

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 1, 2014; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Louis J. Magdits, IV

Council Members in Attendance: Jonathan Hines, Monty Jordan, Greg Sawyer, Matthew Miller, Kelly Long, Susan J. Eudaly, Don Morris, Stephen Bowles, Jim Williams, Brian Woolley, Tony Bahr, and Walt Bowe

Council Members Absent: None.

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lance Thurman, and City Clerk Carol Daniels

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Councilman Greg Sawyer to lead in the Pledge of Allegiance.

Mayor Magdits then welcomed back Councilman Jim Williams.

Mr. Williams thanked all the great people in Rolla. He said he has been humbled by the offers of help, prayers, and thoughts.

I. CONSENT AGENDA

A motion was made by Jordan and seconded by Bowles to approve the consent agenda as submitted. A voice vote on the motion showed twelve 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) City Council Meeting – November 3, 2014
- 2) City Council Meeting Closed Session – November 3, 2014
- 3) City Council Meeting – November 17, 2014

II. PUBLIC HEARINGS

None.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Missouri S&T Student Project – Conceptual Renderings of Proposed Animal Shelter: City Administrator John Butz introduced Dr. Stuart Baur and Mr. Heath Pickerill of the Missouri S&T Architectural Engineering Classes. He noted thirteen teams did research into animal shelters and prepared a conceptual design of a proposed facility layout based on parameters established in the Feasibility Study and Needs Assessment prepared by Shelter Planners of America (SPOA). Mr. Butz indicated City representatives reviewed the 13 presentations, selected the top four designs, and the students chose the top two projects. Students from the two designs then showed video presentations of their two different concepts. Copies of the students' reports were also provided to the Council.

(B) MC Power Presentation – Solar Farm Project on Behalf of MoPEP: Mr. Loren Williamson and Mr. Andrew Bohnstedt gave a PowerPoint presentation, which outlined the proposed solar farm project in Rolla. Mr. Bohnstedt said MC Power would be asking the Council's general support of this proposal prior to them moving forward with the project. He said the proposed location for the project would need to be fourteen to fifteen acres in Rolla or immediately adjacent to the city limits. The size of the solar farm would be 3.23 megawatts, would contain over 10,500 solar panels, and would incorporate four inverters and two transformers inside a secure site. Mr. Bohnstedt said the site would have a six-foot chain link fence with three strands of barbed wire on top. The site would be maintained and monitored by MC Power Company. The production of the array would produce an estimated 4.8 million megawatt hours annually, which is enough energy to power over 300 homes for a year.

Mr. Bohnstedt noted MC Power Company is a Missouri based company and has offices in Lee's Summit, Independence, and Sedalia, Missouri, and currently employ over 60 Missouri residents. He said MC Power has over 30 years experience in construction.

Mr. Bohnstedt explained MC Power Company would be owning, operating, and maintaining the facility and would select the site, purchase the property, install, operate, and sell the energy to the utilities' alliance. He said Rolla would be asked to bring a line and meter to MC Power's property line (security fence) and would be asked to enter into an interconnect agreement. Mr. Bohnstedt explained MC Power is offering payments in lieu of taxes to the taxing entities at an estimated \$9,200. He asked the Council for general support of these requirements. Additionally, he asked the Council to support House Bill 142, which specifies the land where a commercial solar farm is located would not be taxed while the array is in place.

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS (continued)

(B) MC Power Presentation – Solar Farm Project on Behalf of MoPEP (continued):

Mr. Loren Williamson explained House Bill 142 excludes this project from taxes for an indefinite period. The request for abatement is a level of insurance that if there are any changes to House Bill 142, then MC Power is protected from any abatement for that period.

Rolla Municipal Utilities General Manager Rodney Bourne reported the Rolla Board of Public Works reviewed the project last week during its regular board meeting and voted a show of support for the project. He informed the Council the interconnect agreement has been reviewed by the pool's legal counsel which is the same legal counsel that RMU uses for these types of special arrangements.

After discussion, a motion was made by Eudaly and seconded by Morris to support MC Power's solar farm project. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

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

Mayor Magdits referred the Council to (A) the October 2014, Centre FY 2015 Financial Analysis; (B) the October 2014 Parks Department FY 2015 Financial Analysis; (C) the October 2014 Environmental Services Department Monthly Report; (D) the October 22, 2014, Parks and Recreation Commission Meeting Minutes; (E) the November 2014 Fire and Rescue Department Monthly Report; (F) the October 2014 Municipal Utilities Monthly Report; (G) the October 28, 2014 Board of Public Works Meeting Minutes; (H) the October 14 and November 11, 2014 Planning and Zoning Commission Meeting Minutes; (I) the September 24 and October 22, 2014, Historic Preservation Commission Meeting Minutes, and; (J) the October 31, 2014, Municipal Court Monthly Report.

Mayor Magdits asked that item "VIII. Citizen Communication" be considered at this time.

VIII. CITIZEN COMMUNICATION

(A) RPD Sergeant Kenneth Moberly – Employee Compensation: Rolla Police Department Sergeant Kenneth Moberly told the Council he has been employed with the City for 22 years and enjoys his job. He said he wanted to speak to the Council about the

VIII. CITIZEN COMMUNICATION (continued)

(A) RPD Sergeant Kenneth Moberly – Employee Compensation (continued): merit increase that would be going into effect in January. Sergeant Moberly indicated employees received an e-mail from City Administrator John Butz telling them about the proposed merit increase. The e-mail indicated employees who received a qualifying performance evaluation would receive a 1.5% merit increase. Additionally, employees who were topped out in their pay grade and who received a qualifying performance evaluation would receive a 1% lump sum bonus. Sergeant Moberly questioned why the employees who were topped out would be receiving less than employees who are not. He informed the Council there are 23 City employees who are topped out in their pay grade. He said these are employees have been with the City for 20 plus years. Sergeant Moberly told the Council this lump sum bonus does not go toward the employee's base salary and is based on 2,080 hours. He noted he works about 300 hours of overtime a year and the 1% does not include overtime. Sergeant Moberly stated he does not believe it is right for an employee who receives a score on their evaluation high enough to result in a merit raise to not receive one because they are topped out. He told the Council he has spoken with most of the City employees who have topped out and they would like to see steps added. Sergeant Moberly asked the Council to discuss and consider this matter.

City Administrator John Butz agreed with Sergeant Moberly that the City has great employees and many of those employees are topped out. The City's pay system has a minimum and a maximum. That idea is there is a point where the market just does not keep going up on the upper end and it was only about ten years ago the City began providing a lump sum bonus. Therefore, those employees who did max out at least had the opportunity to get a little something in consideration. If the topped out employees were given an additional .5% lump sum payment, Mr. Butz told the Council it would average at about \$200 per topped out employee.

After discussion, Mr. Butz said staff would calculate the actual amount of an additional .5% lump sum payment and present it to the Council.

No one else present addressed the Council.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

(A) Ordinance Authorizing the Mayor to Execute a Technical Assistance Contract with the Phelps County Emergency Services Board: Finance Director Steffanie Rogers referred the Council to the proposed renewal contract with the Phelps County Emergency Services Board (PCESB). She noted the City has been working in partnership with the PCESB for about four years.

City Administrator John Butz added the proposed contract includes an adjustment to the reimbursable rates for City staff's time.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4179: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A TECHNICAL ASSISTANCE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE PHELPS COUNTY EMERGENCY SERVICES BOARD. A motion was made by Morris and seconded by Eudaly to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed twelve ayes, zero nays, and zero 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: Bowles, Eudaly, Bahr, Hines, Woolley, Miller, Bowe, Sawyer, Long, Jordan, Morris, and Williams. Nays: None. Absent: None. Motion carried. The ordinance passed.

(B) Motion Approving City Facility Reservation Fees and Policy Adjustments: Parks and Recreation Director Scott Caron recalled that during the FY 2015 budget process, staff reviewed the rental fees charged for the Eugene E. Northern Community Hall. Based on the expenses incurred at Community Hall, he said staff is recommending an increase from \$15 an hour to \$20 an hour. Additionally, Mr. Caron said staff is recommending a 20% discount, rather than waiving the fees, for certain community senior citizen activities and community youth activities. Following some discussion, a motion was made by Morris and seconded by Bowles to approve the reservation fee and policy adjustment effective January 1, 2015. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(C) Motion Forming Police Chief Search Committee: City Administrator John Butz asked the Council to consider the appointment of the proposed Police Chief Search Committee comprised of City Administrator John Butz, Council Representatives Kelly

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VI. NEW BUSINESS (continued)

(C) Motion Forming Police Chief Search Committee (continued): Long and Jonathan Hines, Police Personnel Board Representative/Chairman Judy Jepsen and Law Enforcement Professionals (Retired) FBI Mike Singleton and (Retired) MSHP Sgt. Ralph Roark.

A motion was made by Williams and seconded by Bowles to approve the Police Chief Search Committee and process as outlined by City Administrator John Butz. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(D) Motion Approving the General Animal Shelter Strategy and Committee Structure: City Administrator John Butz referred the Council to the draft strategy and organizational planning structure and responsibilities, which outlined the three proposed committees for the Rolla Animal Shelter. He said if the Council were in agreement with the formation and process, staff would advertise the City is soliciting names and suggestions for these various projects and would then bring the names to the Council for formal approval.

A motion was made by Williams and seconded by Long to approve the general Animal Shelter strategy and committee structure as submitted. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(E) Motion Approving Archer-Elgin and Integrity Engineering for Professional Services: Public Works Director Steve Hargis recalled that during the budget process, a bond was set aside to do capital improvements in the south side area of Rolla. To assist City staff with the surveying and preliminary engineering activities for this work, staff is requesting that Archer-Elgin and Integrity Engineering be approved for use on an as needed basis. Mr. Hargis also noted there has been a change in Missouri regarding the preparation of easement descriptions. The new law stipulates all easement document descriptions carry the seal of a Registered Land Surveyor. Mr. Hargis said the cost of the surveying and preliminary engineering activities is estimated at approximately \$50,000 over the next two years and the Registered Land Surveyor requirement is estimated to cost about \$2,000 over the next two years.

Mr. Jack Mentink with Integrity Engineering, Inc., addressed the Council and agreed to amend Integrity's mileage reimbursement rate to coincide with the Internal Revenue Service (IRS) rate of \$0.56 a mile.

VI. NEW BUSINESS (continued)

(E) Motion Approving Archer-Elgin and Integrity Engineering for Professional Services (continued): A motion was made by Williams and seconded by Eudaly to approve Archer-Elgin and Integrity Engineering for professional services to provide routine surveys and plats and describe any easements for projects to be designed by City staff for FY 2014-2015 and FY 2015-2016. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Project 340 – MAP 21 ADA Handicap Ramp Improvements: Public Works Director Steve Hargis indicated bids were received for Project 340, which would improve about one-fifth of the City's ramps, and would provide handicapped accessibility complete with truncated domes. He informed the Council that this project is funded 70% with Federal funds, administered through the Department of Natural Resources. Mr. Hargis said he planned to ask for award, pending Missouri Department of Transportation (MoDOT) approval, to the low bidder, Don Maggi, Inc., for \$492,313.62. He reported today, via e-mail, approval was received from MoDOT. Mr. Hargis indicated a contract would be brought to the Council, during its next meeting for consideration.

A motion was made by Williams and seconded by Eudaly to award the bid for Project 340 – MAP 21, ADA Handicap Ramp Improvements – STP – 5200 (913) to the low bidder, Don Maggi, Inc., Rolla, Missouri, for \$492,313.62. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

Councilman Morris noted when MoDOT redid the sidewalk improvements at the intersection of Highway 63 and Williams Road, they left a huge bump. Mr. Morris asked Mr. Hargis if he would check out this intersection.

VIII. CITIZEN COMMUNICATION

(A) RPD Sergeant Kenneth Moberly – Employee Compensation: This item was considered immediately following "Item IV. Report of Mayor and Council/Reports of Boards and Commissions/City Departments."

VIII. CITIZEN COMMUNICATION (continued)

(B) Open Citizen Communication: This item was considered immediately following “Item IV. Report of Mayor and Council/Reports of Boards and Commissions/City Departments.”

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Appointing Mr. Michael L. Singleton to the Rolla Housing Authority Board to Complete the Unexpired Term of Mr. Madison Daily (Oct. 2016): A motion was made by Long and seconded by Bowles to appoint Mr. Michael L. Singleton to the Rolla Housing Authority Board until October 2016. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Huffman Trailer Park: Councilwoman Eudaly noted that after the removal of some trailers at Huffman Trailer Park, trash and household items remain. She asked Community Development Director John Petersen if his department is aware of it.

Mr. Petersen indicated his department is aware of it and the owners are aware it must be removed.

City Administrator John Butz indicated City staff would speak with the owner about the final cleanup.

(B) Powell Addition: Councilman Bahr asked Public Works Director Steve Hargis about the green iridescent circles, lines, and arrows in the Powell Addition. He stated some of the residents have expressed concern.

Mr. Hargis explained the green circles are sewer line indication markers from Missouri One Call.

City Administrator John Butz added Phelps County Regional Medical Center (PCRMC) representatives are scheduled to speak to the Council in January regarding their project plans for that area.

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XI. CLOSED SESSION

A motion was made by Williams and seconded by Eudaly to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss (A) Subsection 12 – Negotiated Contracts, and (B) Subsection 1 – Legal. A roll call vote on the motion showed the following: Ayes; Long, Sawyer, Miller, Eudaly, Hines, Bahr, Woolley, Jordan, Morris, Bowe, Williams, and Bowles. Nays; None. Absent; None. Motion carried.

The Council adjourned into Closed Session at approximately 8:30 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 9 p.m.

City Counselor Lance Thurman reported that during closed session, the Council discussed matters of contracts and personnel, but no final action was taken.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 9 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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