

**ROLLA CITY COUNCIL MEETING MINUTES  
TUESDAY, SEPTEMBER 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, Kelly Long (arrived at 6:49 p.m.), Matthew Crowell, David Schott, Don Morris, John Meusch, Jim Williams, Brian Woolley (arrived at 6:35 p.m.), Steven Jung, and Walt Bowe

**Council Members Absent:** None.

**Department Directors in Attendance:** Interim Community Development Director Steve Flowers, Finance Director Steffanie Rogers, Public Works Director Steve Hargis, Police Chief Sean Fagan, Parks and Recreation Director Floyd Jernigan, Environmental Services Director Brady Wilson, Fire Chief Ron Smith and Retired Community Development Director John Petersen.

**Other City Officials in Attendance:** City Administrator John Butz, City Planner James Shields, City Counselor Emily Woodward Guffey, and City Clerk Carol Daniels

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Councilman Jonathan Hines to lead in the Pledge of Allegiance.

Mayor Magdits introduced Ms. Emily Woodward Guffey, who would be providing the City's legal counsel at this meeting.

**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 ten ayes, zero nays, and two 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 – August 7, 2017
- 2) City Council Closed Session Meeting – August 7, 2017
- 3) City Council Meeting – August 21, 2017
- 4) City Council Closed Session Meeting – August 21, 2017

**SEPTEMBER 5, 2017**

## **II. PUBLIC HEARINGS**

**(A) Ordinance Considering the City of Rolla Fiscal Year 2017/2018 Budget:** City Administrator John Butz explained the proposed fiscal year 2017/2018 budget consists of approximately \$27.7 million. He said a large part of the budget is the financing of a new fire truck. Mr. Butz told the Council the budget includes a codes inspector position because the City is experiencing a record-setting year in construction activity. This position had been eliminated during the recession. Additionally, a part-time position in the Finance Department will become full-time to provide some additional detail for the recreation center and to provide some stability in a position where there has been turnover. Mr. Butz noted custodial support has been added and a new position in the recreation center of a sales manager for The Centre for a very targeted effort to recruit and sell memberships, wellness, corporate passes, etc. Mr. Butz stated that unfortunately, five public safety positions are not being funded. Other than a user fee in the Sewer Fund, he noted no other user fees are proposed. Mr. Butz added a separate Council workshop would be held to get into the details of the sewer user fee. He said the City is facing some very significant investment in two of the three treatment plants and proposing a restructuring of the fees.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the proposed Fiscal Year 2017/2018 annual budget. No one present responded. Mayor Magdits closed the public hearing.

Councilman Brian Woolley entered the meeting at approximately 6:35 p.m.

City Counselor Emily Woodward Guffey read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2017, AND APPROPRIATING FUNDS PURSUANT THERETO.**

## **III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS**

**(A) Celebration of Nations Update:** Ms. Roberta Morgan with the Missouri S&T Office of International and Cultural Affairs invited everyone to the 2017 Celebration of Nations activities on September 30, 2017. A parade begins at 11 a.m. and the festival will be held from 12 p.m. to 4 p.m. Ms. Morgan also noted future Celebration of Nations events would be held September 29, 2018, September 28, 2019, and September 26, 2020.

**III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS (continued)**

**(A) Celebration of Nations Update (continued):** City Administrator John Butz added in addition to the Celebration of Nations festivities, an Oktoberfest event would be held later that afternoon at Public House Brewing Company. Unless Council objects, Rolla Street from Sixth to Seventh Streets would be closed from 10 am. to 7 p.m. No Council objections were noted.

**(B) Dog Park Contribution Efforts:** Mr. Kent Bagnall General Coordinator of the Rolla Dog Park Fund referred the Council to the donation packet information contained in the agenda packet. The \$30,000 goal is a conservative estimate of what might be needed for the project such as fencing, paving materials, benches, etc. Mr. Bagnall showed the Council a conceptual drawing of the proposed dog park.

Councilman Kelly Long entered the meeting at approximately 6:49 p.m.

City Administrator John Butz mentioned he suggested to Mr. Bagnall that he and his team present this concept to the Council and ask the Council to consider a motion to endorse the project.

A motion was made by Morris and seconded by Long to endorse the proposed dog park naming opportunities. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

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

Mayor Magdits referred the Council to **(A)** the July 2017, Environmental Services Department Monthly Report; **(B)** the July 2017, Police Department Monthly Report; **(C)** the July 2017, Animal Control Division Monthly Report; **(D)** the July 2017, Centre Financial Analysis; **(E)** the July 2017 Parks Financial Analysis; **(F)** the July 19, 2017, Health & Recreation Center Board Meeting Minutes; **(G)** the April 26, 2017, Park Advisory Commission Meeting Minutes; **(H)** the July 2017 Rolla Municipal Utilities Monthly Report; **(I)** the July 19, 2017, Rolla Board of Public Works Meeting Minutes; **(J)** the July 2017 Building Codes Monthly Report; **(K)** the August 8, 2017 Planning and Zoning Commission Meeting Minutes, and; **(L)** the June 30, 2017, Cash Analysis Report.

