

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, SEPTEMBER 17, 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, Kelly Long, Gary Hicks, Don Morris, Jim Williams, and Carrolyn Bolin

**Council Members Absent:** Lou Magdits, Tony Bahr, and Fran Mazanec

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

**Other City Officials in Attendance:** City Counselor Lance Thurman, 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 announced City Administrator John Butz is absent from tonight's meeting, because he is attending the Missouri Municipal League Annual Conference.

Mayor Jenks asked a member of the Rolla Ministerial Alliance to give the invocation.

Councilman Gary Hicks then led in the Pledge of Allegiance.

**I. PUBLIC HEARINGS**

**(A) Ordinance to Rezone Property at 2009 Vichy Road from R-2 to R-3 Zoning (Burrell):** Community Development Director John Petersen noted the subject property is located on Vichy Road. The applicant is requesting an R-3 (Multi-Family District) zoning to accommodate the construction of a 50-townhouse development. Mr. Petersen said it is important to note these townhouses are like single-family units because they are individually fire protected per structure. As required by City Code, he said the project would have 100 paved parking places. Mr. Petersen reported the Planning and Zoning Commission recommends approval of the rezoning request. He added the applicant, Mr. Rocco Burrell, has requested the Council consider the first and final readings of the proposed ordinance at this meeting.

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**I. PUBLIC HEARINGS (continued)**

**(A) Ordinance to Rezone Property at 2009 Vichy Road from R-2 to R-3 Zoning (Burrell) (continued):** After the applicant, Mr. Rocco Burrell, entertained questions from the Council, City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4056: AN ORDINANCE AMENDING THE BASIC ZONING ORDINANCE NO. 3414, CHAPTER 42 OF THE PLANNING AND ZONING CODE OF THE CITY OF ROLLA, MISSOURI, AFFECTING THE REAL ESTATE KNOWN AS 2009 VICHY ROAD FROM R-2 (TWO-FAMILY DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING (BURRELL). A motion was made by Hicks and seconded by Long to suspend the rules and 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. Mr. Thurman then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Bolin to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Sawyer, Hicks, Lindgren, Jordan, Leonard, Williams, Long, Morris, and Bolin. Nays; None. Absent; Bahr, Mazanec, and Magdits. Motion carried. The ordinance passed.

**II. SPECIAL PRESENTATIONS**

**(A) Presentation of “Donna Lewis Day” Proclamation:** Mayor Jenks read a proclamation wherein he declared Monday, September 17, 2012 “Donna Lewis Day.” He then presented the proclamation to Mrs. Lewis who will retire on September 28, 2012, as Executive Director of the Rolla Housing Authority after 34 years of service. Mayor Jenks noted a reception would be held in Mrs. Lewis’ honor from 2 p.m. to 4 p.m. on September 26 at the Rolla Towers.

**(B) Health Insurance Overview/Affordable Care Act Implications:** Mr. Chuck Briggs with the Hays Companies, the City’s health insurance broker/consultant, provided a brief recap of the Affordable Health Care Act and its potential impact. He noted the Affordable Health Care Act was recently approved and upheld by the Supreme Court, which triggers several elements to take place in 2014 and in subsequent years. Mr. Briggs explained some of the implications of the law that are currently in effect as well as some of the impacts expected in 2013 and 2014. Following his presentation, Mr. Briggs entertained questions from the Council.

**II. SPECIAL PRESENTATIONS (continued)**

**(C) Tobacco State Sales Tax Proposal:** Ms. Lonna Sowers introduced Ms. Leah Wiggs, Director of Advocacy for the American Lung Association, who addressed the Council concerning Proposition B, which will be on the November 2012 election ballot. Ms. Wiggs explained Proposition B is advocating a \$0.73 per pack increase in the tobacco state sales tax. She told the Council the American Lung Association's campaign is called "Show Me a Brighter Future." Ms. Wiggs stated that every year in Missouri, 9,500 lives are lost due to tobacco or smoking-related diseases and it costs an estimated \$581 per household in public expenditures. She pointed out Missouri has the lowest cigarette tax in the nation at \$0.17 and the national average is \$1.49. Ms. Wiggs said this is a public health initiative that will affect many Missourians for generations to come through better health and education. Revenue from this tax increase would go toward tobacco use prevention and quit assistance programs, local public K-12 schools, and public colleges and universities statewide. Ms. Wiggs entertained questions from the Council following her presentation.

**(D) Celebration of Nations Update:** Mr. Stephane Menand and Ms. Roberta Morgan representing the Missouri S&T International Affairs Office, announced this year's Celebration of Nations parade and event would be held on Saturday, September 29, 2012, from 11 a.m. to 4 p.m. Ms. Morgan indicated this year's parade would be taking a slightly different route. The parade will begin at the Havener Center and end at the band shell. Mr. Menand provided an overview of the events that would take place on Saturday.

**III. OLD BUSINESS**

**(A) Ordinance Amending Section 6-56 of the Rolla City Code Pertaining to Demolition Permits:** Community Development Director John Petersen recalled that during its last meeting, the Council conducted the first reading of the subject ordinance relating to demolition permits. He explained the subject ordinance creates a demolition permit with a 90-day period with the potential to extend the permit for an additional 90 days at the discretion of the Codes Administrator.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4057: AN ORDINANCE REPEALING SECTION 6-56 (R105.5) 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

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**III. OLD BUSINESS (continued)**

**(A) Ordinance Amending Section 6-56 of the Rolla City Code Pertaining to Demolition Permits (continued):** DEMOLITION PERMITS. A motion was made by Williams and seconded by Sawyer to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Morris, Bolin, Leonard, Williams, Lindgren, Jordan, Sawyer, Hicks, and Long. Nays; None. Absent; Bahr, Magdits, and Mazanec. Motion carried. The ordinance passed.

