

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 16, 2013; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: Rhonda Sue Myers, Monty Jordan, Greg Sawyer, Kelly Long, Don Morris, Jim Williams, Brian Woolley, Walt Bowe, and Tony Bahr

Council Members Absent: Steven Leonard, Susan J. Eudaly, and Lou Magdits

Department Directors in Attendance: Public Works Director Steve Hargis, Parks and Recreation Director Scott Caron, Police Chief Mark Kearse, Community Development Director John Petersen, and Finance Director Steffanie Rogers

Other City Officials in Attendance: City Counselor Lance Thurman, Assistant Fire Chief Ron Smith, and City Clerk Carol Daniels

Mayor Jenks called the meeting to order at approximately 6:30 p.m.

Mayor Jenks mentioned this has been a tough month for the City. He reported retired Fire Captain Carl Warnol with the Rolla City Fire Department passed away; retired Major Stan Spadoni, who was a former Rolla City Police Chief and Councilman passed away, and; Mr. Edward Street, City Executive Assistant Millie Street's husband, Edward Street, passed away last Wednesday.

Mayor Jenks announced City Administrator John Butz and Councilwoman Sue Eudaly are representing the City of Rolla at the annual Missouri Municipal League (MML) Annual Conference. Additionally, Councilmen Steven Leonard and Lou Magdits are out of town on business.

Mayor Jenks then asked Councilman Monty Jordan to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

None.

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II. SPECIAL PRESENTATIONS

(A) Rolla Area Sister City Presentation – Sondershausen, Germany Trip: Ms. Martina Baur with the Rolla Area Sister City Committee, along with Mr. Jeff Sandquist, Ms. Tammy Lueck, and Ms. Madonna Woelk, presented a report on their trip to Sondershausen, Germany in June 2013. They also reported on a planned youth exchange program and possibly some musical performance exchanges. Ms. Baur noted seven individuals represented Rolla during the Sondershausen, Germany trip, including City Administrator John Butz and Community Development Director John Petersen. Ms. Baur announced the Rolla Area Sister City Committee meets the first Monday of each month from 5 p.m. to 6 p.m. in Rolla City Hall.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) Ordinance to Adopt Fiscal Year 2014 Budget: Finance Director Steffanie Rogers asked the Council to consider the final reading of the ordinance approving the Fiscal Year 2014 budget.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4116: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND APPROPRIATING FUNDS PURSUANT THERETO. 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; Bahr, Jordan, Myers, Woolley, Williams, Bowe, Sawyer, Long, and Morris. Nays; None. Absent; Leonard, Magdits, and Eudaly. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) 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 employee delegate to the annual LAGERS (Local Government Employees Retirement System) meeting. The employee nominee forms will be stapled to this week's paychecks. However, staff is asking if any Council member is interested in attending the meeting as the City's employer delegate, which is scheduled for October 24 and 25, 2013, in Springfield, Missouri. If not, Ms. Rogers said City Administrator John Butz would appoint an employer representative. No one from the City Council volunteered to attend.

IV. NEW BUSINESS (continued)

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(B) Motion Granting a Utility Easement at the Rolla National Airport (Intercounty Electric): Public Works Director Steve Hargis referred the Council to the drawing, contained in the agenda materials, which shows the location of the subject utility easement at the Rolla National Airport.

Mayor Jenks added the subject utility easement is needed to provide electricity to the new Brewer Science facility at the Rolla National Airport. A motion was made by Williams and seconded by Sawyer to authorize the Mayor to execute the Right-of-Way Easement with Intercounty Electric. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(C) Motion Closing Certain Streets During October 19, Downtown Arts and Crafts Festival: Public Works Director Steve Hargis indicated staff is requesting the closing of certain streets during the Rolla Downtown Business Association's annual Arts and Crafts Festival scheduled for Saturday, October 19, 2013. Additionally, the Route 66 Band Festival will also be held on October 19, 2013. In conjunction with this event, Mr. Hargis noted there would be some extensions of street closures and parking lots. A motion was made by Williams and seconded by Morris to approve the closing of the requested streets and parking lots for the October 19, 2013, Downtown Arts and Crafts Festival. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(D) Motion Closing Certain Streets During the "Celebration of Nations" Parade and Providing Traffic Assistance Control from the Rolla Police Department and Public Works Staff: Public Works Director Steve Hargis requested the closing of certain streets during the September 28, 2013, Celebration of Nations Parade.

