

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, JANUARY 4, 2016; 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, Kelly Long, Susan J. Eudaly, Don Morris, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: None.

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, Assistant Fire Chief Jeff Breen, 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 Kelly Long led 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 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) City Council Meeting – December 7, 2015
- 2) City Council Meeting – December 21, 2015
- 3) City Council Meeting Closed Session – December 21, 2015

II. PUBLIC HEARINGS

None.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Assistant Fire Chief Jeff Breen: Mayor Magdits congratulated Mr. Jeff Breen on his recent appointment to the position of Assistant Fire Chief. He noted that Mr. Breen was promoted from Fire Captain to Assistant Fire Chief.

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

Mayor Magdits referred the Council to **(A)** the November 2015 Environmental Services Department Monthly Report; **(B)** the November 2015, Police Department Monthly Report; **(C)** the November 2015 Animal Control Division Monthly Report; **(D)** the November 2015 Rolla Municipal Utilities Monthly Report; **(E)** the November 24, 2015, Rolla Board of Public Works Meeting Minutes; **(F)** the December 8, 2015, Planning and Zoning Commission Preliminary Meeting Minutes, and; **(G)** the December 2015 Fire and Rescue Department Monthly Report.

V. OLD BUSINESS

(A) Ordinance Approving the Annexation and Zoning of Property Located at 2600 N. Bishop Avenue from NZ (No Zone) to C-3 (Highway Commercial District) Zoning (Kingdom West): Community Development Director John Petersen noted the subject property, consisting of approximately 1.9 acres, is located off North Highway 63 connecting to County Road 2000. He reported the Planning and Zoning Commission recommends approval of the subject annexation and zoning request.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. **ORDINANCE NO. 4251: AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF PROPERTY AT 2600 NORTH BISHOP AVENUE FROM NZ (NO ZONE) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING. (KINGDOM WEST).** 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, Miller, Williams, Hines, Jung, Meusch, Long, Morris, Crowell, Eudaly, and Jordan. Nays; None. Absent; None. Motion carried. The ordinance passed.

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V. OLD BUSINESS (continued)

(B) Ordinance Approving the Minor Plat of Huffman East No. 1, Consisting of New Lots 1 & 2: Community Development Director John Petersen indicated the subject property consists of approximately 12 acres. The proposed shift of lots would create Lots 1 and 2.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4252: AN ORDINANCE APPROVING THE MINOR PLAT OF HUFFMAN EAST NO. 1, CONSISTING OF NEW LOTS 1 AND 2. (HUFFMAN EAST NO. 1). 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; Crowell, Eudaly, Jung, Hines, Jordan, Miller, Bowe, Williams, Meusch, Long, Morris, and Woolley. Nays; None. Absent; None. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Authorizing the Mayor to Enter Into a Professional Services Agreement with HNTB Corp. for Proposed Highway 72 Extension Design Services: Public Works Director Steve Hargis noted the subject ordinance would authorize the Mayor to enter into a professional services agreement with HNTB Corporation. He explained this would be a task order to the existing contract the City has with HNTB Corporation to do the master plan. Mr. Hargis said the total for this task order is \$194,600 and it would do the 30% complete design of the improvements, which would take the extension of Highway 72, bring it over to Kingshighway, construct a roundabout, and redo the two existing roundabouts to accept two lanes in each direction. He noted the amount of this task order is about 38% of the projected total design fee of \$509,000. He pointed out that CM Archer of Rolla would be the subcontractor on this project with HNTB Corporation providing design and surveying services.

Following discussion, City Counselor Carolyn Buschjost 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 CERTAIN AGREEMENTS BETWEEN THE CITY OF ROLLA, MISSOURI, AND HNTB CORPORATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE WESTSIDE TRANSPORTATION PLAN.

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VI. NEW BUSINESS (continued)

(A) Ordinance Authorizing the Mayor to Enter Into a Professional Services Agreement with HNTB Corp. for Proposed Highway 72 Extension Design Services (continued): After additional discussion, a motion was made by Morris to suspend the rules and the ordinance be read for its final reading by title. The motion did not receive a second.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Approving the Sold Surplus Assets Through GovDeals: City Administrator John Butz noted the Council previously authorized City staff to sell surplus items through GovDeals, Ebay, etc., and to periodically report to the Council. The subject report of items sold covers the period from January 1, 2015 through December 28, 2015. After a brief discussion, a motion was made by Eudaly and seconded by Williams to ratify the 2015 listing of Surplus Sales on GovDeals.com. 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 wishing to address the Council.

1) Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, indicated the map that Public Works Director Steve Hargis showed the Council earlier takes a hunk out of Buehler Park. He reminded the Council that Buehler Park is a dedicated park and the City is under an injunction not to take any action that would inhibit the use of Buehler Park as a public park. Additionally, Mr. Sager the City might have fewer questions about the project if the circle was removed from Buehler Park.

Mayor Magdits confirmed with Mr. Hargis that none of Buehler Park is being used for the improvements.

Mr. Sager also indicated he liked Councilman Williams' comment about not taking out more houses than necessary as part of the proposed Highway 72 extension.

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VIII. CITIZEN COMMUNICATION (continued)

(A) Open Citizen Communication (continued): Mr. Sager asked City Administrator John Butz if any progress had been made about the speakers in the Council Chambers.

Mr. Butz told Mr. Sager that Mayor Magdits asked the audience to let him know if they have difficulty hearing. As long as the Council is speaking directly into the microphones it appears to work fine.

Mr. Sager encouraged the Council to install speakers toward the back of the Chambers.

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Last Week's Rain: Mayor Magdits noted that last week there was a tremendous amount of rain in Rolla and it was not too many years ago that when you drove around Rolla during a rainstorm, water would be coming up through manholes and areas would be flooded. Mayor Magdits complimented Public Works Director Steve Hargis and City Administrator John Butz for the projects they have brought to the Council over the years, which have had a real positive impact on flooding. Unless someone knows something different, he is not aware of any flooding.

Mr. Butz said there was some localized flooding right after the large storm Sunday morning, but it was down within an hour.

Councilman Williams noted there are problem areas with some of the drains. He said the people that are in charge of the drains need to be proactive and check the drains before the heavy rains. In particular, Mr. Williams mentioned an area off Belmont Court, which looked like a river going down between the houses. He also noted problems on Foxcreek, Spilman and Strobach.

(B) Lioness Club Light Display: Councilman Morris complimented the Lioness Club on their holiday light display. Additionally, he mentioned a resident who lives on the east end of Winchester Drive who puts a display in his yard every year that is “out of this world.” Mr. Morris also complimented him on the work he puts into it.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Status of PCRMC Sign – Sign Illumination has been reduced 50%; Hospital meeting on same scheduled for 1/7/16: City Administrator John Butz recalled he sent an e-mail to the Council about a week ago about the hospital reducing the illumination on their sign by 50%. He said he does not know if it meets everyone’s expectations, since he has not heard a lot more. Mr. Butz encouraged Council members to go by and look at it if they have not had an opportunity. Additionally, he informed the Council the PCRMC Board would be meeting tomorrow.

When asked by Councilwoman Susan Eudaly if the light was better, Ms. Diana Howard, 1008 Vista Drive, said the illumination is less but the flashing is just as bad. She said there is a stroke victim who lives on her street and his seizures have increased and he has had to have his seizure medication adjusted. Ms. Howard said they have purchased room-darkening curtains to try to help. However, the residents should not have to spend their money for something the hospital has done. Ms. Howard told the Council it is not too bad in her own home, because of the way her home is positioned. She noted that many of the other neighbors are in a lot worse shape than she is in.

Mayor Magdits indicated the City would have a representative at the meeting and would ask about the flashing sign.

XI. CLOSED SESSION

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

The Council adjourned into Closed Session at approximately 7:12 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 7:40 p.m.

City Counselor Carolyn Buschjost reported the Council met in Closed Session and discussed two separate matters. Regarding the first matter, it was recently determined

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XII. CLOSED SESSION ACTION (continued)

that a prior real estate conveyance by the City to the RCDC (Rolla Community Development Corporation) sixteen years ago needed a correction to ensure clear title on a small portion of a parcel that was already conveyed. The time sensitive issue required an emergency decision to review the real estate matter and it required the execution of a quitclaim deed, which therefore required a resolution. The legal description of the property was already presumed conveyed. The Council passed the resolution and allowed the Mayor to sign the quitclaim deed.

The second matter pertained to a real estate and contract negotiation issue and no final action was taken.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:41 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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