

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, OCTOBER 19, 2020; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor Louis J. Magdits, IV

**Council Members in Attendance via Zoom Videoconferencing:** Christine Ruder

**Council Members in Physical Attendance:** Rachel Schneider, Terry Higgins, Matthew Crowell, Ann Murphey, Lister B. Florence, Jr., David Schott, Jody Eberly, John Meusch, Carrolyn Bolin, Marie Allen, and Deanne Lyons

**Council Members Absent:** None.

**Department Directors in Attendance via Zoom Videoconferencing:** Recreation Center Director Marci Fairbanks and Community Development Director Steve Flowers

**Department Directors in Physical Attendance:** Public Works Director Steve Hargis, Environmental Services Director Brady Wilson, and Police Chief Sean Fagan

**Other City Officials in Attendance via Zoom Videoconferencing:** City Planner Tom Coots

**Other City Officials in Physical Attendance:** City Engineer Darin Pryor, Assistant Fire Chief Jeff Breen, City Counselor Lance Thurman, and City Clerk Carol Daniels

A member of the Rolla Ministerial Alliance opened the meeting with prayer.

Mayor Louis J. Magdits, IV called the meeting to order at approximately 6:30 p.m. and asked Councilman Lister Florence, Jr. to lead in the Pledge of Allegiance.

**I. PUBLIC HEARINGS**

None.

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## II. SPECIAL PRESENTATIONS

**(A) University of Missouri Extension – Ms. Rachel Buenemann:** Ms. Rachel Buenemann, Phelps County engagement specialist for the local extension center addressed the Council. She indicated the Center is located in the lower level of the Phelps County Courthouse. Ms. Buenemann then highlighted the services of the extension center.

## III. OLD BUSINESS

**(A) Ordinance Amending Chapter 35 of the Code Relating to Sewer User Rates:** Public Works Director Steve Hargis said the proposed ordinance would increase the basic user rate for metered users from \$5.20/1,000 to \$5.40/1,000 gallons. Additionally, the service availability fee would increase from \$9.00 to \$12.00 per month, beginning in January. Mr. Hargis indicated the average homeowner's bill would go from \$30.37 to \$33.98 per month. He added the proposed increase was factored in the FY 2021 budget.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4582: AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 35 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO SEWERS AND WATER. A motion was made by Schott and seconded by Bolin to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Higgins, Bolin, Ruder, Schneider, Allen, Murphey, Lyons, Crowell, Meusch, Florence, Eberly, and Schott. Nays; None. Absent; None. Motion carried. The ordinance passed.

**(B) Ordinance Authorizing the Mayor to Enter into a Contract with Insituform Technologies, USA for the Rehabilitation of Sanitary Sewer Lines:** City Engineer Darin Pryor referred the Council to the subject contract with Insituform Technologies, USA for the rehabilitation of just under seven tenths of a mile of sanitary sewers in various areas throughout the city. The contract amount is \$188,128.50. Mr. Pryor referred the Council to the maps, included in the agenda materials, showing the affected locations.

**III. OLD BUSINESS (continued)**

**(B) Ordinance Authorizing the Mayor to Enter into a Contract with Insituform Technologies, USA for the Rehabilitation of Sanitary Sewer Lines:** City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4583: 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 Schott and seconded by Eberly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Allen, Lyons, Murphey, Bolin, Schneider, Ruder, Meusch, Florence, Eberly, Crowell, Schott, and Higgins. Nays; None. Absent; None. Motion carried. The ordinance passed.

**(C) Ordinance Approving Cooperative Agreement on University Drive Realignment:** City Administrator John Butz explained the proposed cooperative agreement lays out the key elements of the University Drive realignment project, including funding, landscaping design and maintenance, right-of-way property transfers, and a future pedestrian underpass at 14<sup>th</sup> Street. He said the cost of this project is \$7.75 million with 52% paid from the Transportation Development District (TDD) funds and 42% paid by Missouri S&T.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4584: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, BY AND AMONG THE MOVE ROLLA TRANSPORTATION DEVELOPMENT DISTRICT, ROLLA MUNICIPAL UTILITIES, AND THE CURATORS OF THE UNIVERSITY OF MISSOURI, A TRANSPORTATION PROJECT COOPERATION AGREEMENT UNIVERSITY DRIVE REALIGNMENT PROJECT. A motion was made by Schott and seconded by Schneider to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Crowell, Schott, Ruder, Schneider, Higgins, Murphey, Lyons, Bolin, Meusch, Florence, Eberly, and Allen. Nays; None. Absent; None. Motion carried.

