

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 1, 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, Jody Eberly, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Tiffany Henry

Council Members Absent: David Schott

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lance Thurman, City Engineer Darin Pryor, 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 6:33 p.m. and asked Councilman Jacob Rohter to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Jung 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 Meeting – August 27, 2018
- 2) Special City Council Meeting – September 4, 2018
- 3) City Council Closed Session Meeting – September 4, 2018
- 4) City Council Meeting – September 4, 2018
- 5) Special City Council Meeting – September 17, 2018
- 6) City Council Meeting – September 17, 2018

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II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) “POW/MIA City” Presentation: Mr. Paul Dillon, President of the Jefferson Barracks POW/MIA Museum, stated the mission of the Jefferson Barracks POW/MIA Museum is to reverently honor all who served our country in any branch of the United States Military who were captured by enemies of the United States, who are missing in action from any year and from any conflict. As part of this mission and in an effort to raise POW/MIA awareness across the nation, the Jefferson Barracks POW/MIA museum has established the POW/MIA city program. Mr. Dillon explained it is an open invitation to towns, cities, and municipalities and soon to be counties across the United States to join together in helping to ensure our national promise “No one left behind, no one forgotten” is kept. In alignment with this mission statement, he said the fundamental requirement for a city to become a POW/MIA city is to actively participate in raising the awareness of the American public regarding our POWs and MIAs. Mr. Dillon noted it can be as simple as making sure the POW/MIA’s flag is flown at municipal locations and educating its citizens as to what it stands for. He reported there are currently eleven cities in Missouri designated as POW/MIA cities, eight have officially received their proclamations and POW/MIA city signs. The cities include Benton, Jefferson City, St. Ann, Bellefontaine Neighbors, Village of Caledonia, Farmington, Sunset Hills, and Arnold. Mr. Dillon announced it is now their honor to so officially proclaim and include the great city of Rolla as the next POW/MIA city.

Mr. Larry Hackenback and Mr. Norb Plassmeyer, members of the POW/MIA Museum read aloud the proclamation, which proclaimed the city of Rolla as a POW/MIA city. Following the reading of the proclamation, the POW/MIA sign was unveiled.

City Administrator John Butz said the POW/MIA sign presented at this meeting would be prominently displayed at Veterans Memorial Park. Six additional signs would be placed at the entrances to the city.

(B) Phelps County Extension Council: Mr. Chris Beaugard, the City of Rolla’s appointee to the Phelps County Extension Council, and currently the chair of the Council, gave an overview of the services provided by the Extension Council.

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

Mayor Magdits referred the Council to **(A)** the August 2018, Environmental Services Department Monthly Report; **(B)** the August 2018, Police Department Monthly Report; **(C)** the August 2018, Animal Control Division Monthly Report; **(D)** the August 2018 Centre Financial Analysis; **(E)** the August 2018, Park Financial Analysis; **(F)** the August 2018 Building Codes Division Monthly Report; **(G)** the August 2018 Municipal Court Report; **(H)** the August 14, 2018 Preliminary Planning & Zoning Commission Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Amending Sec. 27-89 of the Code Pertaining to Stop Intersections:

City Engineer Darin Pryor recalled this item was first presented during the Council's last meeting. He informed the Council that staff is updating its GIS (Geographic Information System) to coincide with what is in the field.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4444: 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. 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; Woolley, Henry, Murphey, Williams, Hines, Jung, Meusch, Rohter, Eberly, Crowell, and Jones. Nays; None. Absent; Schott. Motion carried. The ordinance passed.

(B) Ordinance Amending Sec. 27-66 of the Code Pertaining to Regulation of Speed:

City Engineer Darin Pryor told the Council nothing has changed regarding this item since it was presented to the Council at its last meeting and no speed limit changes are being proposed. The subject ordinance would just make the GIS (Geographic Information System) match what is in the field. Mr. Pryor noted the subject ordinance officially sets the speed limit for the new Highway 72 extension.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4445: AN ORDINANCE AMENDING SECTION 27-66 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI,

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V. OLD BUSINESS (continued)

(B) Ordinance Amending Sec. 27-66 of the Code Pertaining to Regulation of Speed (continued): KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO REGULATION OF SPEED. 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; Crowell, Jung, Hines, Jones, Murphey, Henry, Williams, Meusch, Rohter, Eberly, and Woolley. Nays; None. Absent; Schott. Motion carried. The ordinance passed.

(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 for some time has had a no left turn sign between the hours of 7:45 a.m. and 8:15 a.m. and from 2:45 p.m. and 3:45 p.m. The subject ordinance would bring the ordinance into compliance with the signs in the field.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4446: 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. 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; Eberly, Woolley, Murphey, Williams, Hines, Jung, Meusch, Jones, Henry, Crowell, and Rohter. Nays; None. Absent; Schott. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Amending Sections 18-16(a) & 18-25 of the Code Pertaining to Residential & Commercial Refuse Disposal & Collection: Environmental Services Director Brady Wilson reported refuse disposal and collection rates were last increased in 2014. Before that, rates had not been increased since 2002. Mr. Wilson noted that during this year's budget process, two positions were added. He said staff is projecting a reduction in revenue from recyclables this year due to marketing conditions. Mr. Wilson recalled that within the last two years Environmental Services took on the new enforcement program for getting folks to pull their carts back from the curb. In addition to these issues and an increase in general operating expenses, a rate increase for the coming year is recommended. Mr. Wilson referred the Council to the list of proposed fees. He pointed out he is just proposing a rate increase for the primary services, which

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VI. NEW BUSINESS (continued)

(A) Ordinance Amending Sections 18-16(a) & 18-25 of the Code Pertaining to Residential & Commercial Refuse Disposal & Collection (continued): residential and commercial weekly services. Depending on the level of service, the increase would be between 5% and 10%.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE REPEALING SECTION 18-16 (a), AND SECTION 18-25 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING NEW SECTIONS IN LIEU THEREOF PERTAINING TO RESIDENTIAL AND COMMERCIAL REFUSE DISPOSAL AND COLLECTION.

(B) Resolution Authorizing Staff to Apply for Transportation Alternatives Funds for Ramp Improvements: Public Works Director Steve Hargis referred the Council to the resolution in the agenda packet that would authorize staff to submit a grant application to the State for Transportation Alternative Funds. Staff is asking for \$105,600 of a \$132,000 project. Mr. Hargis said it would help fund an ongoing project for the replacement of handicapped ramps throughout the city.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1935: A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR THE 2018 TRANSPORTATION ALTERNATIVES PROGRAM. A motion was made by Hines and seconded by Jung to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Sanitary Sewer Lines Rehabilitation; Ordinance Authorizing the Mayor to Enter into an Agreement with Insituform Technologies USA: Public Works Director Steve Hargis explained this would be the eighth year the City has participated in a bid for the rehabilitation of approximately 1.6 miles of sanitary sewers. This process has proved very successful and costs about half of what it would cost to totally replace the sewer lines. Mr. Hargis noted the total contract is \$233,799 with \$26,584 being paid from the Shady Oaks Sewer District.

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VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion Awarding Bid for Sanitary Sewer Lines Rehabilitation; Ordinance Authorizing the Mayor to Enter into an Agreement with Insituform Technologies USA (continued): A motion was made by Hines and seconded by Crowell to award the bid for sanitary sewer line rehabilitation to Insituform Technologies, Inc., for \$233,799. A voice vote on the motion eleven ayes, zero nays, and one absent. Motion carried.

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 INSITUFORM TECHNOLOGIES USA, LLC.

(B) Motion Awarding Bid for 2019 Phase I Asphalt Improvements, Project 477; Ordinance Authorizing the Mayor to Enter into a Contract with Pierce Asphalt: City Engineer Darin Pryor reported four bids were received for the 2019 Phase I Asphalt Improvements. Staff recommends awarding the bid to the low bidder Pierce Asphalt, LLC, Rolla, Missouri, for \$200,740.90. Mr. Pryor told the Council this project would include Tenth Street from Route 63 to the hospital entrance. He also asked the Council to consider the first and final readings of the proposed ordinance to authorize the Mayor to enter into a contract at this meeting with Pierce Asphalt so work can begin Wednesday on Tenth Street.

A motion was made by Williams and seconded by Woolley to award the bid for Project #477 – 2019 Phase I Asphalt Improvements, to the low bidder Pierce Asphalt, LLC, Rolla, Missouri for \$200,740.90. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4447: 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 PIERCE ASPHALT, LLC, FOR 2019 PHASE I ASPHALT IMPROVEMENTS, PROJECT #477. A motion was made by Hines and seconded by Jones 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

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion Awarding Bid for 2019 Phase I Asphalt Improvements, Project 477; Ordinance Authorizing the Mayor to Enter into a Contract with Pierce Asphalt (continued): reading, by title. 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; Hines, Rohter, Jung, Williams, Jones, Murphey, Crowell, Meusch, Woolley, Eberly, and Henry. Nays; None. Absent; Schott. Motion carried. The ordinance passed.

VIII. CITIZEN COMMUNICATION

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

Mr. George Pounds, 1603 Amber Place, Rolla, Missouri, said he went to Wal Mart and purchased an ink cartridge and paid 8.6% in taxes. He said how much do they need to make before they are satisfied. Mr. Pounds said the TDDs (Transportation Development District) taxes are disgusting because they force you to do things and is a form of blackmailing. He also commented on the food tax.

City Administrator John Butz noted that when you go to the grocery store, State sales tax is not charged on food.

IX. MAYOR/CITY COUNCIL COMMENTS

None.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) City of Rolla Fire & Rescue Open House: Fire Chief Ron Smith invited everyone to attend the Fire Department's open house on Saturday, October 6, 2018, from 10 a.m. to 2 p.m. He said it would held at Fire Station One located at 1490 E. Tenth Street.

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

(B) Breast Cancer Awareness Month: Councilwoman Henry reminded everyone that October is Breast Cancer Awareness Month and about one in eight women will be affected by breast cancer in their lifetime. She said the best protection is to detect it early and recommended every woman over the age of 40 should receive a mammogram.

XI. CLOSED SESSION

A motion was made by Williams and seconded by Jung to adjourn into Closed Session pursuant to RSMo. 610.021, to discuss A) Real Estate, B) Litigation, and C) Union Negotiations. A roll call vote on the motion showed the following: Ayes; Meusch, Jones, Williams, Hines, Jung, Woolley, Rohter, Henry, Crowell, Eberly, and Murphy. Nays; None. Absent; Schott. Motion carried.

The Council adjourned into Closed Session at approximately 7:23 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:08 p.m.

City Counselor Lance Thurman reported that during closed Session the Council discussed one real estate matter, one litigation matter, and union negotiations. No final action was taken.

XIII. ADJOURNMENT

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

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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