

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 6, 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, Monty Jordan, Matthew Miller, Matthew Crowell, Kelly Long (arrived at 6:45 p.m.), Susan J. Eudaly, Don Morris, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: None.

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 a member of the Rolla Ministerial Alliance to give the invocation.

Councilwoman Susan Eudaly 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 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 – February 6, 2017
- 2) City Council Closed Session Meeting – February 6, 2017
- 3) City Council Meeting – February 21, 2017
- 4) City Council Closed Session Meeting – February 21, 2017

(B) Motion Approving Right-of-Way Easement – Intercounty Electric (for New Terminal Office Building): City Administrator John Butz said the City has been asked to grant an easement to Intercounty Electric as they install the permanent underground electric to the new terminal building at the Rolla National Airport. A motion was made

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I. CONSENT AGENDA (continued)

by Williams and seconded by Eudaly to authorize the Mayor to grant and convey unto Intercounty Electric Cooperative Association a right-of-way easement at the Rolla National Airport. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

II. PUBLIC HEARINGS

(A) Resolution Authorizing Housing Revenue Bonds by the IDA for Rolla Apts.: City Administrator John Butz recalled in September 2016, the Council held a public hearing and approved a resolution authorizing participation under the City's 353 Redevelopment Corporation project for the substantial renovation of the Rolla Apartments project. He told the Council the Industrial Development Authority (IDA) reviewed the request for the issuance of housing revenue bonds for this project and deferred to the Council for the required public hearing and authorization.

Mr. Rob Salomon, project developer, provided a brief overview of the proposed project and explained Rolla Apartments would be receiving tax credits from MHDC (Missouri Housing Development Corporation).

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the proposed housing revenue bonds. No one present addressed the Council. Mayor Magdits closed the public hearing.

City Administrator John Butz added that neither the City nor the IDA has any responsibility for any debt service payments.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1875: A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF ROLLA, MISSOURI FOR A HOUSING PROJECT. 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.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) 2016 Fourth Quarter Tourism Report: Rolla Area Chamber of Commerce Executive Director Ms. Stevie Kears provided an overview of the 2016 Fourth Quarter Tourism Report.

Councilman Kelly Long entered the meeting at approximately 6:45 p.m.

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

Mayor Magdits referred the Council to **(A)** the January 2017, Environmental Services Department Monthly Report; **(B)** the January 2017, Police Department Monthly Report; **(C)** the January 2017, Animal Control Division Monthly Report; **(D)** the January 2017, Municipal Utilities Monthly Report; **(E)** the January 24, 2017, Rolla Board of Public Works Meeting Minutes; **(F)** the February 2017, Building Codes Monthly Report; **(G)** the February 2017, Municipal Court Monthly Report; **(H)** the January 2017, Centre Financial Analysis; **(I)** the January 2017, Park Financial Analysis; and **(J)** the January 18, 2017, Health and Recreation Center Board Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Authorizing the Mayor to Execute a Mutual Aid Agreement with the Pulaski County Sheriff's Dept.: Police Chief Sean Fagan explained the subject mutual aid agreement is a memorandum of understanding between the Pulaski County Sheriff's Department and the Rolla Police Department. The agreement authorizes the Rolla Police Department to work within the jurisdiction of Pulaski County.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4329: 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 THE PULASKI COUNTY SHERIFF'S DEPARTMENT PERTAINING TO MUTUAL AID. 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; Miller, Bowe, Woolley, Williams, Hines, Jung, Meusch, Jordan, Morris, Long, Eudaly, and Crowell. Nays; None. Absent; None. Motion carried. The ordinance passed.

V. OLD BUSINESS (continued)

(B) Ordinance Approving the Resubdivision of Lots 7, 8 & 9, Block 10, of the Holloway Addition (Spring Properties): Community Development Director John Petersen explained the subject property is located at the intersection of Twelfth and Iowa Streets. The new property owners would like to redevelop the property. Mr. Petersen explained the applicant is requesting the elimination of the interior lot lines, creating one large lot.

A motion was made by Eudaly and seconded by Williams to amend the proposed ordinance to read "...to eliminate interior lot lines between Lots 7 and 8, and Lots 8 and 9, Holloway Addition..." A voice vote on the motion showed twelve ayes, zero nays, and one absent. Motion carried.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4330: AN ORDINANCE APPROVING THE RE-SUBDIVISION OF LOTS 7, 8, AND 9, BLOCK 10, OF THE HOLLOWAY FIRST ADDITION TO ELIMINATE INTERIOR LOT LINES BETWEEN LOTS 7 AND 8 AND LOTS 8 AND 9, HOLLOWAY ADDITION TO SUBSTITUTE A MINOR SUBDIVISION DESCRIBED AS LOT 1, SPRING PROPERTIES FIRST ADDITION, CITY OF ROLLA, PHELPS COUNTY, MISSOURI (SPRING PROPERTIES). A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance, as amended. A roll call vote on the motion showed the following: Ayes; Williams, Jordan, Jung, Eudaly, Woolley, Miller, Bowe, Crowell, Meusch, Long, Morris, and Hines. Nays; None. Absent; None. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Approving the Final TIF/TDD Documents – Westside Market Place Financing Agreement: City Administrator John Butz explained the subject ordinance would authorize the financing tool for the Westside Marketplace project.

Mr. Mark Spykerman with Gilmore and Bell explained the subject ordinance approves several agreements related to Tax Increment Financing (TIF) and the Transportation Development District (TDD).

VI. NEW BUSINESS (continued)

(A) Ordinance Approving the Final TIF/TDD Documents – Westside Market Place Financing Agreement (continued): City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING VARIOUS AGREEMENTS AND ACTIONS IN CONNECTION WITH THE ROLLA WESTSIDE MARKETPLACE PROJECT.

(B) Resolution Approving the Assignment from UTW to Menards: City Administrator John Butz informed the Council that this document is a condition of the closing, which is tentatively scheduled for this Friday. He explained the document stipulates if UTW were to default and they are unable to exercise their obligations under the agreement, Menards, who is making a considerable investment, wants to know the roads will be built. Additionally, it is an approval from the City to assign to Menards all rights and privileges under the agreement granted to UTW on that portion of the project.

Following discussion, City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1876: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSENT TO ASSIGNMENT RELATED TO THE ROLLA WESTSIDE MARKETPLACE PROJECT. A motion was made by Williams and seconded by Long to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. The resolution passed.

(C) Ordinance Authorizing the Application of Traffic Grants Through MoDOT: Police Chief Sean Fagan asked the Council to consider authorizing the Police Department to apply for a traffic grant through the Missouri Department of Transportation (MoDOT). The grant is used to fund overtime for DWI and traffic enforcement. Chief Fagan explained the grant pays 100% of the officers' overtime. Due to the timing of the application, he asked the Council to consider the first and final readings of the subject ordinance.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4331: 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 THE MISSOURI DEPARTMENT OF TRANSPORTATION PERTAINING TO GRANTS. A motion was made by Eudaly and

VI. NEW BUSINESS (continued)

(C) Ordinance Authorizing the Application of Traffic Grants Through MoDOT (continued): seconded by Morris to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed twelve ayes, zero nays, and zero 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 Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Bowe, Woolley, Miller, Williams, Hines, Long, Meusch, Jordan, Morris, Crowell, Eudaly, and Jung. Nays; None. Absent; None. Motion carried. The ordinance passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Ballfield Fencing Proposal: Parks and Recreation Director Floyd Jernigan asked the Council to consider awarding the bid for fencing for the outfield and infield at Larry Wilson Memorial Softball Field, located in Ber Juan Park. The Larry Wilson Memorial Field Committee raised \$18,500 for work on the field. Mr. Jernigan recommended approval of the bid from Mid-Missouri Fence Co., for \$21,700. The Parks and Recreation Department would pay the \$3,200 difference.

A motion was made by Williams and seconded by Long to award the bid for the fencing of the Larry Wilson Memorial Softball Field to the low bidder, Mid-Missouri Fence Company, Dixon, Missouri for \$21,700. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(B) Motion Awarding Bid for Three Park Dept. Mowers: Parks and Recreation Director Floyd Jernigan explained bids were received for three, 2017 zero turn radius diesel mowers, 26 horsepower, and 72-inch mower decks for the Parks Department. The surplus mowers will be transferred to the Rolla National Airport. Staff is recommending the bid be awarded to Wayde's Equipment for \$42,062.66.

A motion was made by Williams and seconded by Eudaly to award the bid for three 2017 zero turning radius diesel mowers to Wayde's Equipment, Steelville, Missouri, for a total of \$42,062.55. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(C) Motion Authorizing the Purchase of 37 Glock 43 Pistols from the Asset Forfeiture Account: Police Chief Sean Fagan asked the Council to consider authorizing the purchase of thirty-seven, Glock 43 pistols, using funds from the asset forfeiture

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(C) Motion Authorizing the Purchase of 37 Glock 43 Pistols from the Asset Forfeiture Account (continued): account. He said the Police Department requires officers to have a pistol on them at all times (on and off duty). By purchasing the Glock 43 pistols instead of asking the officers to personally purchase a pistol would ensure they have a more reliable weapon. Chief Fagan asked that the drug forfeiture funds be used to purchase these weapons.

A motion was made by Williams and seconded by Jordan to authorize the purchase of thirty-seven, Glock 43 pistols for \$6,105 from Kiesler Police Supply, Indiana, paid from the asset forfeiture account to be issued to officers as backup/off duty weapons. A voice vote on the motion showed twelve ayes, zero nays, and zero nays. Motion carried.

(D) Motion Awarding the Bid for 2017 Concrete Improvements, Project 436; and, an Ordinance Authorizing the Mayor to Enter into An Agreement with Donald Maggi, Inc., for Same: Public Works Director Steve Hargis reported only one bid was received for the 2017 Concrete Improvements. The streets included in this project are Old St. James Road, White Columns Drive, HyPoint Blvd., and McCutchen Drive. Mr. Hargis explained this contract would replace or add new concrete curb and gutter, and/or sidewalk or driveways. Staff recommends the bid be awarded to Donald Maggi, Inc., for \$205,030.65. Mr. Hargis asked the Council to also consider the first reading of an ordinance, which would authorize the Mayor to enter into a contract with Donald Maggi, Inc. for this project.

After a brief discussion, a motion was made by Eudaly and seconded by Williams to award the bid for Project 436 - 2017 Concrete Improvements to Donald Maggi, Inc., for \$205,030.65. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

City Counselor Lance Thurman 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 2017 CONCRETE IMPROVEMENTS, PROJECT 436.

(E) Motion Awarding Bids for Medium Duty Trucks: Public Works Director Steve Hargis indicated bids for pickup trucks for both the Public Works and Parks Departments were obtained. Staff is recommending the bid for a 2017 Dodge Ram crew cab, three-

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(E) Motion Awarding Bids for Medium Duty Trucks (continued): quarter ton pickup with utility bed for the Wastewater Department be awarded to Black Hawk Motors, Prairie Du Chein, Wisconsin for \$31,283; a 2017 Dodge Ram crew cab, three-quarter ton pickup with eight foot bed for the Sewer Department be awarded to Black Hawk Motors, Prairie Du Chein, Wisconsin for \$27,894; and, a 2017 Dodge Ram crew cab three-quarter ton pickup with six foot bed for the Parks Department be awarded to Black Hawk Motors, Prairie Du Chein, Wisconsin for \$27,137. A motion was made by Williams and seconded by Eudaly to award the bids for the above-listed vehicles as outlined by Public Works Director Steve Hargis. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

Mr. Hargis explained staff also recommends the bid for a 2017 Ford F-350 crew cab, one-ton pickup with flat bed for the Street Department be awarded to the Missouri State bid, Bommarito Ford Company, for \$36,772. A motion was made by Williams and seconded by Eudaly to award the bid for the 2017 crew cab, one-ton pickup with flat bed for the Street Department to Bommarito Ford Company for \$36,772. 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 any citizen wishing to address the Council. No one present responded.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Approving the Appointment of Mr. Randy Stoll to the Airport Advisory Committee to Complete the Unexpired Term of Mr. Jim Sowers who Resigned (July 2017): A motion was made by Williams and seconded by Long to approve the appointment of Mr. Randy Stoll to the Airport Advisory Committee to complete the unexpired term of Mr. Jim Sowers. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(B) Motion Approving the Appointment of Ms. Laura Stoll as an Alternate Member to the Board of Adjustment to Replace Ms. Sue Eudaly (March 2022): A motion was made by Williams and seconded by Long to appoint Ms. Laura Stoll as an alternate

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Motion Approving the Appointment of Ms. Laura Stoll as an Alternate Member to the Board of Adjustment to Replace Ms. Sue Eudaly (March 2022) (continued): member to the Board of Adjustment to replace Ms. Sue Eudaly. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

A motion was made by Williams and seconded by Eudaly 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; Meusch, Eudaly, Jung, Hines, Woolley, Miller, Bowe, Crowell, Long, Jordan, Morris, and Williams. Nays; None. Absent; None. Motion carried.

The Council adjourned into Closed Session at approximately 7:22 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into Open Session at approximately 8:17 p.m.

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

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:18 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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