

**ROLLA CITY COUNCIL MEETING MINUTES  
WEDNESDAY, SEPTEMBER 5, 2012; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor William S. Jenks, III

**Council Members in Attendance:** Monty Jordan, Greg Sawyer, Steven Leonard, Kelly Long, Gary Hicks, Don Morris, Lou Magdits, Jim Williams, Carrolyn Bolin, Tony Bahr, and Fran Mazanec

**Council Members Absent:** William Lindgren, Jr.

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

**Other City Officials in Attendance:** City Administrator John Butz, City Counselor Carolyn Buschjost, Communications Director Scott Grahl, Police Lieutenant Doug James and City Clerk Carol Daniels

Mayor William S. Jenks, III called the meeting to order at approximately 6:30 p.m. and asked a member of the Rolla Ministerial Alliance to give the invocation.

Following the invocation, Councilman Kelly Long led in the Pledge of Allegiance.

**I. CONSENT AGENDA**

A motion was made by Williams and seconded by Sawyer to approve the minutes of the previous meetings, as submitted. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

The consent agenda consisted of the following:

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

- August 6, 2012, City Council Meeting
- August 20, 2012, City Council Meeting
- August 20, 2012, City Council Executive Session Meeting

**SEPTEMBER 5, 2012**

**II. PUBLIC HEARINGS**

**(A) Ordinance to Consider the 2012/2013 City of Rolla Fiscal Year Budget:** City Administrator John Butz recalled that staff reviewed the proposed 2012/2013 Fiscal Year Budget, at length, with the Council last week. The budget has remained stagnant for the past four or five years and very little growth has been seen. He said the City has averaged about one-half percent to one percent growth in sales tax over the past five or six years. Mr. Butz indicated the proposed \$30 million budget gives the appearance it has grown because our typical budget is about a \$25 or \$26 million. However, \$4 million of the budget is from the UV disinfection lease financing proceeds for the Southeast Wastewater Treatment Plant. Regarding employee compensation, he recalled wages were frozen last year. Mr. Butz explained this budget includes a 2% increase across the board for full-time employees. Aside from salary increases, the only other real planned increase is in the sewer user fee. He said the sewer user fee is currently \$4 per 1,000 gallons of water used. In order to reimburse the UV disinfection lease financing, staff is proposing a \$0.40 increase in the sewer user fee, which would probably take effect in November 2012. Another \$0.40 increase would be considered in 2013. These increases would remain in effect until the UV disinfection bonds are paid.

Following Council discussion, Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the proposed 2012/2013 Fiscal Year Budget. No one present addressed the Council. 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, 2012, AND APPROPRIATING FUNDS PURSUANT THERETO.**

**III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS**

**(A) Presentation of Lewy Body Dementia Awareness Day Proclamation to Ms. Jane Haskell:** Mayor Jenks read a proclamation where he declared Saturday, September 22, 2012 “Lewy Body Dementia Awareness Day.” He then presented the proclamation to Mrs. Jane Haskell, wife of Coach Dan Haskell, who was diagnosed with Lewy Body Dementia in 2004. Coach Dan Haskell was a former Rolla High School wrestling coach for numerous years, a ninth grade football coach at Rolla Junior High School and a public educator for 32 years, most of which was in the Rolla Public School system.

**III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS (continued)**

**(A) Presentation of Lewy Body Dementia Awareness Day Proclamation to Ms. Jane Haskell (continued):** Mrs. Haskell thanked Mayor Jenks for the proclamation and expressed appreciation to the Rolla community. She told the Council the Haskell family came to the Rolla community in 1983 and have been teachers in the district for many years. Ms. Haskell said her husband thought so much of Rolla and the youth and tried to do his best to involve them to be active and healthy. Ms. Haskell explained Lewy Body Dementia is a debilitating disease that is described like Parkinson's and Alzheimer's combined, but only worse. The only way to find a cure is through research. Ms. Haskell said the money they raise during the Coach Haskell 5K Walk/Run on Saturday, September 22, 2012, will go to the Mayo Clinic for research, because this is where her husband was diagnosed with Lewy Body Dementia.

**(B) Recognition of 2012 Summer Olympian, Ms. Chantae McMillan:** Mayor Jenks presented a Key to the City plaque to Ms. Chantae McMillan whose inspired performance at the 2012 Olympic Summer Games in London, England, United Kingdom, captured the hearts of the Rolla community in August 2012.

Additionally, Park and Recreation Director Scott Caron presented Ms. McMillan with athletic apparel from The Centre.

Ms. McMillan addressed the Council and thanked the town of Rolla for all of its support.

Councilman Long added that Ms. McMillan would also be honored during halftime at the football game on Friday evening

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

Mayor Jenks referred the Council to (A) the July 2012, Rolla Municipal Utilities Monthly Report; (B) the July 24, 2012, Rolla Board of Public Works Meeting Minutes; (C) The August 14 2012, Preliminary Minutes of the Planning and Zoning Commission Meeting; (D) the August 2, 2012, Rolla Board of Adjustment Meeting Minutes; (E) the July 2012 Centre Financial Analysis, and; (F) the July 2012 SplashZone Financial Analysis.

**V. OLD BUSINESS**

None.

**VI. NEW BUSINESS**

**(A) Ordinance Amending Sec. 6-56 of the Rolla City Code Pertaining to Demolition**

**Permits:** Community Development Director John Petersen explained that City regulations require a demolition permit from the City be obtained in order to remove dangerous/unsafe buildings. In the majority of cases, demolitions are completed in a reasonable time. In the recent past, however, Mr. Petersen noted there have been instances where demolitions have not been completed within a reasonable time. Currently, applicants have one year to demolish the structure and may request a one-year extension. Staff is recommending City Code be amended to establish a 90-day period to complete the demolition. Another 90-day extension may be issued with written approval from the Codes Administrator.

Following Council discussion, City Administrator John Butz added the proposed amendment would give staff the ability to force progress. The additional 90-day permit will not automatically be granted if nothing has been done for the first three months.

After additional discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE: 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 DEMOLITION PERMITS.**

**(B) Ordinance Amending Sec. 27-92 of the Rolla City Code Pertaining to No**

**Parking on Bardsley Road:** Public Works Director Steve Hargis explained the proposed ordinance would prohibit parking on Bardsley Road. Parking on Bardsley Road has not been a problem until this year. He said students have been parking on it regularly and the road width is too narrow to accommodate parking with the volume and type of traffic.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE NO. 4052: AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO TRAFFIC. A motion was made by Hicks 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 eleven ayes, zero nays, and one absent. Motion carried.** Ms. Buschjost then read the proposed ordinance for its final reading, by title. **A motion was made by Hicks and**

**VI. NEW BUSINESS (continued)**

**(B) Ordinance Amending Sec. 27-92 of the Rolla City Code Pertaining to No Parking on Bardsley Road (continued):** seconded by Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Leonard, Mazanec, Bolin, Williams, Bahr, Magdits, Jordan, Morris, Long, Hicks, and Sawyer. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

**(C) Resolution Authorizing the Mayor to Execute Task Order No. 5 with HDR Engineering for Wastewater Treatment Improvements at the Southeast Treatment Plant:** Public Works Director Steve Hargis indicated what has prompted Task Order No. 5 is beginning December 31, 2013, where the City will be required by the Department of Natural Resources (DNR) to provide UV disinfection at the Southeast Wastewater Treatment Plant. He told the Council he thought the City would have at least three years to accomplish this, which is normally the time DNR allows wastewater treatment plants to impose new regulations. Mr. Hargis informed the Council DNR was unwilling to extend the time unless the City agreed to an Abatement Order on Consent, which he mentioned was discussed at an earlier Council meeting. At that time, he said he recommended to the Council it was not in the City's best interest to sign the Abatement Order, but to go ahead and accelerate the project. Mr. Hargis explained the subject contract would authorize HDR Engineering to perform the professional services for the \$4 million project. The total fee for Task Order No. 5 is not to exceed \$597,185.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1781: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI, TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN TASK ORDER NUMBER 5 AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND HDR ENGINEERING, INC. A motion was made by Hicks and seconded by Long to approve the proposed resolution. A voice vote on the motion showed ten ayes, one nay, and one absent. Motion carried. The resolution passed.

**(D) Motion to Select Oppenheimer & Co. (Underwriter) & Gilmore Bell (Bond Counsel) for the Financing of the UV Disinfection Improvements Program at the Southeast Wastewater Treatment Plant:** City Administrator John Butz noted this is a follow-up to the item just approved by Council. In order to process the financing of the UV disinfection improvements at the Southeast Wastewater Treatment Plant, professional services are needed. Staff is recommending that Oppenheimer & Co. be selected as the underwriter and Gilmore Bell as the bond counsel for this project.

**VI. NEW BUSINESS (continued)**

**(D) Motion to Select Oppenheimer & Co. (Underwriter) & Gilmore Bell (Bond Counsel) for the Financing of the UV Disinfection Improvements Program at the Southeast Wastewater Treatment Plant (continued):** A motion was made by Long and seconded by Hicks to select Oppenheimer & Co. (underwriter) and Gilmore Bell (bond counsel) for the financing of the UV disinfection improvement program at the Southeast Wastewater Treatment Plant. After a brief discussion, a voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**(E) Ordinance Authorizing the Mayor to Enter into a State Block Grant Agreement with the Missouri Highways and Transportation Commission for Pavement Improvements at Rolla National Airport:** Public Works Director Steve Hargis mentioned that the following three items are all interrelated. This item would allow the City to access Federal funds for pavement improvements at the Rolla National Airport. The grant would provide 95% of the funding with the City responsible for the remaining 5%. The second item is a base contract with Jviation to provide engineering services to the City. Mr. Hargis recalled the Council approved the selection of Jviation in July. The final item would be to approve a State approved aviation project consultant agreement with Jviation that is project specific.

Mr. Hargis explained the work the City has immediately planned is for two different bid packages. The first bid package includes the seal coat for Runway 4/22 and the large apron area. The second bid package is for asphalt overlay work, which will include the entrance road, parking lot by the flight zone, and the City's T-hangar apron. Mr. Hargis said these projects would be funded through entitlement funds. Staff is estimating the first phase to cost \$560,000 with \$532,000 coming from Federal entitlement funds. The paving portion of the project will be done during the 2013/2014 budget year.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4053: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AVIATION PROJECT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION. A motion was made by Hicks 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 eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final

**VI. NEW BUSINESS (continued)**

**(E) Ordinance Authorizing the Mayor to Enter into a State Block Grant Agreement with the Missouri Highways and Transportation Commission for Pavement Improvements at Rolla National Airport (continued):** 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; Williams, Jordan, Bahr, Hicks, Bolin, Leonard, Mazanec, Sawyer, Magdits, Long, and Morris. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

**(F) Ordinance Approving Execution of a Base Contract Between Jviation and the City of Rolla:** Public Works Director Steve Hargis told the Council the subject ordinance lays the groundwork for the pavement improvements at the Rolla National Airport and any future projects within the next five years with Jviation, Inc. The Missouri Department of Transportation (MoDOT) allows the City to enter into additional contracts with the same consultant without having to rebid.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4054: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN BASE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND JVIATION, INC. A motion was made by Hicks 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 eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost 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; Mazanec, Bolin, Leonard, Williams, Long, Magdits, Jordan, Morris, Sawyer, Hicks, and Bahr. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

**(G) Ordinance Approving Execution of an Aviation Project Consultant Agreement Between Jviation, Inc., and the City of Rolla:** Public Works Director Steve Hargis said this is the contract between the City of Rolla and Jviation, Inc., to perform the design services for the pavement improvements at the Rolla National Airport.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4055: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AVIATION PROJECT CONSULTANT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND

**VI. NEW BUSINESS (continued)**

**(G) Ordinance Approving Execution of an Aviation Project Consultant Agreement Between Jviation, Inc., and the City of Rolla (continued):** JVIATION, INC. A motion was made by Hicks 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 eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost 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; Magdits, Hicks, Bahr, Bolin, Leonard, Mazanec, Sawyer, Long, Jordan, Morris, and Williams. Nays; None. Absent; Lindgren. Motion carried. The ordinance passed.

**(H) Motion to Approve Revised Highway V Improvements:** City Administrator John Butz recalled the City has talked for about the past three years about the need for transportation upgrades at HyPoint Boulevard and State Route V adjacent to Love's Travel Center and the Industrial Park. The plan for resolving those conflicts was primarily evident when the Briggs and Stratton building was occupied and approximately 600 employees were trying to obtain access to Highway V. Mr. Butz told the Council the City applied for and received a Delta Regional Authority (DRA) grant for \$150,000 to assist the City in this project. The total project cost is about \$600,000, but the City did not anticipate nor was willing to pay any value for the right-of-way. The City wanted Big Industrial and Love's Travel Center to dedicate the right-of-way. Mr. Butz informed the Council the City was able to resolve the right-of-way issue with Big Industrial but was unable to resolve it with Love's Travel Center. Additionally, Love's Travel Center was opposed to the installation of a roundabout. After two years of negotiations, Mr. Butz said the City is in jeopardy of losing the DRA grant of \$150,000. The City is awaiting official word from the DRA to see if other improvements near the Highway V interchange would be grant eligible. Mr. Butz mentioned the City spoke with MoDOT and asked if something else could be done in this area. MoDOT was supportive of the City applying for a cost-share program and making this a priority of MoDOT Central District along with the support of the Meramec Regional Planning Transportation Advisory Committee. Mr. Butz referred the Council to the recommended improvements near the Highway V interchange, outlined on Page VI. H.2. in the agenda packets. These improvements would include a full upgrade of all lighting circuitry as well as turning lanes, including a turn lane at HyPoint Boulevard. Mr. Butz pointed out it would not help with the conflicts of traffic coming out of Big Industrial. Although it is a good solution, it is not a long-term solution if an employer with 500 or 600 people is located in the Briggs building. In order to make these improvements, Council approval is needed.



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**VI. NEW BUSINESS (continued)**

**(H) Motion to Approve Revised Highway V Improvements (continued):** After discussion, a motion was made by Bolin and seconded by Long to approve the proposed Highway V improvements. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

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

**(A) Motion to Award Health Insurance Excess Coverage:** Finance Director Steffanie Rogers referred the Council to the four quotations obtained on behalf of the City by the City's Health Insurance Consultant, Hays Companies. She informed the Council that the City's current stop loss deductible is \$75,000. Staff and the Hays Companies are recommending the excess coverage insurance be awarded this year to HCC effective October 1, 2012. After a brief discussion, a motion was made by Williams and seconded by Sawyer to award the Health Insurance Excess Coverage to HCC and to remain at the current deductible of \$75,000. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**VIII. CITIZEN COMMUNICATION**

Mayor Jenks opened the floor to anyone wishing to address the Council.

**(A)** Mr. Bob Stewart, 1308 Hillview Drive, stated that for almost five years he has been battling to have fluoride removed from the city's water. In the 1990's the City Council authorized fluoride be put in the water at one part per million. He noted that over a year ago, the Health and Human Services Commission lowered the amount to .7 parts per million. Mr. Stewart said Rolla Municipal Utilities (RMU) is not putting sodium fluoride in the water like the Health and Human Services Commission ordered. He said they are putting hydrofluorosilicic acid in the water, which is a product from industrial waste and which has a small portion of the fluoride in it. Mr. Stewart asked the Council why they are allowing RMU to put the hydrofluorosilicic acid in the water. He urged the Council to at least temporarily stop putting this in the water until they have had an opportunity to study it.

No one else present addressed the Council.

**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Appointment of Dr. William Eric Showalter to the Rolla Board of Public Works to Replace Dr. Joel Burken (August 2016):** A motion was made by Williams and seconded by Long to approve the appointment of Dr. William Eric Showalter to the Rolla Board of Public Works to replace Dr. Joel Burken, who has moved outside the City's limits. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**(B) Mayor Bill Jenks – Animal Shelter Donation:** Mayor Jenks reported that Mr. Robert A. Eck who was the Oldsmobile dealer on Highway 63 South in Rolla for many years and a former professor at University of Missouri – Rolla (currently Missouri S&T) recently passed away. He announced that Mr. Eck left over \$441,000 to the Animal Shelter. He said the City is hoping that this may be the impetus that is necessary in order to do some rather serious fundraising for this facility that will probably cost between \$1 and \$2 million.

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

None.

**XI. CLOSED EXECUTIVE SESSION**

A motion was made by Hicks and seconded by Long to adjourn into Executive Session pursuant to RSMo. 610.021 to discuss real estate matters. A roll call vote on the motion showed the following: Ayes; Long, Sawyer, Leonard, Hicks, Bahr, Bolin, Jordan, Morris, Mazanec, Williams, and Magdits. Nays; None. Absent; Lindgren. Motion carried.

The Council adjourned into Executive Session at approximately 7:45 p.m.

**XII. EXECUTIVE SESSION ACTION**

City Counselor Carolyn Buschjost reported that during Executive Session the City Council discussed two real estate matters. No action was taken on the first real estate

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**XII. EXECUTIVE SESSION ACTION (continued)**

matter. Regarding the second real estate item, Ms. Buschjost stated the Council agreed to amend terms concerning a real estate matter that is still pending. No final action was taken.

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at 8:37 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

**SEPTEMBER 5, 2012**