**IV. NEW BUSINESS**

**(A) Resolution Authorizing the Execution of the Sustainable Ozarks Partnership (SOP) Agreement (continued):** City Administrator John Butz said staff is proposing another three-year extension to the City's relationship with the Sustainable Ozarks Partnership (SOP), which is a branch of the Fort Leonard Wood Institute. The subject Memorandum of Understanding (MOU) would extend the partnership for another three years with support from the Rolla Regional Economic Commission (RREC) and Phelps for the Fort (PFTF). Mr. Butz pointed out this is a budgeted item.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1975: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE SUSTAINABLE OZARKS PARTNERSHIP (SOP). A motion was made by Schott and seconded by Bolin to approve the proposed resolution. A roll call vote on the motion showed the following: Eberly, Allen, Murphey, Bolin, Schneider, Ruder, Meusch, Higgins, Lyons, Crowell, Schott, and Florence. Nays: None. Absent: None. Motion carried. The resolution passed.

**(B) Resolution Authorizing the Mayor to Execute a Special Warranty Deed Transferring Lots 2B and 2C of Westside MarketPlace to Mr. Stephen Dunaway:** City Administrator John Butz asked the Council to consider approving the proposed resolution that would authorize the Mayor to execute the deed to transfer Tract 2B and Tract 2C of the Westside Market Place to Mr. Steve Dunaway. He indicated Mr. Dunaway requested the purchase to help square off his property along Sally Road, just south of Westside Drive and to buffer his home from future development. Mr. Butz reported the parties have agreed to a sale price of \$5,000 and the City would have a right-of-first refusal should the property be sold.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1976: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A SPECIAL WARRANTY DEED TRANSFERRING TRACTS 2B AND 2C OF WESTSIDE MARKETPLACE TO STEPHEN DUNAWAY. A motion was made by Schott and seconded by Bolin to approve the proposed resolution. A roll call vote on the motion showed the following: Ayes; Schneider, Florence, Ruder, Bolin, Higgins, Murphey, Schott, Crowell, Meusch, Allen, Eberly, and Lyons. Nays: None. Absent: None. Motion carried. The resolution passed.

**IV. NEW BUSINESS (continued)**

**(C) Motion Appointing “Employer Representative” for the Annual LAGERS**

**Meeting:** City Administrator John Butz informed the Council the City has been a member of LAGERS (Local Government Employees Retirement System) for several years. By law, LAGERS holds an annual conference that requires both an employee and employer representative. Mr. Butz stated the City employees elect the employee representative and the employer representative to attend is normally selected from the City Council. If interested, Mr. Butz said the conference is scheduled for October 29 and 30, 2020, in Springfield, Missouri. If Council does not have an appointment, Mr. Butz said then typically, the Council would authorize him to make an appointment.

A motion was made by Schott and seconded by Murphey to appoint City Administrator John Butz as the employer representative or authorize him to appoint an alternate to attend the LAGERS annual conference. A roll call vote on the motion showed the following: Ayes; Schott, Meusch, Higgins, Bolin, Schneider, Ruder, Allen, Murphey, Lyons, Crowell, Eberly, and Florence. Nays; None. Absent; None. Motion carried.

**(D) Motion Approving the Tree Resource Improvements and Maintenance (TRIM)**

**Grant Award:** Mayor Magdits said this item would be deferred to the next Council meeting. Legal counsel suggested it be approved by a formal resolution rather than a motion.

**(E) Ordinance Authorizing the Mayor to Enter into a Sewer Treatment Intermunicipal Agreement with the City of Doolittle:**

Public Works Director Steve Hargis indicated staff is proposing a new agreement with the City of Doolittle whereby the City of Rolla would measure the actual flow coming from the city of Doolittle at the Martin Springs Drive Wastewater Treatment Plant and bill them accordingly. Based on measured flow over the past several months, it is estimated that an annual charge for sewer treatment to the City of Doolittle could be as low as \$41,000.

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 INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE CITY OF DOOLITTLE, MISSOURI PERTAINING TO SEWER TREATMENT.

**IV. NEW BUSINESS (continued)**

**(F) Ordinance Authorizing the Mayor to Execute a Contract with Archer-Elgin for Design and Construction of Public Works Facility for Street and Traffic:** Public Works Director Steve Hargis asked the Council to consider authorizing the Mayor to execute a contract with Archer-Elgin for professional services for the design and contract administration of the street and traffic operation, discussed during the Council's last meeting.

