

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, JUNE 2, 2014; 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, Greg Sawyer, Matthew Miller, Kelly Long, Susan J. Eudaly, Don Morris, Stephen Bowles, Jim Williams, Brian Woolley, and Walt Bowe

Council Members Absent: Tony Bahr

Department Directors in Attendance: Public Works Director Steve Hargis, Fire Chief Robert Williams, Community Development Director John Petersen, Environmental Services Director Brady Wilson, Parks and Recreation Director Scott Caron, and Finance Director Steffanie Rogers

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

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Councilwoman Susan Eudaly to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Eudaly to approve the consent agenda as submitted. A voice vote on the motion showed ten 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) Rolla City Council Meeting – May 5, 2014
- 2) Closed Session City Council Meeting – May 5, 2014
- 3) Rolla City Council Meeting – May 19, 2014

II. SWEARING IN OF NEW COUNCIL MEMBER

(A) Ward IV Councilman Stephen Bowles: City Clerk Carol Daniels administered the oath of office to Mr. Stephen L. Bowles, 815 Oak Knoll Road. The Rolla City Council appointed Mr. Bowles during its May 19, 2014, meeting, to complete the one-year unexpired term in Ward IV.

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III. PUBLIC HEARINGS

None.

IV. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

(A) 2013 Tourism Audit Report – Kean & Company, LLC: Ms. Amanda Wiggins, CPA with Kean & Company, LLC, Rolla, Missouri, provided an overview of the Rolla Area Chamber of Commerce’s Motel Tax Fund audit for fiscal year 2013. She reported no adverse findings were noted during the course of the audit.

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

Mayor Magdits referred the Council to **(A)** the April 2014, Centre Financial Analysis; **(B)** the April 23, 2014, Parks and Recreation Commission Meeting Minutes; **(C)** the April 2014, Environmental Services Department Monthly Report; **(D)** the May 1, 2014, Board of Adjustment Meeting Minutes; **(E)** the May 13, 2014, Planning & Zoning Commission Preliminary Meeting Minutes; **(F)** the April 29, 2014, Development Review Committee Meeting Minutes, and; **(G)** the May 2014, Fire and Rescue Department Monthly Report.

VI. OLD BUSINESS

(A) Ordinance to Rezone Lot 4, McCutchen Acres No. 2, Formerly a Part of Tract B McCutchen Acres No. 1, from R-1 (Single Family District) Zoning to R-2 (Two-Family District) Zoning (Davis): Community Development Director John Petersen recalled the City Council, during its last meeting, approved the subdivision for the subject property. He informed the Council the applicant is Americare, which currently owns Parkside Assisted Living facility, located on Tenth Street and they plan to construct a similar facility at the subject location. Mr. Petersen said the applicant is requesting the property be rezoned to R-2 (Two-Family District), which allows nursing homes. He noted no additional petitions against the subject rezoning have been received since the Council’s last meeting. Therefore, a super-majority vote of the Council in favor of the subject-rezoning request is not required. Mr. Petersen reported the Planning and Zoning Commission recommend approval of the rezoning request.

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VI. OLD BUSINESS (continued)

(A) Ordinance to Rezone Lot 4, McCutchen Acres No. 2, Formerly a Part of Tract B McCutchen Acres No. 1, from R-1 (Single Family District) Zoning to R-2 (Two-Family District) Zoning (Davis) (continued): City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4143: AN ORDINANCE TO REZONE LOT 4 McCUTCHEN ACRES NO. 2, FORMERLY A PART OF TRACT B, McCUTCHEN ACRES NO. 1, FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO R-2 (TWO FAMILY DISTRICT) ZONING. (DAVIS). 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; Jordan, Williams, Hines, Woolley, Bowe, Bowles, Long, Morris, and Eudaly. Nays; Miller and Sawyer. Absent; Bahr. Motion carried. The ordinance passed.

(B) Ordinance to Rezone 904, 916, & 918 Oaklane Drive from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning (Boeker): Community Development Director John Petersen told the Council the developer of the subject property plans to construct twelve townhouses and convert an existing single-family unit into a duplex. He indicated there is adequate parking for this development. Mr. Petersen reported the Planning and Zoning Commission recommend approval of the rezoning request. He added six petitions against the subject rezoning were received. However, they do not qualify as a legal petition.

Since the petitioner, Mr. Ken Boeker was unable to attend the last Council meeting when the public hearing was held, Mayor Magdits asked him to address the Council.

Mr. Boeker explained the current easement on the private driveway, which provides access to the rear portion of the property, is ten feet. However, he indicated he has allowed fifteen feet for it and will construct a privacy fence on the east side of the road so the residents on Adrian still have access to their backyards. Mr. Boeker said he has lived on Oaklane Drive for 23 years and, in the past, it was much narrower than it is now with an open ditch on the south side. The road has since been curbed and guttered on both sides.

In the discussion, which followed, the Council expressed much concern with visitors parking on Oaklane Drive.

Although the public hearing on the subject-rezoning request was conducted during the Council's last meeting, Mayor Magdits gave citizens another opportunity to address the Council, since Mr. Boeker could not attend that meeting.

VI. OLD BUSINESS (continued)

(B) Ordinance to Rezone 904, 916, & 918 Oaklane Drive from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning (Boeker) (continued): Ms. Brooke Durbin, 620 Adrian Avenue, said the residents have never been told how many bedrooms would be in the townhouse unit and she expressed concern with increased traffic. She pointed out there are no sidewalks along Adrian Avenue and they must walk in the street. Whenever traffic is increased it will make it much harder for them and other families to be able to enjoy being out in the neighborhood getting to know one another, visiting, and walking their pets. Ms. Durbin said it is very important to make sure attention is made to safety concerns. She expressed concern with water and sewer issues due to the increased impact on the City's water and sewer infrastructure.

Mr. Boeker indicated there would be two bedrooms in each townhouse units. He added the water and sewer lines on Adrian would not be affected because they flow toward the Triad Printing area.

No one else present addressed the Council.

A motion was made by Eudaly and seconded by Morris to amend the proposed ordinance to include the widening of the private drive from ten feet to fifteen feet. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

After discussion, a motion was made by Woolley and seconded by Long to set aside consideration of this issue until the Council receives information regarding the square footage. A hand count on the motion showed six ayes, five nays, and one absent. Motion carried.

City Administrator John Butz indicated before the Council's next meeting, staff would calculate the square footage of the twelve-unit townhouse, adding the tri-plex to the north, and the single-family home. Additionally, the open space requirements would be calculated along with the building coverage requirements.

VII. NEW BUSINESS

(A) Discussion Pertaining to Organics Collection and Composting: Environmental Services Director Brady Wilson said the City's Environmental Services fund operates as a proprietary fund. The Department strives to provide services the customers want and

VII. NEW BUSINESS (continued)

(A) Discussion Pertaining to Organics Collection and Composting (continued):

need, to operate more efficiently, and to look for ways to save money. In doing that, Mr. Wilson said the Department does a great deal of recycling, because if you look at the Department's operating expenses, one of the biggest expenses is waste disposal. Therefore, he said the City is always looking at how it can take less to the landfill and maybe bring a little revenue out of those commodities, because when they go to the landfill they are just liabilities. Mr. Wilson told the Council for many years the City has been recycling conventional items such as paper, plastics, cardboard, cans, etc. He informed the Council with the help of a grant awarded by the Ozark Rivers Solid Waste Management District, the Department retained a consultant to assist in researching the feasibility of the separate collection and composting of food waste in Rolla. Mr. Wilson then introduced Mr. Craig Coker of Coker Composting & Consulting who he said conducted a feasibility study to determine the viability of a food waste composting program, both residentially and commercially. Mr. Coker then addressed the Council and gave a presentation of the options for recycling food scraps. Mr. Wilson added staff is not looking for any action on this matter at this meeting. Mr. Coker and Mr. Wilson entertained questions and comments from the Council following the presentation.

(B) Motion Approving a Memorandum of Understanding with the Rolla Junior

Club: Parks and Recreation Director Scott Caron informed the Council the Rolla Junior Club approached him about adopting the Larry May Park as a service project. He noted the Park is located in Ber Juan Park next to Kimmel Field. He explained for the past three years the Junior Club has been conducting fundraising efforts for the park. Mr. Caron referred the Council to the subject Memorandum of Understanding between the City and the Rolla Junior Club laying out the involvement of each party.

Ms. Melanie Wulff, President of the Rolla Junior Club, told the Council the Club has an interest in serving the community and providing opportunities for making a better community. She reported the Junior Club decided to take on the Larry May Park, which is frequently used and is outdated. Ms. Wulff said the Club's plan is to raise money to put new equipment into the Larry May Park. To date, the Club has donated \$15,000 to the effort and they are prepared to add another \$5,000.

City Counselor Lance Thurman suggested the Memorandum of Understanding be formalized by the approval of a resolution.

City Administrator John Butz indicated a resolution would be prepared and action on this matter would be delayed under the next City Council meeting.

VII. NEW BUSINESS (continued)

(C) Ordinance to Consider Ground Lease at Rolla National Airport – Mark Twain National Forest: City Administrator John Butz told the Council the Mark Twain National Forest has expressed interest in entering into a five-year lease at the Rolla National Airport to bring in a modular facility, which would be their staging area for fire fighting to the west. The modular unit would house between one and six employees. Mr. Butz informed the Council the Forest Service's helicopter currently purchases its fuel from the Rolla National Airport. He told the Council the proposed lease is for \$2,400/year, for about a 7,200 square feet area. Mr. Butz said he explained to the Forest Service that according to the airport covenants, the Airport Advisory Committee must approve the signage and the look of any building. He told the Council there might be some minor tweaking to the lease regarding the electric rates, trash pickup, etc. Mr. Butz asked the Council to consider approval of the lease at this meeting and Mayor Magdits would not be asked to sign the lease until the details have been finalized.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4144: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LEASE BETWEEN THE CITY OF ROLLA, MISSOURI AND THE MARK TWAIN NATIONAL FOREST. A motion was made by Morris and seconded by Long to suspend the rules and 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 reading by title. A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Woolley, Bowe, Miller, Williams, Hines, Bowles, Long, Morris, Sawyer, Eudaly, and Jordan. Nays; None. Absent; Bahr. Motion carried. The ordinance passed.

VIII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion to Award City of Rolla Audit Services: Finance Director Steffanie Rogers reported that on May 28, 2014, audit bids were opened for the term of three years with the potential of a two-year extension. Four bids were received and staff recommends the bid be awarded to the low bidder, Hochschild, Bloom & Co., CPA.

Following a brief discussion, a motion was made by Williams and seconded by Jordan to award the bid for the City's auditing services to Hochschild, Bloom & Co., CPA for a three-year term. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

IX. CITIZEN COMMUNICATION

(A) Ms. Debra Shantz Hart, President, Housing Plus: Since Ms. Hart was unable to attend the meeting, City Administrator John Butz noted Ms. Shantz Hart has appeared before the Council for at least the past three years and requested a Council resolution in support of her application for housing programs under the Missouri Housing Development Commission (MHDC). He noted the housing programs have been predominately in the South Rolla Street area and there has always been some resistance from the adjoining neighbors. Mr. Butz informed the Council Ms. Shantz Hart has been looking at alternative sites. He said she is interested in doing a low-to-moderate-income home ownership program at McCutchen Drive and Old St. James Road, where a house was recently demolished. Since there is an application deadline approaching, Ms. Shantz Hart may attend the next Council meeting to request letters of support.

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

Mr. Craig Montgomery, Fidelity Communications, Highway 72 East, Rolla, Missouri, reported effective today, Fidelity is increasing internet speed across the board in Rolla at no additional charge. Customers with 25-megabyte speed will increase to 60 megabyte, those with 50-megabyte service will increase to 100, customers with 8-megabyte service will increase to 10, and 16-megabyte service will increase to 20. Additionally, Mr. Montgomery said Fidelity's upload speeds are increasing up to 300%. He said Fidelity prides itself on being the internet speed leader in the Rolla community.

No one else present addressed the Council.

X. MAYOR/CITY COUNCIL COMMENTS

(A) Motion to Appoint Mr. William S. Jenks, III, to the Police Personnel Board (June 2018) to Replace Mr. Steve Bowles: A motion was made by Williams and seconded by Sawyer to appoint Mr. William S. Jenks, III, to the Police Personnel Board until June 2018 to replace Mr. Steve Bowles. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion to Appoint Councilman Jonathan Hines to the City Administrator's Review Committee: A motion was made by Long and seconded by Jordan to appoint Councilman Jonathan Hines to the City Administrator's Review Committee. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

X. MAYOR/CITY COUNCIL COMMENTS (continued)

(C) Motion to Reappoint Mr. Jack Morris to the Planning and Zoning Commission (June 2018): A motion was made by Sawyer and seconded by Jordan to reappoint Mr. Jack Morris to another term on the Planning and Zoning Commission until June 2018. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

XI. COMMENTS FOR THE GOOD OF THE ORDER

(A) Parking on Oaklane Drive: Councilman Sawyer suggested the Council consider an ordinance prohibiting parking on either one side or both sides of Oaklane Drive.

City Administrator John Butz suggested waiting until the Council votes on the Boeker rezoning request. If the rezoning is not approved, the Council may want to consider “no parking” on one side. However, if the zoning is approved, the Council may want to consider “no parking” on both sides.

XII. CLOSED SESSION

None.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:24 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR