

**ROLLA CITY COUNCIL MEETING MINUTES
WEDNESDAY, JULY 5, 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, Don Morris, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: David Schott

Department Directors in Attendance: Interim Community Development Director Steve Flowers, 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 Carolyn Buschjost, and City Clerk Carol Daniels

Mayor Magdits called the meeting to order at approximately 6:30 p.m.

Councilman Monty Jordan led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Morris 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 – June 5, 2017
- 2) City Council Closed Session Meeting – June 5, 2017
- 3) City Council Meeting – June 19, 2017
- 4) City Council Closed Session Meeting – June 19, 2017

II. PUBLIC HEARINGS

None.

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III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Review of Fiscal Year 2016 City of Rolla Independent Audit and a Motion Accepting the Audit: Ms. Tammy Alsop, with Hochschild, Bloom & Co., LLC, CPAs, provided a brief overview of the City's FY 2016 audit report. She pointed out the City received an unmodified opinion, which is the highest form of assurance a city or entity can receive on its financial statements.

Finance Director Steffanie Rogers referred the Council to the two recommendations made by the auditors. She informed the Council how staff plans to manage these recommendations.

A motion was made by Williams and seconded by Jordan to accept the 2016 City of Rolla Independent Audit. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

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

Mayor Magdits referred the Council to **(A)** the May 2017, Environmental Services Department Monthly Report; **(B)** the May 2017, Police Department Monthly Report; **(C)** the May 2017, Animal Control Division Monthly Report; **(D)** the May 2017, Centre Financial Analysis; **(E)** the May 2017 Park Financial Analysis; **(F)** the May 2017 Rolla Municipal Utilities Monthly Report; **(G)** the May 30, 2017, Rolla Board of Public Works Meeting Minutes; **(H)** the May 2017 Building Codes Monthly Report; **(I)** the May 9, 2017 Planning and Zoning Commission Meeting Minutes; and **(J)** the June 27, 2017 Development Review Committee Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Amending Sec. 35-183 of the Rolla City Code Pertaining to Plugging of Existing Wells: City Administrator John Butz explained this item was discussed during the Council's last meeting, which was a follow up to conversations Rolla Municipal Utilities (RMU) had regarding development that was occurring off Lovers Lane. He noted the question was about someone being allowed to have a private well and to keep it once they have tapped into or made access to the public water supply. Mr. Butz said the policy has been and the interpretation from both RMU and City staff is

V. OLD BUSINESS (continued)

(A) Ordinance Amending Sec. 35-183 of the Rolla City Code Pertaining to Plugging of Existing Wells (continued): when a connection is made to the public water supply the well must be closed. Staff added some language to clarify the issue of when properties are “grandfathered.” Once the building structure is no longer served by the well, the well must be capped.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4348: AN ORDINANCE REPEALING SECTION 35-183 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 35-183 IN LIEU THEREOF PERTAINING TO PLUGGING OF EXISTING WELLS AND CONNECTION TO PUBLIC WATER SUPPLY. 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, Long, Jung, Williams, Jordan, Miller, Crowell, Woolley, Morris, and Bowe. Nays; Meusch. Absent; Schott. Motion carried. The ordinance passed.

(B) Ordinance Amending Section 27-92 of the Rolla City Code Relating to Parking: Public Works Director Steve Hargis noted the Council conducted the first reading of the subject ordinance during its last meeting. He explained this ordinance would remove parking on Elm Street from Highway 63 to where it ends at Vessell’s Fitness (between the new IHOP (International House of Pancakes) and Breaktime.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4349: AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO PARKING. 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; Meusch, Jordan, Williams, Hines, Jung, Woolley, Long, Bowe, Crowell, Morris, and Miller. Nays; None. Absent; Schott. Motion carried. The ordinance passed.

(C) Ordinance Authorizing the Mayor to Enter into a Contract with the Missouri Highway & Transportation Commission for the Construction of ADA Accessibility Improvements: Public Works Director Steve Hargis noted the Council conducted the first reading of the subject ordinance during its last meeting. He said the subject contract

V. OLD BUSINESS (continued)

(C) Ordinance Authorizing the Mayor to Enter into a Contract with the Missouri Highway & Transportation Commission for the Construction of ADA Accessibility Improvements (continued): would allow the City to draw down the remaining funds in its STP Urban account. These funds would be used to fill in sidewalk gaps along Sixth Street and Holloway and to ensure ADA compliance at corners. Mr. Hargis pointed out this would tie into the work that is currently underway on Salem Avenue.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4350: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SUPPLEMENTAL AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION PROVIDING FOR THE ALLOCATION AND DISTRIBUTION OF SURFACE TRANSPORTATION FUNDS PROJECT NO. STP-5200(919), WHICH PROVIDES FUNDING FOR THE CONSTRUCTION OF ADA ACCESSIBILITY IMPROVEMENTS ALONG 5TH, 6TH AND HOLLOWAY STREETS. 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; Schott. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Resolution Approving Buehler Park Master Plan: Parks and Recreation Director Floyd Jernigan recalled the proposed Buehler Park Master Plan was presented to the Council during its June 5, 2017, meeting and a public hearing was conducted on June 19, 2017. He asked the Council to consider the subject resolution that would approve the master plan.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1897: A RESOLUTION ADOPTING THE BUEHLER PARK MASTER PLAN.

Mayor Magdits announced that since Councilman David Schott was unable to attend this meeting, he asked the Mayor to read his comments as part of the record (attached).

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VI. NEW BUSINESS (continued)

(A) Resolution Approving Buehler Park Master Plan (continued): A motion was made by Morris and seconded by Long to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

(B) Presentation on Complete Streets Policy: Public Works Director Steve Hargis introduced to the Council Ms. Nell Davis a senior civil engineering student at Missouri S&T and the Public Works Department summer intern. He indicated she would be providing an overview of what a complete streets policy is. He added she is also working on the transit study the City has joint ventured with the university. Mr. Hargis explained the subject draft resolution is just for information and staff would like the Council to consider approving it during its next meeting.

(C) Ordinance Authorizing the Mayor to Enter into an Agreement with the College Hills West Sewer District: Public Works Director Steve Hargis recalled the subject project with the College Hills West Sewer District was introduced to the Council a few months ago. He reported staff met with the College Hills West Sewer District and the Phelps County Commission and both approved the proposed agreement. In addition, the District established new boundaries. Mr. Hargis told the Council the College Hills West Sewer District has been served by the City since the late 1980s and until this agreement, the City was only providing treatment. He pointed out the sewer system is completely in disrepair and needs a major overhaul. Mr. Hargis informed the Council the agreement proposes the City would rebuild the system and the District would reimburse the City. In addition, the City will take over the billing and the collection of user fees.

City Counselor Carolyn Buschjost suggested some possible amendments/clarifications to the proposed agreement.

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 SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, PHELPS COUNTY COMMISSION AND THE COLLEGE HILLS WEST SEWER DISTRICT.

(D) Ordinance Authorizing the Mayor to Execute a Contract Agreement with McConnell & Associates for Tennis Court Improvements: City Counselor Carolyn Buschjost recalled the Council awarded the bid for tennis court improvements in June

VI. NEW BUSINESS (continued)

(D) Ordinance Authorizing the Mayor to Execute a Contract Agreement with McConnell & Associates for Tennis Court Improvements (continued): and in the last meeting agenda, there was what appeared to be a contract for the subject improvements. However, it was actually just the bid proposal. In questioning the terms of the contract, Ms. Buschjost noted it was later learned a standard contract had been sent in the bid package and she did not want to fail to have the Council approve the actual contract. She noted the bid proposal was modified to add some additional terms and McConnell & Associates, St. Louis, Missouri, agreed to the City's modification to the agreement. She asked the Council to consider the first and final readings of the subject ordinance, since the Council has seen this item previously.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4351: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CONTRACT AGREEMENT WITH McCONNELL & ASSOCIATES, ST. LOUIS, MISSOURI, FOR TENNIS COURT IMPROVEMENTS. A motion was made by Morris and seconded by Jordan to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost 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; Miller, Bowe, Woolley, Williams, Hines, Jung, Meusch, Jordan, Morris, Long, and Crowell. Nays; None. Absent; Schott. Motion carried. The ordinance passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

None.

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 Reappointing Dr. Janece Martin to the Planning & Zoning Commission (May 2021): A motion was made by Williams and seconded by Morris to reappoint Dr. Janece Martin to the Planning and Zoning Commission until May 2021. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(A.1) Motion Reappointing Mr. Monte Shields to the Planning & Zoning Commission (February 2021): A motion was made by Jordan and seconded by Hines to reappoint Mr. Monte Shields to the Planning and Zoning Commission until February 2021. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion Reappointing Mr. Terry Harris to the Tax Increment Finance (TIF) Commission (February 2021): A motion was made by Jordan and seconded by Morris to reappoint Mr. Terry Harris to the Tax Increment Finance (TIF) Commission until February 2021. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Pine Street Angle Parking: Councilman Don Morris asked City Administrator John Butz about the status of angle parking on Pine Street.

Mr. Butz reported a few weeks ago staff was approached by a couple of businesses located on Pine Street about considering angle parking on Pine Street. Mr. Butz indicated the City's mapping division designed a map to see what the impact would be. He told the Council angle parking would increase parking by 50% with a single lane on Pine Street. He reported he briefly discussed this issue with the Rolla Downtown Business Association (RDBA) during its June meeting and they very much liked the idea. He asked the Council to think about this concept and talk with area businesses about this possibility.

(B) Transportation Development District (TDD) Board: Mayor Magdits reported the TDD Board met today to take some action and give some direction to staff. He informed the Council the TDD took action to disperse monies. He explained the City has been writing the checks for the studies, property acquisitions, etc., which started in 2007 and are reimbursable by the TDD. Mayor Magdits noted the Board also authorized the work

X. COMMENTS FOR THE GOOD OF THE ORDER (continued)

(B) Transportation Development District (TDD) Board (continued): approving Bloomsdale to install the conduits and Rolla Municipal Utilities (RMU) acquiring the light poles. In conjunction with the Highway 72 extension, he noted there is a water line adjacent to Buehler Park that needs to be moved. With cooperation between the City and RMU, the TDD decided to just relocate the water line on that site, which is the most cost effective way to do it. Mayor Magdits emphasized these are TDD expenses and not expenses of the City.

XI. CLOSED SESSION

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

The Council adjourned into Closed Session at approximately 8:09 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into Open Session at approximately 9:18 p.m.

City Counselor Carolyn Buschjost 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 9:19 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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