

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, JULY 2, 2012; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: William Lindgren, Jr., Monty Jordan, Greg Sawyer, Steven Leonard, Gary Hicks, Don Morris, Jim Williams, Carrolyn Bolin, Tony Bahr, and Fran Mazanec

Council Members Absent: Kelly Long 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, and Police Chief Mark Kearse

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, Rolla Fire and Rescue Training Officer Ron Smith, and City Clerk Carol Daniels

Mayor William S. Jenks, III called the meeting to order at approximately 6:30 p.m. and asked Councilman William Lindgren, Jr., to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Sawyer 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:

- June 4, 2012, City Council Meeting
- June 4, 2012, City Council Executive Session Meeting
- June 18, 2012, City Council Meeting
- June 18, 2012, City Council Executive Session Meeting

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II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) “Turf by ‘12” Committee Presentation: Mr. Mitch Lewis and Mr. Bill Peach representing the “Turf by ‘12” Committee, explained the Committee was formed about two years ago to fund a synthetic turf field in Rolla, but sat idle for about the past one and one-half years. The Committee was formed with the goal of securing the funding support necessary for installing synthetic turf at Lions Memorial Stadium. Mr. Peach said the goal is to replace the natural turf with all-weather synthetic turf, which would allow games, practices, physical education classes, along with the marching band to use the field during all weather conditions. The life expectancy of the synthetic turf is about ten to twelve years. Mr. Lewis said the Committee is working to raise private funds to purchase the turf.

Mr. Peach said the Committee’s goal is to raise \$1 million. This would allow the scope of work to include installation of synthetic turf on the game field. Any money not needed for the turf may be used to upgrade the bleachers. Mr. Lewis reported donation information might be obtained by logging on to www.alumnifield.com or by contacting Mr. Kelly Hinshaw at 573-458-0105.

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

Mayor Jenks referred the Council to (A) the May 2012, Centre Financial Analysis; (B) the May 16, 2012 Health & Recreation Center Advisory Committee Meeting Minutes, and; (C) the May 2012 City’s Cash Position and Expenditure Report.

Councilman Williams asked City Administrator John Butz if he would comment on the City’s sales tax and the possibilities of employee raises.

Mr. Butz said it has been an interesting year with the City’s sales tax in that it has been somewhat erratic. Currently, the sales tax is up about 5.5% after eight months and this is the best it has been since 2007. Mr. Butz told the Council staff is beginning to work on the FY 2013 budget. It is early to say, but it is the City’s hope to give at least a 2%

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

increase salary increase, in the form of a cost-of-living increase as opposed to reintroducing our merit system. Mr. Butz emphasized it is not a commitment at this point until it gets into the Council's hands.

V. OLD BUSINESS

None.

Mayor Jenks asked that Item IX. A., Discussion on Fireworks, be considered at this time.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Discussion on Fireworks: Mayor Jenks commented the Rolla City Fire Department has issued a permit to the Rolla Lions Club to have their fireworks displays. He noted the Fire Department is not recommending this permit be rescinded. Mayor Jenks said additional Fire personnel would be on duty and three pieces of fire equipment would be on standby at the Lions Club carnival. That being said, he would like to take the Lions Club matter off the table for discussion.

Mayor Jenks informed the Council the City has received comments about having a ban on the discharging of fireworks within the City limits this year due to the drought.

Councilman Bahr said he would like to propose an ordinance temporarily banning fireworks within the City limits. The ban would include any open fires, but would not include grilling or the Lions Club Carnival fireworks displays as previously mentioned. Mr. Bahr indicated the ban would be in effect until the drought is over and he recommended the Mayor, City Administrator and Fire Chief be given permission to lift the ban when they feel conditions are favorable for discharging fireworks.

City Administrator John Butz distributed copies of a draft emergency ordinance, which would remove the exception that allows discharging of fireworks from July 1 through July 5.

Councilman Williams commented it would be difficult to stop everyone from using fireworks and would be difficult for the Police to determine who discharged the fireworks

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(A) Discussion on Fireworks (continued): when a complaint is received. Mr. Williams said he believes using some common sense such as the watering of yards before discharging fireworks. He pointed out the vendors have already worked with the Fire Department by not selling the sky lanterns.

Mayor Jenks added the City has only 35 police officers and over 100 miles of streets. With only eight to ten police officers on duty at a particular time and other incidents occurring such as vehicle accidents and thefts, residents will become upset if officers are unable to respond to fireworks complaints quickly. He noted a ban would also increase the number of calls to the Central Communications Center. Mayor Jenks concluded he is not opposed to the ordinance proposed by Councilman Bahr and would not veto it, but will leave it up to the Council. He said there are two sides to the story and Mr. Williams has a very valid point.

Councilman Lindgren said what scares him is vendors are still selling fireworks and people will take them outside the City limits and a fire will possibly start. At least in the city limits Rolla has an excellent fire department to have a quick response.

Councilwoman Mazanec stated that to repeal the current fireworks ordinance would be an exercise in futility. She agreed with Councilman Williams that the enforcement of it would be impossible. Ms. Mazanec said the Council should appeal to the residents to act responsibly.

Councilman Morris said he respects Councilman Bahr's concern, but it does not make a whole lot of sense to him to allow the vendors to sell the fireworks, allow the consumers to purchase them, but not allow them to be discharged.

