

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 15, 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, Greg Sawyer, Matthew Miller, Kelly Long, Susan J. Eudaly, Don Morris, Jim Williams, Brian Woolley, and Walt Bowe

Council Members Absent: Monty Jordan, Stephen Bowles, and Tony Bahr

Department Directors in Attendance: Fire Chief Robert Williams, Community Development Director John Petersen, Parks and Recreation Director Scott Caron, Interim Police Chief Rick Williams, 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, Mayor Magdits asked Councilman Matt Miller to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

None.

II. SPECIAL PRESENTATIONS

None.

III. OLD BUSINESS

None.

DECEMBER 15, 2014

IV. NEW BUSINESS

(A) Ordinance Approving Formation of Forum Plaza Community Improvement District (CID) and Cooperative Agreement: City Administrator John Butz recalled the Council has been talking about the redevelopment opportunities for the Forum Plaza for the past several months. Earlier the Council talked about a combination of financing tools of the Chapter 353 property tax abatement and a 1% Community Improvement District (CID) that would support approximately \$4 million of a \$14 million project. Mr. Butz pointed out there was more concern over the 353 property tax abatement provision, which has been removed from the table. Mr. Butz then turned the floor over to Mr. Mark Spykerman, Gilmore & Bell, P.C., the City's bond counsel, who touched on the changes in the proposed ordinance.

Mr. Spykerman reiterated the 353 real estate tax abatement provision is off the table and the only thing left is the CID. He noted there is a petition attached to the proposed ordinance that officially creates the CID. Mr. Spykerman said that petition is unchanged and it says the district will be named "The Rolla Forum Plaza Community Improvement District" and will have the authority to levy a 1% sales tax. Also attached to the ordinance is a cooperative agreement among the City, the CID, and the developer, which has gone through some changes. Mr. Spykerman pointed out the language has been reinforced to say it is a \$4 million cap. Once the CID is able to reimburse the developer for \$4 million in eligible costs, the CID and the sales tax goes away. Additionally, Mr. Spykerman said the \$4 million number is based on a project budget of \$13.9 million. If the developer is able to complete the project under budget, the City Council has said the taxpayers should share in some of that savings and the \$4 million should be reduced.

After a brief discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE NO. 4180: AN ORDINANCE APPROVING A PETITION TO ESTABLISH THE FORUM PLAZA COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI; FINDING THAT THE DISTRICT IS IN A BLIGHTED AREA; DIRECTING THE CITY CLERK TO NOTIFY THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE CREATION OF THE DISTRICT; APPROVING A COOPERATIVE AGREEMENT RELATED TO THE PROJECT DESCRIBED IN THE DISTRICT PETITION; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.**

Mr. Joel Riggs, 5000 Kansas Avenue, Kansas City, Kansas, Supermarket Developers, Inc., asked the Council to consider the final reading of the subject ordinance at this meeting. He informed the Council a closing date is scheduled for two days following the Council's next meeting.

IV. NEW BUSINESS (continued)

(A) Ordinance Approving Formation of Forum Plaza Community Improvement District (CID) and Cooperative Agreement (continued): A motion was made by Morris and seconded by Williams to suspend the rules and 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 Williams and seconded by Long to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Woolley, Bowe, Williams, Hines, Long, Morris, Sawyer, and Eudaly. Nays; Miller. Absent; Bahr, Bowles, and Jordan. Motion carried. The ordinance passed.

(B) Ordinance Calling for an April 7, 2015, Election – Sales Tax Issue on Parks Funding: Parks and Recreation Director Scott Caron told the Council the language in the proposed ordinance is similar to what was approved previously for the November election, which could not take place. He noted the one change made to the ballot language was the removal of the word “intends to” and replaced with “will”. Mr. Caron pointed out no funds from the park sales tax would be used for The Centre nor would tax dollars from the General Fund go to The Centre. He said the Parks and Recreation Department has been split into two separate funds – one for the Recreation Center and one for the Parks Department. Mr. Caron noted there is a sunset provision included in the ballot language. He explained the proposed sales tax is \$0.25 on a \$100 purchase and provides sustainable funding for the near future of the parks operation.

After some discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AUTHORIZING SUBMISSION TO THE VOTERS OF THE CITY OF ROLLA, MISSOURI, AT THE NEXT ELECTION DAY, APRIL 7, 2015, “PROPOSITION P” IMPOSING A MUNICIPAL SALES TAX OF ONE-QUARTER OF ONE PERCENT BEGINNING OCTOBER 1, 2015, FOR EIGHT YEARS, REDUCED TO THREE-SIXTEENTHS OF ONE PERCENT BEGINNING OCTOBER 1, 2023, FOR THE PURPOSE OF PROVIDING FUNDING FOR LOCAL PARKS AND RECREATION, INCLUDING, CONSTRUCTION, OPERATION AND MAINTENANCE OF PARKS.

(C) Ordinance Authorizing the Mayor to Execute an Agreement with Donald Maggi, Inc., for Project 340, MAP 21-ADA Handicap Ramp Improvements: City Administrator John Butz recalled that during its last meeting the Council awarded the bid for this project to Donald Maggi, Inc. He noted this pertains to a grant agreement executed with the Missouri Department of Transportation (MoDOT) to provide funding for handicap ramps, predominantly around elementary schools. Mr. Butz indicated the

IV. NEW BUSINESS (continued)

(C) Ordinance Authorizing the Mayor to Execute an Agreement with Donald Maggi, Inc., for Project 340, MAP 21-ADA Handicap Ramp Improvements (continued) (continued): City would do this over a series of six or seven phases. He noted the amount of the contract is for \$492,313.62. Staff requests the Council consider the first and final reading of the proposed ordinance.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4181: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND DONALD MAGGI, INC. FOR PROJECT 340, MAP 21-ADA HANDICAP RAMP IMPROVEMENTS. A motion was made by Morris and seconded by Eudaly to suspend the rules and 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 Williams and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Sawyer, Eudaly, Hines, Miller, Bowe, Williams, Long, Morris, and Woolley. Nays; None. Absent; Bahr, Jordan, and Bowles. Motion carried. The ordinance passed.

(D) Ordinance Approving the Resubdivision of a Fractional Part of Property Including Lots 1, 4, & 5 of Block 67, County Addition: Community Development Director John Petersen pointed out the subject property is located between Fifth and Sixth Streets. He recalled that about a month ago the Council approved an ordinance to rezone the property from C-3 (Highway Commercial District) to R-3 (Multi-Family District) zoning. Mr. Petersen explained the resubdivision would consolidate interior lot lines so they can be eliminated. He reported the Planning and Zoning Commission unanimously recommend approval. Mr. Petersen added the applicant has requested the Council consider the first and final readings of the subject ordinance at this meeting.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4182: AN ORDINANCE APPROVING THE RESUBDIVISION (CONSOLIDATION OF INTERIOR LOT LINES) OF PROPERTY INCLUDING LOTS 1, 4, & 5 OF BLOCK 67, COUNTY ADDITION, ROLLA, MISSOURI. (WANDS). A motion was made by Eudaly and seconded by Morris to suspend the rules and 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

IV. NEW BUSINESS (continued)

(D) Ordinance Approving the Resubdivision of a Fractional Part of Property Including Lots 1, 4, & 5 of Block 67, County Addition (continued): made by Williams and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Morris, Woolley, Miller, Williams, Hines, Bowe, Sawyer, Eudaly, and Long. Nays; None. Absent; Bahr, Bowles, and Jordan. Motion carried. The ordinance passed.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Transferring Funds from the Park and Recreation Sales Tax Account to Cover the Recreation Operating Deficit: Finance Director Steffanie Rogers asked the Council to consider a motion transferring \$342,000 from the sales tax account to cover the estimated operating deficit for FY 2013/2014. She noted the estimated operating deficit for the Recreation Department is \$292,000 and the SplashZone operating deficit is estimated at \$50,000. Ms. Rogers added that as of September 30, 2014, the sales tax reserve balance was \$4.5 million.

A motion was made by Williams and seconded by Morris to authorize the transfer of \$342,000 from the Recreation sales tax account to the Recreation operating account to cover the estimated operating deficit for Fiscal Year 2013-2014. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(B) Resolution Revising FY 2014 Budget: Finance Director Steffanie Rogers explained this is the final budget adjustment for FY 2014. She noted the proposed adjustments would place the budget into compliance with Chapter 67 of Missouri Statute. The total net impact of all adjustments, including the revenue offset, is \$910,000 increase in expenditures and of that amount, \$981,000 is for depreciation.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1835: A RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2013, AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Williams 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. The resolution passed.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Reappointing Mr. Jack Mentink (Sept. 2019) and Mr. Mark Williams (Oct. 2019) to the Board of Building Appeals: A motion was made by Eudaly and seconded by Morris to reappoint Mr. Jack Mentink and Mr. Mark Williams to the Board of Building Appeals. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(B) Motion Appointing Mr. Bill Wiggins to the Board of Adjustment to Complete the Unexpired Term of Mr. Bill Lindgren (August 2017): A motion was made by Long and seconded by Eudaly to appoint Mr. Bill Wiggins to the Board of Adjustment to complete the unexpired term of Mr. Bill Lindgren. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(C) Motion Appointing Ms. Elizabeth (Bax) Smith to the Industrial Development Authority (IDA) (September 2020 – 1st Term): Mayor Magdits noted that due to term limits, there are currently two vacancies on the Industrial Development Authority (IDA). He asked the Council to consider the appointment of Ms. Elizabeth (Bax) Smith to fill one of those positions. A motion was made by Williams and seconded by Morris to appoint Ms. Elizabeth (Bax) Smith to the Industrial Development Authority (IDA). A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

VII. CITIZEN COMMUNICATION

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

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) Williams Road: Councilman Morris said he appreciated receiving a copy of the e-mail from the Missouri Department of Transportation (MoDOT) regarding Williams Road. He said he does not understand why there is no bump on Fort Wyman Road, but there is a definite bump on Williams Road.

City Administrator John Butz said he does not have much more to add to Mr. Preston Kramer's (Missouri Department of Transportation (MoDOT) Area Engineer for the Meramec Area), response, but said there may not be a feasible engineering solution to it.

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

(A) Williams Road (continued): He said it is the requirement of the State when they do improvements on their routes to comply with the Americans with Disability Act (ADA). He added MoDOT specifically looked at it and felt it met their warrants and standards.

(B) Merry Christmas: Councilman Sawyer wished everyone a Merry Christmas and a Happy New Year.

Mayor Magdits added this is the best of seasons, but we should all find some place in our hearts for the needy and the unfortunate.

(C) Police Chief Questionnaire: City Administrator John Butz mentioned staff circulated the Police Chief questionnaire to Council, Department Directors, and Rolla Police Department employees on the characteristics, traits, and values the City is looking for in the next police chief. He asked that completed questionnaires be turned into his office by Friday.

IX. CLOSED SESSION

None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 7:07 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR