

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, JULY 7, 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, Tony Bahr, and Walt Bowe

Department Directors in Attendance: Fire Chief Robert Williams, Community Development Director John Petersen, Environmental Services Director Brady Wilson, Parks and Recreation Director Scott Caron, Police Chief Mark Kearse, and Finance Director Steffanie Rogers

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

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked a member of the Rolla Ministerial Alliance to give the invocation. Following the invocation, Councilman Don Morris led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Sawyer to approve the consent agenda as submitted. A voice vote on the motion showed twelve ayes, zero nays, and zero 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 – June 2, 2014
- 2) Rolla City Council Meeting – June 16, 2014

II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGMENTS AND SPECIAL PRESENTATIONS

None.

JULY 7, 2014

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

Mayor Magdits referred the Council to (A) the May 2014, Centre Financial Analysis; (B) the May 2014, Environmental Services Department Monthly Report; (C) the June 5, 2014, Board of Adjustment Meeting Minutes; (D) the June 10, 2014, Planning and Zoning Commission Preliminary Meeting Minutes; (E) the May 27, 2014, Development Review Committee Meeting Minutes; (F) the June 2014 Fire and Rescue Department Monthly Report; (G) the May 30 and June 30, 2014, Municipal Court Reports; (H) the April and May 2014 Rolla Municipal Utilities Monthly Reports; (I) the April 22 and June 3, 2014 Rolla Board of Public Works Meeting Minutes; (J) the May 14 and June 11, 2014 Rolla Historic Preservation Commission Meeting Minutes; (K) the April and May 2014 Police Department Monthly Reports, and; (L) the April and May 2014, Animal Control Monthly Reports.

V. OLD BUSINESS

(A) Ordinance Approving a Change Order with Insituform Technologies: City Administrator John Butz recalled Public Works Director Steve Hargis addressed this issue during the Council's last meeting and the Council conducted the first reading of the subject ordinance. He explained the subject change order to the City's contract with Insituform Technologies would include the waterproofing of some manholes and 288 feet of eighteen-inch pipe at the Southeast Wastewater Treatment Plant. Mr. Butz told the Council this amount was budgeted, but was inadvertently omitted in the work plan with Insituform Technologies.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading by title. ORDINANCE NO. 4146: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, A CONTRACT CHANGE ORDER BETWEEN THE CITY OF ROLLA, MISSOURI, AND INSITUFORM TECHNOLOGIES. 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; Hines, Long, Bahr, Williams, Jordan, Miller, Eudaly, Sawyer, Bowles, Woolley, Morris, and Bowe. Nays; None. Absent; None. Motion carried. The ordinance passed.

V. OLD BUSINESS (continued)

(B) Ordinance Considering Redevelopment Plans (tax abatement) for Forum Plaza – 353 Redevelopment Corp.: Mayor Magdits recalled the subject project is still in the feasibility stage and is not yet a committed project, but the City has expressed the willingness to use two different types of economic development tools. He added this is the first step in what will be a multi-step process.

City Administrator John Butz recalled the City recently entered into a Preliminary Funding Agreement with Super Market Developers. He said the subject ordinance would lay out the process for 353 Redevelopment Corporations, which would allow tax abatement up to 25 years. Mr. Butz indicated there is still a lot of work that must be done and months involved with the process. He told the Council it is important to understand about the neighborhood market grocery store, proposed to be constructed on Forum Drive, which will be considered tomorrow evening at the Planning and Zoning Commission meeting and in two weeks before the City Council. Mr. Butz said there is some uncertainty as to the timing and what is going to be committed, but the subject ordinance lays the groundwork for this tool for the ultimate redevelopment of the Forum Plaza.

After a brief discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4147: AN ORDINANCE ADOPTING A PROCEDURE FOR CONSIDERING REDEVELOPMENT PLANS AND TAX ABATEMENT OR EXEMPTION PURSUANT TO CHAPTER 353 OF THE REVISED STATUTES OF MISSOURI. 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; Eudaly, Bowles, Jordan, Williams, Hines, Bahr, Woolley, Long, Bowe, Sawyer, Morris, and Miller. Nays; None. Absent; None. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Resolution Approving Memorandum of Understanding with South Central Regional Veterans Groups (SCRVG): Parks and Recreation Director Scott Caron informed the Council the South Central Regional Veterans Group (SCRVG) has been diligently working on Veterans Park. He reported that over the course of the past year the City and SCRVG have reviewed the terms of the Memorandum of Understanding (MOU) and noted it is due for renewal. Mr. Caron recommended approval of the subject MOU.

VI. NEW BUSINESS (continued)

(A) Resolution Approving Memorandum of Understanding with South Central Regional Veterans Groups (SCRVG) (continued): Mr. Jerry Bumpus, Chairman of the SCRVG, addressed the Council and outlined the SCRVG's fundraising efforts and current and proposed projects for the Veterans Park.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1822: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ROLLA, MISSOURI AND THE SOUTH CENTRAL REGIONAL VETERANS GROUP. A motion was made by Williams and seconded by Sawyer to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. The resolution passed.

(B) Ordinance Readopting Public Officials Personal Disclosure Statement: Finance Director Steffanie Rogers asked the Council to consider readopting the ordinance pertaining to the public officials' financial disclosure statement. She explained the positions of finance director, city administrator, mayor, and Rolla Municipal Utilities general manager, are required to file a personal financial disclosure statement every year in January with the Missouri Ethic Commission. Ms. Rogers said the ordinance must be readopted every two years and she recommended approval of the subject ordinance.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4148: AN ORDINANCE OF THE CITY OF ROLLA MISSOURI, REPEALING SECTION 2-237 OF THE CODE OF THE CITY OF ROLLA, MISSOURI A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND ENACTING A NEW SECTION IN LIEU THEREOF. A motion was made by Eudaly and seconded by Sawyer to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. Ms Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Sawyer to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bahr, Miller, Jordan, Hines, Woolley, Williams, Bowe, Sawyer, Bowles, Long, Eudaly, and Morris. Nays; None. Absent; None. Motion carried. The ordinance passed.

VI. NEW BUSINESS (continued)

(C) Motion Exercising One-Year Extension of ACORN Contract: City Administrator John Butz reported the City has been in partnership with ACORN (A Community Organized to Restore Nature) since 1998, which provides beautification efforts in the downtown planters, at the intersection of Highway 63 and Kingshighway, and at Highway 72. Additionally, ACORN has a memorial tree and bench program that is done in the parks system. Mr. Butz stated the agreement with ACORN was for five years, included a three year term with a two-year extension, and the agreement is currently in its last year. He explained the City reduced the amount of the contribution to ACORN to \$5,000. Mr. Butz indicated staff is proposing a one-year extension of the subject contract, with the same terms, and conditions, subject to the budget appropriation in 2015 for \$5,000.

A motion was made by Williams and seconded by Eudaly to authorize a one-year extension with ACORN under the same terms and conditions subject to budget appropriations for 2015 anticipated in the amount of \$5,000. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

Councilman Williams asked Mr. Butz who is responsible for the mowing of the island at Highway 63 and 72.

Mr. Butz said he noticed the grass in that area is high and would check into it.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Accepting Surplus Items Sold on GovDeals.com: City Administrator John Butz noted a few years ago the Council authorized staff to sell surplus items online via GovDeals.com and it has worked out very well for the City. He noted the only problem is staff is unable to obtain Council approval before selling the item, because we never know what the item might bring. However, Mr. Butz pointed out the pattern has been the items sell for much higher than what the City was typically selling or getting in the local area. He referred the Council to the list of items sold from July 1, 2013 through June 30, 2014 and, for the record, asked the Council to consider accepting the items that were sold through GovDeals.com.

Since selling items through GovDeals.com, E-bay, etc., Mayor Magdits asked Mr. Butz if the Council ever changed its written procedures to allow for this.

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion Accepting Surplus Items Sold on GovDeals.com (continued): Mr. Butz told Mayor Magdits the City's Code has not been amended, but it should be. He said staff plans to officially amend the Code to reflect this change as well as a rewrite of the entire personnel manual.

A motion was made by Williams and seconded by Eudaly to accept the list of surplused items sold through GovDeals.com from July 1, 2013 through June 30, 2014. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VIII. CITIZEN COMMUNICATION

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

(1) Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, updated the Council on what is happening in Buehler Park. He showed the Council photos he took of people visiting Buehler Park and commented on them. One of the pictures included a van with puppies from the PAWS Organization. Mr. Sager explained PAWS take adoptable dogs from areas such as Texas that have no laws to keep dogs from breeding and they take them to places such as Chicago and Michigan where these particular dogs are not available. He told the Council Buehler Park is the transfer point for PAWS. In speaking with the man from PAWS, he said you need to be careful about where you place an animal shelter because dogs make noise, and they can disturb people sleeping in motels, such as the ones located across the street from Buehler Park. Additionally, Mr. Sager announced that PAWS is looking for someone in the Rolla area who might be interested in helping transport the dogs.

Mr. Sager also asked the Council to consider repairing the water lines in Buehler Park so it would be easier to water the trees. He indicated he suggested to Parks and Recreation Director Scott Caron about possibly having a nice garden in the southeast corner of the park.

