

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, AUGUST 17, 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 Crowell, Kelly Long, Susan J. Eudaly, Don Morris, John K. Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: Matthew Miller

Department Directors in Attendance: Public Works Director Steve Hargis, Environmental Services Director Brady Wilson, Police Chief Sean Fagan, Interim Fire Chief Ron Smith, Community Development Director John Petersen, Interim Parks and Recreation Director Ken Kwantes, 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 John Meusch led in the Pledge of Allegiance.

I. PUBLIC HEARINGS

(A) Ordinance Setting the 2015 Tax Rate: Finance Director Steffanie Rogers referred the Council to the calculations for the 2015 tax rate settings. She noted the State's calculations were confirmed and the tax rate for 2015 remains the same as 2014. Ms. Rogers asked the Council to consider the first and final readings of the proposed ordinance, since it must be certified to the Phelps County Clerk by September 1, 2015.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the proposed 2015 tax rates.

Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, stated he does not mind paying taxes, but does mind some of the things that are done with his taxes and he objects to the proposed tax rates. Mr. Sager noted there are so many wastes of money in this City, i.e. Rolla Regional Economic Commission (RREC), \$100,000 year; money to out of town developers. Mr. Sager focused on the November 2014 election and how the City wasted

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I. PUBLIC HEARINGS (continued)

(A) Ordinance Setting the 2015 Tax Rate (continued): \$18,000. He explained the City put Proposition P on the ballot for November 2014 and then a couple of weeks before the election the City discovered it was illegal to do so and the court suppressed the counting of the ballots. However, the City still had to pay \$18,000 for the election. Mr. Sager emphasized there is no way that anyone can say the City got anything for this money. He told the Council he is of the opinion the City should put the \$18,000 back in the City treasury before going to the citizens and ask them to pay any more taxes because there is absolutely no excuse for wasting money this way.

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

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. **ORDINANCE NO. 4221: AN ORDINANCE FIXING THE TAX LEVY FOR GENERAL REVENUE, LIBRARY AND PARK BY THE CITY OF ROLLA, MISSOURI, FOR THE YEAR 2015.** 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, one nay, 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; Hines, Long, Jung, Williams, Jordan, Eudaly, Crowell, Meusch, Woolley, Morris, and Bowe. Nays; None. Absent; Miller. Motion carried.

II. SPECIAL PRESENTATIONS

(A) Your Community Health Center: Ms. Amy Beechner-McCarthy, Chief Executive Officer of Your Community Health Center, 1050 West Tenth Street, Suite 480, PCRMC Medical Office Building, Rolla, Missouri, informed the Council that it has been in operation since February 27, 2014. She explained it is a federally qualified health care center and their federal designation occurred in October 2013. Ms. Beechner-McCarthy said the reason the Health Center was designated as a federally qualified health care center was based on need because 41% of the population in Phelps County earns income below 200% of the federal poverty level. She asked the Council to please let people know about the Health Center's services. Additionally, she told the Council that on April 23, 2016, the Health Center would be hosting a progressive dinner to help raise funds and awareness for a larger facility. Ms. Beechner-McCarthy explained the Health Center

II. SPECIAL PRESENTATIONS (continued)

(A) Your Community Health Center (continued): plans to ask for \$500,000 in NAP (Neighborhood Assistance Program) Credits. She asked the City to consider donating some of its hours with the Meramec Regional Planning Commission (MRPC).

(B) Rolla Municipal Utilities (RMU) FY 2015 Third Quarter Report: Rolla Municipal Utilities General Manager Rodney Bourne provided a brief overview of the Rolla Municipal Utilities' (RMU) FY 2015 Third Quarter Report. He mentioned the complete report is available for review at www.rollamunicipalutilities.org. Additionally, Mr. Bourne highlighted portions of RMU's FY 2016 budget.

III. OLD BUSINESS

(A) Ordinance Authorizing the Mayor to Execute an Agreement and Work Order No. 1 with Alta Planning + Design, Inc., for a Complete Streets Policy Strategy: Public Works Director Steve Hargis said staff is seeking approval of an ordinance that would authorize the Mayor to enter into a professional services agreement with Alta Planning + Design, Inc. The main function of these consultants would be to assist the City in implementing a complete streets strategy for Rolla. Mr. Hargis explained, in essence, the City is looking for help in how to gauge what the community would like to see in the way of specific guidelines and strategies that might be incorporated to enhance Rolla's transportation system. He recalled that during its last meeting, the Council discussed reaching out to Missouri University of Science & Technology (Missouri S&T) for their assistance. Mr. Hargis reported he contacted Ms. Angela B. Rolufs, Director, Office of Sustainable Energy and Environmental Engineering, and Dr. Joel Burken, Associate Department Chair and Professor, Civil, Architectural and Environmental Engineering/Director, Environmental Research Center for Emerging Contaminants.

