

**ROLLA CITY COUNCIL MEETING MINUTES  
TUESDAY, FEBRUARY 18, 2014; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor William S. Jenks, III

**Council Members in Attendance:** Jonathan Hines, Monty Jordan, Greg Sawyer, Steven Leonard, Kelly Long, Susan J. Eudaly, Lou Magdits, Brian Woolley, and Walt Bowe

**Council Members Absent:** Don Morris, Jim Williams, and Tony Bahr

**Department Directors in Attendance:** Public Works Director Steve Hargis, Police Chief Mark Kearse, Fire Chief Robert Williams, Community Development Director John Petersen, Environmental Services Director Brady Wilson, and Finance Director Steffanie Rogers

**Other City Officials in Attendance:** City Administrator John Butz, City Counselor Carolyn Buschjost, and City Clerk Carol Daniels

Mayor Jenks 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 Walt Bowe then led in the Pledge of Allegiance.

**I. PUBLIC HEARINGS**

**(A) Ordinance to Rezone Property at 1405 Highway 72 East from C-1 (Neighborhood Business District) to C-3 (Highway Commercial District) (Wands):** Community Development Director John Petersen noted the subject property is located at 1405 Highway 72 East and the individuals, who have rented the building from Mr. Dale Wands, plan to operate a tattoo parlor. Mr. Petersen informed the Council that according to Rolla City Code, tattoo parlors must be located in a C-3 (Highway Commercial District) zoned area. He reported the Planning and Zoning Commission recommends approval of the subject request.

After a brief discussion, Mr. Petersen was asked to verify whether a buffer yard would be required between the C-3 (Highway Commercial District) zoned properties and the R-1 (Single Family District) zoned properties to the north.

Following additional discussion, Mayor Jenks opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request.

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**I. PUBLIC HEARINGS (continued)**

**(A) Ordinance to Rezone Property at 1405 Highway 72 East from C-1 (Neighborhood Business District) to C-3 (Highway Commercial District) (Wands) (continued):** Ms. Carrie Snyder, 108 West Maple, Pilot Knob, Missouri 63663, told the Council she is representing 8 Up Ink, LLC, as co-owner and manager. She said she currently operates tattoo shops located in Salem, Park Hills, and Houston, Missouri. Ms. Snyder told the Council it is important to be legal when operating a tattoo shop. She explained she rented the building from Mr. Wands with the notion it was a known tattoo establishment. Ms. Snyder said she would not have rented the property if she could not have functioned as a tattoo shop, although she plans to do some retail as well. She informed the Council she is currently referring clients to the Salem, Missouri facility until the zoning issue is resolved.

No one else present addressed the Council. Mayor Jenks closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE NO. 4127: AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1405 HIGHWAY 72 EAST STREET FROM C-1 (NEIGHBORHOOD BUSINESS DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING (WANDS).** A motion was made by Sawyer and seconded by Long to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eight ayes, one nay, and three absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Jordan and seconded by Sawyer to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jordan, Hines, Woolley, Leonard, Bowe, Sawyer, Magdits, Long, and Eudaly. Nays; None. Absent; Williams, Bahr, and Morris. Motion carried. The ordinance passed.

**(B) Ordinance to Rezone Property at 1705 N. Pine Street from C-2 (General Retail District) and R-3 (Multi-Family District) to all R-3 (Multi-Family District) Zoning (Lambda Chi Alpha Alumni and Students):** Community Development Director John Petersen noted the zoning line for the subject property at 1705 N. Pine Street splits the lot making the north part C-2 (General Retail District) and the south part R-3 (Multi-Family District). He noted the fraternity plans to expand and renovate their facility, which requires the property to be zoned R-3 (Multi-Family District). Mr. Petersen reported the Planning and Zoning Commission recommend approval of the rezoning request.

Mayor Jenks opened the floor to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Jenks closed the public hearing.

