

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 2, 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, Donald Barklage, Stan Spadoni, Susan Eudaly, Gary W. Hicks, Don Morris, Jim Williams, Rick Morris, Donna Hawley, and Mark Walburg

Council Members Absent: Monty Jordan and Lou Magdits

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, Parks and Recreation Director Ken Kwantes, Recreation Center Director Scott Caron, 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 Councilman Jim Williams to give the invocation.

Following the invocation, Mayor Jenks asked Councilwoman Susan Eudaly to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Eudaly to approve the consent agenda, as submitted. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

The consent agenda consisted of the following:

SEPTEMBER 2, 2008

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 2**

I. CONSENT AGENDA (continued)

(A) Approval of the City Council Minutes of:

- 1) August 4, 2008, City Council Meeting
- 2) August 18, 2008, City Council Meeting
- 3) August 18, 2008, City Council Executive Session Meeting
- 4) August 25, 2008, Special City Council Meeting
- 5) August 25, 2008, City Council Executive Session Meeting

(B) Storm Sewer Easement for 301 and 303 Winchester Drive: An easement for storm sewer improvements requested by the property owners at 301 and 303 Winchester Drive. The property owners have cost-shared with the City by paying for the materials and the City providing the labor.

(C) Storm Water Management Easement at Blue's Lake: An easement for the storm water detention facility at Blue's Lake.

(D) Utility Easement at Royal Canin Dog Food Plant: A utility easement necessary for the sewer line extension to the Royal Canin Dog Food Plant.

II. PUBLIC HEARINGS

(A) Request for Ordinance to Consider the 2008/2009 Fiscal Budget: City Administrator John Butz told the Council that the proposed 2008/2009 fiscal budget has a \$23 million spending plan. He noted that most of the discussions during last week's budget workshops focused on what could be done with public safety and law enforcement manpower needs. Mr. Butz pointed out that compensation and pay issues were a major discussion throughout the entire workshops and about \$10 to \$10.5 million of the \$23 million spending plan goes toward personnel costs. Mr. Butz explained that the budget includes a 2.5% cost-of-living adjustment (COLA) for employees with the availability of a one-step merit increase, and a benefit increase in the Local Government Employees Retirement System (LAGERS). During the last budget workshop, Mr. Butz said it was suggested that the cell phone settlement proceeds be discussed. He indicated that he would further comment on this issue following the public hearing on the proposed budget.

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 3**

II. PUBLIC HEARINGS (continued)

(A) Request for Ordinance to Consider the 2008/2009 Fiscal Budget (continued):

Councilwoman Hawley suggested that the entire proposed 2008/2009 budget document be made available on the City's Website. She asked that citizens be given another opportunity, during the Council's next meeting, to address the Council regarding the proposed budget.

City Administrator John Butz indicated the proposed budget would be placed on the City's web site before the next Council meeting.

Mayor Jenks then opened the public hearing to anyone wishing to address the Council concerning the proposed 2008/2009 fiscal year budget. No one present addressed the Council. Mayor Jenks closed the public hearing.

City Counselor John Beger then read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2008, AND APPROPRIATING FUNDS PURSUANT THERETO.**

City Administrator John Butz pointed out that during the budget workshops the Council discussed what type of budget amendments would be considered in light of the cell phone tax settlement proceeds, which were received during fiscal year 2008 and totaled \$550,000. During the last budget workshop staff was asked to consider the workshop discussions and return with a concept or proposal. Mr. Butz provided the Council with a document outlining the possible distribution of the cell phone tax settlement. After giving the Council an opportunity to review the document, Mr. Butz detailed staff's recommendation.

Following Council discussion, a motion was made by R. Morris and seconded by D. Morris to amend the proposed 2008/2009 budget with the recommendation as outlined in the handout from City Administrator John Butz pertaining to the cell phone settlement proceeds of \$550,000 as follows: (1) Provide a one time \$750 payment for services to be rendered to all full-time employees (Cost \$145,500); (2) Rebuild the General Fund Reserves to "25% of Operations" to \$2,200,000 as of September 30, 2009 (Cost \$275,000); (3) Retain the position of Engineering Technician (Intern) for Fiscal Year 2009 (Cost \$10,000); (4) Develop a short-term competitive compensation package for

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 4**

II. PUBLIC HEARINGS (continued)

(A) Request for Ordinance to Consider the 2008/2009 Fiscal Budget (continued): law enforcement personnel aimed directly at retaining existing and new employees in an effort to reduce turnover (average of 18% for last several years – less than 6% for all other operations) (Cost \$120,000 - \$60,000 over each of the next two years for police retention), (a) Use \$30,000 to fund staffing levels at 95% rather than the current 90% which reflects vacancies caused by turnover. (b) Use \$30,000 to offer a one-year “continuation contract” for all personnel of \$1,000 for 2009 and again in 2010 if the General Fund Reserves remain at 25%. After additional discussion, a voice vote on the motion showed nine ayes, one nay, and two absent. Motion carried.

(B) Resolution Renaming Southview Park to Veterans Memorial Park: Parks and Recreation Director Ken Kwantes asked the Council to consider a resolution that would rename Southview Park to Veterans Memorial Park. He recalled that at the April 7, 2008, Council meeting, Councilman Magdits suggested relocating Veterans Park from the Lions Club Drive location to the current Southview Park location because of the funds that would be needed to construct a bridge over the creek to access the Lions Club Drive location. Mr. Kwantes reported that City staff has been working with the Veterans Park Committee and the culmination of the meetings is the recommendation to move the location of Veterans Memorial Park to the Southview Drive park location.

After Council discussion, Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the proposal to rename Southview Park to Veterans Memorial Park.

Mr. Harrison Meaux, Chairman of the Veterans Park Committee, said the veterans are interested in tonight’s vote because they cannot begin to raise funds for the Veterans Park until the Council approves the proposed resolution. He indicated the veterans have made contact with several groups who are ready to begin fundraising.

No one else present addressed the Council concerning the proposed Veterans Memorial Park. Mayor Jenks closed the public hearing.

II. PUBLIC HEARINGS (continued)

SEPTEMBER 2, 2008

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 5**

(B) Resolution Renaming Southview Park to Veterans Memorial Park (continued):

City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1672: A RESOLUTION CHANGING THE NAME OF SOUTHVUEW PARK TO VETERANS MEMORIAL PARK. A motion was made by Williams and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried. The resolution passed.

III. CITIZEN COMMUNICATIONS

(A) Open Citizen Communication:

(1) Mr. Chalmer Morris Regarding the Bike Trail along Brook Drive: Mr. Chalmer Morris, 1205 S. Jackson Street, Salem, Missouri, owner of the property located at 2509 Brook Drive in Rolla, told the Council that a severe water flow problem onto his property at 2509 Brook Drive was created by the construction of the bike trail. He indicated that when it rains, there is no way for the water to get out and it leaves six inches of water over the yard. He asked if it would be possible for the City to do something to alleviate this problem.

Councilwoman Hawley mentioned that she lives just around the corner from 2509 Brook Drive and confirmed that when it rains the yards of the houses are flooded. Because of the bike trail, she said the water has no other place to go.

Public Works Director Steve Hargis noted that the bike trail serves two purposes. In addition to being a bike/walking trail, the City elevated the trail so it would act as a levy against the 100 year storm. Mr. Hargis said the berm where the sidewalk sits acts as a barrier for water coming up into the subdivision and it obviously slows water going out of the subdivision. He added that some landscaping was recently completed in that area and it was determined that another pipe needs to be placed just south of 2509 Brook Drive. Mr. Hargis said staff plans to install the pipe within the next two weeks.

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 6**

(2) Public Golf Course: Recognizing that the Missouri S & T Golf Course will soon disappear and become a Research Park, Mr. Bob Oetting, 22 Burgher Drive, presented the Council with a petition containing over 690 signatures which respectfully

III. CITIZEN COMMUNICATIONS (continued)

(A) Open Citizen Communication (continued):

(2) Public Golf Course (continued): requested that the City of Rolla, with the support of Missouri S & T, the Phelps County Commission, Rolla Area Chamber of Commerce, and other interested organizations, build an 18-hole golf course as a part of the west expansion of Rolla.

(3) Rolla West Master Plan: Elizabeth Bax, Executive Director of the Rolla Regional Economic Commission, said she is thrilled to see that the Rolla West Master Plan has reached the Council for its consideration. She asked the Council to bear in mind the number of people who have placed a great deal of money toward the creation of this plan. If the Rolla West project is successful, she said she believes it will solve a number of problems that have been discussed this evening with regard to revenue shortfalls. Ms. Bax said she looks forward to the Council's comments and, hopefully, approval of the plan.

IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

(A) Presentation of the Final Draft of the Rolla West Master Plan – HNTB: Public Works Director Steve Hargis introduced Mr. Brian Comer, AICP, Senior Planner with HNTB Corporation who will present the final draft of the Rolla West Master Plan. In addition to considering the Master Plan, Mr. Hargis mentioned that later in the meeting the Council would be asked to consider the contract with HNTB Corporation to complete the phase pertaining to the Missouri S & T Research Park. Mr. Hargis said it is staff's hope and plan that with the engineering report that was done on the Ridgeview Drive extension, the Rolla West Master Plan, and the addition of the Missouri S & T Research Park, the City will indeed have a document that can be presented to the Planning and Zoning Commission, the City Council, and ultimately be included in the Comprehensive Plan for the development of the City of Rolla. Mr. Hargis then turned the floor over to Mr. Comer, who presented the final draft of the Rolla West Master Plan. Following his presentation, Mr. Comer entertained questions from the Council.

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 7**

(B) Presentation Regarding the Upcoming Tour of Missouri: Recreation Center Director Scott Caron noted that it is just over one week until Stage 4 of the 2008 Tour of Missouri finishes in Rolla (Thursday, September 11) around 3 p.m. Stage 5 will begin on

IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS (continued)

(B) Presentation Regarding the Upcoming Tour of Missouri (continued): Friday, September 12 in St. James, Missouri at 2 p.m. Mr. Caron invited the Council to the Tour of Missouri hospitality tent. He indicated that additional course marshals are needed, who would be placed along the tour route to be at driveways and sidewalks so that vehicles do not obstruct the path of the bicyclists. Mr. Caron told the Council that the Chamber of Commerce would be hosting a cleanup of the tour route on Saturday, September 6 beginning at 8 a.m. He continued by outlining the other activities that will be taking place on September 11 and the exposure that Rolla has received as part of this event.

Mayor Jenks encouraged Rolla citizens and business owners to please make a concerted effort to cleanup their properties. He said the Tour of Missouri would probably be the biggest event that has ever occurred in Rolla.

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

Mayor Jenks referred the Council to **(A)** the July 2008 Rolla Municipal Utilities Monthly Report; **(B)** the August 12, 2008 Preliminary Minutes of the Planning and Zoning Commission Meeting; **(C)** the July 2008 Rolla Municipal Court Report; **(D)** the August 2008 Rolla Regional Economic Commission (RREC) Executive Director's Monthly Report; **(E)** the July 16, 2008 Rolla Health and Recreation Center Advisory Committee Meeting Minutes; and **(F)** The Centre and SplashZone FY 2008 Financial Analysis.

VI. OLD BUSINESS

(A) Ordinance to Amend Section 27-32 of the City Code Regarding Motorized Bicycles: Police Chief Mark Kearse asked the Council to consider the final reading of an ordinance to amend Section 27-32 of the Rolla City Code, which would make it unlawful to operate a motorized bicycle within the Rolla city limits without a valid driver's license.

SEPTEMBER 2, 2008

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 8**

City Counselor John Beger read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 3876: AN ORDINANCE AMENDING SECTION 27-32 OF THE ROLLA CITY CODE, AND ADDING A SECTION THERETO MAKING IT

VI. OLD BUSINESS (continued)

(A) Ordinance to Amend Section 27-32 of the City Code Regarding Motorized Bicycles (continued): UNLAWFUL TO OPERATE A MOTORIZED BICYCLE, AS DEFINED IN SECTIONS 301.010 AND 307.180 RSMo., ON ANY HIGHWAY OR STREET IN THE CITY OF ROLLA WITHOUT POSSESSING A VALID DRIVER'S OR CHAUFFER'S LICENSE. A motion was made by Hicks and seconded by Barklage to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Hicks, Williams, Ruck, Hawley, R. Morris, Eudaly, Walburg, Barklage, D. Morris and Spadoni. Nays; None. Absent; Magdits and Jordan. Motion carried. The ordinance passed.

(B) Ordinance to Repeal Section 30-37 of the City Code Regarding Vagrancy (continued): Police Chief Mark Kearse asked the Council to consider the final reading of the proposed ordinance, which would amend Section 30-37 of the Rolla City Code, pertaining to vagrancy. Since the State recently repealed this portion of State Statutes, staff recommends the City follow suit.

City Counselor John Beger read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 3877: AN ORDINANCE REPEALING SECTION 30-37 OF THE ROLLA CITY CODE PERTAINING TO VAGRANCY. 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; Hawley, Spadoni, Ruck, R. Morris, Williams, Walburg, Barklage, Eudaly, Hicks, and D. Morris. Nays; None. Absent; Jordan and Magdits. Motion carried. The ordinance passed.

VII. NEW BUSINESS

(A) Resolution for Professional Services with HNTB Corporation for the Missouri S & T Tech Park Master Plan: Public Works Director Steve Hargis recalled that during the July 17, 2008, meeting, the Council reviewed and approved the scope and fee for the Rolla West Master Plan additional study for the Missouri University of Science and Technology (Missouri S & T) Research Park. The contract entails evaluating the park's impact on our transportation facilities, existing and planned, and will assess utility service needs for a lump sum of \$60,000.

SEPTEMBER 2, 2008

VII. NEW BUSINESS (continued)

(A) Resolution for Professional Services with HNTB Corporation for the Missouri S & T Tech Park Master Plan (continued): After a brief discussion, City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1671: A RESOLUTION 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 HNTB CORPORATION FOR PROFESSIONAL SERVICES. A motion was made by Williams and seconded by R. Morris to approve the proposed resolution. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried. The resolution passed.

(B) Request for Ordinance Authorizing the Mayor to Enter into an Agreement Between the City of Rolla and Huff Sealing Corporation for Airport Improvements: Public Works Director Steve Hargis stated that at the August 18, 2008, meeting, the Council awarded the bid for airport improvements to Huff Sealing Corporation, pending approval from the Missouri Department of Transportation (MoDOT). Approval from MoDOT for this project has since been received and MoDOT has authorized the City to enter into a contract with Huff Sealing Corporation. He added the legal department at MoDOT is now requiring that all contracts be approved by ordinance. Mr. Hargis asked the Council to consider both the first and second readings of the proposed ordinance at this meeting.

Following a brief discussion, City Counselor John Beger read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 3878: 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 HUFF SEALING CORPORATION FOR ROLLA NATIONAL AIRPORT IMPROVEMENTS. A motion was made by Williams 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 ten ayes, zero nays, and two absent. Motion carried. City Counselor 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; Spadoni, Walburg, R. Morris, Williams, Ruck, Hawley,

CITY COUNCIL MEETING MINUTES

SEPTEMBER 2, 2008

PAGE 10

D. Morris, Eudaly, Hicks, and Barklage. Nays; None. Absent; Magdits and Jordan. Motion carried. The ordinance passed.

VIII. CLAIMS AND/OR FISCAL TRANSACTIONS

(A) Motion to Authorize the Sale of Surplus Property/Equipment: City Administrator John Butz informed the Council that any City property valued over \$500 requires Council authorization prior to their sale. He noted that the list includes 11 vehicles with an average age of 13.6 years. Mr. Butz noted that the True Brand Refrigerator, currently used in the Recreation Center, would be removed from the list and will be used in the Parks Department concession stand. He also pointed out that there are no police vehicles being sold this year. Since new vehicles were not budgeted in the Community Development budget, the two police vehicles were transferred to the Community Development Department. Mr. Butz called attention to the patrol batons that are being sold. He said the City hopes that small police departments will bid on these items. He indicated that there is nothing that would preclude a citizen from purchasing them. Following the bid process, the Council will be asked to award the bids. A motion was made by Eudaly and seconded by Spadoni to authorize the sale of the surplus equipment as presented. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Reappointment of Mark Rolufs to the Board of Public Works for a Four-Year Term: Mayor Jenks requested the reappointment of Mr. Mark Rolufs to the Board of Public Works. A motion was made by Hicks and seconded by Spadoni to reappoint Mr. Mark Rolufs to the Board of Public Works. A voice vote on the motion showed nine ayes, one nay, and two absent. Motion carried.

(B) Discussion Regarding RMU Reports and Minutes: Councilwoman Hawley stated the reason she asked that this item be discussed is the lack of communication between Rolla Municipal Utilities (RMU), the City Council, and the public. She explained that two weeks ago she was asked to make an appointment with RMU General Manager Dan Watkins and Office Manager Dennis Roberts. Ms. Hawley said she e-mailed them and has never received a response. She added that she attended the recent RMU Board meeting and Dr. James Stoffer asked Mr. Roberts to schedule an appointment with her. Ms. Hawley indicated that Mr. Roberts still has not contacted her. She stated that she brought up the issue that there are no e-mail responses from RMU. She said she feels that if RMU employees are given a public e-mail account that they should be responsible

SEPTEMBER 2, 2008

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 11**

to

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Discussion Regarding RMU Reports and Minutes (continued): answer the e-mails that come through their public account. Ms. Hawley suggested that it would be efficient for RMU to have just one e-mail account posted on their Website so that citizens can contact them and receive an answer through e-mail. To enable better communications, Ms. Hawley said the Council needs to mandate that RMU have an e-mail account, for the public's use, that will be answered speedily. She added she feels the reports the Council is receiving from RMU are not specific or sufficient. She said the Council should be receiving RMU's Board meeting minutes along with the monthly report. Ms. Hawley then made a motion to require RMU to set up a public e-mail account that is responded to and monitored. Additionally, that the RMU Board meeting minutes and revenue/expense reports be included with their monthly reports, as well as a monthly update from the Missouri Public Energy Pool (MoPEP). The motion did not receive a second.

RMU General Manager Dan Watkins addressed the Council and said that he is inundated with e-mails. Between the mail basket and e-mail, it takes a lot of time. He indicated that he would prefer that important communication be made either by telephone or in writing. Mr. Watkins stated that e-mails could also be modified and sent to several places.

Mr. Watkins told the Council that the RMU minutes are available on the RMU Website. Regarding MoPEP, Mr. Watkins said he has an idea that it is an area of information that would probably not be very productive to some of the Council. He mentioned that he does not maintain a file of the MoPEP minutes. Mr. Watkins said he discusses MoPEP issues with the Board of Public Works, but does not provide verbatim minutes to the Board.

Councilman Barklage indicated to Councilwoman Hawley that he would like to see her motion or motions in writing so the Council would have an opportunity to digest everything that she is trying to accomplish. Additionally, it would give RMU an opportunity to rebut the request before the Council votes on the motion.

After discussion, Mayor Jenks suggested to Councilwoman Hawley that she place her detailed comments in writing and present them to the Council for consideration at its next meeting. Additional discussion ensued with no action taken.

SEPTEMBER 2, 2008

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(C) Rolla 2020 Fiscal Advisory Committee Report: Since Councilman Magdits was unable to attend this meeting due to a family emergency, Mayor Jenks announced that this item would be postponed until the next Council meeting.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Triad Printing Deliveries/Ihler Family Situation: Councilman Williams asked City Administrator John Butz if he would update the Council on the Triad Printing and Ihler family issue.

When this issue surfaced earlier this year, City Administrator John Butz said it ultimately resulted in five tickets being issued to the distribution company that services Triad Printing. One ticket was issued for disturbing the peace and four were issued for loud, disturbing noise. The tickets were signed by the prosecutor and scheduled for an appearance in Municipal Court. Mr. Butz noted the defendants requested a change of judge in the Municipal Court and it was assigned to Judge White. The hearing is scheduled for October 8.

(B) Public Transportation: Councilman Spadoni asked City Administrator John Butz if the City is making any progress in providing public transportation particularly for the disabled.

Mr. Butz responded that he told some people that the City is interested in trying to provide some public transportation for its residents. However, he said he would first like to complete the 2008/2009 budget before proceeding further. Mr. Butz said the City would begin, in earnest, in November or December. He added that it needs to be recognized that there is no money in the budget to meet any kind of matching obligation. Mr. Butz indicated the City would begin gathering information and develop a business model.

Councilman Spadoni pointed out that the sidewalk from McCutchen Drive to Country Mart is very narrow and steep and is especially difficult for individuals in wheelchairs to maneuver.

Councilman Williams left the Council Chambers at approximately 8:39 p.m.

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2008
PAGE 13**

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

(C) Flood Plain: Councilman Don Morris asked Public Works Director Steve Hargis if he would mind updating the Council on the remapping of the flood plain.

Public Works Director Steve Hargis said the only update he has is that Deible Creek is in its final mapping at the Federal Emergency Management Agency (FEMA) staff level. The consultant is still working on some problems that were pointed out to him regarding Burgher Branch. A remapped flood plain is expected in the near future.

XI. EXECUTIVE SESSION

A motion was made by Hicks and seconded by Eudaly 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; Hawley, Hicks, R. Morris, Spadoni, Walburg, Barklage, Eudaly, D. Morris, and Ruck. Nays; None. Absent; Williams, Jordan, and Magdits. Motion carried.

The Council adjourned into Executive Session at approximately 8:47 p.m., following a brief recess.

XII. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 8:56 p.m.

City Counselor John Beger reported that during Executive Session the Council considered a request to accept requests for proposals to sell a surplus lot owned by the City. By a vote of nine to one, the Council voted to put out requests for proposals to consider bids on the sale of the lot at 1208 Elliott.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 8:58 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

SEPTEMBER 2, 2008