

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 1, 2012; 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, Gary Hicks, Don Morris, Lou Magdits, Jim Williams, Tony Bahr, and Fran Mazanec

Council Members Absent: William Lindgren, Jr., Monty Jordan, Kelly Long, and Carrolyn Bolin

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 Lance Thurman, Police Lieutenant Rick Williams, Communications Director Scott Grahl, 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 Don Morris 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 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 – August 27, 2012
- 2) Rolla City Council Meeting – September 5, 2012
- 3) Rolla City Council Executive Session Meeting – September 5, 2012
- 4) Rolla City Council Meeting – September 17, 2012

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II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) Third Quarter RREC Report: Mayor Jenks announced that Rolla Regional Economic Commission (RREC) Executive Director Cyndra Lorey is unable to attend tonight's meeting and will present her report to the Council during its October 15, 2012, meeting.

(B) Celebration of Nations: Mr. Jim Monahan, Mr. Harsheel Shah, and Ms. Rebecca Holmes, members of the Celebration of Nations Planning Committee, expressed their appreciation to the City of Rolla for its assistance in making this year's Celebration of Nations event, held on September 29, 2012, a great success.

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

Mayor Jenks referred the Council to **(A)** the August 28, 2012, Development Review Committee Meeting Minutes; **(B)** the September 11, 2012, Preliminary Minutes of the Planning and Zoning Commission Meeting, and; **(C)** the September 6, 2012, Rolla Board of Adjustment Meeting Minutes; **(D)** The August 2012 Centre FY-12 Financial Analysis, and; **(E)** the August FY-12 SplashZone Financial Analysis.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

(A) Preliminary Assessment of Rolla Smoking Ordinance: City Administrator John Butz reported the City received its confidential report from the State of Missouri in August for the sales period from January through June 2012. He pointed out the smoke free workplace ordinance, which went into effect January 2, 2012, has not been in effect

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VI. NEW BUSINESS (continued)

(A) Preliminary Assessment of Rolla Smoking Ordinance (continued): long enough to be able to determine the impact on sales. Mr. Butz provided some generalizations from the sales data and he commented on the approximate total sales for restaurant and bar sales and primary bar sales. Mr. Butz said there is no feasible way at this point to determine the impact of the smoking ban. He said he believes it might be possible to make a determination after about eighteen months of operation, but six months is just too incomplete. Mr. Butz indicated the bottom line is there was no detail that could be extracted that would provide any kind of confidence on the impacts of the smoking ban.

Councilman Leonard agreed with Mr. Butz that the sales data did not allow the ability to extrapolate any impact from the smoke free workplace ordinance. He said that is why he surveyed the six late night businesses that have a liquor license. Mr. Leonard referred the Council to a memorandum from him along with a copy of the completed surveys from the six late night businesses. He told the Council there are some business owners in Rolla who have been hurt by the smoke free workplace ordinance. Mr. Leonard said he has floated the idea to these businesses that are primarily open until 1:30 a.m., the idea of exempting them from the smoke free workplace ordinance from 9 p.m. until close of business at 1:30 a.m. He suggested the Council might consider this as an option to provide some economic relief for these businesses that are financially hurting. Mr. Leonard asked if he had the Council's permission to formally present an exemption to the smoke free workplace ordinance during the Council's next meeting. No one from the Council responded to his request.

(B) Resolution Authorizing the Mayor to Execute a Grant Agreement with the Delta Regional Authority Relating to Industrial Park Transportation Improvements: Public Works Director Steve Hargis explained the proposed resolution would authorize the Mayor to enter into a grant agreement with the Delta Regional Authority (DRA). He recalled the City had planned a roundabout project at Highway V and HyPoint Boulevard. However, right-of-way acquisition for the roundabout became a problem. Mr. Hargis noted the City began looking at another project that would help the traffic flow in that area. In discussions with the Missouri Department of Transportation (MoDOT), an alternate improvement to the existing signals and ramps is being proposed. Mr. Hargis informed the Council that MoDOT would provide the in-kind and cash contributions toward the project. The City would use its STP funds, which is a pass through from the Federal government through the State and cities, to be used on major routes. Mr. Hargis said he believes this is a good alternative to the roundabout. Staff recommends approval of the resolution.

VI. NEW BUSINESS (continued)

(B) Resolution Authorizing the Mayor to Execute a Grant Agreement with the Delta Regional Authority Relating to Industrial Park Transportation Improvements (continued): After some discussion, City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1782: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN GRANT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE DELTA REGIONAL AUTHORITY. A motion was made by Hicks and seconded by Sawyer to approve the proposed resolution. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried. The resolution passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion to Award Bid for One-Half Ton Pickup for the Environmental Services Department: Environmental Services Director Brady Wilson asked the Council to consider the purchase of a one-half ton pickup truck that would replace a 2001 Dodge pickup. He noted the difference between the lowest bid from a local dealer, Denny Ford/Lincoln, Rolla, Missouri, and the State bid is \$353.61. In trying to support shopping locally, Mr. Wilson recommended accepting the bid from Denny Ford/Lincoln, Rolla, Missouri for \$18,838.92. Additionally, Mr. Wilson suggested transferring the existing 2001 Dodge pickup to another City department that is in need of a pickup truck.

A motion was made by Hicks and seconded by Bahr to award the bid for a one-half ton pickup truck to Denny Ford/Lincoln, Rolla, Missouri, for a 2013 Ford F150 for \$18,838.92. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

(B) Motion to Award Bid for New Backhoe for Sewer Maintenance Division: Public Works Director Steve Hargis explained there are no local bidders for construction equipment and, in fact, the construction equipment dealers actually market from the State bid. Mr. Hargis said staff recommends purchasing a Caterpillar 430E HT Backhoe Loader from the State bid, Fabick and Company, for \$91,462.35. He noted Fabick and Company has offered a \$42,000.00 trade-in for the City's existing 2006 John Deere 401G. Staff recommends accepting the trade-in for a final cost of \$49,462.35. Mr. Hargis added he has spent almost half the purchase price on the 2006 John Deere unit in repair bills, since its warranty expired, and the unit still does not operate properly.

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion to Award Bid for New Backhoe for Sewer Maintenance Division (continued): Following some discussion, a motion was made by Williams and seconded by Sawyer to award the bid for a new Caterpillar 430E HT Backhoe/Loader for the Sewer Maintenance Division to the State bid, Fabick and Company, for \$49,462.35, which includes trade-in. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

VIII. CITIZEN COMMUNICATION

Mayor Jenks opened the floor to anyone wishing to address the Council. No one present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Reappointment of Mr. Paul Joyner to the Rolla Parks and Recreation Commission: A motion was made by Williams and seconded by Morris to reappoint Mr. Paul Joyner to the Rolla Parks and Recreation Commission with his term expiring October 2015. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

(B) Reappointment of Mr. Madison Daily to the Rolla Housing Authority Board: A motion was made by Williams and seconded by Morris to reappoint Mr. Madison Daily to the Rolla Housing Authority Board with his term expiring October 2016. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

(C) Reappointment of Mr. Robert Anderson to the Planning & Zoning Commission: A motion was made by Williams and seconded by Leonard to reappoint Mr. Robert Anderson to the Planning and Zoning Commission with his term expiring October 2016. A voice vote on the motion showed eight ayes, zero nays, and four absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Pedestrian Crossing: Councilman Bahr relayed that yesterday morning he witnessed an incident that occurred at Tenth Street and Bishop Avenue. He said the traffic light had

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X. COMMENTS FOR THE GOOD OF THE ORDER (continued)

(A) Pedestrian Crossing (continued): turned in the favor of the pedestrian (i.e. students) and a truck carrying railroad ties drove through the yellow light as the students were crossing Bishop Avenue. The truck missed hitting the students by ten feet or less. Mr. Bahr stated that someone is going to get hurt at this intersection. He asked if there is a grant or other type of funding available to pay for the construction of a pedestrian overpass.

Mayor Jenks said the City and Missouri S & T have discussed this matter. In order to meet American with Disabilities Act (ADA) standards, an elevator or some type of lift system would need to be installed, which would be quite expensive.

City Administrator John Butz said at one point the cost of a pedestrian overpass was estimated to \$300,000, but more recently, it was estimated at \$1 million. He noted this project is still being discussed, but unfortunately, there has been no solution. Mr. Butz indicated staff would revisit this issue with Missouri S & T and the Missouri Department of Transportation (MoDOT) and report to the Council.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at 7:17 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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