there is not much room on some city streets for bicycles. He noted that some cities have a designated strip on their streets just for bicycles. In addition to mini bikes, he said the Council might want to consider safety issues for bicycles. Councilman Barklage said the upcoming Tour of Missouri event would likely increase the popularity of bicycles.

**(B) Status of Meeting with Mr. Floyd Huffman:** Councilman Rick Morris asked Councilman Hicks if he would update the Council on his meeting with Mr. Floyd Huffman regarding the rezoning of his property.

**IX. MAYOR/CITY COUNCIL COMMENTS (continued)**

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**(B) Status of Meeting with Mr. Floyd Huffman (continued):** Councilman Hicks reported that he met with Mr. Huffman for a couple of hours on Sunday and discussed a rezoning plan that he drafted with the assistance of Community Development Director John Petersen. Councilman Hicks said the meeting was somewhat fruitful. He added the plan was much the type of plan that he believes would make Mr. Huffman's property more marketable. Councilman Hicks explained that the plan consists of a layered zoning concept starting with C-2 (General Retail District) close to Highway 72, working into C-1 (Neighborhood Business District) between the two potential inlets into Mr. Huffman's property at Sherwood Drive and Canterbury Court, and then C-O (Office District) at the most northern end. He mentioned that he has not spoken with the neighborhood about this, but believes they will be receptive to something that would improve Mr. Huffman's property and ultimately their property values. Mr. Huffman seemed receptive to the draft-rezoning plan. Councilman Hicks promised Mr. Huffman he would present the plan to the Council if he would make a good faith effort in cleaning up his property by removing some trailers, repairing a building that has broken out windows, cutting weeds, removing some of the signs, etc. A lengthy Council discussion followed.

**(C) Update on Drug Enforcement Task Force:** Mayor Jenks reported that he has been working on organizing the Drug Enforcement Task Force. One tier of the task force will be law enforcement, which is trying to apprehend the drug dealers. Another tier is the people who are committing crimes because they are addicted to the drugs, unable to find employment, and who support their habits by burglarizing homes. The third tier is the health side of the community. Mayor Jenks indicated that he would continue to update the Council on this issue.

**XI. EXECUTIVE SESSION**

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

Following a brief recess, the Council adjourned into Executive Session at approximately 7:52 p.m.

**XII. EXECUTIVE SESSION ACTION**

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The Council reconvened into open session at approximately 8:43 p.m.

City Counselor John Beger reported that during Executive Session the City Council was advised on the status of negotiations with the Department of Natural Resources concerning a matter of potential litigation. By a vote of nine to nothing, the Council voted to accept the proposed settlement agreement, which will be made public upon finalization.

City Counselor Beger also reported the Council was advised of the status of the process of City employees seeking recognition as a bargaining unit for the purpose of collective bargaining. By a vote of nine to nothing, the Council voted to retain legal counsel to advise City Administration during labor negotiations.

City Counselor Beger noted the Council was also advised of an offer to sell a small parcel of land to the City. The Council voted eight to nothing with one abstention not to make an offer on the property, but would be willing to pay processing costs if the interested party was willing to donate the property to the City.

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 8:45 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

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