

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 3, 2013; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: Greg Sawyer, Steven Leonard, Kelly Long, Susan J. Eudaly, Jim Williams, Brian Woolley, Walt Bowe, and Tony Bahr

Council Members Absent: Rhonda Sue Myers, Monty Jordan, Don Morris, and Lou Magdits,

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

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

I. CONSENT AGENDA

A motion was made by Williams and seconded by Eudaly to approve the consent agenda as submitted. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

The consent agenda consisted of the following:

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

- 1) Special Rolla City Council Meeting – July 29, 2013
- 2) Rolla City Council Meeting – August 5, 2013
- 3) Rolla City Council Meeting – August 19 2013
- 4) Rolla City Council Meeting Executive Session – August 19, 2013

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II. PUBLIC HEARINGS

(A) Ordinance to Consider the 2013/2014 City of Rolla Fiscal Year Budget: City Administrator John Butz reported the proposed Fiscal Year 2014 budget is a \$27.45 million plan, including fund balances, projected revenues and estimated expenditures. He noted since 2007 and 2008 it has been a flat line budget and this year is no different. Mr. Butz indicated the budget is virtually dictated by the sales tax, which has stagnated for the last seven or eight years. He pointed out the only real highlight of the budget because of the EDA (Economic Development Association) grant, is the \$2.4 million worth of public improvements the City is doing at the Rolla National Airport. Mr. Butz said the City plans to have about 30% of the work completed this fiscal year and the balance completed next year. This is being done in anticipation of Brewer Science's new building. Mr. Butz stated a 1% annual adjustment is being provided to all full-time employees effective October 1, 2013. A sewer rate increase of \$0.10 per 1000 gallons of water and a 5% increase in Recreation Center memberships are the only rate increases being proposed.

Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the proposed Fiscal Year 2014 budget. No one present responded. Mayor Jenks closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2013, AND APPROPRIATING FUNDS PURSUANT THERETO.**

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) Sixth Annual "Operation Neighborhood Cleanup", Friday, November 1, 2013: Volunteer in Police Service (VIPS) Director Sergeant Vince Giacolone and Pastor Chris Foster of the Greentree Christian Church and representing the Rolla Ministerial Alliance, informed the Council the sixth annual Operation Neighborhood Clean-up would be held on Friday, November 1, 2013. The clean up brings together volunteers from the Rolla area to help people who need their grass cut, trees and bushes trimmed, or trash hauled. Sergeant Giacolone asked the Council and residents to please contact Pastor Chris Foster or him if they know of someone who needs help getting their grass cut, leaves raked, trees trimmed, or trash hauled.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS (continued)

(A) Sixth Annual “Operation Neighborhood Cleanup”, Friday, November 1, 2013 (continued): Pastor Foster stated individuals interested in volunteering should meet in the youth building at the Greentree Christian Church, 801 Greentree Road by 6:30 a.m. on November 1, 2013.

(B) Overview of Animal Shelter Plans: Using visual aids, City Administrator John Butz showed the Council the current conditions of the existing Rolla Animal Shelter along with pictures of the new animal shelters in Jefferson City, West Plains, and Texas County, Missouri. He said the City is probably looking at a facility in the 5,000 to 6,000 square foot range. Mr. Butz indicated a special Council workshop would be scheduled in October, including the Phelps County Commissioners and the City of St. James Council members, to further discuss plans for a new animal shelter.

Mr. Wayne Perry, a volunteer with the Meramec Regional Community Foundation (MRCF), presented possible funding methods for a new Rolla Animal Shelter.

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

Mayor Jenks referred the Council to **(A)** the July 2013 Centre Financial Analysis; **(B)** the July 2013, SplashZone Financial Analysis; **(C)** the July 17, 2013, Parks and Recreation Commission Meeting Minutes; **(D)** the July 31, 2013, City’s Cash Position and Expenditure Report; **(E)** the July 2013, Environmental Services Department Monthly Report; **(F)** the July 2013 Rolla Municipal Utilities Monthly Report; **(G)** the July 31, 2013, Rolla Board of Public Works Meeting Minutes; **(H)** the July 2013, Rolla Police Department Monthly Report; **(I)** the July 2013, Rolla Animal Control Monthly Report; **(J)** the July 2013 Building Codes Division Monthly Report; **(K)** the August 13, 2013, Planning and Zoning Commission Meeting Minutes; **(L)** the July 30, 2013 Development Review Committee Meeting Minutes; **(M)** the August 14, 2013, Rolla Enhanced Enterprise Zone Board Meeting Minutes, and; **(N)** the August 2013 Rolla Fire Department Monthly Report.