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**I. PUBLIC HEARINGS (continued)**

**(B) Ordinance to Rezone Property at 1705 N. Pine Street from C-2 (General Retail District) and R-3 (Multi-Family District) to all R-3 (Multi-Family District) Zoning (Lambda Chi Alpha Alumni and Students (continued):** City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4128: AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1705 N. PINE STREET FROM C-2 (GENERAL RETAIL DISTRICT) AND R-3 (MULTI-FAMILY DISTRICT) TO ALL R-3 ZONING (LAMBDA CHI ALPHA ALUMNI AND STUDENTS). A motion was made by Long and seconded by Eudaly to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Sawyer and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Woolley, Bowe, Leonard, Hines, Magdits, Long, Sawyer, Eudaly, and Jordan. Nays; None. Absent; Williams, Bahr, and Morris. Motion carried. The ordinance passed.

**II. SPECIAL PRESENTATIONS**

**(A) St. Pat's 2014 Celebration - Motion to Close Certain Streets & Parking Lots on March 12, 14, & 15:** Public Works Director Steve Hargis referred the Council to the requested list of street and parking lot closures (outlined in the agenda materials) during the St. Pat's Celebration. A motion was made by Eudaly and seconded by Jordan to approve the proposed parking lot and street closures for the St. Pat's 2014 Celebration on March 12, 14 and 15, 2014. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(B) Rolla Municipal Utilities FY 2014 First Quarter Report:** Rolla Municipal Utilities General Manager Rodney Bourne, provided an overview of the Rolla Municipal Utilities' (RMU) First Quarter 2014 Report.

**III. OLD BUSINESS**

**(A) Motion Awarding Listing Services for Sharp Road Property:** City Administrator John Butz noted the listing services for the Sharp Road property was discussed during the Council's last meeting. He informed the Council the City received only one response to its solicitation for proposals from Investment Realty, who has had the listing for the past

**III. OLD BUSINESS (continued)**

**(A) Motion Awarding Listing Services for Sharp Road Property (continued):** seven years. Mr. Butz recalled during the Council's last meeting it was suggested the City contact other public institutions for their consideration. He indicated he contacted officials from Phelps County, the Rolla School District, and Missouri S&T. Mr. Butz said they are all aware the property is available for sale but are currently not interested.

A motion was made by Eudaly and seconded by Sawyer to award listing services for the Sharp Road property to Investment Realty for a two-year period. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**IV. NEW BUSINESS**

Mayor Jenks asked that Item IV. C., "Motion to Approve Use of Rolla National Airport Fields for Greek Week Games in Sept. 2014" be considered at this point in the meeting.

**(C) Motion to Approve Use of Rolla National Airport Fields for Greek Week Games in Sept. 2014:** City Administrator John Butz reported the Missouri S&T Interfraternity Council has been using the Rolla National Airport fields for over twelve years for its Greek Week games. In addition to using the airport fields, the request includes granting a license for beer sales. Mr. Butz told the Council the City requires security at the gate of the beer tent and the students are shuttled to and from the games by buses.

A motion was made by Long and seconded by Eudaly to approve the use of the Rolla National Airport fields for Greek Week Games in September 2014 with proper beer sales. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(A) Resolution Opposing Passage of Laws by Missouri General Assembly Limiting Local Control and Cost Recovery for Usage of City-Owned Utility Assets:** Rolla Municipal Utilities General Manager Rodney Bourne provided an overview of legislation that would place some limits on local control of municipal assets. He encouraged the Council to approve the proposed resolution, which opposes passage of laws intended to limit local control and cost recovery for usage of City-owned assets. Mr. Bourne noted the Rolla Board of Public Works approved a similar resolution during its January 28, 2014, meeting.

**IV. NEW BUSINESS (continued)**

**(A) Resolution Opposing Passage of Laws by Missouri General Assembly Limiting Local Control and Cost Recovery for Usage of City-Owned Utility Assets (continued):** City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1811: A RESOLUTION OPPOSING THE PASSAGE OF LAWS BY THE STATE OF MISSOURI GENERAL ASSEMBLY LIMITING LOCAL CONTROL AND COST RECOVERY FOR USAGE OF CITY-OWNED UTILITY ASSETS. A motion was made by Sawyer and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(B) Ordinance to Apply for Traffic Grants Through the Missouri Department of Transportation:** Police Chief Mark Kearse asked the Council to consider approving an ordinance, which would authorize the Police Department to apply for traffic grants through the Missouri Department Transportation (MoDOT). Since the grants are funded 100% by MoDOT, Chief Kearse said there is no cost to the City. He indicated the Police Department would be able to apply for grants for overtime pay for DWI (Driving While Intoxicated) enforcement, traffic enforcement overtime, in-car cameras, radars, trailers, and vehicles, etc. Staff recommends approval of the subject ordinance.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4129: 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 TRANSPORTATION PERTAINING TO GRANTS. A motion was made by Eudaly and seconded by Sawyer to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Sawyer and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Sawyer, Eudaly, Hines, Jordan, Leonard, Bowe, Magdits, Long, and Woolley. Nays; None. Absent; Bahr, Williams, and Morris. Motion carried. The ordinance passed.

**(C) Motion to Approve Use of Rolla National Airport Fields for Greek Week Games in Sept. 2014:** This item was considered above, immediately preceding Item IV. A.

**IV. NEW BUSINESS (continued)**

**(D) Discussion Pertaining to Draft City Policy of “Naming Rights” (continued):** City Administrator John Butz informed the Council the City currently does not have a policy pertaining to “naming rights.” He referred the Council to the policy, included in the agenda materials, which he drafted for Council consideration. Mr. Butz told the Council two designations have been done in the past twelve years. He said he wanted to obtain some reaction from the Council.

Councilman Magdits stated his preference is not to have a policy. Rather than have a long public debate starting from scratch, he suggested forming ad hoc committee to work on it first. No Council objections were noted.

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

None.

**VI. MAYOR/CITY COUNCIL COMMENTS**

**(A) Motion to Appoint Mr. Stephen Bowles to the Tax Increment Finance Commission to Replace Mr. Steve Malott:** A motion was made by Sawyer and seconded by Long to appoint Mr. Stephen Bowles to the Tax Increment Finance Commission with his term expiring February 2018. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(B) Motion to Reappoint Ms. Charlotte Wiggins to the Tax Increment Finance Commission:** A motion was made by Eudaly and seconded by Long to reappoint Ms. Charlotte Wiggins to the Tax Increment Finance Commission with her term expiring February 2018. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**(C) Motion to Reappoint Mr. Gene Cresswell to the Personnel Board:** A motion was made by Sawyer and seconded by Long to reappoint Mr. Gene Cresswell to the Personnel Board with his term expiring February 2017. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

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**VI. MAYOR/CITY COUNCIL COMMENTS (continued)**

**(D) Motion to Appoint Mr. William Lindgren to the Phelps County Extension Council (continued):** A motion was made by Jordan and seconded by Eudaly to appoint Mr. William Lindgren to the Phelps County Extension Council. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

**VII. CITIZEN COMMUNICATION**

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

Mr. Steven Ludwig, 1701 White Columns Drive, Rolla, Missouri, current president of the St. Pat's Board, thanked the Council for their support. He said the Board has had a great relationship with the City and wants to continue it.

Mr. Ludwig reported the 2014 St. Pat's Celebration begins on Wednesday, March 12 with the Court arrival at 12 p.m. at the Downtown Festival Lot. The St. Pat's Parade will be held on Saturday, March 15 beginning at 11 a.m. on Pine Street and a concert will follow at 2 p.m.

Mr. Ludwig told the Council that Police Chief Mark Kearse, Ms. Dilek Acar, and former senator Kit Bond have been chosen as Honorary Knights.

No one else present addressed the Council.

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

**(A) Polar Plunge:** Councilwoman Eudaly commended Police Chief Mark Kearse and the Rolla Police Department for their efforts during the Polar Plunge on Saturday. She said it was a great event.

**IX. CLOSED SESSION**

A motion was made by Long and seconded by Eudaly to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss real estate. A roll call vote on the motion showed the following: Ayes; Woolley, Leonard, Hines, Magdits, Jordan, Bowe, Sawyer, Eudaly, and Long. Nays; None. Absent; Morris, Williams, and Bahr. Motion carried.

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**IX. CLOSED SESSION (continued)**

The Council adjourned into Closed Session at approximately 7:49 p.m.

**X. CLOSED SESSION ACTION**

The Council reconvened into open session at approximately 8:14 p.m.

City Counselor Carolyn Buschjost reported that during closed session, the Council discussed two matters involving real estate. No final action was taken on either matter.

**XI. ADJOURNMENT**

Having no further business, the meeting adjourned at 8:14 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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