

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MAY 15, 2017; 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, Matthew Miller, Matthew Crowell, Kelly Long, David Schott, Don Morris, John Meusch, Jim Williams, Steven Jung, and Walt Bowe

Council Members Absent: Monty Jordan and Brian Woolley

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

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 Councilman Steven Jung to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

(A) Ordinance Approving the Rezoning of 2106 Vichy Road from R-1 (Single Family District) to C-O (Office District) Zoning (Parks): Community Development Director John Petersen noted the subject property consists of approximately a third of an acre and the applicant is requesting the property be rezoned from R-1 (Single Family District) to C-O (Office District) zoning. Mr. Petersen reported the Planning and Zoning Commission voted to approve the rezoning request.

Mr. Joe Heberlie, HKR Missouri Engineering Company, Rolla, Missouri, and son-in-law of the applicant, informed the Council the owners of the building, which houses HKR Missouri Engineering, plan to demolish it. HKR Missouri Engineering Company hopes to relocate into this house.

Following some discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

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I. PUBLIC HEARINGS (continued)

(A) Ordinance Approving the Rezoning of 2106 Vichy Road from R-1 (Single Family District) to C-O (Office District) Zoning (Parks) (continued): City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING THE REZONING OF 2106 VICHY ROAD, FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO C-O (OFFICE DISTRICT) ZONING, CITY OF ROLLA, PHELPS COUNTY, MISSOURI (PARKS).

(B) Ordinance Rezoning all of Lot 9 of the Kayser North Hills Subdivision No. 2 from R-1 (Single Family District) to R-3 (Multi-Family District) Zoning (The Lodges at Rolla): Community Development Director John Petersen noted the subject rezoning request pertains to Lot 9 of the Kayser North Hills Subdivision No. 2. He mentioned when the adjacent lots were rezoned, Lot 9 was not included. Mr. Petersen said the request is to rezone the property to R-3 (Multi-Family District), which is consistent with the adjacent lots. Mr. Petersen reported the Planning and Zoning Commission recommends approval.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. 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 REZONING ALL OF LOT 9 OF THE KAYSER NORTH HILLS SUBDIVISION NO. 2 FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING (THE LODGES AT ROLLA).

II. SPECIAL PRESENTATIONS

(A) Rolla Municipal Utilities (RMU) FY 2017 Second Quarter Report: Rolla Municipal Utilities General Manager Rodney Bourne provided a summary of RMU's FY 2017 Second Quarter Report.

III. OLD BUSINESS

(A) Ordinance Amending Section 42-788(c) of the Rolla City Code – Outdoor Storage Forum Plaza: City Administrator John Butz recalled the Council conducted the

III. OLD BUSINESS (continued)

(A) Ordinance Amending Section 42-788(c) of the Rolla City Code – Outdoor Storage Forum Plaza: first reading of the subject ordinance during its last meeting, which was a follow up to a previous discussion pertaining to Dickey Bub Farm and Home in the Forum Plaza Shopping Center. He explained when the property was rezoned in 2016, there were a couple of conditions placed on the rezoning. Mr. Butz said C-3 (Highway Commercial District) zoning by its nature allows outdoor storage so at the time the Council in response to some concern placed two limitations on the property. One condition is 160 parking spaces must be retained and the second was to limit the area of outdoor storage to just south of the building and directly in front. Fast forward about a year, Mr. Butz noted Dickey Bub Farm and Home is occupying the property and they have a lot of material outdoors, which caused some visual concern. It was after that the Council worked with Dickey Bub Farm and Home to relocate much of the material both inside and behind the facility. Mr. Butz told the Council the subject ordinance amends Section 42-788(c) of the Rolla City Code, which imposes 160 parking spaces and identifies an area along Tenth Street where additional outdoor storage can take place, but no higher than six feet in height.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4343: AN ORDINANCE AMENDING SECTION 42-788(c), OF THE CODE OF THE CITY OF ROLLA, MISSOURI, REGARDING THE STORAGE, DISPLAY, OR SALE OF MERCHANDISE OUTDOORS ON A 4.56-ACRE TRACT DESCRIBED AS A FRACTIONAL PART OF THE FORUM SHOPPING CENTER, TRACTS 2 & 3. 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; Crowell, Schott, Jung, Hines, Miller, Bowe, Williams, Meusch, Long, and Morris. Nays; None. Absent; Jordan and Woolley. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Ordinance Approving the Final Plat of The Lodges at Rolla Subdivision (The Lodges at Rolla): Community Development Director John Petersen explained this is the final plat of The Lodges at Rolla Subdivision, which consists of the consolidation of Lots 1 through 10 of the Kayser North Hills project.

Mr. Rick Morris, partner with the Lodges at Rolla, entertained questions from the Council.

IV. NEW BUSINESS (continued)

(A) Ordinance Approving the Final Plat of The Lodges at Rolla Subdivision (The Lodges at Rolla) (continued): City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING THE FINAL PLAT OF THE LODGES AT ROLLA SUBDIVISION (THE LODGES AT ROLLA).

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Project 401 – Salem Ave. Overlay & Curb Ramp Improvements & and Ordinance Authorizing the Mayor to Enter into a Contract with Donald Maggi, Inc., for Same: Public Works Director Steve Hargis informed the Council bids were received for Project 401, which consists of the overlay of Salem Avenue and the curb ramp improvements. He told the Council this project is being funded with STP funds, which is a pass through from the Federal government through the State. Mr. Hargis explained this program is ending and this and one other project will probably be the last ones funded by STP funds.

Mr. Hargis said the bids for this project came in a little higher than estimated. He told the Council the bid award is contingent upon the Missouri Department of Transportation (MoDOT) concurring with the bid award. Staff is recommending the bid be awarded to the low bidder, Donald Maggi, Inc., Rolla, Missouri for \$189,994.09.

A motion was made by Williams and seconded by Hines to award the bid for Project 401, Salem Avenue overlay and curb ramp improvements to Donald Maggi, Inc., Rolla, Missouri, for \$189,994.09. 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. 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 DONALD MAGGI, INC. FOR SALEM AVENUE OVERLAY & CURB RAMP IMPROVEMENTS, PROJECT 401.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Appointing Dr. Diana L. Ahmad to the Library Board (May 2020) to Replace Mr. Tom Sager Whose Term Ends May 31, 2017: A motion was made by Long and seconded by Hines to appoint Dr. Diana L. Ahmad to the Library Board (May 2020) to replace Mr. Tom Sager whose term ends May 31, 2017. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(B) Motion Appointing Finance/Audit Committee: City Administrator John Butz explained the predominate role of the Finance/Audit Committee is to make recommendations to the City Council on who to use for auditor and to meet with the auditors in advance of presenting the audit to the Council. A motion was made by Long and seconded by Williams to appoint Councilmen Crowell, Morris, and Meusch to the Finance/Audit Committee. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(C) Motion Appointing Environmental Services Committee: City Administrator John Butz noted this is an appeals board for any customer who might have an issue about environmental services. A motion was made by Long and seconded by Miller to appoint Councilmen Williams, Morris, and Bowe to the Environmental Services Committee. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

VII. CITIZEN COMMUNICATION

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

VIII. COMMENTS FOR THE GOOD OF THE ORDER

None.

IX. CLOSED SESSION

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

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IX. CLOSED SESSION (continued)

The Council adjourned into Closed Session at approximately 7:14 p.m.

X. CLOSED SESSION ACTION

The Council reconvened into Open Session at approximately 9:19 p.m.

City Counselor Lance Thurman announced that during Closed Session, the Council discussed real estate matters; however, no final action was taken.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at 9:20 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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