

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MAY 21, 2018; 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, Daniel Jones, Ann Murphey, Matthew Crowell, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, and Tiffany Henry

Council Members Absent: Brian Woolley and Steven Jung

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

Other City Officials in Attendance: City Administrator John Butz, City Planner James Shields, City Counselor Carolyn Buschjost, 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

(A) Ordinance Amending Section 42-27 of the Code Pertaining to Deeding of Public Parks; Alternative Payment In Lieu of Parkland Deeding: City Planner James Shields and Parks and Recreation Director Floyd Jernigan explained that at the request of the Council, a Parkland Dedication Policy Committee was created to review the current parkland dedication provisions. They explained the Committee agreed to the following six key changes to the parkland dedication requirements. The requirements now apply to all lot splits, not only lot splits of more than three lots; all non-residential land can now be excluded from the parkland dedication acreage calculation; the suitability criteria for land to be accepted as dedicated parkland was altered; the fee-in-lieu payment was raised from \$12,200 to \$15,000 and the applicant may, if sufficient evidence is provided, substitute this payment amount with the fair market price; funds must now be spent within five

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I. PUBLIC HEARINGS (continued)

(A) Ordinance Amending Section 42-27 of the Code Pertaining to Deeding of Public Parks; Alternative Payment In Lieu of Parkland Deeding (continued): years; and funds are now prioritized in a way that encourages their use in the closest proximity to the new subdivision development as possible. Mr. Shields reported that no protests or official comments have been filed with the City. The Planning and Zoning Commission and the Parks Advisory Commission recommend approval of the proposed changes.

After a brief discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject issue. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 42 OF THE ROLLA CITY CODE, WHICH IS KNOWN AS “SUBDIVISIONS”, BY DELETING AND ADDING LANGUAGE TO THE PARKLAND DEDICATION PROVISIONS OF SECTION 42-27, WHICH IS ENTITLED “DEEDING OF PUBLIC PARKS; ALTERNATIVE PAYMENT IN LIEU OF PARKLAND DEEDING”. (PARKLAND DEDICATION)

(B) Ordinances Annexing a 42.06-Acre Parcel and Zoning Said Parcel as Multi-Family District (R-3) & Approving a Development Agreement for Same (St. Maria’s): City Planner James Shields explained the subject property is located approximately 250 feet north of the intersection of Liberty Drive and McCutchen Drive, just outside the northeast boundary of the city limits. St. Maria’s LLC owns the 42-acre vacant lot and Mr. Mike Woessner is the registered agent of the LLC. Mr. Shields noted the Council would be asked to consider an ordinance for the annexation and simultaneous zoning to R-3 (Multi-Family District). The second ordinance would approve the associated development agreement with the subsequent development of the subject parcel. Mr. Shields noted this item was set aside in November 2017, and at that time, the development consisted of 57 lots. The current request consists of 58 lots. He added the applicant had requested it be set aside because the costs were too high. Mr. Shields noted the Planning and Zoning Commission recommend approval.

After a brief discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject annexation/rezoning request.

I. PUBLIC HEARINGS (continued)

(B) Ordinances Annexing a 42.06-Acre Parcel and Zoning Said Parcel as Multi-Family District (R-3) & Approving a Development Agreement for Same (St. Maria's) (continued): Ms. Lindsey Bagnall, 16501 State Route F, Rolla, Missouri, stated she and her husband Kent currently reside at 16501 State Route F, but own the house located at 2001 McCutchen Drive. This property is located next to where the roundabout will be constructed and across the street from the entrance of the proposed development. Ms. Bagnall said she believes the proposed development would be a lovely addition to the neighborhood. They are 100% in favor of the annexation and zoning.

Petitioner, Mr. Mike Woessner, explained he walked away from the project in November 2017 because he was \$100,000 over budget. Since November, Mr. Woessner told the Council an extra lot was added. He explained that in November the development was a gated community, which created all kinds of issues for him because the streets were going to be private and not public. As a result, the gates have been removed. The streets will now become public streets and he will not need to install the streetlights. Mr. Woessner noted in November, the park fee for this development was going to be \$36,000. If the Council approves the proposed park ordinance at its next meeting, the park fee will be around \$24,000. He also informed the Council the proposed development was inspired by Kensington and Wellington. However, the big difference is this community is not going to be age restricted. Both Kensington and Wellington are for residents who are age 55 and older and the residents lease the units. In the proposed development, you will be able to buy your own lot and build your own unit.

No one else present addressed the Council concerning the subject annexation and rezoning request. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. **ORDINANCE: AN ORDINANCE APPROVING THE ANNEXATION OF THE 42.06-ACRE PARCEL IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR'S ACCOUNT NUMBER OF 12081 AND THE DESIGNATION OF SAID PARCEL AS THE MULTI-FAMILY DISTRICT (R-3) ON THE OFFICIAL ZONING MAP OF THE CITY OF ROLLA (ST. MARIA'S)**

I. PUBLIC HEARINGS (continued)

(B) Ordinances Annexing a 42.06-Acre Parcel and Zoning Said Parcel as Multi-Family District (R-3) & Approving a Development Agreement for Same (St. Maria's) (continued): City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT BETWEEN ST. MARIA'S LLC AND THE CITY OF ROLLA THAT IS ASSOCIATED WITH THE PROPOSED DEVELOPMENT TO OCCUR ON THE 42.06-ACRE PARCEL IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR'S ACCOUNT NUMBER OF 12081 SUBSEQUENT TO THE ANNEXATION AND ZONING OF SAID PARCEL (ST. MARIA'S)

(C) Ordinance Amending Chapter 42 of the City Code Pertaining to Conditional & Permitted Uses in Highway Commercial (C-3) and Light Manufacturing Districts (M-1): City Planner James Shields asked the Council to consider adding a list of conditional uses to the Highway Commercial District (C-3) and that C-3 permitted uses, except item "a", be permitted in the Light Manufacturing District (M-1). He then outlined the permitted uses in M-1 (Light Manufacturing District) which are proposed to be conditional uses in C-3 (Highway Commercial District). In addition, all of the uses listed in C-3's "Uses Permitted" list, except for item "a" are proposed to be added to the permitted uses in M-1 (Light Manufacturing District). Mr. Shields said item "a" states any use or conditional uses permitted in the foregoing C-1 (Neighborhood Business District) or C-2 (General Retail District) Districts should be permitted in M-1 (Light Manufacturing District) and under certain conditions, some M-1 (Light Manufacturing District) uses should be permitted in C-3 (Highway Commercial District). Mr. Shields reported the Planning and Zoning Commission unanimously recommend approval.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the proposed amendment to Chapter 42. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4414: AN ORDINANCE AMENDING DIVISIONS 10 AND 12 OF ARTICLE III, WHICH IS KNOWN AS THE ROLLA PLANNING AND ZONING CODE, OF CHAPTER 42 OF THE ROLLA CITY CODE BY DELETING AND ADDING LANGUAGE THAT PERTAINS TO THE

I. PUBLIC HEARINGS (continued)

(C) Ordinance Amending Chapter 42 of the City Code Pertaining to Conditional & Permitted Uses in Highway Commercial (C-3) and Light Manufacturing Districts (M-1) (continued): CONDITIONAL AND PERMITTED USES IN THE HIGHWAY COMMERCIAL (ZONING) DISTRICT (C-3) AND THE LIGHT MANUFACTURING (ZONING) DISTRICT (M-1). (M-1 & C-3 USES).

City Administrator John Butz pointed out the next item on the agenda is the conditional use request by Lehman Construction Company for the temporary concrete plant needed for the Highway 72 extension. He noted there is no mechanism in the City's ordinance for conditional uses in a C-3 (Highway Commercial District) zone. Mr. Butz stated it seemed unusual because City Code permits temporary construction facilities on all kinds of jobs without having to go through this process. This is the reason for revisiting this issue of adding or listing some conditional uses under the C-3 (Highway Commercial District) zone. Mr. Butz indicated the subject ordinance would allow the concrete batching/transit use to be done under C-3 (Highway Commercial District) under a conditional use.

Mr. Ryan Porter, 900 Russellville Road, California, Missouri, and representing Lehman Construction Company, the general contractor on the Highway 72 extension explained it was their intention last week to start leveling the site for the concrete plant. He said it is critical to get started so the concrete plant can be moved from California, calibrated and some trial batches processed. Mr. Porter explained the plant would probably be operated one to two days a week and wrapped up in September.

A motion was made by Williams and seconded by Hines to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Eberly and seconded by Meusch to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Jones, Schott, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Hines. Nays; None. Absent; Jung and Woolley. Motion carried. The ordinance passed.

(D) Ordinance Approving a Conditional Use Permit at 1501 Martin Springs Drive for Concrete Batching or Transit Mix Plant in Highway Commercial District (C-3) (Lehman): City Planner James Shields noted the applicant for this request is Lehman Construction, LLC, who is currently constructing the Highway 72 Extension to

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I. PUBLIC HEARINGS (continued)

(D) Ordinance Approving a Conditional Use Permit at 1501 Martin Springs Drive for Concrete Batching or Transit Mix Plant in Highway Commercial District (C-3) (Lehman) (continued): Kingshighway. He pointed out the subject property is located approximately 240 feet south of the intersection of Martin Springs Drive and Mercy Parkway. Lehman Construction would erect a temporary concrete batching or transit mix plant at this location. Mr. Shields noted the Citizens Bank of Newburg is the subject property owner and they have issued a temporary easement to Lehman Construction. He indicated the proposal is to issue a conditional use permit to the property for a temporary concrete batching or transit mix plant. Mr. Shields reported the Planning and Zoning Commission recommends approval. He mentioned the ordinance stipulates the conditional use permit would expire December 31, 2018. Mr. Shields also noted the applicant has requested the Council consider the first and final readings of the subject ordinance.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject conditional use request. No one present addressed the Council. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4415: AN ORDINANCE THAT AUTHORIZES THE ISSUANCE OF A CONDITIONAL USE PERMIT TO THE PROPERTY KNOWN AS 1501 MARTIN SPRINGS DRIVE FOR THE USE OF A “CONCRETE BATCHING OR TRANSIT MIX PLANT (TEMPORARY USE ONLY)” IN THE HIGHWAY COMMERCIAL (ZONING) DISTRICT (C-3). (LEHMAN) A motion was made by Williams and seconded by Jones to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed ten ayes, zero nays, and two 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 Meusch to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Henry, Murphey, Williams, Hines, Rohter, Meusch, Jones, Eberly, Crowell, and Schott. Nays; None. Absent; Woolley and Jung. Motion carried. The ordinance passed.

(E) Ordinance Rezoning 1040 Kingshighway from General Commercial District (C-2) & Government & Institutional District (GI) to Highway Commercial District (C-3) (West Commons): City Planner James Shields informed the Council the subject parcels are located about 300 feet to the northeast of the intersection of Juliene Street and

I. PUBLIC HEARINGS (continued)

(E) Ordinance Rezoning 1040 Kingshighway from General Commercial District (C-2) & Government & Institutional District (GI) to Highway Commercial District (C-3) (West Commons) (continued): Kingshighway. The agent is Anderson and Associates Consulting Engineering and the applicant is Gary W. and Janet S. Heavin. The property consists of approximately 1.8 acres made up of four deeded parcels. Mr. Shields noted currently there is a Dickey's BBQ Restaurant in the process of being constructed within an existing building shell on the subject property. Additionally, there is an upcoming proposal to attach a bar to the rear of the restaurant. To permit the use of a bar, Mr. Shields explained it is requested the subject parcels be rezoned to C-3 (Highway Commercial District), which permits the land use entitled "Bars, cocktail lounges, and night clubs." He said the lot consolidation is occurring concurrently with this rezoning proposal. Mr. Shields informed the Council the Planning and Zoning Commission recommends approval.

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 its first reading, by title. ORDINANCE: AN ORDINANCE THAT REZONES THE FOUR PARCELS THAT ARE IDENTIFIED BY THEIR PHELPS COUNTY ASSESSOR ACCOUNT NUMBERS OF 7848, 7849, 7835.01, AND 7847, WHICH IS ALSO KNOWN AS 1040 KINGSHIGHWAY, FROM THE GENERAL COMMERCIAL DISTRICT (C-2) AND THE GOVERNMENT AND INSTITUTIONAL DISTRICT (GI) TO THE HIGHWAY COMMERCIAL DISTRICT (C-3). (WEST COMMONS)

II. SPECIAL PRESENTATIONS

(A) Rolla Municipal Utilities (RMU) FY 2018 Second Quarter Report: RMU General Manager Rodney Bourne provided an overview of RMU's FY 2018 Second Quarter Report. Much of the discussion, which followed, pertained to internet service.

III. OLD BUSINESS

(A) Ordinance Authorizing the Mayor to Enter into Task Order #11 with HDR Engineering: Public Works Director Steve Hargis asked the Council to consider the final reading of an ordinance that would authorize the Mayor to enter into an agreement with HDR Engineering to provide design and bid services for the improvements at the Southeast and Vichy Road Wastewater Treatment Plants. The project is estimated to cost just over \$21 million. The purpose of this project is to enhance the City's disinfection and treatment process. Staff estimates anticipates about an 18-month design period and a two-month construction period. Mr. Hargis pointed out the Voluntary Compliance Agreement (VCA) deadline is May 2021.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4416: 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 FOR SOUTHEAST WWTP AND VICHY ROAD WWTP IMPROVEMENTS – DESIGN AND BID PHASE SERVICES – TASK ORDER #11. A motion was made by Williams and seconded by Schott to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Meusch, Schott, Hines, Murphey, Henry, Crowell, Jones, Eberly, Williams. Nays; None. Abstention: Rohter. Absent; Jung and Woolley. Motion carried. The ordinance passed.

(B) Ordinance Authorizing the Mayor to Enter into a Contract with Donelson Construction Co., for 2018 Micro Surfacing: Public Works Director Steve Hargis asked the Council to consider the final reading of an ordinance that would authorize the Mayor to enter into a contract with Donelson Construction Co., Clever, Missouri, for \$486,743.55. This provides for this year's micro surfacing projects throughout the community consisting of about ten miles of City streets.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4417: 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 DONELSON CONSTRUCTION COMPANY,

III. OLD BUSINESS (continued)

(B) Ordinance Authorizing the Mayor to Enter into a Contract with Donelson Construction Co., for 2018 Micro Surfacing (continued): LLC. FOR PROJECT #459 – 2018 MICRO SURFACING. A motion was made by Williams and seconded by Crowell to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Rohter, Crowell, Murphey, Schott, Hines, Jones, Eberly, Henry, Williams, and Meusch. Nays; None. Absent; Jung and Woolley. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Ordinance Consolidating Four Parcels (aka 1040 Kingshighway) into One Lot – (West Commons): City Planner James Shields asked that this item be set aside until the development plans have been submitted to the City. A motion was made by Jones and seconded by Crowell to set aside consideration of this item. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(B) Ordinance Reconfiguring Lots 1 & 2 of Rolla Skilled Nursing Facility Plat No. 1 (Silverstone): City Planner James Shields noted the subject parcels are owned by Rolla SNF, LLC, and Mr. Greg Spence is the registered agent. The subject parcels are located about 175 feet southwest of the intersection of Vichy Road and Eagleson Drive. The property that makes up the two deeded parcels consist of four platted lots. Mr. Shields indicated Rolla SNF, LLC will submit an agreement to the City that will ensure the gate is never blocked or locked.

