

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, JUNE 3, 2013; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Pro-Tempore Louis J. Magdits

Council Members in Attendance: Rhonda Sue Myers, Monty Jordan, Steven Leonard, Kelly Long, Susan J. Eudaly, Don Morris, Lou Magdits, Jim Williams, Brian Woolley, Tony Bahr, and Fran Mazanec

Council Members Absent: Greg Sawyer

Department Directors in Attendance: Parks and Recreation Director Scott Caron, Police Chief Mark Kearse, Environmental Services Director Brady Wilson, Public Works Director Steve Hargis, Fire Chief Robert Williams, and Finance Director Steffanie Rogers

Other City Officials in Attendance: City Counselor Carolyn Buschjost, City Building and Codes Administrator Steve Flowers, and City Clerk Carol Daniels

Mayor Pro-Tempore Louis J. Magdits called the meeting to order at approximately 6:30 p.m. and asked a member of the Rolla Ministerial Alliance to give the invocation.

Councilman Jim Williams then led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Jordan to approve the consent agenda 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:

- 1) Rolla City Council Meeting – May 6, 2013
- 2) Rolla City Council Executive Session Meeting – May 6, 2013
- 3) Special Rolla City Council Workshop – May 13, 2013
- 4) Rolla City Council Meeting – May 20, 2013
- 5) Rolla City Council Executive Session Meeting – May 20, 2013

JUNE 3, 2013

**CITY COUNCIL MEETING MINUTES
JUNE 3, 2013
PAGE 2**

II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

None.

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

Mayor Pro-Tempore Magdits referred the Council to **(A)** the April 2013 Centre Financial Analysis; **(B)** the April 17, 2013, Parks and Recreation Commission Meeting Minutes; **(C)** the May 14, 2013, Preliminary Minutes of the Planning & Zoning Commission Meeting; **(D)** the April 2013, Rolla Municipal Utilities Monthly Report, and; **(E)** the April 23, 2013, Rolla Board of Public Works Meeting Minutes. A motion was made by Bahr and seconded by Jordan to accept the above-listed reports. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

V. OLD BUSINESS

(A) Ordinance Rezoning Property at 100 South Spilman from R-1 to R-3 Zoning (Larson): City Building and Codes Administrator Steve Flowers indicated the subject request is to rezone 100 South Spilman from R-1 (Single Family District) zoning to R-3 (Multi-Family District) zoning. He reported a petition opposing the rezoning request has been received constituting 22.9% of the total area. However, Mr. Flowers noted it does not meet the 30% criteria and does not constitute a legal petition.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4097: AN ORDINANCE REZONING PROPERTY AT 100 SOUTH SPILMAN AVENUE FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING (LARSON). A motion was made by Eudaly and seconded by Long to approve the proposed ordinance. After some discussion, a roll call vote on the motion showed the following: Ayes; Bahr, Leonard, Jordan, Myers, Woolley, Williams, Mazanec, Magdits, Long, Eudaly, and Morris. Nays; None. Absent; Sawyer. Motion carried. The ordinance passed.

JUNE 3, 2013

VI. NEW BUSINESS

(A) Resolution Authorizing the Mayor to Execute a Cooperative Agreement with the Rolla Area Chamber of Commerce to Refurbish Christmas Decorations: Mayor Pro-Tempore Magdits recalled that during the Council's last meeting, City Administrator John Butz reported on the poor condition of the City's Christmas decorations (stars). He noted the Chamber of Commerce has agreed to split the cost of fully refurbishing 75 stars, which is estimated at \$18,000. Staff recommends approval of the subject agreement with the Chamber of Commerce.

Following a brief discussion, City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1799: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A COOPERATIVE AGREEMENT FOR REFURBISHING OF HOLIDAY DECORATIONS ("STARS") BY AND BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE ROLLA AREA CHAMBER OF COMMERCE. A motion was made by Williams and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

(B) Discussion Regarding the Sale of a 1989 Pierce 50-Foot Tele-Squirt Fire Truck: Fire Chief Robert Williams informed the Council that within the next two weeks, the Fire Department would be accepting delivery of its new 2013 Pierce Impel Pumper. After the new vehicle is in service, he said the Fire Department would like to sell Engine 34, a 1989 Pierce, 50-foot tele-squirt fire truck. Chief Williams outlined three possible options for selling the vehicle as follows: 1) Place the vehicle for sale on www.GovDeals.com; 2) List the vehicle through a used fire truck company, or; 3) Sell the vehicle to the St. James Fire Protection District. After some discussion, a motion was made by Bahr and seconded by Morris to sell the 1989 Pierce 50-Foot Tele-Squirt Fire Apparatus to the St. James Fire Protection District for \$21,500. 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 Bid for Contract No. 1, Water Supply Upgrade at the Rolla National Airport EDA Project, and an Ordinance Authorizing the Mayor to Enter Into an Agreement for Same: Public Works Director Steve Hargis reported bids were received for the water and sewer upgrades at the Rolla National Airport. Staff

