

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 19, 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, Susan Eudaly, Gary Hicks, Don Morris, Jim Williams, Lou Magdits, Carrolyn Bolin, Tony Bahr, and Fran Mazanec

Council Members Absent: William Lindgren, Jr.

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, Communications Director 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.

Councilman Don Morris then led in the Pledge of Allegiance.

I. PUBLIC HEARINGS

None.

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

(A) Review/Approval of the 2010/2011 City of Rolla Audit: Mr. Andy Marmouget, partner with Davis, Lynn and Moots, CPAs, reported his firm has completed the audit of the City's financial statements for the year ended September 30, 2011. Mr. Marmouget indicated that earlier this evening he went over the audit report and financial statements in detail with the City's Audit/Finance Committee. He then provided an overview of the audit report and management letter with the entire Council. Mr. Marmouget said he was pleased to report no material weaknesses were noted.

MARCH 19, 2012

**CITY COUNCIL MEETING MINUTES
MARCH 19, 2012
PAGE 2**

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS (continued)

(A) Review/Approval of the 2010/2011 City of Rolla Audit (continued): Regarding the auditors' recommendation letter to management, Mr. Marmouget explained audit staff noted a software change had occurred within the Municipal Court. As part of implementing the new software changes, there were changes in the internal controls of the court. Mr. Marmouget stated the audit staff noted there was a lack of segregation of duties within the court functions. He said audit staff recommends the City implement some procedures to adequately segregate the duties within the court to protect the assets of the City. Mr. Marmouget indicated he is aware the City is working to implement the new procedures.

Mr. Marmouget informed the Council accounting standard No. 54 was recently implemented which changes the way fund balances are reported within the financial statements. With this change, he said the Council now has an opportunity to formally commit funds for a specific project and that commitment would be reflected in the financial statements. Mr. Marmouget said audit staff is recommending the Council consider where it may be appropriate, committing fund balances in the future. He indicated the Council is not required to commit funds, but it is an option.

Mr. Marmouget explained that during the prior year audit, the audit staff had noted the depreciation and replacement reserves required by the Revolving Fund Loan Program had not been established. He commended the City for setting aside the funds specifically designated for depreciation and replacement of the system funded by the Revolving Fund Loan Program.

A motion was made by Williams and seconded by Hicks to accept the independent audit report for fiscal year 2011. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) SAFERolla Presentation: Ms. Lonna Sowers, Project Coordinator for Smoke-Free Air for Everyone Rolla (SAFERolla), reported they have some good news to bring to the Council. She introduced Mr. Stanley R. Cowan, who is a researcher for the Department of Family and Community Medicine and the School of Medicine at the University of Missouri-Columbia.

Mr. Cowan distributed copies of a report showing the quality of air in Rolla public places before and after the implementation of the smoke-free workplace ordinance. Based on an

MARCH 19, 2012

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS (continued)

(B) SAFERolla Presentation (continued): air quality monitoring study conducted by Mr. Cowan, he said the air has cleared and it is significantly safer to breathe. Mr. Cowan entertained questions and comments from the Council following his presentation.

III. OLD BUSINESS

(A) Update Regarding Missouri Statewide Wireless Interoperable Network: As was shared with the Council in January, Police Chief Mark Kearse noted the Missouri Department of Public Safety contacted the City of Rolla about acquiring the licenses of some of the City's radio frequencies, as part of the Missouri Statewide Interoperability Network (MOSWIN). He said members of the involved City departments have agreed to provide the State with four frequencies. Chief Kearse told the Council the State approved a grant for reimbursement of the majority of the costs for the City to commit to this project and purchase the necessary radio equipment. Chief Kearse pointed out the actual costs are not yet known. He said the City is asking for \$392,151 of equipment and labor. He pointed out the City would be required to pay for the four FCC licensing changes totaling \$1,130. Chief Kearse indicated the City might be required to pay \$20,000 for the sirens and that no Council action is needed at this time.