Mr. Richard Myers with the Missouri S&T International Affairs Office announced the Celebration of Nations parade begins at 11 a.m. on campus. He told the Council 80 countries were represented during last year's parade.

A motion was made by Williams and seconded by Eudaly to close the requested streets during the Celebration of Nations parade and to provide assistance in traffic control from the Rolla Police Department and Public Works staff. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

IV. NEW BUSINESS (continued)

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(E) Ordinance Amending Rolla City Code Pertaining to Sewer User Fees: Public Works Director Steve Hargis explained the proposed ordinance would increase the sewer user rate from \$4.40 per 1,000 gallons of water to \$4.50 per 1,000 gallons of water, which is about a 2% increase in sewer rates. He said the proposed increase is part of the 2014 Fiscal Year budget. Mr. Hargis told the Council this year's and last year's increase is used to retire the lease/purchase improvements that are underway at the Southeast Wastewater Treatment Plant. He added the improvements should be completed by April 2014.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. **ORDINANCE NO. 4117: AN ORDINANCE AMENDING CHAPTER 35 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 Morris 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 Williams and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bowe, Woolley, Williams, Myers, Bahr, Jordan, Morris, Long, and Sawyer. Nays; None. Absent; Leonard, Magdits, and Eudaly. Motion carried. The ordinance passed.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion to Award Bid for Paving Project at Rolla National Airport: Public Works Director Steve Hargis reported the City and its consultant Jviation, Inc. asked for and received bids for paving at the Rolla National Airport. The project would pave the main entrance road coming into the airport, two parking lot areas, and the apron area around the T-hangars. Mr. Hargis informed the Council two bids were received and staff is recommending the bid be awarded to the low bidder, Rolla Asphalt, for \$198,584.60. He said this recommendation is pending MoDOT (Missouri Department of Transportation) approval. Following MoDOT approval, a contract will be submitted to the Council for consideration. After discussion, a motion was made by Williams and seconded by Long to award the bid to the low bidder, Rolla Asphalt, for \$198,584.60, pending MoDOT approval. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

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Mayor Jenks indicated there is another item to consider under Claims and/or Fiscal Transactions, which is not listed on the agenda and occurred unexpectedly.

(B) Change Order to S&T Pipe Purchase: Mayor Jenks recalled the Council previously approved a project on the Missouri S&T campus, which would improve the storm water runoff between Poole Avenue and Bishop Avenue. He informed the Council that in the course of construction, the bottom of the existing culvert, which is made of metal, partially collapsed. Mayor Jenks indicated this would impede the flow of water and would cause the culvert to further collapse. He told the Council the University has agreed to share in the cost of the additional 300 feet of pipe, which is estimated at \$31,000. A motion was made by Williams and seconded by Morris to authorize the purchase of 300 feet of pipe. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

None.

VII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Jenks opened the floor to anyone wishing to address the Council.

(1) Mr. Roger Brown, 104 Steeplechase Road, representing the residents of Steeplechase Road area, explained the residents have prepared and circulated a letter of neighborhood concern about recent incidents that have occurred at an abandoned residence at 103 Steeplechase Road. He noted a copy of the letter is included in the City Council agenda packets and the petition contains approximately twelve signatures from the Steeplechase Road neighborhood. Mr. Brown then read the contents of the letter in its entirety and asked the Council to immediately address the problem and take appropriate corrective actions to ensure the health, safety, and welfare of the Steeplechase Hills neighborhood.

Mayor Jenks indicated the City is aware of the situation and is following up as much as it can within the law.