Ms. Rolufs addressed the Council and said she was excited when Mr. Hargis called and asked for assistance with this project because it fits so well with what she does on campus and, it fits well with the entire strategic plan. She explained the campus' main goal is to educate our students. However, we want to educate them to be responsible citizens who can engage with our community. Ms. Rolufs said they also have a goal to lead sustainability, by example, including environmental sustainability, and the social and economic aspects of sustainability. She noted that in the campus' raw strategic plan, it has a specific action item, which is to make the campus more walkable and friendlier for bicycles and pedestrians.

III. OLD BUSINESS (continued)

(A) Ordinance Authorizing the Mayor to Execute an Agreement and Work Order No. 1 with Alta Planning + Design, Inc., for a Complete Streets Policy Strategy (continued): Ms. Rolufs then introduced student Mr. Adam McMikle, who has been working with her on the campus strategic planning committee. He is the president of the student council and is very involved in the bicycle club.

Mr. McMikle informed the Council that Ms. Rolufs has done wonderful things for the campus and continues to host great conversations with the students about sustaining campus life and enriching it overall through holistic means.

Dr. Burken said he believes this is a great opportunity because we know we are going to have considerable infrastructure investment and would be considering all modes of transportation. It would be advantageous for safety, ease, and satisfaction with living in Rolla. He noted the bike racks on campus and downtown are rapidly filling up and the parking spaces are full and beyond capacity in many cases. Dr. Burken said this is the way to look at alleviating some of those issues for our downtown area where we mesh with campus. Dr. Burken noted that overall, the campus has over 8,700 students, which is more than double our lull of about 15 years ago, and there is no plan on capping it. The University is going to keep expanding as long as it remains one of the best investments in education.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4222: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI CERTAIN AGREEMENTS BETWEEN THE CITY OF ROLLA, MISSOURI AND ALTA PLANNING + DESIGN, INC., FOR THE DEVELOPMENT AND IMPLEMENTATION OF A COMPLETE STREETS STRATEGY. 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, Meusch, Jordan, Williams, Hines, Jung, Long, Bowe, and Morris. Nays; Woolley and Crowell. Absent; Miller. Motion carried. The ordinance passed.

(B) Ordinance Amending Section 34-1 of the Rolla City Code Pertaining to the "Health Authority": City Administrator John Butz noted City Code currently limits the City's flexibility when working with the Health Authority, particularly in restaurants and hotels when quick action is needed. The Health Authority is currently established as the Health Director for the County and the City's Codes Administrator. Mr. Butz explained

III. OLD BUSINESS (continued)

(B) Ordinance Amending Section 34-1 of the Rolla City Code Pertaining to the “Health Authority” (continued): the subject ordinance allows the City, in the absence of the Codes Administrator, to have a designee. He noted staff would establish the designee administratively with the City’s Codes Administrator, Steve Flowers.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4223: AN ORDINANCE REPEALING SECTION 34-1 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 34-1 IN LIEU THEREOF RELATING TO RESTAURANTS AND OTHER FOOD-SERVICE ESTABLISHMENTS. 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; Jung, Jordan, Hines, Woolley, Williams, Bowe, Crowell, Meusch, Long, Eudaly, and Morris. Nays; None. Absent; Miller. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Motion Abating Nuisance at 107 W. 3rd Street (Over \$1,000): Codes Administrator Steve Flowers provided a brief history on the subject property located at 107 West Third Street. He informed the Council that the taxes on this property have not been paid for 2013 and 2014 and, if not paid in 2015, the property would be up for sale by the County Collector in August 2016. Mr. Flowers told the Council the City currently has a Special Tax Bill against the property for \$898.26, which includes administrative fees and interest. He explained City staff is recommending abatement of the nuisance on this property by removing the debris, demolishing the shed, boarding up all windows, and covering the hole in the chimney. Mr. Flowers indicated staff obtained three bids to abate this nuisance with the lowest bid being \$1,300.00. After discussion, a motion was made by Williams and seconded by Morris to authorize the abatement of the nuisance at 107 W. Third Street, for \$1,300.00, with Harris Lawn Care. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Ordinance Approving the Resubdivision of a Portion of Lots 1, 2, 6, and 7, Block 18, Frisco Subdivision (Lin): Community Development Director John Petersen explained the property owner is requesting the resubdivision of his property by consolidating a portion of Lots 1, 2, 6 and 7, in Block 18, of the Frisco Subdivision into one lot. The new subdivision would be called Arkansas Plaza. Mr. Petersen noted the

IV. NEW BUSINESS (continued)

(B) Ordinance Approving the Resubdivision of a Portion of Lots 1, 2, 6, and 7, Block 18, Frisco Subdivision (Lin) (continued): property consists of .36 acres or 15,681 square feet and the property is zoned R-3 (Multi-Family District). He reported the Planning and Zoning Commission recommend approval of the requested subdivision. Mr. Petersen added the developer's representative has submitted a letter asking the Council to consider the first and final readings of the subject ordinance at this meeting.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4224: AN ORDINANCE APPROVING THE ELIMINATION OF INTERIOR LOT LINES AND THE DESIGNATION OF A NEW LOT 1, A RE-PLAT OF THE WEST HALF OF LOTS 1 AND 2, THE NORTH HALF OF LOT 6, THE EAST 50 FEET OF LOT 7, IN BLOCK 18, OF THE FRISCO SUBDIVISION, AND A FRACTIONAL PART OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 8 WEST ROLLA, MISSOURI, LOT 15, A PLAT LOCATED IN ROLLA, MISSOURI (LIN) (ARKANSAS PLAZA). A motion was made by Williams and seconded by Morris to suspend the rules and the ordinance be read for its final reading, by title. A hand count on the motion showed six ayes, five 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; Bowe, Woolley, Williams, Hines, Jung, Meusch, Jordan, Morris, Long, Eudaly, and Crowell. Nays; None. Absent; Miller. Motion carried. The ordinance passed.

(C) Ordinance Approving the Final Plat of Deer Crossing East III (Renick): Community Development Director John Petersen informed the Council that Mr. John Renick is requesting the resubdivision of Deer Crossing East II. He said the subdivision, which includes Lots 3 through 13, consists of a total of 7.2 acres. Either Lot 15 would be dedicated to the City as public parkland or the developer would pay \$4,392 as a fee-in-lieu-of contribution. Mr. Petersen said staff is proposing Lot 15 be transferred to the City to meet park dedication requirements and to expand the hiking and biking trail system.

Interim Parks and Recreation Director Ken Kwantes indicated Lot 15 is located adjacent to the existing bike trail. Usually, staff would recommend fee-in-lieu-of parkland. However, this property ties in with the City's existing bike trail and it is a key component because it gives the Park Department access and helps staff get its equipment across the street.

IV. NEW BUSINESS (continued)

(C) Ordinance Approving the Final Plat of Deer Crossing East III (Renick) (continued): City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4225: AN ORDINANCE APPROVING THE FINAL PLAT OF DEER CROSSING EAST III, A MAJOR SUBDIVISION IN ROLLA, MISSOURI BEING A RE PLAT OF LOT 1, DEER CROSSING EAST II, PHELPS COUNTY, MISSOURI. (RENICK). A motion was made by Eudaly 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 Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Jordan, Jung, Eudaly, Woolley, Bowe, Crowell, Meusch, Long, Morris, and Hines. Nays; None. Absent; Miller. Motion carried. The ordinance passed.

(D) Ordinance Approving the Aviation Consultant Agreement with Jviation for Terminal Building Design: City Administrator John Butz explained the City receives what is called “non-primary entitlement” at the Rolla National Airport from the State of Missouri. He said the City would like to obligate its 2012 funds of about \$63,000 that are about to expire to do the design work for a new terminal building and have a contract in place that provides the design and construction and administration services. Mr. Butz said the City would construct the terminal whenever the Council is ready. He said staff believes the City will have the funding next year once the 2015 entitlement is received. Mr. Butz said the total project would be about \$600,000 including design and construction. Jviation is the firm selected by the City about four years ago to provide the aviation consulting.

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 JVIATION, INC., PERTAINING TO AVIATION PROJECT CONSULTANT AGREEMENT AT THE ROLLA NATIONAL AIRPORT.

(E) Ordinance Approving Grant Agreement for Airport Terminal Building Design Services: City Administrator John Butz explained the subject grant agreement covers 90% of the funding for professional services pertaining to the airport terminal building.

IV. NEW BUSINESS (continued)

(E) Ordinance Approving Grant Agreement for Airport Terminal Building Design Services (continued): 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 THE MISSOURI DEPARTMENT OF TRANSPORTATION REGARDING A STATE BLOCK GRANT AGREEMENT FOR TERMINAL BUILDING DESIGN AT THE ROLLA NATIONAL AIRPORT.

(F) Motion Approving Parks and Recreation Director Search Committee: City Administrator John Butz explained the structure for the Parks and Recreation Director search is similar to what was used for the police chief and fire chief searches. He noted it would be an open search and both internal and external candidates are encouraged to apply. Mr. Butz said it would take about four months to go through the process. He said the proposed Search Committee consists of the following: City Administrator John Butz, Council Representatives Walt Bowe and Mayor Lou Magdits, Parks and Recreation Commission representative Dr. Bill Moorkamp, Retired and Interim Parks Director Ken Kwantes, Community representative Kevin Edwards, and Ex-officio member Mr. Keith Kilmer of Kilmer Investigations.

A motion was made by Jordan and seconded by Long to approve the Parks Director Search Committee and process as submitted. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

V. CLAIMS and/or FISCAL TRANSACTIONS

None.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Reappointing Mr. Matthew Z. Williams (August 2019) to the Board of Public Works: A motion was made by Williams and seconded by Eudaly to reappoint Mr. Matthew Z. Williams to the Board of Public Works. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Complete Streets Strategy: Councilman Matthew Crowell stated he does not want it to appear that he is opposed to the concept of “complete streets,” because he believes it is a good idea and is glad the City is taking this step. He explained he is just not convinced the City needs to spend the \$30,000 to have somebody tell us that. Because as Missouri S&T, Public Works Director Steve Hargis, and many of the Council pointed out, we already know what we need to do. We need to take into consideration bike and walking paths, etc. Mr. Crowell said he wants to make it clear that he supports it and it is a good idea, but emphasized he is still not convinced the \$30,000 is money well spent.

VII. CITIZEN COMMUNICATION

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

Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, thanked Public Works Director Steve Hargis for painting the white lines and arrows on Park Street in the front of the Post Office. He recalled that during the Council’s last meeting, he mentioned this was an accident waiting to happen. Mr. Sager suggested adding “cross traffic does not stop” signs at the intersection.

Mr. Sager showed the Council pictures of Ber Juan Pond before and after the rain last weekend. He noted almost all of the pond scum is gone. Mr. Sager said if the City cannot afford a few thousand dollars for an aerator, maybe the Council can learn to make it rain.

No one else present addressed the Council.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) Animal Shelter Open House: Councilwoman Susan Eudaly thanked everyone for their attendance and support of the recent Animal Shelter Open House.

(B) Budget Meetings: City Administrator John Butz informed the Council the City’s Finance/Audit Committee would be meeting on August 24 in the Third Floor Conference Room at 5:30 p.m. to review the proposed FY 2016 budget.

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

(B) Budget Meetings (continued): Mr. Butz indicated the City Council budget workshop would be held on Tuesday, September 1, 2015, at 5:30 p.m. in the Council Chambers.

(C) Major Transportation Plan Meetings: City Administrator John Butz recalled that about a month ago City staff announced some public meetings pertaining to the major transportation plan. He noted a public meeting had been scheduled for this Thursday, August 20. However, since it has been such a large project and undertaking, the City is not prepared to have this meeting.

IX. CLOSED SESSION

A motion was made by Williams and seconded by Jordan to adjourn into closed session pursuant to 610.021 RSMo. to discuss litigation. A roll call vote on the motion showed the following: Ayes; Bowe, Woolley, Williams, Hines, Long, Meusch, Jordan, Morris, Crowell, Eudaly, and Jung. Nays; None. Absent: Miller. Motion carried.

The Council adjourned into Closed Session at approximately 8:12 p.m.

X. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:47 p.m.

City Counselor Lance Thurman reported that during Closed Session the Council discussed one matter of litigation. No final action was taken.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at 8:48 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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