

# No Standing News

Since we have no standing, we stand with those left standing.

Volume I

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## COUNCIL CHRONICLES

March 1, 1999

By Lois Ann Marler

### **R**OLLA FIRE FIGHTERS FORM UNION

Rolla fire fighters are now a part of the International Association of Fire Fighters (IAFF). The Rolla City Council agreed with the terms set out by our local fire fighters during their executive session. The fire fighters, now know as the "Rolla Professional Fire Fighters Local 3905" excludes Chief Crowell, the Fire Marshall, Training Officer, and Administrative Assistant. A vote to formally accept IAFF as the Local's bargaining unit will be held on March 26, 1999 between 7A.M. and 9 A.M. at the Eugene Northern Community Hall.

I spoke to Fire Fighter and RPF President Jim Rolufs after the executive session. He emphasized the desire of the Local 3905 to better serve the community. They are planning to implement a smoke detector program that would provide information and assistance to homeowners and renters alike. For more information on this program, contact Jim Rolufs at 368-3166, or 364-3989.

Rolufs went on to say that they "want the community to know that as a team, The Rolla Professional Fire Fighters, The International Association of Fire Fighters and the Citizens of Rolla, can make Rolla a safer place to live."

They are also planning a fundraiser in order to purchase IRIS systems. These systems cost \$25,000 each, and are basically an infrared helmet-cam that allows firefighters to see bodies through smoke in the dark.

### NO PARKING ON PINETREE ROAD

Hopefully the children who practice on the Junior High field will be safer thanks to action taken by the council, which will prohibit parking on both sides of Pinetree Road. The council unanimously approved the parking restriction after Chief Pikka reiterated his support. No one was present to protest.

### COUGH IT UP, OZARK TERRACE

In a 9-1 vote the council approved a tax bill for Ozark Terrace residents who recently had sewer work done. The city did not notify residents of the increase in cost until after the work was done, according to Public Works Director Steve Hargis. Mayor Morgan reminded everyone that it was "only" an increase of 10%.

Councilman DeFriese complained of the city's practice of poor communication, calling it "slipshod." He was the sole dissenting vote on the issue.

### WORK SESSIONS ARE THE LAW

In another 9-1 vote, the council approved amending section 2-4 of the City Code pertaining to City Council meetings. They have now committed themselves to a monthly work session

along with a regular council meeting, with restrictions on the work session.

There was discussion on the term "emergency" as it relates to the work session. According to the changes, the council is allowed to have public hearings, first and second readings of proposed ordinances, and to vote on routine motions during a work session. All other issues will have to be deemed an "emergency" by a majority vote. (It will be very interesting to watch this one play out!)

All meetings, whether the regular council meeting or the work session, will be held at 6:30 P.M. Any other meeting will be labeled a "Special Meeting" and can take place at any time.

### **COUNCIL APPROVES COPS GRANT APPLICATION**

Police Chief Dave Pikka explained the COPS program to the council, emphasizing the need for more police presence in the Rolla schools. If the grant is approved, it will provide another police officer to work in the Junior and Senior High, and possibly in the new Rec Center and in the parks during the summer. The city already has three COPS officers.

The federal grant will pay 75% of the cost of the new officer, with the city providing the other 25%. At the end of three years, the city would be responsible for the entire cost.

### **A VAGUE DAYCARE DEAL**

The council approved a resolution for the Meramec Regional Planning Commission (MRPC) to apply for a grant to construct a large daycare facility at Hy-Point Industrial Park. The item was not on the agenda, and was added at the beginning of the meeting.

City Administrator John Butz explained some components of the new daycare facility as being

part of Governor Carnahan's emphasis on childcare through Community Development Block Grants. Even though MRPC is the organization in charge of the project, the Meramec Community Enhancement Corporation (MCEC), which is supposedly a child-care subsidiary of MRPC, is applying for the grant in the name of the city. The application deadline is March 15, 1999. The council is only now hearing about this project. Of course, they needed a vote immediately. Something smells very fishy.

### **DAIN WARD ON THE WAY OUT?**

I was unable to attend the February Council Work Session, but obtained a copy of the minutes from the meeting. One interesting event that I have been told went unreported in the RDN was over the Mayor's choice of appointees to boards. Councilman DeFriese reprimanded the mayor, claiming he has not complied with the Rolla City Code in his appointments. He also pointed out that information on some candidates is not contained in the agenda materials before consideration at the Council meetings.

I spoke to DeFriese about his accusations, and he even explained that because Dain Ward is on the RMU board and the REDC, all RMU meetings and consequent decisions are questionable, possibly illegal. He cited city code 35-151 as proof of his claim. This code says, "The members of the board of public works shall be electors of the city who have resided therein for a period of two years before their appointment....No member shall hold any other office, either by appointment or election, during his official term as a member of the board and any member of the board of public works who shall accept a nomination or appointment for any other office during his official term, shall be deemed thereby to have resigned as a member of the board and his membership shall thereby be, ipso facto, vacated." ("Ipso facto" in the ordinance

means: "By the fact itself; by the mere fact. By the very nature of the case.")