VII. CITIZEN COMMUNICATION (continued)

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(A) Open Citizen Communication (continued):

(2) Ms. Peggy Brown, 104 Steeplechase Road, read some comments from Arvind and Usha Kumar who own the house at 101 Steeplechase Road and who are out of state. 1) The current condition of the fire-damaged house with boarded windows is a safety and health concern to the neighborhood and depicts the neighborhood as an abandoned area. 2) It has a direct negative impact on the resale value of neighborhood properties. Therefore, we ask the damaged windows and the damaged areas of the house be fixed or repaired as soon as possible.

Responding to questions from the Council, Assistant Fire Chief Ron Smith reported the fire was ruled incendiary by the State Fire Marshal's Office and it remains under investigation by the State Fire Marshal and Rolla Police Department.

Councilman Long stated from what he and Councilwoman Eudaly heard from the neighborhood meeting, the neighbors are concerned this is becoming a protracted process and they want to make sure the building is secured. He said they are nervous because there does not seem to be a plan when work will begin.

Mayor Jenks said the City would try to expedite the repairs, but it is beyond the City's control. He said he does not believe the insurance company has paid the claim, because the investigation has not yet been completed. Mayor Jenks said the City would try to work with the property owner, Mr. Kenneth Gorman, as much as it can.

(3) Mr. Fred Krueger, 207 Steeplechase Road, stated he believes the City has a responsibility under what is known as the "attractive nuisance code," the same as if he had an unfenced swimming pool. He noted 103 Steeplechase is in close proximity to the Junior High and many young people traverse the area going to and from school.

City Counselor Lance Thurman informed Mr. Krueger the "attractive nuisance code," applies to the property owner and not to the City.

(4) Mr. Jim Corey, 414 Bill Avenue, informed the Council on the night of Friday, September 6, 2013, he was awakened by a loud band and partying outside of Fat Cats Entertainment Complex. He told the Council he called the Police Department and told the Police Officer he wanted to sign a complaint. Mr. Corey said the police officer

VII. CITIZEN COMMUNICATION (continued)

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(A) Open Citizen Communication (continued):

(4) (continued): who came to his house said he was going to give a warning to the Fat Cats Entertainment Complex. Mr. Corey said he believes it is his right to be able to sign a complaint. Mr. Corey then read a letter from a woman who lives at 410 Hutchinson as follows: "On Friday, September 6 at about 9 p.m. I was in my bedroom almost asleep when I heard a loud noise. I went to the front door and could not tell where the noise was coming from and found out later that it was coming from Fat Cats. I have never heard bands playing before. I live further away than most of the complaints."

No one else present addressed the Council.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) Neighborhood Meetings to Discuss Park Needs/Proposed Sales Tax Extension:

Parks and Recreation Director Scott Caron recalled the Council has been discussing the possibility of a park sales tax and have had a number of workshops relating to this issue. He said three separate ward meetings have been scheduled to discuss park needs and the proposed sales tax extension with the public. Mr. Caron noted the first meeting for Wards 1 and 2 is scheduled for Monday, September 23 at the SplashZone Pavilion in Ber Juan Park from 5:30 p.m. to 7 p.m. Wards 3 and 4 will meet on Tuesday, September 24 in the Green Acres Park Pavilion, and Wards 5 and 6 will meet in the Buehler Park Pavilion on September 30 from 5:30 p.m. to 7 p.m. Mr. Caron said a General Public Open House/wrap-up including a report of the input received would be held on Tuesday, October 15, 2013, from 5:30 p.m. to 7 p.m.

(B) Resignation Letter: Mayor Jenks read a letter addressed to him from Ward I Councilwoman Rhonda Sue Myers who stated that due to personal reasons, she tendered her resignation as Ward I Councilwoman effective September 30, 2013.

Mayor Jenks expressed his appreciation to Ms. Myers' for her service to the City. He announced anyone living in Ward I and who is interested in filling the vacancy to please submit a letter and a brief resume to the City Administration.

IX. EXECUTIVE SESSION

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None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 7:36 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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