**V. OLD BUSINESS (continued)**

**(A) Ordinance Rezoning a 1.72-Acre Tract Located in a Fractional Part of the SW ¼ of the Proposed Joyner Estates from R-R (Rural Residential District) Zoning to R-1 (Single Family District) Zoning (Joyner Estates):** Interim Community Development Director Steve Flowers explained the subject request is to rezone a 1.72 acre tract, consisting of Lots 1-4 and the right-of-way of the proposed Joyner Estates, from RR (Rural Residential District) to R-1 (Single Family District). The applicants are considering subdividing the four residential lots with an average lot size of .37 acres or 16,226 square feet per lot. Mr. Flowers said the proposed rezoning would take place along Robyn Leann Drive and terminate as a cul-de-sac consisting of four lots and connecting to Chelsea Lane. He reported the Planning and Zoning Commission recommends approval.

City Counselor Emily Woodward Guffey read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4361: AN ORDINANCE APPROVING THE RE-ZONING OF A 1.72 ACRE TRACT OF LAND LOCATED IN A FRACTIONAL PART OF THE SW ¼ OF THE NW ¼, SEC. 24, T37N, R8W, CONSISTING OF LOTS 1-4 AND THE RIGHT-OF-WAY OF THE PROPOSED JOYNER ESTATES SUBDIVISION FROM R-R (RURAL RESIDENTIAL DISTRICT) ZONING TO R-1 (SINGLE FAMILY DISTRICT) ZONING. (JOYNER ESTATES). 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, Schott, Jung, Hines, Woolley, Miller, Bowe, Crowell, Long, Jordan, Morris, and Williams. Nays; None. Absent; None. Motion carried. The ordinance passed.

**(B) Ordinance Approving the Subdivision of an 11.44-Acre Tract Located in a Fractional Part of the SW ¼ of the NW ¼, Sec. 24, T37N, R8W, Consisting of Lots 1-4 & the Right-of-Way of the Proposed Joyner Estates Subdivision Including Tract A (Joyner Estates):** Interim Community Development Director Steve Flowers informed the Council the subject ordinance would approve the subdivision of Lots 1-4 and the right-of-way of the Joyner Estates. He said the subject tract is currently undeveloped. Mr. Flowers said the applicants are considering subdividing four residential lots. The proposed subdivision will take place along Robyn Leann Drive and terminate as a cul-de-sac.

City Administrator John Butz added the parkland dedication and storm water was satisfied when Mr. Bob Sooter initially developed this property.

**V. OLD BUSINESS (continued)**

**(B) Ordinance Approving the Subdivision of an 11.44-Acre Tract Located in a Fractional Part of the SW ¼ of the NW ¼, Sec. 24, T37N, R8W, Consisting of Lots 1-4 & the Right-of-Way of the Proposed Joyner Estates Subdivision Including Tract A (Joyner Estates):** City Counselor Emily Woodward Guffey read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4362: AN ORDINANCE APPROVING THE SUBDIVISION OF AN 11.44 ACRE TRACT OF LAND LOCATED IN A FRACTIONAL PART OF THE SW ¼ OF THE NW ¼, SEC. 24, T37N, R8W, CONSISTING OF LOTS 1-4 AND THE RIGHT-OF-WAY OF THE PROPOSED JOYNER ESTATES SUBDIVISION, INCLUDING TRACT A. (JOYNER). 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; Long, Crowell, Miller, Schott, Hines, Jung, Woolley, Jordan, Morris, Bowe, Williams, and Meusch. Nays; None. Absent; None. Motion carried. The ordinance passed.

**(C) Ordinance Authorizing the Mayor to Enter into a Memorandum of Understanding (MOU) with the Phelps County Commission:** Public Works Director Steve Hargis informed the Council the subject Memorandum of Understanding (MOU) establishes reimbursement rates for the City providing striping for the County and for the County providing chip and seal for the City. Staff recommends approval.

City Counselor Emily Woodward Guffey read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4363: 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 PHELPS COUNTY COMMISSION FOR A MEMORANDUM OF UNDERSTANDING. 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, Woolley, Miller, Bowe, Crowell, Meusch, Long, Morris, and Schott. Nays; None. Absent; None. Motion carried. The ordinance passed.

**(D) Ordinance Authorizing the Mayor to Enter into an Agreement with the Missouri Highways and Transportation Commission for State Highway Signing:** Public Works Director Steve Hargis explained the subject ordinance would allow the City to install and maintain signage designating the new Route 72 extension as “Route 72.” Staff recommends approval.