Mr. Albert Hamilton, 819 Cambridge, Rolla, Missouri, and a Rolla fireworks vendor, said he believes it is wise the Council is addressing the issue discharging fireworks during the drought conditions. He stated the sky lantern ban is wise because they can travel some distance. Mr. Hamilton said if the Council was going to ban any other fireworks, they might consider the stick and bottle rockets because they can travel a fair distance and a person does not have much control over them. He indicated most of the fireworks stay in an immediate area and most people discharge them in the street or in their yards. Mr. Hamilton told the Council he is urging his customers to use common sense during the drought.

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IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(A) Discussion on Fireworks (continued): Based on the comments from the Council, Councilman Bahr withdrew his recommendation to propose an ordinance temporarily banning fireworks within the City limits this year.

Councilman Morris suggested the City use every means possible to communicate to the public the need to be very cautious with their use of fireworks during this time.

The Council took no action on banning fireworks in the City limits due to drought conditions.

VI. NEW BUSINESS

(A) Motion to Select Airport Consultant Services: City Administrator John Butz informed the Council every four or five years the State asks communities to solicit proposals for engineering services. For the past four years, the City's consultant has been TranSystems. Mr. Butz said the City advertised for and received seven qualification statements for engineering services through 2016. Staff reviewed the qualifications and selected JVIation and CMT for interviews last week. Mr. Butz reported the City's interview committee unanimously recommends JVIation for airport consulting services. He pointed out the City is currently not incurring any costs but the next time there is an airport project, the City would ask JVIation to prepare a contract and it would be brought to the Council for approval. Mr. Butz indicated staff recommends the selection of JVIation for Airport Consultant Services.

A motion was made by Williams and seconded by Morris to select JVIation for Airport Consultant Services.

Mayor Jenks noted the City's current consultant, TranSystems, did not submit a qualifications statement.

A voice vote on the motion to select JVIation for Airport Consultant Services showed ten ayes, zero nays, and two absent. Motion carried.

(B) Motion to Authorize Piper Jaffray to Proceed with an Advance Refunding of the 2004 G.O. Bonds: City Administrator John Butz recalled that in April 2012, the Council selected Piper Jaffray to act as the City's Financial Advisor to refinance the 2004 G.O.

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VI. NEW BUSINESS (continued)

(B) Motion to Authorize Piper Jaffray to Proceed with an Advance Refunding of the 2004 G.O. Bonds (continued): (street) Bonds. He said staff is estimating about \$255,000 in savings (\$56,000/year) because of the refinancing of these bonds. Mr. Butz told the Council Piper Jaffray is suggesting the City refinance in August 2012, take advantage of the low rates, and pay the early redemption charge of .18%. A motion was made by Morris and seconded by Bolin to authorize Piper Jaffray to proceed with an advance refunding of the 2004 G.O. Bonds. Following a brief discussion, a voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(C) Request for Ordinance Readopting Public Officials Personal Disclosure Statement: Finance Director Steffanie Rogers pointed out that State Statute 105.485 requires that personal financial disclosures be submitted by elected City officials and certain personnel. The City of Rolla adopted Section 2-237 of the Rolla City Code which requires the City Administrator, Mayor, Finance Director and Rolla Municipal Utilities General Manager to file this statement with the State. Additionally, Ms. Rogers noted that biennially the City is required to readopt this ordinance. She asked the Council to consider the first reading of the proposed ordinance.

City Administrator John Butz added that if the Council chooses not to approve the proposed ordinance, all elected, appointed, and decision-making personnel as well as candidates for public office, would be required to file a Personal Financial Disclosure Statement.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4045: AN ORDINANCE OF THE CITY OF ROLLA, MISSOURI, REPEALING SECTION 2-237 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND ENACTING A NEW SECTION IN LIEU THEREOF. A motion was made by Morris and seconded by Jordan to suspend the rules and 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. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Sawyer, Hicks, Bahr, Lindgren, Jordan, Leonard, Mazanec, Williams, Morris, and Bolin. Nays; None. Absent; Magdits and Long. Motion carried. The ordinance passed.

VI. NEW BUSINESS (continued)

(D) Discussion Regarding Naming Areas Operated by the City Parks and Recreation Facilities: Parks and Recreation Director Scott Caron told the Council the City does not have a policy for naming City facilities. After reviewing a number of policies from other communities, Staff drafted the policy included in the agenda materials, to name or rename certain areas of the park facilities. Following a brief discussion, a motion was made by Williams and seconded by Morris to accept the policy outlined in the agenda packets. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

Councilman Morris complimented the Parks and Recreation Department staff on the appearance of the City Cemetery.

VII. CLAIMS and/or FISCAL TRANSACTIONS

None.

VIII. CITIZEN COMMUNICATION

Mayor Jenks opened the floor to anyone wishing to address the Council. No one present responded.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Discussion on Fireworks: This item was considered immediately following “V. Old Business,” above.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

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XI. CLOSED EXECUTIVE SESSION

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

The Council adjourned into Executive Session at approximately 7:26 p.m.

XII. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 7:55 p.m.

City Counselor Carolyn Buschjost reported during Executive Session the City Council discussed a real estate matter with an understanding to proceed but no final action was taken. Additionally, a matter of potential litigation was discussed, but no action was taken.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:56 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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