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 CM ARCHER GROUP, P.C. FOR PROFESSIONAL SERVICES FOR THE NEW PUBLIC WORKS FACILITY, PROJECT 225.

**(G) Ordinance Authorizing the Mayor to Execute a Contract with The Lochmueller Group for the Design and Cost Estimates for 18<sup>th</sup>/Old St. James/Bardsley/Burlington Railroad:** Public Works Director Steve Hargis asked the Council to consider authorizing the Mayor to enter into a contract with The Lochmueller Group to provide professional services including the preliminary design and cost estimates needed for traffic control improvements at the 18<sup>th</sup>/Old St. James/Bardsley/Burlington Railroad intersection.

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 LOCHMUELLER GROUP FOR PROFESSIONAL SERVICES FOR INTERSECTION IMPROVEMENTS 18<sup>TH</sup>/OLD ST JAMES/BARDSLEY, PROJECT NUMBER 528.

**V. CLAIMS and/or FISCAL TRANSACTIONS**

**(A) Motion Awarding the Bid for Police SUVs:** Police Chief Sean Fagan asked the Council to consider awarding the bid for three new 2021 model year Dodge Durangos, all-wheel drive pursuit package SUVs to Behlmann Dodge, Troy, Missouri for \$36,998

**V. CLAIMS and/or FISCAL TRANSACTIONS (continued)**

**(A) Motion Awarding the Bid for Police SUVs (continued):** each for a total of \$110,994. He pointed out the bid from Taylor Dodge, Rolla, Missouri did not meet the bid specifications. Some discussion followed pertaining to the local, low bidder. City Administrator John Butz said staff always recommends low bid, but Council has the right to consider location in making their determination.

A motion was made by Bolin and seconded by Crowell to award the bid to Behlmann Dodge and purchase three 2021 Dodge Durango Pursuit SUVs for a total of \$110,994. A roll call vote on the motion showed the following: Ayes; Ruder, Murphey, Higgins, Schneider, Bolin, Crowell, Meusch, and Eberly. Nays; Allen, Lyons, Florence, and Schott. Motion carried.

**(B) Motion Awarding Bid for Police SUV Equipment:** Police Chief Fagan asked the Council to consider awarding the bid for the equipment for the new police vehicles to the low bidder, Public Safety Upfitters for \$8,215.53 per vehicle for a total of \$24,646.59. A motion was made by Schott and seconded by Murphey to award the bid for the police SUV equipment to the low bidder Public Safety Upfitters for a total of \$24,646.59. A roll call vote on the motion showed the following: Ayes; Murphey, Lyons, Allen, Bolin, Schneider, Ruder, Meusch, Higgins, Eberly, Florence, Schott, and Crowell. Nays; None. Absent; None. Motion carried.

**VI. MAYOR/CITY COUNCIL COMMENTS**

None.

**VII. CITIZEN COMMUNICATION**

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

**VIII. COMMENTS FOR THE GOOD OF THE ORDER**

**(A) Halloween 2020 – Keeping it Safe:** Mayor Magdits noted the suggestions for Halloween during COVID-19, included in the Council packets, would be placed on websites and other social media.

**IX. CLOSED SESSION**

A motion was made by Schneider and seconded by Bolin to adjourn into Closed Session pursuant to RSMO. 610.021 to discuss personnel. A roll call vote on the motion showed the following: Ayes; Bolin, Higgins, Ruder, Schott, Allen, Murphey, Lyons, Crowell, Meusch, Florence, Eberly, and Schneider. Nays; None. Absent; None. Motion carried.

The Council adjourned into Closed Session at approximately 7:30 p.m.

The Council reconvened into open session at approximately 8:21 p.m.

**X. MAYOR/CITY COUNCIL COMMENTS**

**(A) Resolution vs. Motion:** Councilperson Lyons asked for clarification regarding the difference between a resolution and a motion, as it relates to Tree Resource Improvements and Maintenance (TRIM) Grant award that was on the agenda.

City Administrator John Butz explained that some items require a more formal action, so either an ordinance or resolution is considered. Ordinances are considered more formal than a resolution. He said City Counselor Lance Thurman advised that the subject item be considered by resolution.

**(B) Council Comment:** Councilman Schott commented on the delay of City staff to hire a new city clerk and waiting until the last minute to address The Centre issue. Additionally, he mentioned his displeasure with City staff regarding the municipal court matter as it related to the possible loss of the City's violations bureau.

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**XI. ADJOURNMENT**

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

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

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