

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 2, 2017; 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, Matthew Miller, Kelly Long, Matthew Crowell, David Schott, Don Morris, John Meusch, Jim Williams, Steven Jung, and Walt Bowe

Council Members Absent: Brian Woolley

Department Directors in Attendance: Interim Community Development Director Steve Flowers, Public Works Director Steve Hargis, Police Chief Sean Fagan, Parks and Recreation Director Floyd Jernigan, Environmental Services Director Brady Wilson and Fire Chief Ron Smith

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

Mayor 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 David Schott led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Morris 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) City Council Workshop – August 28, 2017
- 2) City Council Meeting – September 5, 2017
- 3) City Council Closed Session Meeting – September 5, 2017
- 4) City Council Meeting – September 18, 2017
- 5) City Council Closed Session Meeting – September 18, 2017

II. PUBLIC HEARINGS

None.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

None.

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

Mayor Magdits referred the Council to **(A)** the August 2017, Environmental Services Department Monthly Report; **(B)** the August 2017, Police Department Monthly Report; **(C)** the August 2017, Animal Control Division Monthly Report; **(D)** the August 2017, Centre Financial Analysis; **(E)** the August 2017 Parks Financial Analysis; **(F)** the August 2017 Building Codes Monthly Report; **(G)** the September 12, 2017, Planning and Zoning Commission Meeting Minutes; **(H)** the September 7, 2017 Board of Adjustment Meeting Minutes; **(I)** the July 31, 2017, Cash Analysis Report; **(J)** the August 2017 Municipal Court Monthly Report, and; **(K)** the August 29, 2017, Development Review Committee Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Consolidating Lots 5, 7, & 8 Block 4, Newman's Addition & Vacating a 16-Foot Wide Alley Situated Between Lots 7 & 8 (Design 4 U): Interim Community Development Director Steve Flowers explained the subject parcels are located at the intersections of Phelps Avenue and South Oak Street and Phelps Avenue and South Olive Street. The applicant is proposing to use the resubdivision process to consolidate Lots 5, 7, and 8 in Block 4 of Newman's Addition and to vacate the 16-foot right of way situated between the boundary lines of Lots 7 and 8. The three parcels are addressed as 204, 206 S. Olive Street, and 207 S. Oak Street. Mr. Flowers said Design 4 U Company, LLC, owns the subject parcels. He noted the current use of the properties is single family/residential and the lot at the intersection South Oak and Phelps Avenue is vacant. The other two lots have single-family dwellings and are both uninhabitable. Mr. Flowers noted the applicant has indicated the lot may be used for commercial/workshop/educational purposes. On September 12, 2017, the Planning and Zoning Commission unanimously voted to recommend approval.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4368: AN ORDINANCE TO, THROUGH A RESUBDIVISION, CONSOLIDATE ALL OF LOTS 5, 7, AND 8 IN BLOCK 4 OF

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V. OLD BUSINESS (continued)

(A) Ordinance Consolidating Lots 5, 7, & 8 Block 4, Newman's Addition & Vacating a 16-Foot Wide Alley Situated Between Lots 7 & 8 (Design 4 U) (continued): NEWMAN'S ADDITION SUBDIVISION IN THE CITY OF ROLLA, PHELPS COUNTY, MISSOURI, AND TO VACATE THE 16-FOOT-WIDE ALLEY SITUATED BETWEEN THE AFORESAID LOTS 7 AND 8. (DESIGN 4 U). A motion was made by Williams and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Schott, Meusch, Jordan, Williams, Hines, Jung, Long, Bowe, Crowell, Morris, and Miller. Nays; None. Absent; Woolley. Motion carried. The ordinance passed.

(B) Ordinance Authorizing the Mayor to Execute a Sewer Use Agreement with the College Hills West Sewer District: Public Works Director Steve Hargis explained the subject agreement would allow the City of Rolla to provide sewer service, both treatment and collection services, as an agent of the College Hills West Sewer District. In addition to providing the service, the City would also provide the accounting services. Mr. Hargis noted the City would be compensated for this at about 1.50 times the city resident user rate.

A motion was made by Hines and seconded by Long to amend the subject contract by removing all examples of the current ratios in the subject agreement. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

Counselor Lance Thurman read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4369: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, PHELPS COUNTY COMMISSION AND THE COLLEGE HILLS WEST SEWER DISTRICT. A motion was made by Williams and seconded by Morris to approve the proposed ordinance, as amended. A roll call vote on the motion showed the following: Jung, Miller, Jordan, Hines, Williams, Bowe, Crowell, Meusch, Long, Schott, and Morris. Nays; None. Absent; Woolley. Motion carried. The ordinance passed.

(C) Ordinance Authorizing the Mayor to Execute a Contract with Insituform Technologies, USA, LLC for Sewer Line Rehabilitation: Public Works Director Steve Hargis asked the Council to consider the final reading of the subject ordinance with Insituform Technologies, USA, LLC for the relining of sanitary sewer lines. He noted

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V. OLD BUSINESS (continued)

(C) Ordinance Authorizing the Mayor to Execute a Contract with Insituform Technologies, USA, LLC for Sewer Line Rehabilitation (continued): this is the seventh year the City has participated in a cooperative purchasing agreement with several Missouri cities. Approximately 1.5 miles of sewers will be realigned this year.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4370: 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 INSITUFORM TECHNOLOGIES USA, LLC. A motion was made by Williams and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Miller, Bowe, Williams, Hines, Jung, Meusch, Jordan, Morris, Long, Schott, and Crowell. Nays; None. Absent; Woolley. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Authorizing the Mayor to Enter into Task Order #8 with HDR Engineering, Inc.: Mayor Magdits noted the following three items are related. He said Public Works Director Steve Hargis would make one general presentation and then Council would be asked to consider three separate actions. Mayor Magdits also requested that Item VI. C. be considered first.

Mr. Hargis recapped what the City has been doing for the past seven years in addressing the City's wastewater and storm water needs and how a change in environmental regulations with EPA (Environmental Protection Agency) and DNR (Department of Natural Resources) is affecting the way the City does business.

Mr. Hargis explained the subject Task Order No. 8 pertains to the development of the Integrated Management Plan, which the City and State agree on in terms of how the City is going to meet the water quality priority for the next 20 years. Additionally, Task Order No. 8 leads into the Memorandum of Understanding with DNR. He explained this is an agreement between the City of Rolla and the Missouri Department of Natural Resources.

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VI. NEW BUSINESS (continued)

(A) Ordinance Authorizing the Mayor to Enter into Task Order #8 with HDR Engineering, Inc. (continued): Mr. Hargis stated that Task Order No. 9 pertains to the Vichy Road and Southeast Wastewater Treatment Plant Site Selection Analysis. The implementation of a Service Availability Fee (SAF), discussed during the September 25 Workshop, would recover the cost of the City's wastewater collection system.

Mayor Magdits asked that Item VI C., be considered at this time.

(C) Ordinance Authorizing the Mayor to Enter into a Memorandum of Understanding with the Missouri Department of Natural Resources: City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: 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 THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR MEMORANDUM OF UNDERSTANDING.

(A) Ordinance Authorizing the Mayor to Enter into Task Order #8 with HDR Engineering, Inc.: City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: 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 HDR ENGINEERING, INC.

(B) Ordinance Authorizing the Mayor to Enter into Task Order #9 with HDR Engineering, Inc.: City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: 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 HDR ENGINEERING, INC.

(C) Ordinance Authorizing the Mayor to Enter into a Memorandum of Understanding with the Missouri Department of Natural Resources: This item was considered first under Item VI A. above.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Parking Enforcement Vehicle: Police Chief Sean Fagan reported bids were let for a new parking enforcement vehicle and only one bid was received. The sole bidder was EJ Equipment, Inc., for \$35,800. Chief Fagan noted it is a vehicle specifically made for parking enforcement and staff estimates it will last ten to twelve years. He said staff plans to surplus the current parking enforcement vehicle on GovDeals.com. A motion was made by Williams and seconded by Long to award the bid for the 2018 Parking Enforcement Vehicle to EJ Equipment, Inc., for \$35,800. A voice vote on the motion showed ten ayes, one nay, and one absent. Motion carried.

(B) Motion Awarding Bid for Police SUVs: Police Chief Sean Fagan indicated staff requested bids for the purchase of four new 2018 model year, all wheel drive, pursuit package SUVs. Four bids were received and staff is recommending the low bid be awarded to the State bid, Bommarito Ford, for \$31,363 each. Chief Fagan noted four vehicles would be surplus on GovDeals.com. A motion was made by Williams and seconded by Morris to award the bid for four police SUVs to the low bidder Bommarito Ford for \$31,363 each. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(C) Motion Awarding Bid for Police SUV Equipment: Police Chief Sean Fagan asked the Council to consider awarding the bid for the police SUV equipment (lights, sirens, speakers, consoles, etc.) to the sole bidder Ed Roher Safety Products for a total cost of \$29,314. A motion was made by Williams and seconded by Meusch to award the bid for the Police SUV equipment to Ed Roher Safety Products for \$7,328.50 each for a total of \$29,314. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

VIII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Magdits opened the floor to any citizen wishing to address the Council.

Mr. Albert Chapman, 17401 County Road 8220, Rolla, Missouri, noted that out of 19,560 people in Rolla, only 60 people were allowed to vote on the TDD (Transportation Development District) tax.

Mayor Magdits responded the City followed the law exactly as it was written regarding TDDs.

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VIII. CITIZEN COMMUNICATION (continued)

(A) Open Citizen Communication (continued): Mr. Chapman stated this tax is a lot like the tax that the State tried to pass (a 3/4 cent sales tax).

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Reappointing Ms. Judy Jepsen to the Board of Adjustment (2nd Term, August 2022): A motion was made by Crowell and seconded by Jordan to reappoint Ms. Judy Jepsen to the Board of Adjustment. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion Reappointing Mr. Al Crump to the Rolla Board of Public Works (August 2021): A motion was made by Jordan and seconded by Hines to reappoint Mr. Al Crump to the Rolla Board of Public Works. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

A motion was made by Hines and seconded by Morris to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss real estate and litigation. A roll call vote on the motion showed the following: Ayes; Williams, Jordan, Jung, Schott, Miller, Bowe, Crowell, Meusch, Long, Morris, and Hines. Nays; None. Absent; Woolley. Motion carried.

The Council adjourned into Closed Session at approximately 7:50 p.m.

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XII. CLOSED SESSION ACTION

The Council reconvened into Open Session at approximately 8:25 p.m.

City Counselor Lance Thurman reported that during Closed Session, the Council voted to approve an ordinance to condemn property needed in order to allow the City to extend Highway 72 from Highway 63 to Bridge School Road.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:25 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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