

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 2, 2015; 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, Matthew Miller, Susan J. Eudaly, Kelly Long, Don Morris, Stephen Bowles, Jim Williams, Brian Woolley, and Walt Bowe

Council Members Absent: Greg Sawyer and Tony Bahr

Department Directors in Attendance: Public Works Director Steve Hargis, Fire Chief Robert Williams, Environmental Services Director Brady Wilson, Parks and Recreation Director Scott Caron, Interim Police Chief Rick Williams, Community Development Director John Petersen, 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 a member of the Rolla Ministerial Alliance to give the invocation.

Councilman Jim Williams then led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Bowles to approve the consent agenda as submitted. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried. The consent agenda consisted of the following:

(A) Approval of the Rolla City Council Minutes for the following:

- 1) City Council Meeting – February 2, 2015
- 2) City Council Meeting Closed Session – February 2, 2015
- 3) City Council Meeting – February 17, 2015
- 4) City Council Meeting Closed Session – February 17, 2015

II. PUBLIC HEARINGS

None.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Rolla Historic Preservation Commission: Mr. Randy Stratman, Chairman of the Rolla Historic Preservation Commission recalled last summer the City Council approved an ordinance establishing the Commission. Since August 2014, the Commission has met four times and has been working to become certified so the Commission can access Department of Interior funds for the preservation of historical sites. Mr. Stratman announced the City received word today it qualifies with the State's requirements to access this program. He said the Commission's next goal is setting up the city into historic districts. Additionally, Mr. Stratman indicated the Commission hopes to begin site studies this summer. Mr. Stratman entertained questions from the Council following his comments.

(B) Annual Parks Report: Parks and Recreation Director Scott Caron provided an overview of the City's 2014 Annual Parks Report. He said 95% of Rolla's citizens reside no more than a mile from a City park. He entertained questions and comments from the Council during and following his presentation.

(C) Multi-Vehicle Accident: Fire Chief Robert Williams reported on the multi-vehicle accident, which occurred Saturday evening, February 28, 2014, on Interstate 44 in Rolla. He told the Council there were nine, multi-vehicle accidents in a one mile stretch on Interstate 44 from "radar flats" to the 184 mile marker. The biggest concern for the Fire Department, was a truck carrying terester, which is acid based and highly flammable. Chief Williams said the truck was hit from behind by an eighteen-wheeler. Chief Williams explained terester can be absorbed through the skin and can cause internal injuries. He said 17 people were decontaminated because they were exposed to the substance.

Chief Williams credited the following organizations and individuals for their help during the ordeal: Comfort Suites, the American Red Cross, Phelps County Ambulance, St. James Ambulance, Dixon Ambulance, Pulaski County Ambulance, Rolla Rural Fire Protection District, Doolittle Fire Department, Central Communications, Rolla Police Department, Missouri State Highway Patrol, Missouri Department of Transportation, Department of Natural Resources, USA Tours, Lee's Chicken, Mr. Ray Cook, Mr. Brian Bleckman, First Assembly of God Church, and Missouri University of Science and Technology students.

Due to the terester contamination, Chief Williams reported the Fire Department lost an estimated \$30,000 worth of equipment, which included turnout gear, boots, helmets,

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS (continued)

(C) Multi-Vehicle Accident (continued): hazardous materials and decontamination, tents, etc. He indicated the City would be billing the spiller for these costs as well as \$5,400 for use of the fire trucks and about \$12,000 in salaries.

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

Mayor Magdits referred the Council to **(A)** the January 28, 2015, Parks and Recreation Commission Meeting Minutes; **(B)** the January 2015 Environmental Services Department Monthly Report; **(C)** the February 2015, Fire and Rescue Department Monthly Report; **(D)** the January 2015 Police Department Monthly Report; **(E)** the January 2015 Animal Control Division Monthly Report; **(F)** the January 2015 Municipal Court Monthly Report; **(G)** the January 2015, Rolla Municipal Utilities Monthly Report, **(H)** the January 27, 2015, Rolla Board of Public Works Meeting Minutes; **(I)** the February 20, 2015, Planning and Zoning Commission Meeting Minutes; **(J)** the January 27, 2015, Development Review Committee Meeting Minutes, and; **(K)** the January 29 and February 19, 2015, Animal Shelter Fundraising Development Committee Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Approving the Country Hills Site Plan on All of Lot 2, Country Hills Subdivision, and Located at 2101 Old St. James Road (Hart): Community Development Director John Petersen explained when property is rezoned from commercial to R-3 (Multi-Family District), a site plan is required for development. He said the developer plans to construct, ten, four plex units on the property. Half of the units will have three bedrooms and half will have two bedrooms. Mr. Petersen noted a 1,000 square foot community center would also be constructed.