**V. OLD BUSINESS (continued)**

**(D) Ordinance Authorizing the Mayor to Enter into an Agreement with the Missouri Highways and Transportation Commission for State Highway Signing (continued):** City Counselor Emily Woodward Guffey read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4364: 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 MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR STATE HIGHWAY SIGNING AGREEMENT. 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; Woolley, Bowe, Miller, Williams, Hines, Jung, Meusch, Long, Morris, Crowell, Schott, and Jordan. Nays; None. Absent; None. Motion carried. The ordinance passed.

**(E) Ordinance Authorizing the Mayor to Enter into an Agreement with N.B. West for Project 452 – Old St. James Rd. Overlay:** Public Works Director Steve Hargis indicated the subject ordinance would authorize the Mayor to enter into an agreement with N.B. West for \$225,133.72 to overlay Old St. James Road from Eighteenth Street to McCutchen Drive.

City Counselor Emily Woodward Guffey read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4365: 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 N.B. WEST FOR PROJECT #452 - OLD ST. JAMES ROAD OVERLAY. 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; Crowell, Schott, Jung, Hines, Jordan, Miller, Bowe, Williams, Meusch, Long, Morris, and Woolley. Nays; None. Absent; None. Motion carried. The ordinance passed.

**VI. NEW BUSINESS**

**(A) Motion Authorizing the Mayor to Execute a Utility Easement Across 202 S. Adrian:** Public Works Director Steve Hargis explained the subject utility easement is necessary for Rolla Municipal Utilities (RMU) to do the electrical service to the lots that are located south of the Route 72 extension. A motion was made by Williams and seconded by Morris to authorize the Mayor to execute the subject utility easement. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

**VI. NEW BUSINESS (continued)**

**(B) Motion Authorizing the Forum Plaza CID Certificate of Substantial Completion and the Application for Reimbursement:** City Administrator John Butz explained the City is not required by the Development Agreement to bring this information to the City Council. He noted, however, it is an important project with a substantial investment with the CID (Community Improvement District) and the redevelopment of the Forum Plaza area and staff thought it was necessary to report to the Council and the community. Mr. Butz noted the City authorized a 1% CID overlay to reimburse the developer for up to \$4 million in eligible expenses. A motion was made by Williams and seconded by Morris to authorize the Certificate of Substantial Completion and the Application for Reimbursement. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

**(C) Report on Angled Parking on Pine Street:** City Administrator John Butz recalled a few months ago a suggestion was made by a business owner on Pine Street to convert the Pine Street parking to a single driving lane with angled parking on both sides of the street. He said he presented this suggestion to the Rolla Downtown Business Association and they were supportive, although some reservations were expressed about deliveries and the safety of angled parking. Mr. Butz said staff surveyed the property and business owners and, in summary, there was no real consensus. He referred the Council to the consolidated survey information contained in the agenda materials. After much discussion, the Council's consensus was to not pursue this matter further.

**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.

Mr. Ray Schweikhardt, 1342 S. Rolla Street, Rolla, Missouri, informed the Council that his mailbox was recently knocked down. He said he thought about putting up a quarter inch steel plate. However, Mr. Schweikhardt pointed out that while reviewing the USPS website it indicated permanent mailboxes like this are highly frowned upon because they

**VIII. CITIZEN COMMUNICATION (continued)**

**(A) Open Citizen Communication (continued):** are a hazard, and leave you open to lawsuits. He told the Council he has driven around town and has seen brick mailboxes. Mr. Schweikardt noted that if the wrong person hits one of these brick mailboxes, gets injured, and the wrong lawyer gets a hold of it, it seems like the homeowner as well as the City might be liable.

Discussion followed.

No one else present addressed the Council.

**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A.1) Introduction of City Planner:** City Administrator John Butz introduced the City's new planner, Mr. James Shields.

**(A.2) Motion Appointing Mr. Bill Priesmeyer to the Rolla Housing Authority Board to Replace Mr. Joshua Meyer (October 2021):** A motion was made by Jordan and seconded by Hines to appoint Mr. Bill Priesmeyer to the Rolla Housing Authority Board with his term expiring October 2021. 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 Jordan 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; Morris, Woolley, Miller, Williams, Hines, Jung, Meusch, Jordan, Bowe, Crowell, Schott, and Long. Nays; None. Absent; None. Motion carried.

The Council adjourned into Closed Session at approximately 7:29 p.m.



**COUNCIL MEETING MINUTES  
SEPTEMBER 5, 2017  
PAGE 9**

**XII. CLOSED SESSION ACTION**

The Council reconvened into Open Session at approximately 8:29 p.m.

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

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at 8:29 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

---

CITY CLERK

---

MAYOR

**SEPTEMBER 5, 2017**