**(B) Ordinance to Adopt FY 2013 Fiscal Budget:** Finance Director Steffanie Rogers explained no changes have been made to the proposed budget since the public hearing held on September 5, 2012. She said the proposed budget represents a total yearly plan of \$30.36 million.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4058: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2012, AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Hicks and seconded by Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Lindgren, Long, Williams, Jordan, Leonard, Hicks, Sawyer, Bolin, and Morris. Nays; None. Absent; Bahr, Magdits, and Mazanec. Motion carried. The ordinance passed.

**IV. NEW BUSINESS**

**(A) Ordinance Authorizing Lease/Purchase Financing for UV Disinfection:** Finance Director Steffanie Rogers said staff is requesting the first and final readings of an ordinance that would authorize Certificates of Participation (COPs) for the financing of the UV disinfection improvements at the Southeast Wastewater Treatment Plant. She informed the Council the proposed closing date for the lease/purchase financing is scheduled for October 1, 2012. Ms. Rogers added the UV disinfection improvements are to be completed by December 31, 2013. She told the Council the issuance is not to exceed \$4.1 million, which requires a debt service payment of \$270,000 for a 20-year term. With the proposed increase in the sewer user rates, Ms. Rogers indicated the City is estimated to receive about \$280,000 in revenue to offset the \$270,000 debt service payment.

**IV. NEW BUSINESS (continued)**

**(A) Ordinance Authorizing Lease/Purchase Financing for UV Disinfection (continued):** City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4059: 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 ACQUIRING, CONSTRUCTING AND EQUIPPING IMPROVEMENTS TO THE CITY'S SEWER SYSTEM; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH. A motion was made by Hicks and seconded by Sawyer to suspend the rules and 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. Mr. Thurman then read the proposed ordinance for its final reading, by title. A motion was made by Jordan and seconded by Bolin to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Hicks, Jordan, Lindgren, Bolin, Long, Sawyer, Morris, and Leonard. Nays; Williams. Absent; Magdits, Bahr, and Mazanec. Motion carried. The ordinance passed.

**(B) Motion to Consider Appointment of Employer Delegate for the Annual LAGERS Meeting:** Finance Director Steffanie Rogers explained each year the City sends an employer and an employee representative to the annual Local Government Employees Retirement System (LAGERS) conference. She noted the City's employees would vote for their representative this week. Ms. Rogers said a representative from the Council is encouraged to represent the City as the employer representative. The conference will be held October 25 and 26 in Springfield, Missouri.

Councilman Leonard expressed his interest in attending the conference. A motion was made by Long and seconded by Hicks to appoint Councilman Steve Leonard as the City's employer representative to the annual LAGERS Conference. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(C) Ordinance Amending Rolla Municipal Code Pertaining to Sewer Fees:** Public Works Director Steve Hargis informed the Council the subject ordinance would increase the sewer user rate from \$4.00/1,000 gallons to \$4.40/1,000 gallons. The average monthly sewer bill would increase from \$24.00/month to \$26.50/month. Mr. Hargis informed the Council the sewer user rate increase has been included in the Fiscal Year 2013 budget. He said the sewer user rate increase would be used to retire the 20-year

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**IV. NEW BUSINESS (continued)**

**(C) Ordinance Amending Rolla Municipal Code Pertaining to Sewer Fees (continued):** lease/purchase UV disinfection improvements at the Southeast Wastewater Treatment Plant. Mr. Hargis asked the Council to consider the first and final readings of the subject ordinance at this meeting. The effective date of the sewer user increase is October 2, 2012.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4060: AN ORDINANCE AMENDING CHAPTER 35, APPENDIX "A" OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO SEWERS AND WATER. A motion was made by Hicks 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 nine ayes, zero nays, and three absent. Motion carried. Mr. Thurman then read the proposed ordinance for its final reading, by title. A motion was made by Hicks and seconded by Bolin to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Leonard, Jordan, Lindgren, Bolin, Sawyer, Long, Hicks, and Morris. Nays; Williams. Absent; Bahr, Mazanec, and Magdits. Motion carried. The ordinance passed.

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

None.

**VI. MAYOR/CITY COUNCIL COMMENTS**

**(A) Fire Department Overtime and Callback Time Analysis:** Councilman Morris asked what year the six additional firefighters were hired.

Fire Chief Robert Williams indicated the additional firefighters were hired in 2008.

**VII. CITIZEN COMMUNICATION**

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

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

**(A) Lewy Body Dementia Day:** Councilman Long recalled Mayor Jenks recently proclaimed Saturday, September 22, 2012, as “Lewy Body Dementia Day.” He mentioned the Coach Haskell 5K Walk/Run at the Junior High hill would begin at 8 a.m. Mr. Long indicated it is not too late for folks to register for this event. He added there are almost 300 individuals registered to date.

**(B) Councilman Lindgren:** Councilman Lindgren asked that his absence be excused during the month of October because he will be recovering from hip surgery.

**IX. CLOSED EXECUTIVE SESSION**

None.

**X. ADJOURNMENT**

Having no further business, the meeting adjourned at 7:42 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR