

**ROLLA CITY COUNCIL MEETING MINUTES  
TUESDAY, SEPTEMBER 8, 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, Matthew Miller, Susan J. Eudaly, Don Morris, John Meusch, Jim Williams, Brian Woolley, and Walt Bowe

**Council Members Absent:** Kelly Long and Steven Jung

**Department Directors in Attendance:** Public Works Director Steve Hargis, Police Chief Sean Fagan, Finance Director Steffanie Rogers, Environmental Services Director Brady Wilson, Interim Fire Chief Ron Smith, and Community Development Director John Petersen

**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.

Mayor Magdits then asked Councilman Jim Williams 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 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 Workshop – July 27, 2015
- 2) City Council Meeting – August 3, 2015
- 3) City Council Meeting – August 17, 2015
- 4) City Council Meeting Closed Session – August 17, 2015

**II. PUBLIC HEARINGS**

**SEPTEMBER 8, 2015**

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 2**

**(A) Ordinance Approving the Development of a FERC at 1100 Highway 72 Event Center:** Mayor Magdits announced at the applicant's request, following the public hearing and some Council discussion, the Council would be asked to keep the public hearing open until the September 21, 2015, Council meeting.

Community Development Director John Petersen explained the subject property consists of approximately three acres and the building contains about 20,000 square feet.

City Administrator John Butz pointed out the idea of the FERC (Family Entertainment Recreation Complex) is it brings together a multi-generational diverse use in one building. Because it is a FERC, the City requires it to go through a conditional use process, which allows the City Council to impose conditions that would be different from a by-right use in a C-2 (General Retail District) zone.

Mr. Petersen reported the Planning and Zoning Commission recommend approval of the FERC with the proposed conditions.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject FERC. No one present responded.

A motion was made by Morris and seconded by Eudaly to keep the public hearing open until the September 21, 2015, City Council meeting. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**(B) Ordinance Considering the City of Rolla Fiscal Year 2015/2016 Budget:** City Administrator John Butz explained the proposed Fiscal Year 2015/2016 budget is about a \$28 million spending plan. Some of the \$28 million is spending down the balance by about \$1 million of a \$3 million lease/financing approved in FY 2015. Mr. Butz said staff hopes to end this year and next year with about a \$250,000 General Fund surplus. He noted this is the first time in eight years the City has some funding and flexibility to do some things, which the City has not been able address, such as employee compensation. With the success of Proposition P, Mr. Butz indicated the City has been able to fully fund the traditional park system, which includes SplashZone. Mr. Butz pointed out there is a 5% sewer rate increase proposed in this budget.

Councilman Williams noted nothing was mentioned about the possible recreation fees for youth and senior citizens.

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 3**

**II. PUBLIC HEARINGS (continued)**

**(B) Ordinance Considering the City of Rolla Fiscal Year 2015/2016 Budget (continued):** Mr. Butz responded those fees were in the 2015 budget, but were not implemented. The discussion was that in 2016, the City would come back with a complete list of our fees and charges and review it in a separate meeting with the Council to explore whether, in light of Proposition P, the Council wants to proceed with implementation of the senior fees both at Eugene E. Northern Community Hall, and youth fees. Mr. Butz said it really does not affect the numbers in the budget.

Mayor Magdits added staff would like to first approve the FY 2016 budget and Council can always come back and modify the budget.

Councilman John Meusch entered the meeting at approximately 6:54 p.m. and Councilman Brian Woolley entered the meeting at approximately 6:56 p.m.

Much discussion ensued regarding parks and recreation fees for the youth and seniors. Mr. Butz indicated staff plans to submit a complete list of the fees in October.

Councilman Crowell indicated it would be vital for him and the citizens to hear from Rolla Regional Economic Commission (RREC) Executive Director Cyndra Lorey about what the City is getting for \$100,000 a year.

Mayor Magdits suggested hearing from Ms. Lorey during the Council's next meeting.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the proposed FY 2015/2016 budget. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2015, AND APPROPRIATING FUNDS PURSUANT THERETO.**

**III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS**

None.

**SEPTEMBER 8, 2015**

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 4**

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

Mayor Magdits referred the Council to (A) the July 2015 Environmental Services Department Monthly Report; (B) the July 2015, Police Department Monthly Report; (C) the July 2015 Animal Control Division Monthly Report; (D) the July 28 and August 25, 2015, Development Review Committee Meeting Minutes; (E) the August 11, 2015, Preliminary Planning and Zoning Commission Preliminary Meeting Minutes; (F) the July and August 2015, Municipal Court Monthly Reports; (G) the June 29, 2015, Enhanced Enterprise Zone Annual Meeting Minutes, and; (H) the August 2015 Fire Department Monthly Report.

**V. OLD BUSINESS**

**(A) Ordinance Approving the Aviation Consultant Agreement with Jviation for Terminal Building Design:** City Administrator John Butz recalled that about three years ago the City selected Jviation as its airport consultant, which allows the City under a window of procurement with the State to use them for up to a five-year period. The City has completed all of its planned capital improvements at the airport on the solely aviation side, i.e., runway maintenance, painting and striping. Mr. Butz said the City receives an entitlement of \$150,000 a year that comes through the Federal government to the State and made available to general aviation airports. He noted the City has accumulated a balance of 2012 funds, which needs to be obligated this month, or the funds are forfeited. Mr. Butz explained the Airport Advisory Committee reviewed the next planned improvement, which is the replacement of the old 1940's framed military office, and replace it with a new airport terminal office building. The project is a 90% grant funded with the City's portion being 10% out of a \$108,000 contract.

Following some discussion, City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4226: 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 AN AVIATION PROJECT CONSULTANT AGREEMENT AT THE ROLLA NATIONAL AIRPORT. 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; Crowell, Miller, Eudaly, Hines, Woolley, Morris, Bowe, Williams, and Meusch. Nays; Jordan. Absent; Long and Jung. Motion carried. The ordinance passed.

**V. OLD BUSINESS (continued)**

**SEPTEMBER 8, 2015**

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 5**

**(B) Ordinance Approving Grant Agreement for Airport Terminal Building Design**

**Services:** City Administrator John Butz explained this is the grant portion of the airport terminal building design. Since the first reading of the subject ordinance, the grant agreement has been revised by the Missouri Department of Transportation (MoDOT) to increase the grant award by \$2,000. Mr. Butz said this is a grant agreement with the State for a total of \$113,546 of which the City would be responsible for \$12,600, if the costs come in at \$113,546.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. **ORDINANCE NO. 4227: 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.** A motion was made by Williams and seconded by Woolley to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Hines, Woolley, Miller, Bowe, Crowell, Meusch, Morris, and Eudaly. Nays; Jordan. Absent; Jung and Long. Motion carried. The ordinance passed.

**VI. NEW BUSINESS**

**(A) Ordinance Approving the Resubdivision of Lot 17, Oak Knoll Estates (Happy Jack's Subdivision) (Frost):** Community Development Director John Petersen explained the subject resubdivision would correct an illegal lot split by eliminating the interior lot line. Additionally it would create one lot from Lot 17, Oak Knoll Estates, and Lot 3 in Happy Jack's Subdivision. The second component is the development of a flag lot to provide access to the back of the property.

At the recommendation of Interim Fire Chief Ron Smith, City Administrator John Butz suggested language be added to either the plat or the proposed ordinance, stating a fire apparatus access road shall extend to within 150 feet from the road to the building.

