

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 17, 2018; 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, Daniel Jones, Ann Murphey, Matthew Crowell, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Tiffany Henry

Council Members Absent: None.

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

Other City Officials in Attendance: City Administrator John Butz, City Planner James Shields, City Engineer Darin Pryor, City Counselor Lance Thurman, Assistant Fire Chief Jeff Breen, and City Clerk Carol Daniels

A member of the Rolla Ministerial Alliance gave the invocation.

Following the invocation Mayor Magdits called the meeting to order at approximately 6:34 p.m. asked Councilman Matthew Crowell to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

None.

II. SPECIAL PRESENTATIONS

(A) Rolla Fire & Rescue Department Recognition: Warrant Chief Officer–Forensic Scientist Kelly Jameson, Fort Leonard Wood, Missouri, recognized the City of Rolla Fire and Rescue Department, the Missouri Division of Fire Safety, and the Rolla Rural Fire Protection District for their leadership and assistance in providing arson investigation instruction to over 120 military warrant officers.

SEPTEMBER 17, 2018

**COUNCIL MEETING MINUTES
SEPTEMBER 17, 2018
PAGE 2**

II. SPECIAL PRESENTATIONS (continued)

(B) Missouri S&T Homecoming Parade and Pep Rally: Ms. Heather Reynolds with Missouri S&T, informed the Council that the Miner Fest Homecoming Parade would held on October 13, 2018, at 11 a.m. The parade will take the same route as in the past. She said that this year they are bringing back the tradition of the Homecoming Pep Rally, which will be held on October 12, 2018, in front of the Hasselmann Alumni House from 3 p.m. to 5 p.m.

(C) Dog Park Update: Mr. Kent Bagnall, a member of the Dog Park Committee, updated the Council on the fundraising efforts for a dog park in Buehler Park. He informed the Council that to date, the Committee has raised \$35,359.70 exceeding their goal of \$30,000. Mr. Bagnall said any funds received beyond the cost of fencing would be used for signing, benches, waste stations, watering stations and other dog park equipment and accessories. The Committee will partner with the City Engineering and Parks Department to make these things happen. Mr. Bagnall told the Council the public fund raising has stopped in deference to the animal shelter project.

III. OLD BUSINESS

(A) Ordinance Considering the City of Rolla Fiscal Year 2018/2019 Budget: City Administrator John Butz said staff is submitting for Council's consideration, the final reading of the ordinance approving the \$29.4 million expenditure plan with a revenue plan of \$28.9 million, with about \$500,000 coming from reserves. Mr. Butz indicated a 2% growth in sales tax has been budgeted.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4440: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2018 AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Henry, Woolley, Murphey, Williams, Hines, Rohter, Meusch, Jones, Eberly, Crowell, Schott, and Jung. Nays; None. Absent; None. Motion carried. The ordinance passed.

SEPTEMBER 17, 2018

**COUNCIL MEETING MINUTES
SEPTEMBER 17, 2018
PAGE 3**

III. OLD BUSINESS (continued)

(B) Ordinance Approving Personnel Rules and Regulations Update: Finance Director Steffanie Rogers asked the Council to consider the final reading of the ordinance updating the City's personnel manual. She referred the Council to the summary of primary changes to the rules, contained in the agenda materials.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4441: AN ORDINANCE AMENDING SECTION 32-1 OF THE CITY CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO PERSONNEL. A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Meusch, Schott, Jung, Hines, Woolley, Murphey, Henry, Crowell, Rohter, Jones, Eberly, and Williams. Nays; None. Absent; None. Motion carried. The ordinance passed.

(C) Ordinance Changing Name of Part of Eagleson Drive to Silverstone Drive: City Planner James Shields explained the subject property is the 240-foot stretch of right-of-way that connects Vichy Road to the Rolla Skilled Nursing Home Facility Plat No. 2. The City Council approved Resolution No. 1829, which was posted in the newspaper for a week and no objections to the change were received. The ordinance would change the portion of Eagleson Drive to Silverstone Drive.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4442: AN ORDINANCE THAT CHANGES THE NAME OF THE STREET THAT BEGINS AT THE INTERSECTION OF VICHY ROAD AND THE AREA BETWEEN THE NORTHEAST SIDES OF LOT 1 AND LOT 2 OF THE ARWOOD HILLS NO. 1 SUBDIVISION AND ENDS AT THE RIM OF THE CUL-DE-SAC THAT CONNECTS LOT 1, LOT 3, AND LOT 4 OF THE ROLLA SKILLED NURSING HOME FACILITY PLAT NO. 2 FROM EAGLESON DRIVE TO SILVERSTONE DRIVE. (EAGLESON TO SILVERSTONE DRIVE). A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Rohter, Crowell, Murphey, Schott, Hines, Jung, Woolley, Jones, Eberly, Henry, Williams, and Meusch. Nays; None. Absent; None. Motion carried. The ordinance passed.

