

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 7, 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, and Walt Bowe

Council Members Absent: Tony Bahr

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 Councilman Steve Leonard to lead in the Pledge of Allegiance.

Mayor Jenks presented Mr. Grant Smith, Mr. Charles Cochran, Mr. Brandon Williams, and Ms. Tiffany Williams with letters of commendation for their heroism on August 11, 2013, at Johnson's Shut-Ins State Park, during an attempt to rescue a six-year-old girl.

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 zero 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 Workshop – August 26, 2013
- 2) Rolla City Council Meeting – September 3, 2013
- 3) Rolla City Council Meeting Executive Session – September 3, 2013
- 4) Rolla City Council Meeting – September 16, 2013

OCTOBER 7, 2013

**CITY COUNCIL MEETING MINUTES
OCTOBER 7, 2013
PAGE 2**

II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) Recognition of Former Ward I Councilwoman Rhonda Sue Myers: Mayor Jenks presented former Ward I Councilwoman Rhonda Sue Myers with a certificate of appreciation for her service to the City from April 2013 through September 2013.

(B) Nomination to Fill the Vacancy in Ward I (Until the April 2014 Election): Mayor Jenks noted he requested written information from anyone interested in filling the vacancy in Ward I. He indicated Retired Colonel Jonathan C. Hines expressed his interest and his biographical information is contained in the agenda materials. Mayor Jenks stated he is recommending Mr. Hines' appointment to the Ward I City Council seat. A motion was made by Jordan and seconded by Long to appoint Mr. Jonathan C. Hines, 621 Salem Avenue, to the vacant Ward I City Council seat until the April 2014 election. A voice vote on the motion showed ten ayes, zero nays, and one absent. Motion carried.

Following the appointment, City Clerk Carol Daniels administered the oath of office to Mr. Hines.

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

Mayor Jenks referred the Council to (A) the August 2013 Centre Financial Analysis; (B) the August 2013, SplashZone Financial Analysis; (C) the August 28, 2013, Parks and Recreation Commission Meeting Minutes; (D) the August 2013, Environmental Services Department Monthly Report; (E) the August 2013 Rolla Municipal Utilities Monthly Report; (F) the August 27, 2013, Rolla Board of Public Works Meeting Minutes; (G) the August 2013, Rolla Police Department Monthly Report; (H) the August 2013, Rolla Animal Control Monthly Report; (I) the September 2013 Building Codes Division Monthly Report, and; (J) the August 30 and September 30, 2013, Rolla Municipal Court Monthly Reports.

OCTOBER 7, 2013

**CITY COUNCIL MEETING MINUTES
OCTOBER 7, 2013
PAGE 3**

V. OLD BUSINESS

None.

VI. NEW BUSINESS

(A) Ordinance Authorizing the Mayor to Execute an Agreement with Rolla Asphalt, LLC, for Rolla National Airport Improvements: Public Works Director Steve Hargis informed the Council the subject ordinance would authorize the Mayor to enter into an agreement with Rolla Asphalt, LLC, for improvements to the Rolla National Airport entrance road, T-hangar apron area, and reconstruction of a parking lot. He reported the Missouri Department of Transportation (MoDOT) approved the bid award of \$198,584.60. Mr. Hargis reported this project is federally funded at 90% and the remaining 10% funded by the City.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4118: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND ROLLA ASPHALT, LLC FOR IMPROVEMENTS AT ROLLA NATIONAL AIRPORT. A motion was made by Williams and seconded by Eudaly 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. 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: Williams, Jordan, Eudaly, Woolley, Leonard, Bowe, Sawyer, Magdits, Long, Morris, and Hines. Nays; None. Absent; Bahr. Motion carried. The ordinance passed.

(B) Ordinance Authorizing the Mayor to Enter Into an Aviation Project Supplemental Agreement No. 2 with Jviation, Inc., for Rolla National Airport Pavement Improvements: Public Works Director Steve Hargis stated the subject supplemental agreement provides construction services for the project just awarded to Rolla Asphalt. Mr. Hargis reported this project is federally funded at 90% and the remaining 10% funded by the City.

After a brief discussion, City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4119: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO

OCTOBER 7, 2013

VI. NEW BUSINESS (continued)

(B) Ordinance Authorizing the Mayor to Enter Into an Aviation Project Supplemental Agreement No. 2 with Jviation, Inc., for Rolla National Airport Pavement Improvements (continued): EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND JVIATION, INC., FOR GEOTECHNICAL EXPLORATION AND CONSTRUCTION SERVICES FOR PAVEMENT IMPROVEMENTS AT ROLLA NATIONAL AIRPORT. A motion was made by Jordan 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. Mr. Thurman then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Sawyer to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bowe, Woolley, Leonard, Williams, Hines, Long, Magdits, Jordan, Morris, Sawyer, and Eudaly. Nays; None. Absent; Bahr. Motion carried. The ordinance passed.

(C) Motion Authorizing the City Administrator to Sell Surplus Railroad Memorabilia: City Administrator John Butz explained that when the City acquired the Frisco Caboose in 2002 from a private collector in Lebanon, Missouri, the City also acquired all of the railroad collectibles the collector had accumulated. Except for a few Frisco memorabilia, the other collectibles have been stored in the Police Department basement for the past twelve years. Mr. Butz said would like to find a cost effective way to sell these items, place the proceeds into an account for the perpetual maintenance of the Frisco Caboose, and ultimately find some Frisco items the City could display inside the museum located in the Frisco Caboose. Mr. Butz told the Council that City employee Mr. Marlin Malone, who has been instrumental in painting of the caboose, and a friend attend many railroad trade shows. They have expressed their willingness to inventory, categorize, purchase, and/or trade the memorabilia for Frisco items and provide a complete report to the Council on their disposition. Mr. Butz asked the Council to consider authorizing City Administration to work with Mr. Malone on selling the items. To recover their expenses, he told the Council that Mr. Malone and his friend are asking for a 3% commission on the items sold.

After a brief discussion, a motion was made by Williams and seconded by Eudaly to authorize the City Administrator to work with City employee Marlin Malone to sell the railroad memorabilia provided there is accurate tracking and reporting. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding the Bid for Animal Control Vehicle: Police Chief Mark Kears explained bids were recently opened for the purchase of a new, one-half ton, four-wheel drive, long bed pickup to be used as an Animal Control vehicle. He reported five bids were received and staff is recommending the bid be awarded to Denny Ford Lincoln, Rolla, Missouri, for a 2014, Ford F150 for \$20,346. Although Denny Ford Lincoln's bid is \$118 higher than the low bidder, Joe Machens Ford, Columbia, Missouri, Chief Kears pointed out Police Department staff would not need to travel or dedicate approximately eight employee hours to get the vehicle in addition to fuel costs.

A motion was made by Williams and seconded by Eudaly to award the bid for a new Animal Control vehicle to Denny Ford Lincoln, Rolla, Missouri for a 2014 Ford F150 for \$20,346. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion Awarding Bid for One, 20 Cubic Yard Refuse Truck: Environmental Services Director Brady Wilson reported several bids were received for the purchase of a new 20 cubic-yard sanitation truck and he told the Council he is recommending the purchase of a Freightliner with a Loadmaster Legacy body. He pointed out it is the second lowest bid of the trucks that meet the City's specifications. Mr. Wilson explained the City's fleet consists of Internationals, Freightliners, and one Peterbilt truck. Because of the ongoing problems his department is having with the Internationals, Mr. Wilson recommended spending an additional \$146 above the International bid for the Freightliner with the Loadmaster body.

A motion was made by Williams and seconded by Long to award the bid for one, 20 cubic yard refuse truck to TCS, Strafford, Missouri for a 2014 Freightliner M2 with a Loadmaster Legacy body for \$140,313. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(C) Motion Awarding Bid for One Refuse Roll-Off Truck: Environmental Services Director Brady Wilson indicated the subject bid would replace a 2004 Freightliner. He said staff recommends awarding the bid to the low bidder, Armor Equipment, Arnold, Missouri, for a 2014 Freightliner M2 with Galbreath Hoist for \$117,916.

A motion was made by Williams and seconded by Eudaly to award the bid for one roll-off truck to the low bidder, Armor Equipment, Arnold, Missouri, for a 2014 Freightliner M2 with a Galbreath hoist for \$117,916. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

VIII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Jenks opened the floor to anyone wishing to address the Council. No one present responded.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Appointment of Mr. Josh Meyer to Replace Mr. Lawrence C. George on the Rolla Housing Authority Board: A motion was made by Eudaly and seconded by Long to appoint Mr. Joshua N. Meyer to the Rolla Housing Authority Board to replace Mr. Lawrence C. George. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Consideration to Change the Prosecuting Attorney Position from Elected to Appointed: Mayor Jenks began by saying he is very satisfied with the City's current prosecuting attorney. He said, however, he believes if the City Council appoints the prosecuting attorney, the City would have direct influence over who that individual is, and probably more familiarity with the individual than if it is done through a general election. He asked the Council for their input on this issue. A lengthy discussion among the Council, City Counselor Lance Thurman, and Police Chief Mark Kearse ensued. Mayor Jenks indicated staff would gather further information regarding how many communities in Missouri and about the size of Rolla appoint versus elect the prosecuting attorney.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Sidewalk on Southside of Highway 72: Councilman Magdits asked about the work being done by the State to the sidewalk on the south side of Highway 72 from the Rolla Cemetery to the Family Center. He mentioned they appear to be replacing a mile of concrete.

City Administrator John Butz explained that when the State does any work, they require the work to be ADA (Americans with Disabilities Act) compliant.

Mr. Magdits commented the State appears to be replacing perfectly good sidewalk along Highway 72, but the portion of Highway 63 in the area of Donut King is not being repaired. He asked Public Works Director Steve Hargis if he would speak with the State about this matter.

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

(A) Sidewalk on Southside of Highway 72 (continued): Mr. Hargis explained that the ADA stipulates that when a street is upgraded, the adjacent sidewalk must be brought up to ADA standards.

(B) Traffic Patterns Around Mark Twain Elementary: With the recent injury/pedestrian accident around the Middle School, Councilman Leonard suggested it might be time to look at the traffic situation around Mark Twain Elementary School, the Middle School, and the Junior High School. He said he has heard from several people that they cannot believe there have not been more accidents around the Mark Twain Elementary School.

City Administrator John Butz indicated the traffic study conducted around the High School was a program offered through the Missouri Department of Transportation (MoDOT). He said he believes the program is still available and the City would need to apply for it.

(C) Breuer Park Cleanup: Councilman Sawyer expressed his appreciation to Parks and Recreation Director Scott Caron and the Park Department for the good job in cleaning up Breuer Park.

(D) Introduction of Missouri S&T Student Council Community Liaison: City Administrator John Butz introduced to the Council Mr. Zach Woolsey, the Missouri S&T Student Council Community Liaison.

(E) Animal Control Project Workshop: City Administrator John Butz announced the Animal Control Project Workshop is scheduled to be held on Monday, October 14 at 5:30 p.m. He informed the Council that the Phelps County Commission, the St. James City Council, the Phelps County Humane Society, Phelps County Animal Welfare League (PCAWL), and the Community Foundation of the Ozarks have been invited to attend.

(F) Parks and Recreation Open House: City Administrator John Butz reminded the Council and public of the open house on Tuesday, October 15, 2013, from 5:30 p.m. to 7 p.m. at The Centre. He said a report on the feedback from the recent Ward meetings pertaining to the future of the City's parks and recreation programs, facilities and operations would be presented.

**CITY COUNCIL MEETING MINUTES
OCTOBER 7, 2013
PAGE 8**

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

(G) Tax Initiative on Parks: Councilman Morris asked City Administrator John Butz when the Council would be asked to finalize the tax initiative for the parks.

Mr. Butz indicated the Council would be asked to discuss this issue during the November 4, 2013, City Council meeting. He said the Council has until the first meeting in January to take final action.

XI. EXECUTIVE SESSION

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

The Council adjourned into Executive Session at approximately 7:46 pm.

XII. EXECUTIVE SESSION ACTION

The Council reconvened into open session at approximately 7:56 p.m.

City Counselor Lance Thurman reported that during Executive Session, the Council voted to submit Request for Proposals for the sale of surplus City property located at the corner of Arkansas and Heller Streets.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:57 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

OCTOBER 7, 2013