A motion was made by Eudaly and seconded by Jordan to amend the proposed ordinance by adding the following: "That a fire apparatus access road must be provided per International Fire Code 2000 Section 502 and 503 for Lot 2 of the Happy Jack's Subdivision." A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**SEPTEMBER 8, 2015**

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 6**

**VI. NEW BUSINESS (continued)**

**(A) Ordinance Approving the Resubdivision of Lot 17, Oak Knoll Estates (Happy Jack's Subdivision) (Frost) (continued):** City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title, as amended. ORDINANCE: AN ORDINANCE APPROVING THE FINAL PLAT OF HAPPY JACK'S SUBDIVISION, LOT 17 IN OAK KNOLL ESTATES AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 8 WEST (FROST).

**(B) Motion Authorizing the Destruction of Certain Records:** Finance Director Steffanie Rogers asked the Council to consider the destruction (shredding) of the following records: 2002 – 2003 Case Files (microfilmed); July 2010 to February 2012 Police Hiring Processes, and; 2008 to 2010 Police Background Investigation – non-hired applicants. A motion was made by Williams and seconded by Eudaly to authorize the destruction of the above-listed records. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**(C) Ordinance Repealing Ordinances 4189 and 4195 Pertaining to STP-Urban Program Agreements for Projects STP-5200(914) and STP-5200(916):** Public Works Director Steve Hargis recalled during previous meetings the City Council approved Ordinance No. 4189, which was for pavement markings at various locations throughout the city and Ordinance No. 4195 was approved authorizing the replacement of high pressure sodium LED lights. Mr. Hargis indicated both projects were to be financed through the STP Urban Funds, which is an entitlement fund through the Federal government through the State. He explained both of these projects were originally approved by the State, but both have since hit snags. Mr. Hargis said staff is recommending both projects be done entirely with City funds and staff would look for future funding opportunities for the STP Entitlement Funding.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE REPEALING ORDINANCE NO. 4189, WHICH AUTHORIZED THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN STP-URBAN PROGRAM AGREEMENT FOR PROJECT STP-5200(916) WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE REPEALING ORDINANCE NO. 4195, WHICH AUTHORIZED THE MAYOR TO EXECUTE ON BEHALF OF THE

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 7**

**VI. NEW BUSINESS (continued)**

**(C) Ordinance Repealing Ordinances 4189 and 4195 Pertaining to STP-Urban Program Agreements for Projects STP-5200(914) and STP-5200(916) (continued):** CITY OF ROLLA, MISSOURI, A CERTAIN STP-URBAN PROGRAM AGREEMENT FOR PROJECT STP-5200(914) WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION.

**(D) Ordinance Authorizing the Mayor to Execute Grant Amendment #1 for Rolla National Airport Entrance Road and T-Hangar Apron:** City Administrator John Butz informed the Council this grant is for work, which was done in 2014. He explained some of the repaving of the airport entrance road, parking lot, and apron around the T-hangar was funded at 95% and some at 90%. Additionally, some of the work came in less than bid and some higher. Mr. Butz informed the Council this grant came in with a net increase of about \$10,000. He emphasized there is no outlay of cost, rather an additional payment of grant award for work done in 2014. He added this grant reimburses the City about 93% and closes out the 2011 and 2012 STP funds.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4228: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, AMENDMENT #1 TO A CERTAIN STATE BLOCK GRANT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, PROJECT NO. 12-056A-1B, AIRPORT IMPROVEMENT PROGRAM. A motion was made by Morris and seconded by Hines to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed nine ayes, one nay, 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 Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Woolley, Bowe, Miller, Williams, Hines, Meusch, Morris, Crowell, Eudaly, and Jordan. Nays; None. Absent; Jung and Long. Motion carried. The ordinance passed.

**(E) Motion Considering the Columbus Day Holiday on Monday, October 12:** City Administrator John Butz informed the Council that Columbus Day is not one of the listed holidays in the personnel manual. However, because the banks, County offices, and State offices are closed, citizens think the City is closed on that day. Mr. Butz recalled last year the Council approved a motion to grant this holiday with the condition it would be placed in the City's personnel rules when they are updated and adopted. He noted staff is still in the process of updating the personnel manual and plans to bring it to the Council

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 8**

**VI. NEW BUSINESS (continued)**

**(E) Motion Considering the Columbus Day Holiday on Monday, October 12 (continued):** within a few months. Because the public safety employees do not get the benefit of a set holiday, they are compensated for the holiday, which is estimated to cost the City \$8,000.

After some discussion, a motion was made by Eudaly and seconded by Morris to grant the Columbus Day holiday on Monday, October 12, 2015. A voice vote on the motion showed nine ayes, one nay, and two absent. Motion carried.

**VII. CLAIMS and/or FISCAL TRANSACTIONS**

**(A) Motion Awarding Bid for Fire Department Extrication Equipment:** Interim Fire Chief Ron Smith asked the Council to consider purchasing extrication equipment, which is also known as the Jaws of Life. Staff is recommending the replacement of a 1997 and 1998 set. Mr. Smith said the department is finding it increasingly difficult to find parts and to service this equipment. He said staff is recommending the bid be awarded to the low bidder, Fire Master for \$41,298.76. Staff plans to sell the current equipment through GovDeals.com. Mr. Smith noted a couple of local fire departments, such as Anutt and Edgar Springs Fire Departments have expressed interest in the current equipment.

After some discussion, a motion was made by Williams and seconded by Woolley to award the bid for the extrication equipment to Fire Master for \$41,298.76 and to surplus the existing equipment on GovDeals.com. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**VIII. CITIZEN COMMUNICATION**

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

Mr. John Michael Emmons, the new General Manager at the Regal Entertainment Forum Movie Theater, informed the Council they are currently under construction and are remodeling. He said they are trying to provide a better guest service to their patrons and to plan for the future.

No one else present addressed the Council.

**SEPTEMBER 8, 2015**



**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Mayor Magdits:** Mayor Magdits stated the Council asked some very good questions regarding economic development in the context of the amount the City is spending for that effort. In thinking about it, the Mayor said it is even more important the Council is very clear as to what this organization is doing for economic development. He told the Council there are many decisions they make during the year that somehow tie into economic development. Mayor Magdits indicated it is important the City become more involved. He informed the Council the Rolla Regional Economic Commission (RREC) general board meetings are typically held on the third Friday of each month and it is open to the public. So more people can attend, the Mayor said he would speak with the board about scheduling some of the meetings during the evening.

**(B) Crosswalks Near Castleman Hall:** Councilman Woolley mentioned the crosswalks in front of Castleman Hall in front of Leach Theater on Tenth Streets need to be repainted.

**(C) Lawn Maintenance:** Councilman Morris commended a man who lives on Rolla Street, who mows his lawn while in his motorized wheel chair. Mr. Morris said if he can go to the trouble of keeping his yard looking nice in the condition he is in, it would be nice if other folks could expend a little energy and take care of their lawns.

**X. COMMENTS FOR THE GOOD OF THE ORDER**

**(A) HNTB Presentation:** City Administrator John Butz reminded the Council and citizens of the HNTB presentation, which would be held on September 14, 2015, from 5 p.m. to 7 p.m. in the City Council Chambers. Mr. Butz said there would be a series of displays showing the plans for the major transportation improvements, i.e., Kingshighway, Highway 72 extension, service roads, Tenth Street, tie in at Walnut Street, improvements accessing downtown, complete streets strategy. He encouraged citizens to attend.

**XI. CLOSED SESSION**

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

**COUNCIL MEETING MINUTES  
SEPTEMBER 8, 2015  
PAGE 10**

**XI. CLOSED SESSION (continued)**

The Council adjourned into closed session at approximately 7:56 p.m.

**XII. CLOSED SESSION ACTION**

The Council reconvened into open session at approximately 8:14 p.m.

City Counselor Lance Thurman reported no final action was taken during closed session.

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at 8:15 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

**SEPTEMBER 8, 2015**