(2) Mr. Joe Polizzi, 419 Crescent Ridge, Rolla, Missouri, Vice President and General Counsel of Country Mart, addressed the Council and said he knows it is premature in that the Planning and Zoning Commission meeting is tomorrow. He told the Council he wants to give a brief introduction of Country Mart's project. Mr. Polizzi showed a rendition of what they think the exterior of their new store would look like with the rest

VIII. CITIZEN COMMUNICATION (continued)

(A) Open Citizen Communication (continued): (2) (continued) of the plaza being consistent with that look and feel. He then showed the Council a brief slideshow of recently built stores, which are members of the AWG coop located in Springfield, Missouri. Mr. Polizzi said they are not here to bash the other stores and there is a place for the Wal-Marts in a town like Rolla. He stated they fear the Forum Plaza will go dark if there is another supermarket less than a mile down the road.

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(1) Fireworks: Councilman Kelly Long reported that over the past five days he has had much communication with residents in his ward pertaining to fireworks, probably more than on any other issue since he has been on the Council. He explained it all began Wednesday evening when a neighbor, who works for a package delivery service and goes to work at 5 a.m., contacted him. Mr. Long told the Council his comment to him was he was awakened at 11:50 p.m. on Tuesday by fireworks. The neighbor told him it was just another Tuesday night to him and it was not July 4. Mr. Long indicated he spoke with several other folks in his general area and they have real concerns about the number of days fireworks are allowed to be discharged inside the city limits and the midnight deadline. He said he believes this is certainly something the Council should look into and see what the rest of the citizens think.

Mayor Magdits mentioned his concern about the sky lanterns that were discharged in his neighborhood. He asked if they are allowed within the Rolla city limits.

Fire Chief Robert Williams told the Council the Fire Department conducts an inspection of all the fireworks' vendors in Rolla. He said the Department does not necessarily look at the type of fireworks that are being sold, but checks to see if the fireworks stands have been inspected by the State, certified to sell fireworks, and have obtained a business license. Chief Williams added sky lanterns were outlawed last year when Chapter 14 of the Rolla City Code was amended. The reason for the ban is because the lanterns do pose a fire hazard, due to the distance they soar. Chief Williams informed the Council the State Fire Marshal's Office regulates the type of fireworks sold.

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(1) Fireworks (continued): After Council discussion, Mayor Magdits pointed out the Council meeting is broadcast on television, residents will see it, the Rolla Daily News will write something about it, and the Council can receive comments from residents during the next two weeks. The Council can discuss it further, depending on the feedback.

City Administrator John Butz also indicated comments could be made on the City's Facebook page.

(2) Missouri Department of Transportation (MoDOT): Councilman Jim Williams asked Mayor Magdits if he had received any feedback from MoDOT after they received his letter outlining Rolla's concerns pertaining to their proposed project list if the three-quarter cent sales tax proposition is approved.

Mayor Magdits indicated he received verbal feedback and it was supportive of Rolla's comments. He said MoDOT is expected to release the final project list on Wednesday and we should know by late Wednesday or Thursday if Rolla's project is on the list.

Mr. Williams stated unless Rolla's project is on the list, he will not support the sales tax.

City Administrator John Butz added he received some information today. He said he received a phone call from Mr. Paul Hackbarth, editor at the Rolla Daily News, who asked for his comments on the revised schedule. Mr. Butz indicated MoDOT has released something, although the City has not received formal notice. He said he has been told both of the projects requested by the City are now included on the list.

(A) Motion Reappointing Dr. Delbert Day, Councilman Don Morris, and Mr. William E. Hoertel to the Airport Advisory Committee: A motion was made by Williams and seconded by Sawyer to approve the reappointment of Dr. Delbert Day, Councilman Don Morris, and Mr. William E. Hoertel to the Airport Advisory Committee until July 2016 each. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(B) Council Workshop – Transportation/Park Planning (Thursday, July 17?): Mayor Magdits said he would like to schedule a Council workshop on July 17 at 5:30 p.m. to address two issues. He reported City staff recently met with the Rolla West developers who have presented the City with a conceptual idea on a transportation network within the city. Mayor Magdits noted much of it is based on the foundation

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Council Workshop – Transportation/Park Planning (Thursday, July 17?) (continued): which City Administrator John Butz, Community Development Director John Petersen, and Public Works Director Steve Hargis have advocated over the years, which includes the extension of Highway 72 and improvements to Kingshighway. He said the proposal is essentially making the corridor through Rolla pedestrian friendly as opposed to truck-traffic friendly. Mayor Magdits said it is a large project that would be done in the scope within the transportation development district. He indicated staff would like to present that concept and see what Council thinks about it.

Regarding the second issue, Mayor Magdits said he wants to report on the findings from the focus groups as to why they did not support the park tax initiative.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

None.

XII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:35 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

JULY 7, 2014