IV. NEW BUSINESS

(A) Information Regarding Employee Health Insurance & Wellness Program: Parks and Recreation Director Scott Caron said the three main components of the City employee health insurance and wellness program are to educate our employees on the risks of poor health, provide early detection of health risks, and incentivize them to improve their health. He said absenteeism was measured and this past year was the best year the City has had over the past five years, which lowers the overall cost to the City to do business. Mr. Caron reported that over the past five years the City has been fortunate to have an average health care cost of \$2.1 million. He told the Council the City has 161 City employees on the City's health insurance plan, which totals 455 total covered lives (employees, spouse, and children), with the average annual cost of about \$4,500 per member compared to the national average cost of about \$5,400 per person. Mr. Caron mentioned the City's goal is for the employee to contribute a minimum of 33% of the overall cost of healthcare (premium, deductibles, and out of pocket expenses). Nationally, employees are contributing between 20% to 25%. Mr. Caron recalled in

**CITY COUNCIL MEETING MINUTES
MARCH 19, 2012
PAGE 4**

IV. NEW BUSINESS (continued)

(A) Information Regarding Employee Health Insurance & Wellness Program (continued): 2008, the City implemented a health risk assessment program, which involves a blood draw using a company called Healics. He reported this year's score of 55.8 is the best score the City has had.

(B) Ordinance Repealing Sec. 27-5 of the Code and Enacting a New Sec. 27-5: City Administrator John Butz told the Council the City Prosecutor raised the issue that Section 27-5 of the City Code relating to "Right turn only at certain intersections" does not provide any specific reference to the prohibited action in the section, other than identifying the three affected streets. Mr. Butz indicated the section did not add the actual language, "only right turns shall be made at the following intersections." Because of this omission, Mr. Butz noted the Court was unsuccessful on a couple of prosecutions. The proposed amended ordinance would make it a prosecutable offense.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4036: AN ORDINANCE REPEALING SECTION 27-5 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION IN LIEU THEREOF PERTAINING TO TRAFFIC. A motion was made by Williams and seconded by Hicks to suspend the rules and the ordinance be ready for its final reading, by title. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost 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; Magdits, Hicks, Bahr, Bolin, Spadoni, Mazanec, Sawyer, Eudaly, Jordan, Morris, and Williams. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

(C) Ordinance Vacating a Portion of Olive Street Right-of-Way (Heavin): Community Development Director John Petersen explained the subject property owner has requested the vacation of a small portion of right-of-way on Olive Street. On February 28, 2012, the Development Review Committee reviewed the request and found there was no impact on traffic visibility. Mr. Petersen reported the Committee requested an easement be preserved for utilities and discussed the potential for using this for a parking and/or a driveway area. He also reported the Planning and Zoning Commission recommend approval of the requested vacation.

MARCH 19, 2012

IV. NEW BUSINESS (continued)

(C) Ordinance Vacating a Portion of Olive Street Right-of-Way (Heavin) (continued): Following some Council discussion, Mr. Mike Woessner, Investment Realty, and representing the applicant, said at this point, the use of the property is unknown. However, a restaurant with a drive-through has expressed some interest in the property. With the drive-through, Mr. Woessner said the customer would drive out on the rear street. With the parking lot being so small, additional parking would be helpful. Mr. Woessner said the building would be about 5,000 or 6,000 square foot and would house two or three tenants.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4037: AN ORDINANCE VACATING A 12 X 120 FOOT PARCEL OF OLIVE STREET RIGHT-OF-WAY LOCATED BETWEEN 19TH STREET AND U.S. HIGHWAY 63 ALONG THE WEST SIDE OF LOTS 1 & 2, BLOCK 21 OF SCHUMAN'S ADDITION TO THE CITY OF ROLLA, MISSOURI (HEAVIN). A motion was made by Williams and seconded by Morris to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost 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: Mazanec, Bolin, Spadoni, Williams, Eudaly, Magdits, Jordan, Morris, Sawyer, Hicks, and Bahr. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

(D) Ordinance Vacating All of Brewer Drive Right-of-Way (RCDC): Community Development Director John Petersen explained the Rolla Community Development Corporation (RCDC) is requesting the City vacate its interest in Brewer Drive right-of-way. He told the Council Brewer Science is in the process of purchasing the Voss Building so they can move their logistics into that building. Mr. Petersen said the reason for this acquisition relates to the expense and complication of implementing Federal regulations concerning transportation of hazardous materials on public roads. He said Brewer Science is requesting Brewer Drive right-of-way be vacated and converted to a private drive to eliminate this problem.

After some discussion, Mr. Matt Williams, President of the RCDC, addressed the Council and said RCDC would like to have the road vacated so Brewer Science can transport their materials. If the property to the east is ever developed, RCDC has an easement across the north part of the Voss property to access that property.

**CITY COUNCIL MEETING MINUTES
MARCH 19, 2012
PAGE 6**

IV. NEW BUSINESS (continued)

(D) Ordinance Vacating All of Brewer Drive Right-of-Way (RCDC) (continued):

Community City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4038: AN ORDINANCE VACATING BREWER SCIENCE DRIVE RIGHT-OF-WAY IN ITS ENTIRETY, LOCATED BEGINNING AT A POINT EAST OF HYPOINT BOULEVARD, EAST OF HYPOINT DRIVE, AND NORTH OF COMMERCE DRIVE (RCDC). A motion was made by Williams and seconded by Bolin to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Eudaly and seconded by Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Jordan, Bahr, Hicks, Bolin, Spadoni, Mazanec, Sawyer, Magdits, Eudaly, and Morris. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

(E) Motion to Amend Financing Agreement with Bank of America: Finance Director Steffanie Rogers explained the financing agreement with the Bank of America for the energy efficiency program had an initial completion date of July 31, 2012. Due to a pending patent issue for the blowers at the Sewer Treatment Plant, which has since been resolved, Bank of America is requesting an amendment to the financing agreement, extending it until October 31, 2012.

A motion was made by Bolin and seconded by Eudaly to authorize the Mayor to execute the agreement with Bank of America extending the Energy Performance Contract until October 31, 2012. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

V. CLAIMS and/or FISCAL TRANSACTIONS

None.

VI. MAYOR/CITY COUNCIL COMMENTS

None.

MARCH 19, 2012

**CITY COUNCIL MEETING MINUTES
MARCH 19, 2012
PAGE 7**

VII. CITIZEN COMMUNICATION

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

(A) Ms. Rhonda Myers, 1405 Martin Street, the liaison for the Frisco Line Neighborhood Association, told the Council it is her job to communicate with every department in the City. When the residents of Frisco Line Neighborhood Association want to communicate to the Council, it is her job to come and say it.

Of the ten worst homes in Rolla, Ms. Myers told the Council four were located in the Frisco Line Neighborhood. She showed the Council photos of the horrible conditions of the four houses and then showed the Council pictures of the houses after improvements were made or the buildings were demolished.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) Tony Melendez: City Administrator John Butz announced Tony Melendez would be coming to Rolla on Thursday for the Pregnancy Resource Center. Mr. Melendez is an international entertainer and has a remarkable story. Mr. Butz said we are fortunate to have him coming to Rolla. He said there might be a few tickets available for the banquet on Thursday if anyone is interested in attending.

(B) Water, Sewer, and Stormwater Workshop: City Administrator John Butz reminded the Council of the water, sewer, and stormwater workshop which would be held on Monday, March 26, 2012, at 5:30 p.m. in the City Council Chambers.

Mayor Jenks added this workshop would address many of the 20 unfunded mandates that are being forced on the City. He said the workshop would be televised and he encouraged the public to watch because it has tremendous ramifications on all of us in terms of what we pay in order to meet these federally mandated standards.

IX. EXECUTIVE SESSION

A motion was made by Eudaly and seconded by Spadoni 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; Spadoni, Mazanec, Bolin, Williams, Bahr, Magdits, Jordan, Morris, Eudaly, Hicks, and Sawyer. Nays; None. Absent; Lindgren. Motion carried.

MARCH 19, 2012

**CITY COUNCIL MEETING MINUTES
MARCH 19, 2012
PAGE 8**

IX. EXECUTIVE SESSION (continued)

The Council adjourned into Executive Session at approximately 7:59 p.m.

X. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 9:21 p.m.

City Counselor Carolyn Buschjost reported during Executive Session the City Council discussed a real estate issue and no action was taken.

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

(C) Next Executive Session Meeting: Mayor Jenks asked the Council what evening would work best for them to meet again in closed session to further discuss the real estate issue. After some discussion, the Council decided to meet on Thursday, March 29, 2012, at 5:30 p.m. in the City Council Chambers.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at 9:23 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

MARCH 19, 2012