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion to Award Bid for Contract No. 1, Water Supply Upgrade at the Rolla National Airport EDA Project, and an Ordinance Authorizing the Mayor to Enter Into an Agreement for Same (continued): recommends the bid be awarded to the low bidder, Custom Pump and Well Drilling, Belle, Missouri, for \$34,520. Additionally, Mr. Hargis noted the subject ordinance would authorize the Mayor to enter into an agreement with Custom Pump and Well Drilling for this project. A motion was made by Bahr and seconded by Morris to award the bid for Contract Number 1 – Water Supply Upgrade, EDA Project Number 05-01-05328, to Custom Pump and Well Drilling of Belle, Missouri for \$34,520. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4098: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CUSTOM PUMP AND WELL DRILLING FOR PROJECT 313 WATER SUPPLY UPGRADE EDA PROJECT NUMBER 05-01-05328 AT THE ROLLA NATIONAL AIRPORT. A motion was made by Eudaly and seconded by Morris 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 Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Leonard, Mazanec, Woolley, Williams, Myers, Bahr, Magdits, Jordan, Morris, Long, and Eudaly. Nays; None. Absent; Sawyer. Motion carried. The ordinance passed.

(B) Motion to Award Bid for Contract No. 3, Electrical and SCADA Improvements at Rolla National Airport EDA Project, and an Ordinance Authorizing the Mayor to Enter Into an Agreement for Same: Public Works Director Steve Hargis reported bids were received for the well house electrical system at the Rolla National Airport. He noted the SCADA (Supervisory Control and Data Acquisition) System, which controls the water supply system and wastewater treatment system, allows remote controlling and monitoring of these units. Mr. Hargis said staff recommends award to the low bidder, R.E. Pedrotti Co., Fenton, Missouri for \$117,495. Additionally, the subject ordinance would authorize the Mayor to enter into a contract with R.E. Pedrotti Co. for this project. A motion was made by Williams and seconded by Morris to award the bid for Contract Number 3, Electrical and SCADA Improvements, EDA Project Number 05-01-05328 to the low bidder, R.E. Pedrotti Co., Fenton, Missouri for \$117,495. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion to Award Bid for Contract No. 3, Electrical and SCADA Improvements at Rolla National Airport EDA Project, and an Ordinance Authorizing the Mayor to Enter Into an Agreement for Same (continued):

City Counselor Carolyn Buschjost read the following proposed ordinance for one reading, by title. ORDINANCE NO. 4099: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND R.E. PEDROTTI CO., INC. FOR THE ROLLA NATIONAL AIRPORT PROJECT 313 FOR ELECTRICAL AND SCADA IMPROVEMENTS, EDA PROJECT NUMBER 05-01-05328. A motion was made by Jordan and seconded by Leonard 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 Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Jordan, Bahr, Eudaly, Woolley, Leonard, Mazanec, Magdits, Long, Morris, and Myers. Nays; None. Absent; Sawyer. Motion carried. The ordinance passed.

(C) Motion to Award the Quote for 48-Inch Concrete Pipe: Public Works Director Steve Hargis reported bids were received for 48-inch concrete pipe to be used in a cost-share project between the City and Missouri S&T. He explained Missouri S&T is planning to upgrade their parking facility, which is located next to the Gale Bullman Recreation Complex. Mr. Hargis informed the Council the corrugated metal pipe that runs underneath the existing building is grossly undersized. This improvement would more than double the capacity of system. Mr. Hargis said staff recommends the quote be awarded to the low bidder, Beco Concrete Products, St. Louis, Missouri, for \$98,676.93. A motion was made by Williams and seconded by Jordan to award the quote to Beco Concrete Products, St. Louis, Missouri for \$98,676.93. After a brief discussion, a voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(D) Motion to Award Bid for Project 329, Southeast Wastewater Treatment Plant Disinfection, and Clarifier Improvements:

Public Works Director Steve Hargis reported bids were received for the installation of the disinfection unit and the clarifier for the Southeast Wastewater Treatment Plant. He noted four bids were received and staff, along with HDR-Archer, the City's consultant for this project, recommends the bid be awarded to the low bidder, Irvinbilt Contractors, Inc., Chillicothe, Missouri for \$1,889,800.

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(D) Motion to Award Bid for Project 329, Southeast Wastewater Treatment Plant Disinfection and Clarifier Improvements (continued): Councilman Morris referred the Council to the letter received from CSE Enterprises, LLC, Rolla, Missouri, and the next to the low bidder, asking the Council to consider giving preference to them as the local bidder.

Mr. Marty Eimer, representing CSE Construction, provided Mayor Pro-Tempore Magdits with a copy of the City's purchasing manual. He added CSE Construction's payroll is about \$700,000 and the City would get half of that amount back in sales tax revenue the first year and more later on.

Mr. Dennis Spurgeon, with Don Maggi, Inc., Rolla, Missouri, pointed out Don Maggi, Inc., as a local contractor, has donated about \$10,000 in labor to the Veterans Park project and an additional \$10,000 in other local project, including work for the Rolla Public School system.

Mayor Pro-Tempore Magdits read the following from Section 8.b(6) of the City's Purchasing Manual: "Bids relatively equal in cost and specification may go to the local bidder, given they meet all other conditions."

A motion was made by Morris and seconded by Long to award the bid for Project 329, Southeast Wastewater Treatment Plant Disinfection, and Clarifier Improvements, to the second lowest bidder, CSE Enterprises, Inc., Rolla, Missouri, for \$1,910,000. A hand count on the motion showed three ayes, eight nays, and one absent. Motion failed.

A motion was then made by Jordan and seconded by Leonard to award the bid for Project 329, Southeast Wastewater Treatment Plant Disinfection, and Clarifier Improvements to the low bidder, Irvinbilt Constructors, Inc., Chillicothe, Missouri for \$1,889,800. A hand count on the motion showed eight ayes, three nays, and one absent. Motion carried.

VIII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Pro-Tempore Magdits opened the floor to anyone wishing to address the Council.

(1) Friends of the Library Book Sale: Mr. Frank Furman, 403 Hutchinson, Rolla, Missouri, and a member of the Friends of the Rolla Free Public Library, invited everyone

VIII. CITIZEN COMMUNICATION (continued)

(1) Friends of the Library Book Sale (continued): to attend the Friends of the Library book sale, which would be held on Thursday, Friday, and Saturday, June 6, 7, and 8, 2013.

(2) Fat Cats Entertainment Complex: Mr. Josh Noe, owner of Fat Cats Entertainment Complex, reported that, to his knowledge, no recent noise complaints have been made regarding his business. He announced the ribbon cutting for the expanded version of the entire kids' zone would be held at 4 p.m. on Friday, June 7, 2013. Mr. Noe pointed out the kids' area is now completely located on one side of the building. In addition, the facility has better lighting and pavement. Mr. Noe added the facility would be opening earlier for children during summer school. He said the remainder of the soundproofing is scheduled to be completed next week. Mr. Noe informed the Council he has formally filed for the FERC (Family Entertainment and Recreation Complex) rezoning.

Councilman Morris told Mr. Noe some of the people who previously complained to him about the noise have reported they could still hear the music.

Mayor Pro-Tempore Magdits added he spoke with someone who said they still hear the music, but the sound level has greatly improved.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Park Mowing: Councilman Bahr asked Parks and Recreation Director Scott Caron how many acres of the City's parkland are presently not being mowed.

Mr. Caron responded that approximately 100 acres of parkland are currently not being mowed.

Mr. Bahr then asked Mr. Caron what he thought about the City possibly soliciting four or five local hay producers to inspect the parkland and then place their names in a hat for a drawing. The successful person would then mow, rake, and bale the hay. In lieu of any payment to the City, Mr. Bahr suggested asking the person to use their rotary cutter to cut the perimeters of the parkland that cannot be hayed. Mr. Bahr recommended a \$1,000 performance bond be provided to the City.

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(A) Park Mowing (continued): Mr. Caron said, for the most part, the way the parkland is configured might not be conducive for haying. He indicated he would speak with some park staff who own farms to determine if it would be feasible.

(B) High Grass: Councilman Williams reminded property owners to keep their grass mowed. He said he recently reported over 20 properties to the City's Code Enforcement Division for high grass.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. EXECUTIVE SESSION

None.

XII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:30 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR