

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, OCTOBER 16, 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, Matthew Crowell, David Schott, Don Morris, John Meusch, Jim Williams, and Steven Jung

**Council Members Absent:** Brian Woolley and Walt Bowe

**Department Directors in Attendance:** Interim Community Development Director Steve Flowers, Finance Director Steffanie Rogers, Public Works Director Steve Hargis, Police Chief Sean Fagan, and Parks and Recreation Director Floyd Jernigan

**Other City Officials in Attendance:** City Administrator John Butz, City Planner James Shields, Assistant Fire Chief Jeff Breen, City Counselor Carolyn Buschjost, and City Clerk Carol Daniels

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

**I. PUBLIC HEARINGS**

**(A) Ordinance Rezoning 0.19-Acre Parcel at 601 North Elm Street from Heavy Manufacturing District (M-2) to Center City District (CC) (G.R.A.C.E.):** City Planner James Shields informed the Council the applicant of the subject-rezoning request is the Greater Rolla Area Charitable Enterprise (G.R.A.C.E.). The subject property is located on the northwest side of the intersection of North Elm Street and West Sixth Street (601 North Pine Street). Mr. Shields said the current use of the subject property is a storage warehouse with accessory offices for administrative purposes. He noted the current use of the property is considered a legal non-conforming use located in a Heavy Manufacturing District (M-2). With the approval of the rezoning request, Mr. Shields pointed out the current use of the property would become permitted and the legal non-conforming use aspect of this parcel would be eliminated.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

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**I. PUBLIC HEARINGS (continued)**

**(A) Ordinance Rezoning 0.19-Acre Parcel at 601 North Elm Street from Heavy Manufacturing District (M-2) to Center City District (CC) (G.R.A.C.E.) (continued):** City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE REZONING OF A 0.19-ACRE PARCEL LOCATED IN THE CITY OF ROLLA, PHELPS COUNTY, MISSOURI, AT 601 NORTH ELM STREET, FROM HEAVY MANUFACTURING DISTRICT (M-2) TO CENTER CITY DISTRICT (CC). (G.R.A.C.E.)

**(B) Ordinance Rezoning a 6.94-Acre Tract (3 Parcels) Located at 1150 & 1151 Lynwood Dr., & a Vacant Lot from Single-Family District (R-1) to Rural Residential District (R-R) (Rolla):** City Planner James Shields explained the subject request is to rezone a 6.94-acre tract from R-1 (Single Family District) to R-R (Rural Residential District). The City of Rolla is the applicant and owner of the property. The property is located approximately 900 feet south of Kingshighway and approximately 800 feet west of Adrian Avenue. Mr. Shields recalled the subject parcels were purchased by the City of Rolla for the needed right-of-way for the new Route 72 extension.

After some discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for one reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE REZONING OF A 6.94 TRACT OF LAND COMPRISED OF PORTIONS OF THE THREE PARCELS IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR'S ACCOUNT NUMBERS OF 9668, 8024, AND 8025, FROM THE SINGLE-FAMILY DISTRICT (R-1) TO THE RURAL RESIDENTIAL DISTRICT (R-R). (ROLLA)

**II. SPECIAL PRESENTATIONS**

None.

**III. OLD BUSINESS**

**(A) Ordinance Authorizing the Mayor to Enter into Task Order #8 with HDR Engineering, Inc.:** Public Works Director Steve Hargis explained Task Order #8 with HDR Engineering, Inc., would provide an integrated management plan based on EPA (Environmental Protection Agency) and MDNR (Missouri Department of Natural Resources) guidelines with the intent of finding a long term plan for addressing the City's wastewater and stormwater needs.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4372: 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 HDR ENGINEERING, INC. 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, Crowell, Meusch, Long, Morris, and Schott. Nays; None. Absent; Woolley and Bowe. Motion carried. The ordinance passed.

**(B) Ordinance Authorizing the Mayor to Enter into Task Order #9 with HDR Engineering, Inc.:** Public Works Director Steve Hargis told the Council Task Order #9 with HDR Engineering, Inc. evaluates the improvements as part of the integrated management plan. It will include evaluating what property will be needed and whether the geometrics work.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4373: 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 HDR ENGINEERING, INC. A motion was made by Williams and seconded by Long to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Miller, Williams, Hines, Jung, Meusch, Long, Morris, Crowell, Schott, and Jordan. Nays; None. Absent; Woolley and Bowe. Motion carried. The ordinance passed.

**(C) Ordinance Authorizing the Mayor to Enter into a Memorandum of Understanding with the Missouri Department of Natural Resources:** Public Works Director Steve Hargis explained the subject Memorandum of Understanding (MOU) is a formal way of telling the Missouri Department of Natural Resources (MDNR) the City has entered into this contract to develop an integrated management plan.

**III. OLD BUSINESS (continued)**

**(C) Ordinance Authorizing the Mayor to Enter into a Memorandum of Understanding with the Missouri Department of Natural Resources (continued):**

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4374: 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 NATURAL RESOURCES FOR MEMORANDUM OF UNDERSTANDING. A motion was made by Long and seconded by Crowell to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Crowell, Schott, Jung, Hines, Jordan, Miller, Williams, Meusch, Long, and Morris. Nays; None. Absent; Bowe and Woolley. Motion carried. The ordinance passed.

**IV. NEW BUSINESS**

**(A) Motion Authorizing the Closing of Certain Streets during the Christkindl Market:**

Public Works Director Steve Hargis said in conjunction with this year's Christmas parade, the local Sister City Organization has requested the closing of Seventh Street from Pine to Rolla Streets from 6 a.m., Friday, December 1, 2017, until noon Sunday, December 3, 2017. Additionally, they would like to close Pine Street from Sixth to Tenth Streets from 5 p.m. until 10 p.m., Friday, December 1, 2017. A motion was made by Williams and seconded by Hines to authorize the closing of the requested streets during the Christkindl Market. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**(B) Ordinance Authorizing Minor Subdivision of Parcels Known as 2409 & 2419 N. Bishop (RCP):**

City Planner James Shields explained Randy Clayton Properties (RCP), has requested the adjustment of the boundary lines of the parcels known as 2409 and 2419 Bishop. The current use of the properties is the sale of motor-vehicle accessories/parts. Mr. Shields told the Council the two parcels will be reconfigured to enlarge Lot 2 (2409 N. Bishop Ave.) from about 0.3 acres to 0.75 acres. Additionally, the subdivision process would allow the City to recognize a county-recorded division of land that is currently unrecognized by the City.

**IV. NEW BUSINESS (continued)**

**(B) Ordinance Authorizing Minor Subdivision of Parcels Known as 2409 & 2419 N. Bishop (RCP) (continued):** City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE ADJUSTMENT OF THE BOUNDARY LINES OF THE PARCELS THAT ARE KNOWN AS 2409 AND 2419 NORTH BISHOP AVENUE THROUGH THE SUBDIVISION PROCESS. (RCP)

**(C) Resolution Authorizing the Mayor to Execute a Joint Purchase Agreement with the Phelps County Emergency Services Board (PCESB) for a Generator:** City Administrator John Butz noted the City engaged the PCESB (Phelps County Emergency Services Board), who is largely responsible for financing and funding the Emergency Operations Dispatch Center, for a new generator. The PCESB agreed to pay 50% of the cost of the generator and to finance the City's 50% over three years. Mr. Butz explained the agreement says the City will own and replace a 15-year-old generator.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1906: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI, TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, AN AGREEMENT AND CONSENT FOR PURCHASE OF GENERATOR FOR THE ROLLA POLICE DEPARTMENT (RPD) AND THE PHELPS COUNTY EMERGENCY SERVICES BOARD (PCESB). A motion was made by Williams and seconded by Morris to approve the proposed resolution. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**V. CLAIMS and/or FISCAL TRANSACTIONS**

None.

**VI. MAYOR/CITY COUNCIL COMMENTS**

**(A) Right-of-Way Maintenance:** Councilman Williams pointed out there are right-of-ways along Highways 63 and 72 that are in bad shape and need mowing.

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**VII. CITIZEN COMMUNICATION**

**(A) Open Citizen Communication:** Mayor Magdits opened the floor to any citizen wishing to address the Council. No one present responded.

**VIII. COMMENTS FOR THE GOOD OF THE ORDER**

**(A) Citizen Addresses:** Councilman Long asked if it would be acceptable to ask residents who address the Council to state whether they reside inside or outside the city limits. Mayor Magdits indicated it is permissible.

Mr. Long stated he would like to give Rolla citizens the first opportunity to address the Council.

**IX. CLOSED SESSION**

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

The Council adjourned into Closed Session at approximately 7:17 p.m.

**X. CLOSED SESSION ACTION**

The Council reconvened into Open Session at approximately 8:10 p.m.

City Counselor Carolyn Buschjost reported that during Closed Session, the Council discussed real estate matters and a legal work product, but no final action was taken.

**XI. ADJOURNMENT**

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

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**XI. ADJOURNMENT (continued)**

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

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