

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 19, 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, Susan J. Eudaly, Don Morris, Jim Williams, Steven Jung, and Walt Bowe

Council Members Absent: Kelly Long, John Meusch, and Brian Woolley

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lance Thurman, Police Lieutenant Jim Macormic, 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 Jim Williams led in the Pledge of Allegiance.

I. PUBLIC HEARINGS

None.

II. SPECIAL PRESENTATIONS

None.

III. OLD BUSINESS

(A) Ordinance Considering the City of Rolla Fiscal Year 2016/2017 Budget: City Administrator John Butz recalled that two weeks ago the Council conducted a public hearing and heard the first reading of the subject ordinance that would approve the

SEPTEMBER 19, 2016

**COUNCIL MEETING MINUTES
SEPTEMBER 19, 2016
PAGE 2**

III. OLD BUSINESS (continued)

(A) Ordinance Considering the City of Rolla Fiscal Year 2016/2017 Budget (continued): proposed 2016/2017 budget consisting of \$26.5 million. He reported the budget has improved over the last two or three years as the economy has improved. This can be seen in the growth of the City sales tax, which is the primary revenue source that provides for the discretion of what we do as a community.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO 4303: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016, AND APPROPRIATING FUNDS PURSUANT THERETO. 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, Jung, Jordan, Morris, Bowe, and Williams. Nays; None. Absent; Long, Woolley, and Meusch. Motion carried. The ordinance passed.

(B) Ordinance Authorizing the Mayor to Execute a State Block Grant Agreement Amendment #1 for New RNA Terminal Building: City Administrator John Butz referred the Council to the proposed grant amendment, which provides 90% funding for the construction of a new terminal (office) building at the Rolla National Airport. He noted almost all of the capital expenditures at the Rolla National Airport are 90% grant covered and Rolla receives a \$150,000 per year entitlement. The entitlements are allowed to build up in order to tackle some capital expenditures based on a five-year model, which is submitted to the State and approved accordingly. Mr. Butz said the subject grant amendment is for \$571,705.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4304: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, STATE BLOCK GRANT AGREEMENT AMENDMENT #1 (PROJECT NO. 15-056A-1) BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION. 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; Jordan, Williams, Jung, Hines, Miller, Bowe, Crowell, Morris, and Eudaly. Nays; None. Absent; Woolley, Meusch, and Long. Motion carried. The ordinance passed.

**COUNCIL MEETING MINUTES
SEPTEMBER 19, 2016
PAGE 3**

III. OLD BUSINESS (continued)

(C) Ordinance Amending Sections 27-98 and 27-107 of the Rolla City Code Pertaining to Parking: Public Works Director Steve Hargis explained the subject ordinance would establish a 30 minute parking area long Rolla Street between Eleventh and Twelfth Streets on the east side from 8 a.m. to 5 p.m. He noted Missouri S&T requested the change, which is located adjacent to the Coffee Perk and the State Farm Insurance office. Mr. Hargis pointed out the other amendment would establish permit parking only on the municipal lot at Fifth and Elm Streets. He said this lot is completely reserved parking for people who work in the downtown area.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4305: AN ORDINANCE REPEALING SECTIONS 27-98 AND 27-107 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING NEW SECTIONS 27-98 AND 27-107, IN LIEU THEREOF RELATING TO PARKING. 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, Miller, Williams, Hines, Jung, Morris, Crowell, Eudaly, and Jordan. Nays; None. Absent; Woolley, Meusch, and Long. Motion carried. The ordinance passed.

Mr. Hargis mentioned there has been some discussion about no parking on Poole Avenue. He explained typically, staff erects “no parking” signs and then comes to the Council for final approval. Mr. Hargis indicated Street Department staff has requested permission to paint the curb, because there is not enough room to erect signs. With Council’s approval, he said staff plans to paint the curb on the east side as “no parking” and an ordinance would be brought to the Council at its next meeting for Council approval. Mr. Hargis noted it is difficult to get two cars through when parking is allowed on both sides of the street. No Council objections were noted.

(D) Ordinance Setting Proposed Sewer Rates for 2016/2017: Public Works Director Steve Hargis noted the proposed sewer user rate increase from \$5.00 per 1,000 gallons to \$5.15 per 1,000 gallons was established in the FY 2016-17 budget. For a home using 6,000 gallons per month, the rate would increase from \$30.00 to \$30.90 per month.

After some discussion, City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4306: AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 35 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF

III. OLD BUSINESS (continued)

(D) Ordinance Setting Proposed Sewer Rates for 2016/2017 (continued): THE CITY OF ROLLA, MISSOURI, RELATING TO SEWERS AND WATER. 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, Eudaly, Jung, Hines, Jordan, Miller, Bowe, Williams, Morris. Nays; None. Absent; Meusch, Long, and Woolley. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Ordinance Approving the Final Plat of Mitchell's Consolidated Subdivision (Mitchell): Community Development Director John Petersen explained the subject subdivision is considered a minor subdivision because only one lot is created. He explained the property owner plans to demolish the existing structure and construct a new structure. Mr. Petersen pointed out the only change in the layout is the reduction to a 12.5-foot wide side yard setback to permit the expansion of the property to the south. The Planning and Zoning Commission recommends approval.

Following discussion, City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING THE FINAL PLAT OF MITCHELL'S CONSOLIDATED SUBDIVISION, BEING A MINOR SUBDIVISION AND PART OF LOT 26 AND PART OF LOT 27, MAXWELL SUBDIVISION, ROLLA, PHELPS COUNTY, MISSOURI (MITCHELL).

(B) Ordinance Approving the Final Plat of Shrove Subdivision (Sticky Fork): Community Development Director John Petersen pointed out the subject subdivision, consisting of 1.34 acres, would be the site for IHOP (International House of Pancakes). By eliminating an interior lot line, a new subdivision is created.

After some discussion, Mr. Jay Burchfield, Sticky Fork Properties, developer and owner of the IHOP property, told the Council the entrance would be lined up at the stop light on the western most portion of the property. A secondary entrance would be off Elm Street at the end of the parking lot.

Following additional discussion, City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING THE FINAL PLAT OF STICKY FORKS PROPERTIES, LLC, BEING

IV. NEW BUSINESS (continued)

(B) Ordinance Approving the Final Plat of Shrove Subdivision (Sticky Fork) (continued): THE SOLE OWNER(S) OF ALL OF THE PROPERTY SHOWN ON THIS PLAT, NOW DESIRES TO CONSOLIDATE THE LAND AS SHOWN ON THIS PLAT, SAID SUBDIVISION TO BE NAMED “SHROVE SUBDIVISION” LOT NO. 1, PHELPS, COUNTY, MISSOURI. (STICKY FORK).

(C) Ordinance Approving Proposed Service Agreement with the Rolla Rural Fire Protection District: Finance Director Steffanie Rogers referred the Council to the proposed three-year contract between the City and Rolla Rural Fire Protection District for limited accounting services. She requested the Council consider the first and final readings of the subject ordinance since the District’s budget year begins October 1.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4307: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A TECHNICAL ASSISTANCE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE ROLLA RURAL FIRE PROTECTION DISTRICT. A motion was made by Morris and seconded by Eudaly to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed nine ayes, zero nays, and three 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 Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Morris, Miller, Williams, Hines, Jung, Jordan, Bowe, Crowell, and Eudaly. Nays; None. Absent; Woolley, Meusch, and Long. Motion carried. The ordinance passed.

(D) Review of 2017 Forum Plaza CID Budget: As part of the Community Improvement District (CID) act for the Forum Plaza, City Administrator John Butz explained State Statute requires submittal of the District budget to the City Council. He noted no action is required by the Council. He referred the Council to a copy of the budget and stated the funds are being collected and held by the trustee. When the project becomes substantially complete, the bonds will be let and, at that point, they will begin to see a reimbursement of their investment.

(E) Motion Granting Columbus Day Holiday on Monday, October 10: City Administrator John Butz noted for the past two or three years the Council has been granting Columbus Day as a holiday all with the anticipation that it be incorporated into the City’s Personnel Rules when they are revised. He told the Council staff plans to

IV. NEW BUSINESS (continued)

(E) Motion Granting Columbus Day Holiday on Monday, October 10 (continued): submit the revised Personnel Rules to the Council before the end of the year. A motion was made by Eudaly and seconded by Morris to grant the Columbus Day Holiday on Monday, October 10, 2016. A voice vote on the motion eight ayes, one nay, and three absent. Motion carried.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Ordinance Authorizing the Mayor to Execute an Agreement with Cahill's Construction for New Airport Terminal Building: During its last meeting, City Administrator John Butz recalled the Council awarded the bid for the construction of the new airport terminal building to Cahill's Construction. Additionally, the Council considered the first reading of the proposed ordinance authorizing the Mayor to enter into a contract with Cahill's Construction for this project. Mr. Butz added construction would begin in early October, following the pre-construction meeting.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4308: 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 CAHILL'S CONSTRUCTION, INC., SALEM, MISSOURI, FOR ROLLA NATIONAL AIRPORT TERMINAL OFFICE FACILITY CONSTRUCTION. 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; Hines, Jung, Williams, Jordan, Miller, Eudaly, Crowell, Morris, and Bowe. Nays; None. Absent; Long, Meusch, and Woolley. Motion carried. The ordinance passed.

(B) Ordinance Authorizing the Mayor to Execute an Agreement with Bloomsdale Excavating for Project 411, 2016-17 Concrete Paving (McCutchen Dr.): Public Works Director Steve Hargis recalled that during its last meeting, the Council awarded the bid for Project 411, 2016-17 Concrete Paving, to Bloomsdale Excavating Company for \$165,312.50 for a concrete project on McCutchen Drive adjacent to the Recycling Center. He asked the Council to consider the final reading of the subject ordinance.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4309: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF

V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Ordinance Authorizing the Mayor to Execute an Agreement with Bloomsdale Excavating for Project 411, 2016-17 Concrete Paving (McCutchen Dr.) (continued):

THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND BLOOMSDALE EXCAVATING COMPANY, INC. FOR 2016-2017 CONCRETE PAVING, PROJECT 411. A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A voice vote on the motion showed the following: Eudaly, Jordan, Williams, Hines, Jung, Bowe, Crowell, Morris, and Miller. Nays; None. Absent; Meusch, Woolley, and Long. Motion carried. The ordinance passed.

(C) Motion Authorizing Purchase of Sewer Cleaning Demo Unit: Public Works Director Steve Hargis reported that at the end of August the City's sewer cleaning unit was damaged in an accident by rolling down an embankment at the Southeast Wastewater Plant and the cost to repair the unit is \$119,000. Before the accident, the unit had a value of about \$75,000. Mr. Hargis said staff had planned to replace this unit in next year's budget. He told the Council these units are built on an as needed basis, it takes approximately six months to obtain delivery, and the City has no backup unit. Mr. Hargis informed the Council the Vactor dealer has a demo unit and they have offered to sell it to the City for \$375,157 and staff is requesting authorization to purchase the demo unit. After discussion, a motion was made by Morris and seconded by Eudaly to authorize the purchase of the Vactor demo unit for \$375,157. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

(D) Motion Awarding Bid for the Purchase of 30, Self-Contained Breathing Apparatus (SCBA): Fire Chief Ron Smith asked the Council to consider approving the purchase of 30, self-contained breathing apparatus. Staff is recommending the bid be awarded to MSA-Sentinel Emergency Solutions for \$186,855. Chief Smith told the Council these units will come with a fifteen-year warranty.

After some discussion, City Administrator John Butz pointed out the subject equipment is budgeted in the FY 2016 budget, but would be paid in the 2017 budget. However, it would be encumbered for FY 2016. Mr. Butz noted the Council would be asked to consider financing of the equipment at a future meeting.

A motion was made by Williams and seconded by Eudaly to award the bid for 30, self-contained breathing apparatus to MSA-Sentinel Emergency Solutions for \$186,855. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) High Grass: Councilman Williams asked City Administrator John Butz if the high grass around the railroad tracks near Highway 63 had been mowed.

Mr. Butz indicated the Missouri Department of Transportation (MoDOT) cut the grass. He also noted the former Aaron's Motors building on Kingshighway was posted/contacted for their high grass. However, he does not know if it has been abated.

(B) Lions Club Drive Nursing Home Construction: Councilman Morris asked about the status of the nursing home project on Lions Club Drive.

Mr. Butz indicated staff has heard from their architects and engineers, but they are not ready to begin construction. He said they might be having problems obtaining the "certificate of need", but he has no recent news on this project.

If they are unable to secure the "certificate of need," Mayor Magdits asked if the zoning of the property is permanently changed or is the zoning contingent upon them getting the certificate?

Mr. Butz responded the zoning is never contingent on a use and remains changed.

Mayor Magdits told the Council they should be mindful of this when granting rezoning requests.

Mr. Butz recalled about two years ago when Mr. Bob Davis was looking to develop his large property at McCutchen Drive, there was a nursing home being proposed. The property was rezoned to R-2 (Multi-Family District). Mr. Butz reported they have decided not to move forward with that project. In fact, the same developers are constructing a nursing home facility McCutchen and Old St. James Road. Now that the property is zoned R-2 (Multi-Family District), the owner could now develop it as duplexes.

(C) Lutheran School Zone: Councilman Jung thanked Public Works Director Steve Hargis and his crew for getting the school zone put in by the Lutheran School on Eleventh Street. He indicated it has helped with slowing traffic.

VII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, encouraged everyone to attend the Celebration of Nations event this weekend.

Mr. Sager said he is all in favor of giving City employees a holiday on October 10. However, he said we should not be calling it “Columbus Day.” Many progressive cities have changed the name of that holiday to “Indigenous Peoples Day.” Mr. Sager requested the Council think about a different name for this holiday. He pointed out Columbus was responsible for the death of millions of Native Americans.

(B) Missouri S&T Student Liaison: Mr. Barrett Barker, the Missouri S&T Student Liaison, introduced himself to the Council.

Mayor Magdits asked Mr. Barker if he would please ask the students to look before crossing the street.

No one else present addressed the Council.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

None.

IX. CLOSED SESSION

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

The Council adjourned into Closed Session at approximately 7:33 p.m.

X. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:10 p.m.

**COUNCIL MEETING MINUTES
SEPTEMBER 19, 2016
PAGE 10**

X. CLOSED SESSION ACTION (continued)

City Counselor Lance Thurman reported that during Closed Session the Council discussed one real estate and one legal matter. No final action was taken.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at 8:11 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

SEPTEMBER 19, 2016