Mr. Petersen informed the Council that following the last Council meeting, it was discovered that, according to Rolla City Code, the parkland fee-in-lieu-of requirement did not apply to this project. Additionally, the developer has agreed to compensate the City for the purchase of materials associated with the construction of curb, gutter, and sidewalks along the entire frontage of Lot 2 along Old St. James Road. Mr. Petersen asked the Council to consider approving the amended ordinance provided.

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V. OLD BUSINESS (continued)

(A) Ordinance Approving the Country Hills Site Plan on All of Lot 2, Country Hills Subdivision, and Located at 2101 Old St. James Road (Hart): Ms. Debra Shantz Hart, President of Housing Plus, LLC, explained Housing Plus, LLC, made an application to the Missouri Housing Development Commission and they awarded tax credits for the project. The tax credits are sold to a syndicator and the money that is raised from the sale of those credits creates the equity for the project. Ms. Hart said it is the equity infusion that allows a low debt to equity ratio, which means Housing Plus can afford to charge lower rents. Ms. Hart emphasized this is rental housing and not HUD housing. A tenant selection criteria process is necessary before being allowed to live there. As part of that process, Ms. Hart told the Council the potential residents must meet income guidelines. She added anyone with any kind of felony convictions, drug misdemeanors or sex offenders are not allowed to live in the development.

A motion was made by Eudaly and seconded by Morris to amend the proposed ordinance to accept the changes as listed in the ordinance on Page V.A.6. in the agenda packet. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4191: AN ORDINANCE TO APPROVE THE COUNTRY HILLS SITE PLAN FOR ALL THE PROPERTY LOCATED AT 2101 OLD ST. JAMES ROAD, LOT 2 COUNTRY HILLS SUBDIVISION (HART). 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; Williams, Jordan, Eudaly, Woolley, Miller, Bowe, Bowles, Long, Morris, and Hines. Nays; None. Absent: Bahr and Sawyer. Motion carried. The ordinance passed.

(B) Ordinance Repealing Ordinance No. 4188 and Enacting a New Ordinance Authorizing the Mayor to Execute an STP-Urban Program Agreement with the Missouri Highways and Transportation Commission for Signal Backup Power: Public Works Director Steve Hargis explained that following the Council's last meeting, City Counselor Carolyn Buschjost noticed one of the STP-Urban Program Agreements contained a price and one did not. After speaking with the State regarding the discrepancy, Mr. Hargis advised STP agreements should not have dollar amounts in them. He said the State asked the City to change paragraph (12) (A) of the agreement for the signal backup power, by eliminating the price. Mr. Hargis recommended approval of the subject ordinance, which would repeal the previous ordinance and authorize the Mayor to sign the amended agreement.

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V. OLD BUSINESS (continued)

(B) Ordinance Repealing Ordinance No. 4188 and Enacting a New Ordinance Authorizing the Mayor to Execute an STP-Urban Program Agreement with the Missouri Highways and Transportation Commission for Signal Backup Power: City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4192: AN ORDINANCE REPEALING ORDINANCE NO. 4188 AND AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A NEW AGREEMENT IN LIEU THEREOF PERTAINING TO A CERTAIN STP-URBAN PROGRAM AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION. 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 ten ayes, zero nays, and two 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 Long to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bowe, Woolley, Miller, Williams, Hines, Long, Bowles, Jordan, Morris, and Eudaly. Nays; None. Absent; Sawyer and Bahr. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Authorizing the Police Department to Apply for Traffic Grants Through the Missouri Department of Transportation: Interim Police Chief Rick Williams asked the Council to consider approval of the subject ordinance, which would authorize the Rolla Police Department to apply for traffic grants. He explained the subject grant funds overtime for DWI enforcement/checkpoints and seatbelt enforcement.

City Counselor Lane Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4193: 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 Morris to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried. Mr. Thurman then read the proposed ordinance for its final reading, by title.

VI. NEW BUSINESS (continued)

(A) Ordinance Authorizing the Police Department to Apply for Traffic Grants Through the Missouri Department of Transportation (continued): 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; Bowles, Eudaly, Hines, Woolley, Miller, Bowe, Long, Jordan, Morris, and Williams. Nays; None. Absent; Bahr and Sawyer. Motion carried. The ordinance passed.

(B) Motion Approving Use of Rolla National Airport Fields for September 2015 Greek Week Games: City Administrator John Butz explained the Rolla National Airport has hosted the Missouri S&T Interfraternity Council (IFC) Greek Week games for at least 13 years. This year's event is scheduled for September 11 and 19. Mr. Butz said as part of that request, the City allows beer sales under a controlled environment with a gated access point with supervision. He added a bus transports the students to and from the airport. Mr. Butz said staff recommends approval.

A motion was made by Williams and seconded by Bowles to approve use of the Rolla National Airport Fields for Greek Week Games in September 2015, with proper beer sales. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Ordinance Authorizing the Mayor to Execute an Agreement with Insituform Technologies, USA, for Sewer Line Rehabilitation: Public Works Director Steve Hargis explained the subject contract is to rehabilitate approximately one mile of sewers in the central part of the city. He noted this is the fourth year staff is proposing to participate in a cooperative purchasing arrangement with Independence, Missouri. Mr. Hargis said the subject contract is for \$142,510.64 and has been budgeted.

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 INSITUFORM TECHNOLOGIES USA, LLC.

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VIII. CITIZEN COMMUNICATION

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

Mr. Tom Sager, 8 Laird Avenue, apologized for not visiting with the Council for some time. He told the Council he had surgery for a new hip two months ago and has been unable to attend.

Before his hip surgery, Mr. Sager said he went to The Centre almost every day and worked out trying to strengthen his hip before the surgery and he reported he had an excellent outcome. He thanked Parks and Recreation Director Scott Caron and the Parks and Recreation Department for giving the citizens such a wonderful facility. Mr. Sager asked the Council to think of some way to make The Centre available to people who cannot afford it.

Mr. Sager noted if Proposition P does not pass, most parks would not be mowed, except Ber Juan, Schuman, and Green Acres Parks, the Acorn Trail, and the Cemetery and other parks would be designated as “bird sanctuaries.” He reminded the Council the City of Rolla is under a court ordered injunction to take no action inconsistent with Buehler Park’s use as a public park. Mr. Sager said Buehler Park is for people, not for birds.

Parks and Recreation Director Scott Caron responded in order to comply with City ordinances, which states everything must be maintained to a certain standard unless it is designated as a bird sanctuary, it allows the City to not maintain the entirety of the property.

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Appointment of Zachary Robinson to the Industrial Development Authority: A motion was made by Williams and seconded by Bowles to appoint Mr. Zachary Robinson to fill the vacancy on the Industrial Development Authority (IDA). A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(B) American City Planner: Councilman Long told the Council he recently read a profile of an American City Planner. He said this particular planner proposed a pre-

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) American City Planner (continued): planned American city, which he described as a green country town that would never be burnt and would always be wholesome. The city would be two square miles in size with a wide street laid out perpendicularly, thus forming four grids. Four open squares of parks would be placed in the corner of each grid so a citizen was never more than one mile away from a city park. Additionally, a fifth square would be placed in the center of the city intended for public buildings and city meeting space. These five public spaces were intended to serve as the city's center and provide citizens with what was described as open green space to gather together and enjoy. His plan for each city lot was to be between one-half and one acre with plenty of room for residents to plant their own gardens. There was to be additional space in each quadrant for small parks and the entire city was planned to be encircled by a green belt, thus even the city dweller could live in a country-esque manner.

Mr. Long said the reason he finds this so compelling is it was written by William Penn in 1681 and the city which he refers to is Philadelphia, Pennsylvania. Mr. Long said his point is it seems as though the notion of protecting and promoting parks is as old as the notion of our country itself. With Proposition P, the citizens of Rolla have the opportunity that someone someday might say the City Council was as passionate for and cared about our public areas as much as William Penn cared about his over 300 years ago.

(C) Street Crew: Councilman Morris complimented and thanked Public Works Director Steve Hargis and his crew about how good and quick they were to get the snow cleared from the streets.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

None.

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XII. CLOSED SESSION ACTION

None.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:52 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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