

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JUNE 4, 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, Steven Leonard, Kelly Long, Gary Hicks, Don Morris, Jim Williams, Carrolyn Bolin, Tony Bahr, and Fran Mazanec

**Council Members Absent:** William Lindgren, Jr. 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, Community Development Director John Petersen, Fire Chief Robert Williams, and Police Chief Mark Kears

**Other City Officials in Attendance:** City Administrator John Butz, City Counselor Carolyn Buschjost, 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 Tony Bahr then led in the Pledge of Allegiance.

Mayor Jenks asked that the agenda be amended to allow Mr. Jim Larson to address the Council at this time.

**VIII. CITIZEN COMMUNICATION**

**(A)** Mr. Jim Larson thanked the City for its help in this year's Summerfest activities, in particular, the Route 66 Classic Car Show. He told the Council this was one of the largest car shows in Summerfest history and he believes this was one of the best Summerfest events. Additionally, as a general contractor, Mr. Larson said the City has been working very well with the contractors.

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**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 ten ayes, zero nays, and two absent. Motion carried.

The consent agenda consisted of the following:

**(A) Approval of the Rolla City Council Minutes for the following:**

May 7, 2012, City Council Meeting  
May 21, 2012, City Council Meeting

**II. PUBLIC HEARINGS**

None.

**III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS**

**(A) Library Remodeling Update and Acknowledgments:** On behalf of the Library Board, Judge William Hickle, who is the President of the Library Board, thanked the City for the help it gave the Library in connection with the recent renovation project. He said the City's staff is excellent and are high quality workers. Judge Hickle then showed the Council a few photos of the Library renovation.

Judge Hickle announced the Friends of the Library would be having a book sale beginning Thursday evening through Saturday of this week.

Judge Hickle then introduced Ms. Kathy Smith, who began her duties today as the new Rolla Public Library Director.

Ms. Smith said she looks forward to working with the staff at the Library and community members to make it a valuable asset to the community.

**(B) 2011 Motel Tax Fund Audit Report:** Mr. Mark Kean, of Kean & Company, LLC, provided an overview of the Rolla Area Chamber of Commerce Motel Tax Fund audit for the years 2011 and 2010. Mr. Kean reported no issues were noted during the audit.

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

Mayor Jenks referred the Council to (A) the April 2012, Rolla Municipal Utilities Monthly Report; (B) the April 25, 2012, Rolla Board of Public Works Meeting Minutes; (C) the April 2012, Centre Financial Analysis; (D) the March 21, 2012 Health & Recreation Center Advisory Committee Meeting Minutes; (E) the May 8, 2012 Preliminary Minutes of the Planning and Zoning Commission Meeting; (F) the May 3, 2012, Rolla Board of Adjustment Meeting Minutes, and; (G) the April 24, 2012, Development Review Committee Meeting Minutes.

Councilman Hicks noted the recapture rate for The Centre is down to about 77% with interest included or 72% without interest included. He asked if a better recapture rate could be expected in the future.

City Administrator John Butz said a lower recapture rate is expected during the summer months. The Centre tends to do better during the winter months.

Parks and Recreation Director Scott Caron added that with the early retirements lump sum salaries were paid to two employees. Rather than being spread out over the year, the lump sum payments affect the year-to-date amounts.

**V. OLD BUSINESS**

None.

**VI. NEW BUSINESS**

**(A) New Ordinance to Refinance Energy Efficiency Lease:** City Administrator John Butz recalled some time ago the City selected Oppenheimer to assist the City in the refinancing of the City Hall and Energy Efficiency lease programs. This was a combined project of about \$4.6 million. Mr. Butz said this was in an attempt to save dollars because interest rates are better than they were when originally financed. Mr. Butz informed the Council that Bank of America carries both of these leases. Combined with the Rolla National Airport improvements of about \$600,000, the Council did the first reading of an ordinance that would have authorized \$4.64 million in certificates of participation. Mr. Butz noted the City has to lower this amount to just begin the energy

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**VI. NEW BUSINESS (continued)**

**(A) New Ordinance to Refinance Energy Efficiency Lease (continued):** efficiency project only. He said staff is proposing the first reading of a new ordinance that would not exceed \$2,825,000 and would allow the City to refinance the energy efficiency project and \$600,000 for Rolla National Airport improvements. The ordinance, however, will entirely leave out the City Hall refinancing.

Mr. Bill Reisner with Oppenheimer addressed the Council and explained it was discovered Bank of America was going to charge a penalty of roughly \$310,000 to refinance the City Hall lease. Bank of America referenced the language in the lease documents where it says the City will make up for the interest lost from today until the lease expires, since the current interest rates are lower.

Mr. Butz said staff is proposing the Council consider the first reading of a new ordinance to refinance the energy efficiency lease and the Rolla National Airport improvements for an amount not to exceed \$2,825,000. He recalled that a few weeks ago the Council did the first reading of an ordinance, which included the refinancing of City Hall. Mr. Butz said no further action would be taken on that ordinance.

Following Council discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE AUTHORIZING THE CITY OF ROLLA, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF PUBLIC INFRASTRUCTURE IMPROVEMENTS LOCATED AT THE AIRPORT AND REFINANCING OUTSTANDING LEASE OBLIGATIONS OF THE CITY; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.**

**VII. CLAIMS and/or FISCAL TRANSACTIONS**

None.

**VIII. CITIZEN COMMUNICATION**

**(A) Request for Ordinance Requiring “Prepay” at Area Service Stations:** Ms. Lisa Talbert, Manager, Casey’s General Store, did not attend the meeting as planned.

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**VIII. CITIZEN COMMUNICATION (continued)**

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

**(B) Dangerous Animals:** Mr. Jim Corey, 414 Bill Avenue, told the Council his neighbor at 415 Hutchinson has a Rottweiler and Bassett Beagle mixed dogs. He said he cannot go into his back yard or walk down the street without the dogs barking. Mr. Corey reported there was an incident when the dogs became loose and chased a child on a bicycle. When the child called for help, Mr. Corey said his wife, who has Multiple Sclerosis, stepped outside to see what was happening and the dog attacked his wife in her yard. Mr. Corey said he saw what was happening and phoned the Police Department. He said the neighbor has been ticketed five times about her dogs. Mr. Corey said something needs to be done before someone is seriously hurt.

City Administrator John Butz informed Mr. Corey that he should go to the Police Department and ask about a hearing for a dangerous animal. He told Mr. Corey he should specifically raise the issue of a dangerous animal, separate from the barking dog issue, which is handled through Municipal Court.

**(C) Derelict Houses:** Ms. Rhonda Myers, 1405 Martin Street (located in the heart of the Frisco Line Neighborhood), said she is representing a large group of her neighbors who have questions for the Council and are unable to attend.

Ms. Myers recalled that almost a year ago the Council decided the derelict house properties in town were getting out of control and something had to be done. It was beyond the scope of what could be done all at once because it would cost too much money. She said someone chose the ten worst houses in the city and someone was going to deal with them. Ms. Myers noted four of those properties are located in her neighborhood. She showed the Council pictures of the four properties and noted the improvements that have been made. Ms. Myers said she and her neighbors would like to know the status of the remaining six properties. She recalled that six months ago she implored the Council to help in dealing with absentee landlords. Ms. Myers said the Council made a commitment to begin to address this issue. She and her neighbors would like to know if any measureable progress has been made toward that goal.

City Administrator John Butz said he does not know the status of the remaining six properties, but would provide a report on these properties. Additionally, Mr. Butz said there has been no real progress on the issue of occupancy inspections. Council plans to

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**VIII. CITIZEN COMMUNICATION (continued)**

**(C) Derelict Houses (continued):** conduct a special workshop to discuss this issue. He said the workshop would probably be held in about six weeks and the Council would discuss how they want to approach this issue.

Mayor Jenks added City staff has discussed this matter and more inspectors would need to be hired. With the tight budget, some substantial charges or fees for these inspections would be necessary to at least break even. Additionally, the possibility of having the inspectors being licensed law enforcement officers for drug enforcement and other issues was discussed.

No one else present addressed the Council.

**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Status of Airport Project:** Councilman Bahr asked how the Rolla National Airport project is doing.

City Administrator John Butz said it is coming along very well and everyone involved is working hard on it. He indicated the application to Economic Development Administration (EDA) must be submitted by June 8. Staff has met with a representative from EDA who was very helpful. Brewer Science has selected their contractor, the City has met with the contractor, the dimensions of the building are being reviewed, and legal is working on the ground lease.

**(B) Litigation on Houston Road Property:** Councilman Morris asked about the status of the property on Houston Road.

Mayor Jenks indicated this item is scheduled to be discussed during Executive Session tonight.

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

**(A) Business Survey:** Mayor Jenks asked City Administrator John Butz to read two additional business surveys, which were received by e-mail and not included with the other surveys provided to the Council.

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

**(A) Business Survey (continued):** The first survey, read by City Administrator John Butz, was from Mr. Michael Greenway of the Grotto (located on Pine Street). Mr. Greenway suggested the City offer additional exemptions to the smoking ban or repeal it. He said his business continues to decline after only a few weeks of the start of the smoking ban.

The second survey from Mr. David Hazel of My Fathers World, commented income is secured by lower prices to ensure increased volume. As a business, we have tightened our belt each year with lower prices and the result is increased sales. We have experienced more than a 25% increase in revenue for twelve straight years. Government works the same way. Lower taxes and fewer regulations help businesses grow and secure lower income to the city due to increased volume. Stay out of debt, lower taxes and decrease regulations. This helps grow businesses and our town.

**(B) House Numbers:** Councilman Williams said he has noticed there are address numbers missing from several houses in Rolla. He said many of the address numbers are missing from houses where new siding has been installed. Mr. Williams suggested issuing a news release to the residents and business owners and to the contractors regarding the importance of having the address numbers on their structures.

Mayor Jenks concurred and said there is a City ordinance addressing this.

**XI. EXECUTIVE SESSION**

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

The Council adjourned into Executive Session at approximately 7:27 p.m.

**XII. EXECUTIVE SESSION ACTION**

The Council reconvened into open session at approximately 7:48 p.m.

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**XII. EXECUTIVE SESSION ACTION (continued)**

City Counselor Carolyn Buschjost reported that during Executive Session the Council voted to pursue the litigation options presented.

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at 7:48 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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