

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 5, 2012; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: Monty Jordan, Greg Sawyer, Stan Spadoni, Gary Hicks, Don Morris, Jim Williams, Carrolyn Bolin, Tony Bahr, and Fran Mazanec

Council Members Absent: William Lindgren, Jr., Susan Eudaly, and Lou Magdits

Department Directors in Attendance: Finance Director Steffanie Rogers, Public Works Director Steve Hargis, Parks and Recreation Director Scott Caron, Environmental Services Director Brady Wilson, Fire Chief Robert Williams, and Community Development Director John Petersen

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lance Thurman, Police Lieutenant Jason Smith, Communications Director Scott Grahl, and City Clerk Carol Daniels

Mayor William S. Jenks, III, called the meeting to order at approximately 6:30 p.m. and asked a member of the Rolla Ministerial Alliance to give the invocation.

Councilman Gary Hicks then led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Bolin to approve the minutes of the previous meetings, 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 for the following:

- February 6, 2012, Rolla City Council Meeting
- February 6, 2012, Rolla City Council Executive Session
- February 21, 2012, Rolla City Council Meeting
- February 21, 2012, Rolla City Council Executive Session

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II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

(A) Rolla Municipal Utilities First Quarter 2012 Report: Rolla Municipal Utilities (RMU) General Manager Rodney Bourne provided an overview of RMU's First Quarter 2012 Report.

In addition, Mr. Bourne explained as part of the original natural gas franchise agreement, the City of Rolla had an option to purchase or negotiate for the purchase of the natural gas system. He reported during its January 4, 2012, meeting, the Rolla Board of Public Works recommended to the City Council the purchase not be further pursued. Mr. Bourne said the Board determined the purchase would not be an economical pursuit.

City Administrator John Butz referred the Council to a copy of Section 16-117 of the Rolla City Code pertaining to the sale of facilities to the City.

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

Mayor Jenks referred the Council to (A) the January 2012, Rolla Municipal Utilities Monthly Report; (B) the January 25, 2012, Rolla Board of Public Works Meeting Minutes; (C) the City's Cash Position and Revenue/Expenditure Report, and; (D) The Centre FY 2012 Financial Analysis.

V. OLD BUSINESS

(A) Ordinance Amending Ch. 31 of the Rolla City Code – Parks and Recreation: City Administrator John Butz recalled the City Council did a first reading of the subject ordinance in January and delayed consideration of the final reading until after the Council workshop regarding park issues. He explained the proposed ordinance establishes the Director of Parks and Recreation and merges park operations with recreation services. However, Mr. Butz emphasized the ordinance does not co-mingle the accounting practices.

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V. OLD BUSINESS (continued)

(A) Ordinance Amending Ch. 31 of the Rolla City Code – Parks and Recreation (continued): City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4035: AN ORDINANCE REPEALING CHAPTER 31, PARKS AND RECREATION, OF THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW CHAPTER 31, PARKS AND RECREATION, IN LIEU THEREOF. A motion was made by Williams and seconded by Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bolin, Mazanec, Spadoni, Williams, Bahr, Morris, Sawyer, Hicks, and Jordan. Nays; None. Absent; Lindgren, Magdits, and Eudaly. Motion carried. The ordinance passed.

VI. NEW BUSINESS

Mayor Jenks asked that Item VI. C., be considered at this point in the meeting.

(C) Motion to Approve Street Closings for 2012 Celebration of Nations Parade: Public Works Director Steve Hargis noted this year's Celebration of Nations Parade includes a new parade route. In the past, the parade travelled from the Student Union area down Rolla Street up to Pine Street and over to the parking lot area. This year, Mr. Hargis said the organizers are wanting to come to Eleventh Street, travel down Pine Street the wrong way and over to the parking lot area. Since these streets are being closed, Mr. Hargis said the Police and Public Works Departments do not see any reason why this would not work. He added the recommendation includes the closure of all four festival lots from 6 p.m. on September 28 to 7 p.m. on September 29. Elm Street from 10th to 9th Streets, 9th Street from Pine to Oak Streets, and Oak Street from 8th to 10th Streets would be closed from 8 a.m. to 7 p.m. on September 29.

Mr. Stephane Menand with Missouri S&T added the reason for the change in the parade route is to shorten it for the benefit of the animals in the parade.

Following a brief discussion, a motion was made by Bolin and seconded by Spadoni to approve the requested street and lot closings during the Celebration of Nations event. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(A) Motion to Authorize the Destruction of Certain City Records: Finance Director Steffanie Rogers requested staff be authorized to destroy the following records, per Chapter 109, Revised Statutes of Missouri (RSMo.):

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VI. NEW BUSINESS (continued)

(A) Motion to Authorize the Destruction of Certain City Records (continued):

<u>FISCAL YEAR</u>	<u>CONTENTS</u>	<u>DESTROY DATE</u>
<u>PAPER DOCUMENTS FOR SHREDDING</u>		
Jan 03 – Dec 06	Bid Documents	2011
Nov 05 – Dec 10	Audio Recordings of City Council meetings	2012
Jan 05 – Dec 06	Surplus Vehicle/Equipment Records	2012
2002	Accounts Summary Credit Report	2011
Oct 99 – May 01	Health Insurance – Monthly Report	2011
1999 – 2001	Closed MIRMA Claims	2011
2000 – 2004	Bank Stms Payroll (02-03), Health (00-01), Check Stub (03-04)	2011
2001 – 2002	Cash Receipt & Postings	2011
2002 – 2003	Accounts Payable Journal CR, Cash Post	2011
2002 – 2003	Accounts Receivable	2011
2002 – 2003	AP Journals	2011
2002 – 2003	Bank & Trust Statements, Journal Entries	2011
2002 – 2003	Ctr, CC Stmts, Pledge Stmts, Motel & Lib Tax Rpts, Grants, Airport Sales	2011
2002 – 2003	Health Ins Reports	2011
2002 – 2003	Journal Entries	2011
2002 – 2003	Journal Entries, CR, Journals, Landfill Journal	2011
2002 – 2003	Payroll Journal, Accounts Payable Journals	2011
2003 – 2004	Accounts Receivable	2011
2003 – 2004	AP (1/2 C – F)	2011
2003 – 2004	AP (1/2 L – M)	2011
2003 – 2004	AP (1/2 R – 1/2 S)	2011
2003 – 2004	AP (G – 1/2 L)	2011
2003 – 2004	AP (Misc A – R) & Landfill Apr – Sept	2011
2003 – 2004	AP (N – 1/2 R)	2011
2003 – 2004	AP (S – Z Misc)	2011
2003 – 2004	Payroll Check Runs 01/04-02/04 & Leave Reports/Adjustments	2011
June 01 – Sept 02	Health Insurance – Monthly Reports	2012
2003 – 2004	2003 RE Taxes	2012
2003 – 2004	AP Posting	2012
2003 – 2004	AP Posting, AR Posting	2012
2003 – 2004	AR Books, GF & LF Sign AP Reg, LF Reg, GF PO Claim Reg & Rec Reg	2012
2003 – 2004	Cash Receipts	2012
2003 – 2004	Cash Receipts, Landfill & Misc Payroll	2012

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2003 – 2004	Centre, SW & Parks CC Trans, Pledges, Grants, RE Tx & Airport Sales Tax	2012
2003 – 2004	Closed BL	2012
2003 – 2004	GF Req Register & Journal Entries	2012
2003 – 2004	Health Ins Reports – Box 1	2012
2003 – 2004	Health Ins Reports – Box 2	2012
2003 – 2004	Inventory Reports, W2's for 2003	2012
2003 – 2004	Journal Entries, MIRMA Reports, Inventory Records	2012
2003 – 2005	Cash Receipts	2012
1989 – 2003	Auto & Equipment Files, Bid Specs – Public Works	2012
1999 – 2006	Asphalt Tickets – Public Works	2012
1983 – 2005	Airport Fuel Logs	2012

ELECTRONIC DOCUMENTS

2002 – 2003	AP Files	2010
2003 – 2004	AP Files	2011
2002 – 2003	Centre Deposit Reports	2011
2003 – 2004	Airport Fuel Sales Reports	2012
2003 – 2004	Journal Entries	2012

VI. NEW BUSINESS (continued)

(A) Motion to Authorize the Destruction of Certain City Records (continued): A motion was made by Williams and seconded by Morris to authorize the destruction of the requested records. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried. Note - The above-listed paper records were shredded at the Rolla Recycling Center under the supervision of Finance Director Steffanie Rogers, except for the electronic records, which were deleted from the City's computer system.

(B) Fiscal Year 2012 – First Quarter Fiscal Report: Finance Director Steffanie Rogers provided an overview of the City's Fiscal Year 2012, first quarter financial report, which covered the period from October 2011 through January 2012.

(C) Motion to Approve Street Closings for 2012 Celebration of Nations Parade: At the request of Mayor Jenks, this item was considered as the first item under VI. New Business above.

VI. NEW BUSINESS (continued)

(D) Motion to Renew 583 & 584 Sycamore Drive Real Estate Listing (ReMax) (continued): City Administrator John Butz recalled the City initially entered into the real estate listing agreement for the two surplus lots at 583 and 584 Sycamore Drive in 2009 with ReMax. He said staff is recommending the listing be extended for another twelve months. Mr. Butz noted the lots are currently listed at \$15,000 each.

A motion was made by Morris and seconded by Bolin to renew the listing agreement with ReMax for 583 and 584 Sycamore Drive. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Resolution to Award Bid for Holloway House Roof Replacement: Parks and Recreation Director Scott Caron reported bids were opened for the replacement of the Holloway House roof and only one bid was received from Just In Time Roofing for \$19,850. Mr. Caron said staff recommends awarding the bid to Just in Time Roofing for \$19,850 and use the funds from the Park Land Reserve Fund, which requires a two-thirds majority vote of the Council.

Mayor Jenks explained the reason only one bid was received is the August 2009 law passed by the Missouri State legislature that requires ten hours of OSHA (Occupational Safety and Health Administration) training for each construction company performing a job for an entity that receives public funding. He noted the penalty for non-compliance is \$2,500 a day plus an additional \$100 a day for each employee.

Since the contract award has been somewhat delayed, Councilman Hicks suggested giving the bidder another 30 days to complete the job.

City Administrator John Butz noted \$25,000 was budgeted for this project, based on some quotes received a couple of years ago. He pointed out there was an issue of an outstanding bill by Just In Time Roofing and it is being remedied by the contract. A portion of the payment will be made to the Environmental Services Fund for an old bill.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1770: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Resolution to Award Bid for Holloway House Roof Replacement (continued):
OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND JUST IN TIME ROOFING FOR THE HOLLOWAY HOUSE ROOF, PROJECT 321. A motion was made by Hicks and seconded by Spadoni to amend the subject contract by amending the completion date to June 1, 2012. A voice vote on the motion showed eight ayes, one nay, and three absent. Motion carried. Following discussion, a motion was made by Bolin and seconded by Spadoni to approve the proposed resolution, as amended. A voice vote on the motion showed eight ayes, one nay, and three absent. Motion carried. The resolution passed.

VIII. CITIZEN COMMUNICATION

(A) Mr. Mark Wood, City Procurement Policy: Mr. Mark Wood, Fairground Auto Plaza General Manager and Mr. Jim Smith, body shop manager addressed the Council concerning a couple of issues.

Mr. Smith began by explaining he was given the opportunity to provide an estimate to repair a damaged City police car in his facility. He told the Council he partially disassembled the vehicle, took pictures of the damage, and then wrote the estimate. Mr. Smith informed the Council a competing body shop employee came to Fairground Auto Plaza to also write an estimate, spent very little time assessing the damage, but was ultimately awarded the bid to repair the damage. Mr. Smith said the vehicle was reassembled by Fairground Auto Plaza staff and then towed to the other facility. Mr. Smith said he is trying to understand the process behind what Fairground Auto Plaza sees as a shop trying to write a thorough estimate and perform a good repair based on the estimate and how they lost the bid.

Mr. Wood added it took Fairground Auto Plaza the better part of the day to provide the estimate because the vehicle was partially disassembled to see all the damage.

Mr. Smith commented if a short estimate is written on a vehicle that was damaged to the extent of the police vehicle, it would cause a delay in the repairs due to ordering additional parts and a supplement to the original estimate must be made. He said he would like to know how they could accommodate this next time.

VIII. CITIZEN COMMUNICATION (continued)

(A) Mr. Mark Wood, City Procurement Policy (continued): Finance Director Steffanie Rogers explained when a City vehicle is damaged, MIRMA (Missouri Intergovernmental Risk Management Association), the City's insurer, requires two to three estimates based on the amount of damage. MIRMA does not mandate a competing body shop employee come to a particular body shop to conduct an estimate. Ms. Rogers said two estimates on the subject vehicle were received. She told the Council MIRMA reviews the estimates and selects the body shop based on quality, pricing, new or used parts. If quality is maintained, MIRMA prefers the use of used parts. In this case, Ms. Rogers informed the Council Fairground Auto Plaza was the higher bidder, and MIRMA awarded the bid to the lower bidder.

Mr. Wood informed the Council Fairground Auto Plaza would use new parts whenever possible. If it is a Fairground Auto Plaza vehicle, he said the cost of the parts would be reduced to bare bones just to match the used price.

On another issue, Mr. Wood recalled some years ago, when he worked for another dealership, he had an issue with a bid on three new patrol cars. He relayed the City purchased three police vehicles for about \$57,000 and his dealership lost the bid by \$150 to the State bidder, Joe Machens in Columbia, Missouri. Mr. Wood said it probably took four city employees to drive to Columbia, Missouri, to pickup the vehicles, which probably cost more than \$150. Mr. Wood stated he does not have any stake in the most recent bid that was let on the police cars, because Dodge is on a mission this year to own the patrol car market. The police vehicles purchased this year were from Lou Fusz Chrysler, St. Louis, Missouri, using the State bid. Mr. Wood said the City does not grant a variance to local dealerships. He pointed out other communities such as Sullivan, Missouri have a 5% or \$1,000 variance; Lebanon, Missouri has a 3% or \$1,500 variance, and Greene County has a 10% variance. In 2011, he reported Fairground Auto Plaza submitted \$120,000 in sales tax to the State and \$50,000 in property taxes. He pointed out there are four dealerships in Rolla and among them there is an incredible amount of property and sales taxes paid from the sale of vehicles. Mr. Wood stressed he feels it is time to give local dealerships a variance.

City Administrator John Butz reported the City's procurement policy encourages the Council to use State bid. It also allows the Council to consider location in determining the lowest and best bid. He said there have been a few occasions where the Council has awarded a slightly more than low bid, but it has been rare and on a case-by-case basis. Mr. Butz commented the advantage of having a percent is there is no question as long as it is within that range.

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VIII. CITIZEN COMMUNICATION (continued)

(A) Mr. Mark Wood, City Procurement Policy (continued): Mayor Jenks said the Council needs to consider offering a variance to be within a certain percentage of the State bid.

Mr. Butz said he would bring some suggestions to the Council for consideration. He recommended waiting until after the Rolla business owners provide their feedback to the Council.

(B) Open Citizen Communication: Mayor Jenks opened the floor to anyone wishing to address the Council. No one present responded.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Reappointment of Mr. Bill Marshall to the Tax Increment Finance (TIF) Commission, (Feb. 2016): A motion was made by Williams and seconded by Spadoni to reappoint Mr. Bill Marshall to the Tax Increment Finance (TIF) Commission until February 2016. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(B) Reappointment of Mr. Dean Sooter to the Board of Building Appeals, (Feb. 2017): A motion was made by Williams and seconded by Morris to reappoint Mr. Dean Sooter to the Board of Building Appeals until February 2017. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(C) Review and Adoption of the 11/2011-10/2012 City Administrator's Goals & Objectives: Mayor Jenks referred the Council to the proposed goals and objectives for City Administrator John Butz for the period November 2011 through October 2012. He told the Council the City Administrator's Review Committee, consisting of Councilmembers Magdits, Mazanec and himself, arrived at a consensus as to what the City Administrator's goals and objectives should be for the upcoming year. Mayor Jenks opened the floor to the Council to make any comments or proposed amendments. A motion was made by Morris and seconded by Bolin to approve the proposed goals and objectives for City Administrator John Butz. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

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X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Park Bathrooms: Councilman Bahr asked Parks and Recreation Director Scott Caron if the two bathrooms approved for removal during the February 27, 2012, Council work session have been demolished.

Mr. Caron responded staff is in the process of having them removed.

(B) Candidates Forum: City Administrator John Butz reminded the Council of the Candidates' Forum which would be held on Monday, March 12, 2012 at the Rolla Public Schools Administration Building beginning at 4 p.m. with the Rolla Public School District board candidates. The Municipal candidates' forum would begin at 6 p.m. Both forums would be televised on Channel 16.

(C) Kohl's Ribbon Cutting: Councilman Bahr strongly encouraged all of the Council members to attend the Kohl's Department Store Ribbon Cutting ceremony at 7:45 a.m. on Wednesday, March 7.

Note: Comments for the Good of the Order continue below following Executive Session action.

XI. EXECUTIVE SESSION

A motion was made by Williams and seconded by Bolin to adjourn into Executive Session pursuant to RSMo. 610.021 to discuss personnel. A roll call vote on the motion showed the following: Ayes; Jordan, Williams, Bahr, Bolin, Spadoni, Mazanec, Sawyer, Morris, and Hicks. Nays; None. Absent; Lindgren, Magdits, and Eudaly. Motion carried.

The Council adjourned into Executive Session at approximately 8:19 p.m.

XII. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 8:28 p.m.

City Counselor Lance Thurman reported during closed session, the City Council briefly discussed a personnel matter. No Council action was taken.

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

(D) Sales Tax Remittance: Councilman Bahr asked City Administrator John Butz if he knew what areas, i.e., automobiles, restaurants, caused the decline in the sales tax.

Mr. Butz explained the City only receives the total state remittance and no industry or business report is received except annually in June. He speculated the February 2012 sales tax remittance is actually the December 2011 sales. Mr. Butz said he believes many of the purchases were either done online, which are not subject to taxation, or people were window-shopping or chose to go outside the area for purchases. He added the sales tax remittance does not include vehicle sales, rather the gross retail sales in our community.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:34 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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