V. OLD BUSINESS

(A) Request from Mr. Robert L. Davis, RLD Properties, LLC, to Withdraw the Rezoning Request for Tract B, McCutchen Acres No. 1: A motion was made by Williams and seconded by Long to dismiss the subject rezoning request. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

(B) Ordinance Approving the Replat of Lots 24 and 25 Wedgewood Manor Subdivision (Bowen): Community Development Director John Petersen explained the property owner is requesting the consolidation of Lots 24 and 25 of the Wedgewood Manor Subdivision in order to construct a garage on the property. Since there was some question on the type of garage being constructed, Mr. Petersen provided a rendering of the structure.

Following discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4112: AN ORDINANCE APPROVING THE RE-PLAT OF LOTS 24 AND 25 OF THE WEDGEWOOD MANOR SUBDIVISION, AN ADDITION TO ROLLA, MISSOURI, BY CONSOLIDATING EXISTING LOTS 24 AND 25, ESTABLISHING A SINGLE LOT 24A (BOWEN). A motion was made by Williams and seconded by Long to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Bahr, Woolley, Leonard, Bowe, Sawyer, Long, and Eudaly. Nays; None. Absent; Jordan, Myers, Magdits, and Morris. Motion carried. The ordinance passed.

(C) Ordinance Approving the Resubdivision/Consolidation of Lots 11 & 12 Wild Rose Hill Subdivision (Bachman): Community Development Director John Petersen explained the applicant wishes to consolidate Lots 11 and 12 in Wild Rose Hill Subdivision in order to construct two, eighty foot-square foot storage sheds connected with a pergola.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4113: AN ORDINANCE APPROVING THE RE-PLAT OF LOTS 11 AND 12 OF THE WILD ROSE HILL SUBDIVISION, AN ADDITION TO ROLLA, MISSOURI BY CONSOLIDATING LOTS 11 AND 12, THEREBY ESTABLISHING A SINGLE LOT 12A, SHOWN ON THE ATTACHED SUBDIVISION PLAT. (BACHMAN). A motion was made by Williams and seconded by Long to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Woolley, Bowe, Leonard, Williams, Bahr, Long, Sawyer, and Eudaly. Nays; None. Absent; Myers, Magdits, Morris, and Jordan. Motion carried. The ordinance passed.

V. OLD BUSINESS (continued)

(D) Ordinance Amending Chapter 19 of the Rolla City Code by Adding Article III Pertaining to the Installation and Operation of Outdoor Wood Burning Furnaces:

City Administrator John Petersen recalled the primary purpose of the subject ordinance was driven by a neighbor who complained about the smoke coming from an exterior wood burning furnace. He informed the Council staff is proposing to amend Section 19-19(a) of the subject ordinance to read "Outdoor wood burning furnaces shall be located a minimum of 300 (three hundred) feet from any structure designed or built for human occupancy, not presently being served by an outdoor wood burning furnace." This would change the distance from 150 feet to 300 feet from any structure designed or built for human occupancy.

After much discussion, a motion was made by Woolley and seconded by Bahr to amend the ordinance from 150 feet to 300 feet. A voice vote on the motion showed seven ayes, one nay, and four absent. Motion carried.

A motion was made by Leonard and seconded by Long to amend Section-19-18 of the proposed ordinance to read as follows: Outdoor wood burning furnaces placed in service before the passage of this ordinance may continue to operate and shall be maintained in accordance with the provisions set forth in Section 19-20 and shall also be maintained in accordance with manufacturer's requirements, but may not be replaced, modified or enlarged without complying with City regulations. Following additional discussion, a voice vote on the motion showed seven ayes, one nay, and four absent. Motion carried.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4114: AN ORDINANCE AMENDING CHAPTER 19 OF THE ROLLA CITY CODE ENTITLED "HEALTH AND SANITATION," BY ADDING ARTICLE III, ENTITLED "OUTDOOR WOOD BURNING FURNACES," PERTAINING TO THE INSTALLATION AND OPERATION OF OUTDOOR WOOD BURNING FURNACES IN ROLLA, MISSOURI. A motion was made by Leonard and seconded by Sawyer to approve the proposed ordinance, as amended. A roll call vote on the motion showed the following: Ayes; Sawyer, Eudaly, Bahr, Leonard, Bowe, Long, and Woolley. Nays; Williams. Absent; Myers, Jordan, Magdits, and Morris. Motion carried. The ordinance passed.

(E) Ordinance Amending Section 27-106 of the Rolla City Code Pertaining to Public Parking Lot Permits: Public Works Director Steve Hargis informed the Council the subject ordinance would allow for the leasing of parking spaces in the downtown area, primarily for people who work, live, or attend school there. He noted the first

V. OLD BUSINESS (continued)

(E) Ordinance Amending Section 27-106 of the Rolla City Code Pertaining to Public Parking Lot Permits (continued): reading of the subject ordinance was conducted in July 2013. Since that time, staff has received input from enforcement and some of the individuals who may be using these lots and a few changes to the ordinance have been made. Mr. Hargis explained staff decided to change the hangtag to a parking sticker, which would be placed on the back of the vehicle. He said one-third of the fees generated from the parking spaces would be placed in the General Fund for administration and enforcement, with two thirds of the fees generated placed in the Public Works Department for maintenance of the parking areas.

