

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MAY 16, 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, Matthew Miller, Matthew Crowell, Kelly Long, Susan J. Eudaly, Don Morris, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: Monty Jordan

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, 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 Jonathan Hines led in the Pledge of Allegiance.

I. PUBLIC HEARINGS

(A) Ordinance Approving the Rezoning of Lots 1 Through 8 and Lot 10 of the Kayser North Subdivision No. 2, from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning (Rolla Investors, LLC): Community Development Director John Petersen informed the Council that the Planning and Zoning Commission is recommending the elimination of the previous site plan for the subject property and replacing it with a new site plan. The applicants, Rolla Investors, LLC, are requesting the subject property be rezoned from R-1 (Single Family District) to R-3 (Multi-Family District).

Mr. Rick Morris, one of the partners on the project, told the Council they are proposing a 188 unit, upscale, gated community complete with clubhouse, fitness center, and resort style pool. He reported 64 parking spaces have been added to the project. He noted that a full time maintenance staff and leasing agents would be on board.

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I. PUBLIC HEARINGS (continued)

(A) Ordinance Approving the Rezoning of Lots 1 Through 8 and Lot 10 of the Kayser North Subdivision No. 2, from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning (Rolla Investors, LLC) (continued): Mr. Jeff Boyce one of the developers, added the project consists of almost nine acres and security would be a top priority. He said security cameras would be installed throughout the entire facility. Mr. Boyce told the Council there would be eight buildings with three stories each and a combination of one, two, three, and four bedroom units.

After a brief discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request.

Mr. Travis Knight, 1105 Crinoidal Court, said this development was very fortuitous for him and his wife, because they planned to move. He and his wife had discussed they felt Crinoidal had been under utilized as far as student housing and for families. Mr. Knight said this would be wonderful addition to Rolla. He commended Mr. Boyce and Mr. Morris for their generosity and professionalism.

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

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading by title. **ORDINANCE: AN ORDINANCE APPROVING THE REZONING OF LOTS 1 THROUGH 8 AND LOT 10 OF THE KAYSER NORTH SUBDIVISION NO. 2, FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING SITUATED IN THE CITY OF ROLLA, PHELPS COUNTY, MISSOURI. (ROLLA INVESTORS, LLC).**

II. SPECIAL PRESENTATIONS

(A) Daughters of the American Revolution: Ms. Patricia Hill, a member of the Noah Coleman Chapter of the Daughters of the American Revolution, and Mr. Ian Huff, noted the Noah Coleman Chapter is very passionate when it comes to our veterans. She said Mr. Huff who is a chef, also has a place in his heart. Ms. Hill reported on Saturday, May 21, 2016, the Meramec Springs State Park would be hosting a veterans fishing day for veterans and children of fallen soldiers. She said it is their hope to serve each of these individuals a free bar-be-que lunch to those who have served our country and to show our

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II. SPECIAL PRESENTATIONS (continued)

(A) Daughters of the American Revolution (continued): appreciation for their service, valor, and sacrifice, but they cannot do it alone. Ms. Hill stated they are asking communities like Rolla to assist in their goal by donating food items or cash donations.

Mr. Huff addressed the Council and mentioned items needed for the bar-be-que. Several Council members offered cash donations for this event.

(B) Rolla Municipal Utilities (RMU) FY 2016 Second Quarter Report: Rolla Municipal Utilities General Manager Rodney Bourne provided an overview of the Rolla Municipal Utilities' (RMU) FY 2016 Second Quarter Report. He pointed out the complete report is available for review at www.rollamunicipalutilities.org.

III. OLD BUSINESS

(A) Ordinance Authorizing the Mayor to Enter into a Contract with Donelson Construction Co. for Project 394 – 2016 Micro Surfacing: Public Works Director Steve Hargis recalled that during its last meeting the Council awarded the bid for Project 394 – 2016 Micro Surfacing, to Donelson Construction Company. He asked the Council to consider the final reading of the subject ordinance, which would authorize the Mayor to enter into a contract with Donelson Construction Company.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4277: 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 DONELSON CONSTRUCTION COMPANY, LLC. FOR 2016 MICRO SURFACING, PROJECT 394. 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, Miller, Williams, Hines, Long, Meusch, Morris, Crowell, Eudaly, and Jung. Nays; None. Absent; Jordan. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Ordinance Approving the Resubdivision of RSBR No. 1 Subdivision (RSBR No. 2 Subdivision): Community Development Director John Petersen explained the subject resubdivision entails the elimination of interior lot lines so a new building can be

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IV. NEW BUSINESS (continued)

(A) Ordinance Approving the Resubdivision of RSBR No. 1 Subdivision (RSBR No. 2 Subdivision) (continued): constructed on this site. He noted the subject property is located across the street from the Kia dealership. Mr. Petersen added an automotive type business is proposed for this property. He reported the Planning and Zoning Commission recommend approval.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING THE RESUBDIVISION OF RSBR NO. 1 SUBDIVISION, BEING A MINOR RESUBDIVISION TO ELIMINATE THE INTERIOR LOT LINES FOR LOTS 1 AND 2 OF THE RSBR SUBDIVISION, SITUATED IN THE NW 1/4, SW 1/4, SECTION 36, T38N, R8W of the 5TH P.M. CITY OF ROLLA, PHELPS COUNTY, MISSOURI. (RSBR NO. 2 SUBDIVISION).

(B) Resolution Authorizing the Mayor to Enter into a Sewer Use Agreement with Maher Ismail: Public Works Director Steve Hargis informed the Council a request was received from Maher Ismail to provide sewer service to a tract of land that is located at the corner of Stoltz Road and Lovers Lane. He noted there are two tracts of land with three occupied dwelling units located on the northern tract and the balance of the property is vacant. Ms. Ismail is requesting the entire property be annexed into the city. In the interest of time, he is requesting a sewer use agreement be approved for the occupied dwelling units until the annexation can be accomplished. Mr. Hargis told the Council that City staff has offered to do the work. He said the amount agreed to is \$5,312.93 and Mr. Ismail has deposited that amount with the City.

After discussion, a motion was made by Eudaly and seconded by Morris to amend the subject sewer use agreement to include the hookup to water, if required, and all required fees to be paid to the City and RMU (Rolla Municipal Utilities). A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title, as amended. RESOLUTION NO. 1861: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND MAHER ISMAIL. A motion was made by Eudaly and seconded by Eudaly to approve the proposed resolution, as amended. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

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IV. NEW BUSINESS (continued)

(C) Ordinance Authorizing the Mayor to Enter into a Contract with Vance Brothers, Inc., for Project 405 – Micropave Pilot Project: Public Works Director Steve Hargis recalled that during the Council’s last meeting, staff recommended and the Council approved giving Vance Brothers, Inc. micro surfacing materials a try, although they do not meet the City’s specifications. Staff recommended having Vance Brothers, Inc., do Vichy Road in its entirety and a portion of Sixteenth Street. Mr. Hargis asked the Council to consider authorizing the Mayor to enter into a contract with Vance Brothers, Inc., for this work.

City Counselor Carolyn Buschjost read the following proposed ordinance for one 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 VANCE BROTHERS, INC. FOR THE MICROPAVE PILOT PROJECT, PROJECT 405.

(D) Resolution Repealing Resolution No. 1852 and Authorizing the Mayor to Enter into a New Sewer Use Agreement with Missouri S&T: Public Works Director Steve Hargis stated the only real change in the subject Sewer Use Agreement is replacing “University of Missouri” with “Curators of the University of Missouri.”

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1862: A RESOLUTION REPEALING RESOLUTION NUMBER 1852 AND AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND MISSOURI S & T. A motion was made by Williams and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Project 388 – 2016 Street Improvements – Keeton Road and Shady Lane and; an Ordinance Authorizing the Mayor to Enter into a Contract with Donald Maggi, Inc. for Same: Public Works Director Steve stated the sole bid for the concrete work on Keeton Road and Shady Lane was received from

V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion Awarding Bid for Project 388 – 2016 Street Improvements – Keeton Road and Shady Lane and; an Ordinance Authorizing the Mayor to Enter into a Contract with Donald Maggi, Inc. for Same (continued): Donald Maggi, Inc. for \$106,247.50. Staff is recommending award of this bid and the first reading of the proposed ordinance that would authorize the Mayor to enter into an agreement for these improvements.

A motion was made by Williams and seconded by Eudaly to award the bid for Project 388 – 2016 Street Improvements – Keeton Road and Shady Lane, to Donald Maggi, Inc., for \$106,247.50. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

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 A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND DONALD MAGGI, INC. FOR 2016 STREET IMPROVEMENTS-KEETON ROAD AND SHADY LANE, PROJECT 388.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) TIF Meeting: Councilman Kelly Long announced that 5:30 p.m., Wednesday, May 18, 2016, at the Phelps County Courthouse, might be the last chance to attend the TIF (Tax Increment Financing) Commission meeting for the Rolla West Project. He encouraged everyone to attend.

(B) Energy Savings Project Status: Councilman Morris asked if the clock has ever started on the energy savings project the City participated in a few years ago.

Public Works Director Steve Hargis said the City is waiting on a blower for the southeast wastewater treatment plant. A more standard, energy-efficient blower is being installed.

VII. CITIZEN COMMUNICATION

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

No one present addressed the Council.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) 21 McFarland Drive: Although the Community Development is looking into this matter, Councilman Morris promised a constituent he would mention it during the Council meeting. Mr. Morris indicated several weeks ago, a tree had been cut down in the yard at 21 McFarland Drive, and a significant brush pile and stump remain.

IX. CLOSED SESSION

A motion was made by Eudaly and seconded by Long to adjourn into Closed Session pursuant to RSMo. 910.021(12) to discuss contract negotiations. A roll call vote on the motion showed the following: Ayes; Meusch, Eudaly, Jung, Hines, Woolley, Miller, Bowe, Crowell, Long, Morris, and Williams. Nays; None. Absent; Jordan. Motion carried.

The Council adjourned into Closed Session at approximately 7:48 p.m.

X. ADJOURNMENT

The Council reconvened into open session at approximately 9:20 p.m. and adjourned.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR