

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 5, 2009
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET
6:30 P.M.**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: Don Brown, Don Barklage, Stan Spadoni, Susan Eudaly, Gary Hicks, Don Morris, Jim Williams, Ken Boeker, Donna Hawley (arrived at 6:38 p.m.), and Mark Walburg

Council Members Absent: Monty Jordan and Lou Magdits

Department Directors in Attendance: Environmental Services Director Brady Wilson, Fire Chief Robert Williams, Finance Director Steffanie Rogers, Public Works Director Steve Hargis, Police Chief Mark Kearse, and Community Development Director John Petersen

Other City Officials in Attendance: City Counselor John Beger and City Clerk Carol Daniels

Mayor Jenks called the meeting to order at approximately 6:30 p.m., and asked Councilman Don Morris to lead in the Pledge of Allegiance.

Mayor Jenks explained that City Administrator John Butz is out of town attending the annual Missouri Municipal League Conference and would not be attending tonight's meeting.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Morris 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:

(A) Approval of the City Council Minutes of:

September 8, 2009, City Council Meeting
September 8, 2009, Executive Session City Council Meeting
September 21, 2009, City Council Meeting

OCTOBER 5, 2009

**CITY COUNCIL MEETING MINUTES
OCTOBER 5, 2009
PAGE 2**

II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

None.

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

Mayor Jenks referred the Council to **(A)** the July and August, 2009, Rolla Municipal Utilities Monthly Reports; **(B)** the September 8, 2009, Preliminary Minutes of the Planning and Zoning Commission Meeting; **(C)** the August 2009 City's Cash Position and Expenditure Report; **(D)** the September 3, 2009, Rolla Board of Public Works Committee Meeting Minutes; **(E)** the September 3, 2009, Board of Building Appeals Meeting Minutes; **(F)** the August 19, 2009, Rolla Health & Recreation Center Advisory Committee Meeting Minutes; **(G)** The Centre & SplashZone FY 2008/2009 Financial Analysis; **(H)** the September 2009 Rolla Regional Economic Commission Report, and; **(I)** the June 9, 2009, Rolla Channel 6 (RC6) Advisory Committee Meeting Minutes.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

(A) Request Ordinance for a Mutual Aid Agreement with Missouri S&T and the City of Rolla Fire and Rescue: Fire Chief Robert Williams explained that annually Missouri S&T asks the Rolla Fire and Rescue Department, which would respond to fire and hazardous materials incidents at the University, to review their contingency plan with them. As part of the contingency plan, the Rolla Fire Department would sign a mutual aid agreement with Missouri S&T. Chief Williams told the Council that the subject agreement is the same agreement that has been approved by the Council in the past. He said that staff is asking that the agreement period be open-ended so that next year when the contingency plan is reviewed, the Mayor may execute the agreement.

OCTOBER 5, 2009

**CITY COUNCIL MEETING MINUTES
OCTOBER 5, 2009
PAGE 3**

VI. NEW BUSINESS (continued)

(A) Request Ordinance for a Mutual Aid Agreement with Missouri S&T and the City of Rolla Fire and Rescue (continued): After some discussion, City Counselor John Beger read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 3636: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI, TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ROLLA FIRE AND RESCUE DEPARTMENT, AND MISSOURI UNIVERSITY OF SCIENCE & TECHNOLOGY (MS&T). 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 nine ayes, zero nays, and three absent. Motion carried.

Councilwoman Hawley entered the meeting at approximately 6:38 p.m.

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

(B) Motion to Adopt a Personal Use of City Vehicle Policy: Finance Director Steffanie Rogers referred the Council to the draft policy and vehicle log for the personal use of City vehicles, which was recommended by the State Auditor. Out of the City's 134 vehicles, 43 are part of the take home program. With the exception of the 35 Public Safety vehicles, Ms. Rogers informed the Council that there is a taxable benefit for the remaining 8 vehicles. After reviewing policies from the Missouri Department of Transportation (MoDOT) and Rolla Municipal Utilities (RMU), staff has decided to apply a taxable benefit of \$3 per round trip.

After a brief discussion, City Counselor John Beger read the following proposed resolution for one reading, by title. RESOLUTION NO. 1697: A RESOLUTION ADOPTING A PERSONAL USE OF CITY VEHICLE POLICY FOR THE CITY OF ROLLA, MISSOURI. 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.

OCTOBER 5, 2009

VII. CLAIMS AND/OR FISCAL TRANSACTIONS

(A) Motion to Award Bid for a New Roll-off Truck for the Environmental Services Department: Environmental Services Director Brady Wilson told the Council that the proposed bid award would replace a ten-year roll-off truck as part of the Department's regular replacement schedule. After thorough review of the bids received, Mr. Wilson recommended that the bid be awarded to the low bidder, Armor Equipment for a 2010 International roll-off truck for \$78,678, after trade-in.

A motion was made by Williams and seconded by Eudaly to award the bid for a 2010 International roll-off truck to Armor Equipment for \$78,678, after trade in. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(B) Motion to Award the Bid for a New 18 Foot Flatbed Trailer for the Environmental Services Department: Environmental Services Director Brady Wilson explained the new flatbed trailer would replace the one that is currently pulled behind a packer truck used for curbside recycling. After reviewing the two bids received, Mr. Wilson recommended the bid be awarded to the low bidder, Cowtown, Rolla, Missouri for \$2,700. He explained that the current trailer would be transferred to the Parks Department for their use. Following a brief discussion, a motion was made by Williams and seconded by Walburg to award the bid for a flatbed trailer to Cowtown, Rolla, Missouri for \$2,700. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

VIII. CITIZEN COMMUNICATION

(A) Mr. Tony Roark, Century Signs and Design: Mr. Roark was not present to address the Council.