Following discussion, a motion was made by Eudaly and seconded by Bahr to amend the proposed ordinance as discussed. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4115: AN ORDINANCE AMENDING SECTION 27-106 OF THE CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO PUBLIC PARKING LOT PERMITS. A motion was made by Eudaly and seconded by Sawyer to approve the proposed ordinance, as amended. A roll call vote on the motion showed the following: Ayes; Woolley, Leonard, Williams, Bahr, Bowe, Sawyer, Eudaly, and Long. Nays; None. Absent; Morris, Myers, Magdits, and Jordan. Motion carried. The ordinance passed.

VI. NEW BUSINESS

None.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding the Bid for a 36 Horse Power, All Wheel Drive, Diesel Mower with 72 Inch Mower Deck: Parks and Recreation Director Scott Caron reported bids were opened on August 8, 2013, for a 36-horse power, all wheel drive, diesel mower. Staff is recommending the bid be awarded to the low bidder, Service International, for a 2013 Kubota F3680 with rear discharge for \$19,040. Mr. Caron noted the old mower would be sold through Govdeals.com. A motion was made by Williams and seconded by

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion Awarding the Bid for a 36 Horse Power, All Wheel Drive, Diesel Mower with 72 Inch Mower Deck (continued): Eudaly to award the bid for a 36-horse power, all wheel drive, diesel mower with 72" mower deck to Service International for a 2013 Kubota F3680 with rear discharge for \$19,040. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

(B) Motion Awarding Health Insurance Excess Coverage: Finance Director Steffanie Rogers referred the Council to the three quotes obtained by the City's health insurance consultant/broker, Hays Companies, for the City's health insurance excess coverage. She explained this company would cover any claim over \$75,000. Ms. Rogers told the Council the City's current provider, HCC, submitted the lowest bid. She said staff and Hays Companies recommend the bid be awarded to HCC and to remain at the current deductible of \$75,000 with a total annual premium of \$323,969.60. A motion was made by Williams and seconded by Long to award the City's health insurance excess coverage bid to HCC and to remain at the current deductible of \$75,000. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

VIII. CITIZEN COMMUNICATION

(A) 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) Former Toyota Dealership Property: Councilman Tony Bahr noted three windows are broken in the building known as the former Toyota Dealership, and owned by Mr. Warren Dean. He added there are large shards of glass hanging from the windows.

City Administrator John Butz said the City would expedite the boarding of the windows because it is a dangerous situation. He told the Council the property owners would first be contacted to give them an opportunity to take care of the situation.

(B) Sixth and Elm Street Parking Lot: Councilman Bahr reported two residents and two businesses contacted him with their concern about the volume of water running off the parking lot located at Sixth and Elm Streets.

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Sixth and Elm Street Parking Lot (continued): City Administrator John Butz explained the City is building a feature into the parking lot that is designed to remove the water and treat the runoff.

(C) Pine Street Litter/Debris: Councilman Williams noted there is a lot of debris (plastic bottles) along the curb on Pine Street, particularly from Sixth to Eighth Streets.

(D) Grass in Street and House Numbers: Councilman Williams reported when some residents mow their grass, they are mowing it into the street. He pointed out this clogs the street drains and creates flooding.

Mr. Williams also noted to date, the City's Code Department has posted 420 properties for high grass. He added there are houses in Rolla without the house number on them. Mr. Williams reminded residents to put the house numbers back on their homes after installing new siding. He emphasized the importance of house numbers for emergency purposes.

(E) Pine Street Litter/Debris: Councilman Bahr also noted glass beer bottles and cigarettes packages are littering the street in front of a bar on both sides of Pine Street on Sunday morning. He asked if the property owner could be asked to clean this area before Sunday morning.

City Administrator John Butz said staff would have a conversation with the owners about this matter.

(F) 103 Steeplechase: Councilwoman Eudaly asked Police Chief Mark Kearse if the Police Department would keep an eye on the recently burned house located at 103 Steeplechase.

(G) Old English Road and Whitney: Councilman Sawyer expressed his appreciation to the Codes Department and the Police Department for taking care of a dangerous intersection at Old English Road and Whitney Lane.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

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XI. EXECUTIVE SESSION

A motion was made by Williams and seconded by Eudaly to adjourn into Executive Session pursuant to RSMo. 610.021 to discuss a personnel matter. A roll call vote on the motion showed the following: Ayes; Long, Bahr, Williams, Leonard, Eudaly, Sawyer, Woolley, and Bowe. Nays; None. Absent; Myers, Jordan, Magdits, and Morris. Motion carried.

The Council adjourned into Executive Session at approximately 8:09 pm.

XII. EXECUTIVE SESSION ACTION

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

City Counselor Carolyn Buschjost reported that during Executive Session, the Council discussed a personnel matter, but no new action was taken.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:29 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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