(D) Ordinance Amending Sec. 4-4 of the Code – Purchase/Possession of Alcohol by a Minor: Police Chief Sean Fagan indicated no changes have been made to the subject ordinance since the Council's last meeting. He said the Police Department is requesting the subject amendment so it can mirror State Statute.

SEPTEMBER 17, 2018

II. OLD BUSINESS (continued)

(D) Ordinance Amending Sec. 4-4 of the Code – Purchase/Possession of Alcohol by a Minor (continued): City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4443: AN ORDINANCE AMENDING SECTION 4-4 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO PURCHASE OR POSSESSION BY A MINOR – PROHIBITED; PENALTY PROVISIONS. A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jones, Williams, Jung, Hines, Woolley, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Schott. Nays; None. Absent; None. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Ordinance Amending Sec. 27-89 of the Code Pertaining to Stop Intersections: City Engineer Darin Pryor told the Council that staff has been reviewing the current ordinance to make it in compliance with the signs in the field and to address changes due to the new Highway 72 extension.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING SECTION 27-89 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO STOP INTERSECTIONS.

(B) Ordinance Amending Sec. 27-66 of the Code Pertaining to Regulation of Speed: City Engineer Darin Pryor said the subject ordinance was spurred due to the setting of the speed limit for the new Highway 72 extension. At the same time, the entire ordinance was amended to make the ordinance match signs that are already in place.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING SECTION 27-66 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO REGULATION OF SPEED.

IV. NEW BUSINESS (continued)

(C) Ordinance Amending Sec. 27-88 of the Code Pertaining to Turns: City Engineer Darin Pryor explained the intersection of Salem Avenue and Holmes Lane has a sign indicating “no left turn” between 7:45 a.m. and 8:15 a.m. and 2:45 p.m. and 3:45 p.m. He noted this is located near Mark Twain School. Mr. Pryor reported the City received a request from the school administration and the Police Department to enact an ordinance for those signs so they begin enforcement.

Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE CREATING SECTION 27-88 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO NO TURNS.**

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Project #476 – Dog Park Fencing; Resolution to Enter into a Contract with Robinson Fence Company: Public Works Director Steve Hargis reported staff received bids for the fencing of the Buehler Dog Park. Four bids were received and All-Type Fence, Inc. was the apparent low bid at \$25,616.80. However, the bid bond from All-Type Fence was in the form of a business check. Mr. Hargis told the Council the bid documents require bid bonds be submitted from a surety company. Therefore, staff deemed the submittal as non-responsive and cannot recommend award to All-Type Fence. Mr. Hargis said staff is therefore recommending the bid be awarded to the lowest responsive bidder, Robinson Fence Company, Springfield, Missouri, for \$27,256.92.

Mr. Hargis indicated that Mr. Brad Cape with All-Type Fence is present to address the Council.

Mr. Brad Cape, All-Type Fence, Steelville, Missouri, said he submitted a business check as the bid bond because that is what they have always submitted. He said he has done numerous jobs and has never obtained a bonding company. Mr. Cape said he has no problem acquiring a performance and payment bond as the specifications state. He asked the Council to consider waiving the formality of a bid bond.

V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion Awarding Bid for Project #476 – Dog Park Fencing; Resolution to Enter into a Contract with Robinson Fence Company (continued): After discussion, a motion was made by Woolley and seconded by Williams to award the bid for Project 476 – Dog Park Fencing, to All-Type Fence, Inc., Steelville, Missouri, for \$25,616.80. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

City Counselor Lance Thurman read the following proposed resolution for one reading, in its entirety, by title. RESOLUTION NO. 1933: A RESOLUTION 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 ALL-TYPE FENCE, INC. FOR PROJECT 476 - DOG PARK FENCING. A motion was made by Williams and seconded by Jung to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(B) Motion Awarding Bid Award for Four 2019 Police Interceptor Utility Vehicles: Police Chief Sean Fagan explained the Police Department obtained bids this year before the FY 2019 budget was approved. He told the Council the Police Department received a letter from Ford, which stated they were discontinuing the Ford Police Interceptor vehicles, which were the cheapest vehicles they could get. Chief Fagan said the reason for the discontinuation is that they are going to be making hybrid Ford police interceptors. He indicated Ford initially said the Police Department had until September 21, 2018, to place the vehicle orders for the Ford vehicles. Chief Fagan stated he had planned to ask the Council at this meeting to place the orders. However, a letter was received saying they were only going to accept orders until September 14, 2018. Since that time, the Police Department received a letter from Ford saying the deadline was missed. Although, the order was placed, Chief Fagan said there is a 98% chance the vehicles will not be received.

Chief Fagan said he is now recommending purchasing the 2019 Dodge Durango Pursuit vehicles. They are \$1,294 more than the Ford vehicles. However, if the City waits to go with the new Ford model, it will be \$3,000 more each. Chief Fagan said he personally does not want to go with a brand new, untested vehicle in our fleet. The City will know by Thursday if they able to obtain the Fords.

V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion Awarding Bid Award for Four 2019 Police Interceptor Utility Vehicles (continued): A motion was made by Hines and seconded by Jones to award the bid to the low bidder Lou Fusz Ford (State bid) for \$131,912 for four new 2019 Ford Police Interceptors, but if in the absence of that award within the next two weeks, the bid would be awarded to Lou Fusz Dodge (State bid) for \$137,088 for four new 2019 Dodge Durango Pursuit vehicles. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Consider Resolution Acknowledging/Supporting Prop. D (Nov. 6th) – MoDOT Transportation Funding: Mayor Magdits recalled the Council discussed Prop. D during its last meeting and last week the Missouri Department of Transportation (MoDOT) conducted a presentation on Prop. D. He noted two resolution options are included in the agenda materials and they are similar in the way they are written. One resolution indicates support for Prop. D and the other resolution acknowledges that if Prop D passes, there is a benefit to Rolla, Missouri.

Councilman Woolley also commented a third option would be to do nothing.

After discussion, a motion was made by Schott and seconded by Jones to approve the Sample 1 (supporting) resolution. A hand count on the motion showed six ayes, six nays, and zero absent. Mayor Magdits broke the tie by voting “nay.” Motion failed.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1934: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, ACKNOWLEDGING THE BENEFIT OF MISSOURI PROPOSITION D. A motion was made by Henry and seconded by Schott to approve the Sample 2 (acknowledging) resolution. A hand count on the motion showed six ayes, six nays, and zero absent. Mayor Magdits broke the tie by voting “aye.” Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Motion Reappointing Mr. Nick Barrack to the Board of Public Works: A motion was made by Williams and seconded by Jung to reappoint Mr. Nick Barrack to the Board of Public Works (August 2022). A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(C) Motion Reappointing Mr. Bob Desai to the Police Personnel Board: A motion was made by Jung and seconded by Williams to reappoint Mr. Bob Desai to the Police Personnel Board (June 2022). A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VII. CITIZEN COMMUNICATION

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

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) Constitution and Citizenship Day: Mayor Magdits noted that today, September 17, is Constitution and Citizenship Day. Today marks the 231st anniversary of the drafting of the U.S. Constitution and its signing. Mayor Magdits said Constitution Day was first recognized by an Iowa school district in 1911. In 2004, Congress passed a law adding to it and determining it to be Constitution and Citizenship Day. He stated that one of the things the act has mandated is that all public education institutions and federal agencies provide educational programs on the history of the constitution. Mayor Magdits told the Council the Daughters of the American Revolution each year request a proclamation.

(B) Boo-Palooza: Councilwoman Henry asked for volunteers from the Council to help pass out candy at City Hall during Boo-Palooza, the downtown festival on Halloween.

(C) Rolla National Airport Plane: In response to a question from Councilman Williams, City Administrator John Butz said the issue with the plane a few days ago was nothing more than a problem with the landing gear. No injuries were reported.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(D) Rolla National Airport Fly-In: Mayor Magdits reported there was tremendous group of people at the Airport on Saturday, September 15, during the Fly-In.

City Administrator John Butz added that over 1,000 people attended. The City is hoping to sponsor this event every year.

IX. CLOSED SESSION

None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 8:08 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

SEPTEMBER 17, 2018