

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, AUGUST 1, 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 Miller, Matthew Crowell, Kelly Long, Don Morris, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: Susan J. Eudaly

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, City Engineer Darin Pryor, 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 Don Morris led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Jordan to approve the consent agenda as submitted. A voice vote on the motion showed eleven ayes, zero nays, and one 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- July 5, 2016
- 2) City Council Meeting – July 18, 2016

II. PUBLIC HEARINGS

None.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

None.

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

Mayor Magdits referred the Council to **(A)** the June 2016, Environmental Services Department Monthly Report; **(B)** the June 2016, Police Department Monthly Report; **(C)** the June 2016, Animal Control Division Monthly Report; **(D)** the July 12, 2016, Planning and Zoning Commission Preliminary Meeting Minutes; **(E)** the June 28, 2016, Development Review Committee Meeting Minutes; **(F)** the June 2016, Fire and Rescue Department Monthly Report; **(G)** the June 2016, Building Codes Monthly Report, **(H)** the May 2016, Centre Financial Report; **(I)** the May 2016 Parks Financial Analysis; **(J)** the July 20, 2016, Health and Recreation Center Board Meeting Minutes; **(K)** the June 2016 Municipal Court Report; **(L)** the April, May and June 2016, Rolla Municipal Utilities Monthly Reports, and; **(M)** the April 26, May 31, and June 28, 2016, Rolla Board of Public Works Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Approving the Rezoning of 1805, 1807, and 1809 N. Bishop Avenue from C-2 (General Retail District) to C-3 (Highway Commercial District) (Vessell): Community Development Director John Petersen explained the intent of the subject-rezoning request is to construct a convenience store/fuel pumps facility similar to Mobil on the Run. The Planning and Zoning Commission recommend approval of the requested rezoning.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4291: AN ORDINANCE APPROVING THE REZONING OF THREE PARCELS LOCATED AT 1805, 1807, AND 1809 NORTH BISHOP AVENUE FROM C-2 (GENERAL RETAIL DISTRICT) ZONING TO C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING. (VESSELL). A motion was made by Long and seconded by Jordan to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jung, Miller, Jordan, Hines, Woolley, Williams, Bowe, Crowell, Meusch, Long, and Morris. Nays; None. Absent; Eudaly. Motion carried. The ordinance passed.

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V. OLD BUSINESS (continued)

(B) Ordinance Approving the Final Plat of Wands Second Addition (Wands Second): Community Development Director John Petersen explained the main thrust of the subject request is to clean up the interior lot lines and to have one lot rather than two lots available for development. He said the developer has mentioned the possibility of removing the structures and putting in something new. Mr. Petersen told the Council the property is zoned R-3 (Multi-Family District). The Planning and Zoning Commission recommends approval of the request.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4292: AN ORDINANCE APPROVING THE PLAT OF WANDS SECOND SUBDIVISION, A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 8 WEST, ROLLA, MISSOURI, THIS PLAT BEING A MINOR SUBDIVISION, TO CONSOLIDATE EXISTING INTERIOR PROPERTY LINES AND TO ESTABLISH A SINGLE LOT 1 (.81 ACRE) FOR FUTURE DEVELOPMENT IN ROLLA, PHELPS COUNTY, MISSOURI. (WANDS SECOND). A motion was made by Long and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Miller, Bowe, Woolley, Williams, Hines, Jung, Meusch, Jordan, Morris, Long, and Crowell. Nays; None. Absent; Eudaly. Motion carried. The ordinance passed.

(C) Ordinance Approving the Replat of Lot 11 of the Cedar Trail Planned Unit Development (PUD) (Cedar Trails LLC 4): Community Development Director John Petersen explained the applicant proposes to revise the subdivision by renumbering Lot 11 and creating six new lots (Lots 13 through 18). This would allow the owner to sell individual parcels. Mr. Petersen reported the Planning and Zoning Commission recommends approval.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4293: AN ORDINANCE APPROVING THE RESUBDIVISION OF LOT 11 OF THE CEDAR TRAILS PLANNED UNIT DEVELOPMENT (PUD), PLAT NUMBER 3, (AMENDED) BEING A MINOR RESUBDIVISION TO ESTABLISH SIX NEW LOTS (LOT 13 TO LOT 18), TO ALLOW THE CONSTRUCTION OF NOT MORE THAN SIX, TWO STORY, FOUR-PLEX DWELLING UNITS IN THE CITY OF ROLLA, PHELPS COUNTY, MISSOURI (CEDAR TRAILS LLC 4). A motion was made by Long and seconded by Jordan to approve the proposed ordinance. A roll call vote on the motion showed the

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V. OLD BUSINESS (continued)

(C) Ordinance Approving the Replat of Lot 11 of the Cedar Trail Planned Unit Development (PUD) (Cedar Trails LLC 4) (continued): following: Ayes; Williams, Jordan, Jung, Woolley, Miller, Bowe, Crowell, Meusch, Long, Morris, and Hines. Nays; None. Absent; Eudaly. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Motion to Set Public Hearing Regarding the Chapter 353 (Rolla Apts.) Development Plan: City Administrator John Butz recalled that for the past few months the Council has discussed the substantial renovation of the Rolla Apartments. He told the Council the Rolla Apartments has never been on the tax rolls in its 36 years of existence because its ownership is a not-for-profit group from St. Louis, Missouri. Mr. Butz said the City is working with a developer on a full renovation that would extend the obligation of low-income senior housing. He mentioned they have been awarded MHDC (Missouri Housing Division Commission) tax credits to do this project. The City has been working with them on a vehicle that would phase a property tax in over the next 15 years, which would be done through a Chapter 353 redevelopment tool provided for in the Statutes. Mr. Butz recalled that on June 6, 2016, the Council entered into a preliminary funding agreement with the developer and they advanced \$25,000 to cover costs. PGAV is conducting the blight study and tax impact statement. Mr. Butz informed the Council a public hearing must officially be established at a meeting.

A motion was made by Williams and seconded by Woolley to set a public hearing regarding the Chapter 353 (Rolla Apts.) Development Plan at 1101 McCutchen Drive at 6:30 p.m. on August 15, 2016, in the City Council Chambers. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Project 407, Phase III, 2016 Asphalt Overlay (6th Street) & an Ordinance Authorizing the Mayor to Enter into a Contract with Pierce Asphalt, LLC for Same: City Engineer Darin Pryor informed the Council that the 2016 Phase III Asphalt Improvement project is a two inch overlay from State Street to the railroad tracks on Sixth Streets. He reported two bids were received for this project and

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(A) Motion Awarding Bid for Project 407, Phase III, 2016 Asphalt Overlay (6th Street) & an Ordinance Authorizing the Mayor to Enter into a Contract with Pierce Asphalt, LLC for Same (continued): staff recommends awarding the bid to the low bidder, Pierce Asphalt, LLC, Newburg, Missouri, for \$69,086.86. Additionally, Mr. Pryor asked the Council to consider the first reading of the proposed ordinance, which would authorize the Mayor to enter into a contract with Pierce Asphalt for this project.

A motion was made by Williams and seconded by Hines to award the bid for Phase III, 2016 Asphalt Overlay Improvements to Pierce Asphalt, LLC for \$69,086.86. 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 PIERCE ASPHALT, LLC. FOR 2016 PHASE III ASPHALT IMPROVEMENTS, PROJECT 407.

VIII. CITIZEN COMMUNICATION

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

No one present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Apology: Councilman Williams apologized to the Council and to Mr. Tom Sager for his outburst at the last meeting and stated it was “uncalled for.”

“Mayor/City Council Comments” continued following adjournment from “Closed Session.”

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

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XI. CLOSED SESSION

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

The Council adjourned into Closed Session at approximately 6:45 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 7:09 p.m.

City Counselor Carolyn Buschjost reported that during Closed Session the Council discussed a matter of contract negotiations. No final action was taken.

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) IHOP: Councilman Don Morris asked City Administrator John Butz about the status of the proposed International House of Pancakes (IHOP). Mr. Butz indicated he has not heard when they will be coming to Rolla.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:10 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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