

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 4, 2013; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor William S. Jenks, III

Council Members in Attendance: Jonathan Hines, Monty Jordan, Greg Sawyer, Steven Leonard, Kelly Long, Susan J. Eudaly, Don Morris, Lou Magdits, Jim Williams, Brian Woolley, Tony Bahr, and Walt Bowe

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 Lance Thurman, and City Clerk Carol Daniels

Mayor Jenks called the meeting to order at approximately 6:30 p.m. and asked Councilwoman Susan Eudaly to lead 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 twelve ayes, zero nays, and zero absent. Motion carried.

The consent agenda consisted of the following:

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

- 1) Rolla City Council Meeting – October 7, 2013
- 2) Rolla City Council Meeting Closed Session – October 7, 2013
- 3) Special Rolla City Council/Community Workshop – October 14, 2013
- 4) Rolla City Council Meeting – October 21, 2013
- 5) Rolla City Council Meeting Closed Session – October 21, 2013

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II. PUBLIC HEARINGS

(A) Close Out of the CDBG (Community Development Block Grant) for Missouri S&T Innovation Park Planning: City Administrator John Butz indicated a public hearing is a requirement to close out the Community Development Block Grant (CDBG). He recalled that in 2006 and 2007, the City discussed the Rolla West project and the City selected HNTB Consulting Engineers to do master planning of that area. About the same time, Mr. Butz noted that Missouri S&T began talking about the conversion of the golf course area into a tech park. He said the City wanted to be able to blend the plans of that development with the Rolla West project so storm water runoff, transportation access issues, other utilities, etc., could be addressed. At that time, Mr. Butz said the City applied for and received a grant of \$71,800 to assist the City with that study. Missouri S&T contributed about \$34,000 with the City contributing about \$17,000 in that portion of the project leveraged by the City's work in the remainder of the Rolla West studies.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) Presentation by Mr. Kelly Beets, MIRMA (Missouri Intergovernmental Risk Management Association): Mayor Jenks indicated this item would be delayed, pending Mr. Beets' arrival.

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

Mayor Jenks referred the Council to **(A)** the September 2013 Centre Financial Analysis; **(B)** the September 25, 2013, Parks and Recreation Commission Meeting Minutes; **(C)** the September 2013, Environmental Services Department Monthly Report; **(D)** the September 2013 Rolla Municipal Utilities Monthly Report; **(E)** the September 26, 2013, Rolla Board of Public Works Meeting Minutes; **(F)** the September 2013, Rolla Police Department Monthly Report; **(G)** the September 2013, Rolla Animal Control Monthly Report; **(H)** the September 30, 2013, City's Cash Position and Expenditure Report, and; **(I)** the October 2013 Rolla Fire and Rescue Department Monthly Report.

City Administrator John Butz then entertained questions from Councilman Bahr regarding the City's Cash Position and Expenditure Report.

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V. OLD BUSINESS

None.

VI. NEW BUSINESS

(A) Ordinance to Approve Sale of 584 Sycamore Drive (City Lot): City Administrator John Butz reported the City received a contract offer, dated October 8, 2013, on the lot owned by the City that is located at 584 Sycamore Drive. He said the Council considered the offer in closed session on October 21, 2013, and by a motion, the Council authorized acceptance of the contract. Mr. Butz indicated the proposed ordinance authorizes the Mayor to execute the subject contract.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4121: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN CONTRACT FOR SALE OF VACANT LAND BETWEEN THE CITY OF ROLLA, MISSOURI AND GERALD D. AND KATHLEEN A. FRANK. A motion was made by Eudaly and seconded by Sawyer to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed twelve ayes, zero nays, and zero 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 Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bahr, Leonard, Jordan, Hines, Woolley, Williams, Bowe, Sawyer, Magdits, Long, Eudaly, and Morris. Nays; None. Absent; None. Motion carried. The ordinance passed.

(B) Ordinance Changing the City Prosecutor Position to an Appointed Position: Councilman Williams recommended that this matter not be brought to the table and that the City prosecutor position remain an elected position. He said changing the City prosecutor position to an appointed position takes away from the freedoms we have to vote. A motion was made by Williams and seconded by Woolley to drop this issue. After some discussion, a voice vote on the motion showed eleven ayes, one nay, and zero absent. Motion carried.

(C) Discussion Regarding Surplus/Sale of Old Ransdall Building: City Administrator John Butz referred the Council to his memorandum in the agenda packet, which outlines how the City initially acquired the former Ransdall building. He told the Council the City paid \$250,000 for the property. Since 2006, the City has always planned to have the

VI. NEW BUSINESS (continued)

(C) Discussion Regarding Surplus/Sale of Old Ransdall Building (continued):

building removed. Mr. Butz said the building has served well as a storage facility for the City. Mr. Butz noted that most recently Councilman Bahr asked about the prospect of the City ultimately selling the building. If the Council declares the building surplus, Mr. Butz explained ways the City could remove the structure. After discussion, a motion was made by Eudaly and seconded by Morris to surplus the old Ransdall building and to locally advertise the removal of the building. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(D) Ward Meetings and Park Sales Tax Forum Reports:

Parks and Recreation Director Scott Caron briefed the Council on the outcome of the recent ward meetings that were held to discuss the possibility of renewing a park sales tax to provide funding for the parks systems. Based on the information gathered, Mr. Caron said staff recommends placing the issue of a one-quarter of one cent (\$0.0025) park sales tax on ballot in April 2014. After eight years, the tax would be reduced to one-eighth of one cent (\$0.00125). Mr. Caron pointed out the proposed sales tax would be primarily used for capital improvements within the park system as well as operations. Although a portion would go toward the Recreation Center, he said approximately 75% of the park sales tax revenues would be used for the park system. A motion was made by Magdits and seconded by Eudaly to authorize staff to draft an ordinance for Council consideration, based on staff's recommendation, with the ballot language as outlined in the agenda memorandum from Mr. Caron. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion to Award Bid for a One-Half Ton Pickup for the Street Division:

Public Works Director Steve Hargis reported several bids were received for a four-wheel drive, one-half ton pickup to be used by the street superintendent. He pointed out the low bidder is the State bid from Joe Machens Ford, Columbia, Missouri for \$19,507.00. Mr. Hargis indicated staff plans to transfer the 2004 Chevrolet from the Street Division to the Wastewater Division to be used as a service truck. The 1998 Chevrolet in the Wastewater Division would be sold on www.GovDeals.com. Mr. Hargis said staff recommends the bid be awarded to the low bidder, Joe Machens Ford, Columbia, Missouri for \$19,507.00. Following discussion, a motion was made by Woolley and seconded by Eudaly to award the bid to Sakelaris Ford, Rolla, Missouri, for \$19,775.00. A hand count on the motion showed five ayes, seven nays, zero absent. Motion failed.

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion to Award Bid for a One-Half Ton Pickup for the Street Division (continued): After additional discussion, a motion was made by Long and seconded by Williams to award the bid to the low bidder, Joe Machens Ford, Columbia, Missouri, for \$19,507.00. A voice vote on the motion showed ten ayes, two nays, and zero absent. Motion carried.

(B) Motion to Award Bid for Motor Grader for the Street Division: Public Works Director Steve Hargis indicated staff is recommending the purchase of a motor grader from the State bid, Fabick and Company, for a Caterpillar 120 M2 Motor Grader for \$191,165.00. He said staff also recommends selling the existing 2002 New Holland motor grader through www.Govdeals.com and setting a minimum bid of \$37,500.00, which is the amount that would have been received if the unit were traded in. A motion was made by Bahr and seconded by Eudaly to award the bid for the motor grader to Fabick and Company, for a Caterpillar 120 M2 Motor Grader, for \$191,165. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VIII. CITIZEN COMMUNICATION

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

Mr. Frank Furman, 403 Hutchinson, Rolla, Missouri, and a member of the Friends of the Rolla Free Public Library, invited everyone to attend the Friends of the Library book sale, which would be held on Thursday, Friday, and Saturday, November 7, 8 and 9, 2013.

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Fat Cats Entertainment Complex – Ongoing Noise Concerns (Councilman Don Morris): Mr. Josh Noe, owner of Fat Cats Entertainment Complex, entertained questions and comments from Councilman Don Morris regarding the operations of Fat Cats. Mr. Morris told Mr. Noe he obtained an entertainment schedule from Fat Cats Facebook page. He said he thought Fat Cats was supposed to be a family entertainment facility, but according to the entertainment schedule, it appears to be a bar.

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(A) Fat Cats Entertainment Complex – Ongoing Noise Concerns (Councilman Don Morris) (continued): Mr. Noe told Mr. Morris Fat Cats is open from 5 p.m. to 8 p.m. on Wednesdays and Thursdays for children and it is open for adults on these days from 8 p.m. to 11 p.m. He added that on Fridays, it is open to children and alcohol is not served. In fact, he said all alcohol is completely removed from the shelves for the entire evening. Mr. Noe informed the Council that Fat Cats is only open to adults on Saturday night.

Mr. Noe mentioned that he obtained a printout of the noise complaints received by the Rolla Police Department over the past ninety days and he commented on each complaint. He told the Council the Police Department would issue him a ticket for any noise complaint they receive about Fat Cats, regardless of the noise level. Mr. Noe said he plans to meet with all 100 neighbors to determine what Fat Cats can do to make it acceptable for the neighbors and for Fat Cats to remain at its present location. He indicated he would compile the comments, present them to the Council to show there are only four people complaining, and that he has support from the majority of the area. Additionally, Mr. Noe stated he would meet with the four complainants to see what he can do, i.e., do just one concert a month or do no concerts.

(B) Animal Shelter Update: Councilman Leonard asked City Administrator John Butz if there is a potential timeline on options for the animal shelter solution.

Mr. Butz said he plans to bring some information to the Council in early December. He mentioned he is waiting to hear back from the Phelps County Humane Society and the Phelps County Animal Welfare League on their involvement in some of the studies.

(C) Operation Neighborhood Cleanup: Councilman Long told the Council he had the pleasure of participating for the first time in the recent citywide neighborhood cleanup. He said Sergeant Vince Giacolone and the other volunteers should be commended for doing a great job.

Mayor Jenks echoed Mr. Long's comments and said he appreciates the volunteers and their hard work.

(D) Feral Cats: Councilman Williams reported that he recently counted between fifteen and twenty cats in the cul-de-sac located behind Pryor's Pizza on East Black Street.

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IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(E) Rolla National Airport: Councilman Bahr complimented the City employees who are doing the work at the Rolla National Airport. He said the grounds are clean and the tarmac and runways are being resurfaced. He stated he has never seen it look so good.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

None.

XII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:41 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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