I spoke with the Mayor about this and he first stated how much Mr. Ward contributes to the community. He said that he will be speaking to Mr. Ward about this subject to see what he wants to do. Mayor Morgan said that he plans to discuss this at the upcoming work session, and hopefully take action at the April regular meeting. He said that it was an honest mistake.

I also asked the Mayor if he will be checking past votes of the RMU board. Since Mr. Ward has not legally been a board member since he accepted another office, every meeting and every vote will have to be checked to see if the actions of a member not qualified to vote nullify the actions taken by the RMU board. This calls into question rate increases, decisions about legal actions, contracts and all decisions by the RMU board. He assured me that it would be checked.

### **A FEW WORDS ON ROBERTS RULES**

Very few words, as a matter of fact! Mayor Morgan restricted any discussion on a memorandum submitted by Councilman Owsley regarding the council's conduct and practice of parliamentary procedure. Mr. Owsley pointed out some errors of the council in following Robert's Rules of Order, the legally adopted standard for parliamentary procedure adopted by the council in City Code 2-8. In his memorandum he suggested limiting "the amount of personal or private discussions during the course of general business," along with the suggestion that the council let people speak without putting them "on the hot seat."

Well, Mr. Owsley had better practice what he is preaching. I've reported on his mini-conference with the city administrator, and have witnessed his nearly constant chatter with Councilman Barklage, who seems to tolerate it pretty well.

I was hoping to hear some discussion on the subject, at least from our official parliamentarian, Monty Jordan, who, like everyone else, wasn't allowed to speak to the issue.

### **COMMENTARY**

In this town, when something smells fishy, it usually means that it is. In the case of the grant application for the mega-sized daycare center, there are more questions than answers.

No representatives were on hand from either MRPC or MCEC to answer questions. Mr. Butz tried to answer questions from the council and from Robert Nash, Editor-In-Chief for No Standing News. Mr. Nash, who had attended a poorly advertised public hearing on Friday, February 26, 1999, had details about the daycare center, along with important questions, like where the money from the sale of the land would go. Councilman Owsley, who is a member of the RCDC, the corporation who owns the land on which the building would be built, assured Mr. Nash that the money from the sale (\$10,000) would be used to pay off RCDC debt. (It would not go back to the city as reimbursement for land and cash the city has illegally given RCDC.)

Nash also asked about what liability the city has in the whole deal. He was assured that they have no liability.

I spoke to MRPC Representative Dave Lexa the following morning, (who did show up at the meeting as the council was entering executive session.) He told me that Mr. Butz instructed him to not bother arriving before 8:30 P.M. By that time the issue was long gone, and Mr. Lexa's trip was a wasted one.

Mr. Lexa told me that the city's only liability in this daycare deal is to insure that the grant, if accepted, is properly used. Well, well. How interesting. I suppose our council lost its sense of smell. Like sheep being led to the slaughter,

they approved this resolution without asking tough questions. I handed my councilman, Monty Jordan, three pages of questions that need to be answered. Here are some of the questions: Who authorized MRPC to make this application in the name of the city of Rolla? Why did MRPC wait until now to tell the council about the project if the application deadline is March 15? Exactly who is the Meramec Community Enhancement Corporation and what is their official purpose? Will MCEC manage the daycare itself? If the daycare center is not successful and the city defaults on the loan, who will wind up owning the \$575,000 land, building, and other assets? If the daycare center is sold at any time to a private person or corporation, who gets the money from the sale of the assets? Why aren't the Hy-Point companies financing the project themselves? What are the details of the loan?

Why is the council rubber-stamping another project? That's my question. Why are they so easily convinced? Don't they realize their huge commitment in this project? What plan do have to ensure that this grant, if accepted, is properly used?

On a personal note, I think it's a sad commentary on society that we are now so willing to institutionalize our youngsters. Yes, I'm old-fashioned, VERY old-fashioned, and I hope that everyone will agree that the best place for a young child is in the loving confines of a home with a parent, not in an institution with strangers. How often have you heard a parent say, "I sure do regret staying at home with kids. I think an institution could have raised them better than I did."

In a more perfect world we would be working equally hard to bring better jobs to Rolla so that families could afford to have one parent stay home with Junior. Tax credits for families who stay home with pre-school aged children would

also be a break for those wanting to provide their children with the nurturing home life.

I am all too aware, however, of the wage stranglehold on Rolla. I've heard all the worn-out excuses about how hard it is to get corporate America to come to Rolla, and how all the jobs are going to Mexico. If we are really the wonderful community that we claim to be, shouldn't corporate America be scrambling to come here?

The truth remains that higher paying jobs aren't wanted here and the welcome mat is rolled out only for the chosen few. That's okay. We have a wonderful new daycare facility on the horizon. Junior's parents can work until midnight, which is the proposed closing time for the daycare. There will even be an LPN on duty so Junior's parents don't even have to take care of Junior when he's sick.

Councilman Jimmy Dale Williams' comment on the proposed facility was that it would be a "drawing card" for other industries. Yes, I agree. My question is this: what is the "drawing card" for a higher wage in Rolla?

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**PLEASE FREE MAYBERRY NOW!!!**

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