(B) Open Citizen Communication: Mayor Jenks opened the floor to anyone wishing to address the Council.

Dr. Tom Sager, 8 Laird Avenue, stated that at its September 21, 2009, meeting, the Council voted without any serious discussion or dissenting votes to increase City sewer rates by 17%, from \$3.00 to \$3.50 per 1000 gallons of water. He noted the Council did not allow citizens to address the Council on the subject before the vote was taken. Dr. Sager pointed out that City Administrator Butz and Public Works Director Hargis both stated that sewer revenues were down because people were conserving water with

VIII. CITIZEN COMMUNICATION (continued)

(B) Open Citizen Communication (continued): measures such as buying washing machines that are more efficient and taking shorter showers. He told the Council that there are many other ways they could have addressed falling sewer revenues. Dr. Sager suggested that instead of raising rates, the Council could have looked into generating electricity from sewage. He said if the Council wishes to mend its anti-environmental ways, a good starting point would be to fill the vacancy on the Rolla Board of Public Works with a person who has environmental credentials and the capability of leading Rolla Municipal Utilities (RMU) into a new era of conservation and renewable energy generation.

Following Dr. Sager's presentation, Councilman Don Barklage suggested that Dr. Sager make a presentation to the Council outlining the costs involved in generating electricity from other sources.

After some dialogue, Dr. Sager indicated he would be happy to provide the Council with examples of what other cities are doing as far as turning sewage waste into electricity and wind generation.

Councilman Brown pointed out that the presentation would be limited to five minutes. For efficiency, he suggested that Dr. Sager provide the Council with a written proposal. A motion was then made by Councilwoman Hawley to allow Dr. Sager up to ten minutes for his presentation. The motion did not receive a second.

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Appointment of Mr. Albert Crump to the Board of Public Works to Serve a Four-Year Term: Mayor Jenks indicated that since he has not received Mr. Crump's biographical information, he suggested that consideration of his appointment be delayed until the next Council meeting.

(B) Appointment of Mr. Mark Williams to the Board of Building Appeals to Serve a Five-Year Term: A motion was made by Hicks and seconded by Eudaly to appoint Mr. Mark Williams to the Board of Building Appeals for a five-year term. A voice vote on the motion showed nine ayes, one nay, and two absent. Motion carried.

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(C) Proposed Committee Members for the Parks and Recreation Sales Tax Review

Committee: Mayor Jenks stated that the Recreation Center sales tax expires in December 2013. He indicated that he would like to appoint a committee that would review the funding history of the Recreation Center and the parks system, assess the public's support of the current sales tax and possible extension of the sales tax, and present a recommendation for the use and extension of the sales tax to the City Council. Mayor Jenks added the Committee would be given four months to submit a report to the Council.

Following a brief discussion, a motion was made by Williams and seconded by Spadoni to appoint the following individuals to the Ad Hoc Committee to Review Parks and Recreation Sales Tax: Councilman Don Brown, Councilman Monty Jordan, Recreation Center Advisory Board member Dr. Dennis Goodman, Seniors' Committee Representative Mr. Bob McKune, and at-large members Mr. Walt Bowe, Ms. Judy Williams, Ms. Lonna Sowers, Ms. Barb Jernigan, Mr. Todd Koenig, Mr. Bob Oetting, Mr. Dennis Noel, and Ms. Jenni Hushaw, and; ex-officio members Recreation Center Director Scott Caron and Parks and Recreation Director Ken Kwantes. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Feral Cats: Councilman Jim Williams advised the Council that Rolla has a major problem with feral cats. If people do not realize the problem these cats can cause, he suggested asking Animal Control Manager Inge Wilson to address the Council. Councilman Williams said there are not enough traps to collect these cats and they are not being spayed or neutered.

Councilwoman Hawley agreed there is a problem and the solution is spaying and neutering. Until the City has a program to pay for part of the expenses of spaying and neutering, she said there really is no solution.

(B) Enhanced Enterprise Zone Public Hearing: Councilman Don Morris encouraged folks to attend the Enhanced Enterprise Zone (EEZ) Public Hearing, which is scheduled for Tuesday, October 13, 2009, at 6:30 p.m. in the City Council Chambers. He pointed out that this is very important to the future of this community. Councilman Morris asked the residents to attend to have their questions answered.

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

(B) Enhanced Enterprise Zone Public Hearing (continued): Councilwoman Hawley added the issue on the EEZ is very important to the people of Rolla because the City will have to designate the entire town “blighted.” She stated that she believes this is a horrible concept and believes it leads right into eminent domain. Councilwoman Hawley said the citizens have every right to expect the Council to protect their property. However, the Council is planning to blight it. She added that this is not an economic blight, as some would like to believe. Councilwoman Hawley added that it is not about job creation.

Councilwoman Hawley left the meeting at approximately 7:04 p.m.

Councilman Morris again encouraged the citizens to attend the EEZ Public Hearing and find out that a lot of the information they are hearing and have just heard is not true.

Mayor Jenks pointed out there are 66 communities in Missouri that currently have Enhanced Enterprise Zones and it has not adversely affected those communities. He emphasized that it is an issue of economic development.

(C) Neighborhood Cleanup: Councilman Don Brown commended the Rolla Police Department, Rolla Ministerial Alliance, and citizens who participated in the neighborhood cleanup on Friday, October 2.

Mayor Jenks echoed Councilman Brown’s comments and said it was a fantastic community effort.

Police Chief Mark Kearse expressed his appreciation to the Environmental Services Department, Parks and Recreation Departments, and Public Works Department for their work in this project.

XI. EXECUTIVE SESSION

None.

**CITY COUNCIL MEETING MINUTES
OCTOBER 5, 2009
PAGE 8**

XII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 7:06 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

OCTOBER 5, 2009