Following some discussion, City Administrator John Butz indicated staff would work on an ingress/egress easement and/or possibly a provision in the ordinance before the final reading of the subject ordinance.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO RECONFIGURE LOT 1 AND LOT 2 OF THE ROLLA SKILLED NURSING FACILITY PLAT NO. 1 SUBDIVISION, WHICH IS ALSO KNOWN AS 2735 EAGLESON DRIVE, AND LOT 29 AND LOT 30 OF THE ARWOOD HILLS NO. 1 SUBDIVISION INTO FOUR NEWLY CONFIGURED LOTS. (SILVERSTONE)

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IV. NEW BUSINESS (continued)

(C) Resolution Authorizing the Mayor to Execute a Land Lease for Ingress/Egress with Edgewood Investments, LLC (Kwik Kar): City Planner James Shields explained the subject parcel is located at 101 Fairground Road, which is about 160 feet north of the intersection of Kingshighway and Fairgrounds Road. He informed the Council that Kwik Kar is a car wash facility. Mr. Shields stated the original car wash facility was designed to allow users of the car wash to egress and ingress from the south and east sides. Kwik Kar representatives have requested permission to lease property across a portion of Buehler Park for ingress and egress to their property. The existing drive access off Fairground Road would be closed and their new access would be exclusively through Buehler Park. Mr. Shields indicated the size of the proposed lease area is about 24 x 190 feet . The period of the proposed lease is 20 years with ten, five-year renewal periods and the proposed rent is \$1,000 per year with automatic 10% increases every five years. Mr. Shields pointed out the rent would be placed in the Parks Fund.

A motion was made by Hines and seconded by Crowell to amend the subject land lease for ingress/egress by deleting all but the first sentence in Section 2. A voice vote on the motion showed five ayes, five nays and two absent. Mayor Magdits broke the tie by voting “aye”. Motion carried.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title, as amended. RESOLUTION NO. 1926: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LAND LEASE FOR INGRESS/EGRESS BETWEEN THE CITY OF ROLLA, MISSOURI AND EDGEWOOD INVESTMENTS, LLC. A motion was made by Williams and seconded by Crowell to approve the proposed resolution, as amended. A voice vote on the motion showed eight ayes, two nays, and two absent. Motion carried.

(D) Insurance Services Office (ISO) Audit Report: Fire Chief Ron Smith reported that in January the Rolla Fire and Rescue Department was audited through a Public Protection Classification (PPC) through the Insurance Services Office (ISO). Because of the survey, the City of Rolla has been awarded a Class 2 rating for the City of Rolla Fire Department, water services, and communication services. This rate will go into effect August 1, 2018. Chief Smith explained this rating is an improvement from the current Class 3 rating. ISO is an auditor that measures fire risk through emergency

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IV. NEW BUSINESS (continued)

(D) Insurance Services Office (ISO) Audit Report (continued): communications, fire department, and water supply totaling 100 points. He noted the City of Rolla Fire and Rescue is rated in the top 3% of the 46,000 fire departments rated nationwide by ISO. Chief Smith continued by expanding on the audit report.

At the request of Mayor Magdits, City Administrator John Butz commented on a recent issue at the Rolla National Airport, which is located in Maries County, with the ISO rating and the implications of the rating. He explained Brewer Science built an advanced manufacturing facility at the Airport. The City worked with them in improving the water system by installing a 600,000-gallon water tank. At the time, no one was concerned about the ISO rating on the Airport grounds. Mr. Butz said Brewer Science has a full suppression in their building and it was never an issue from their insurance companies' view until Brewer Science began shopping around looking at their options on insurance renewal and ran into the issue that without a rating at the Airport it could have a significant impact on their insurance costs. Chief Smith then explained what the City plans to do to help in increasing the ISO rating at the Airport from a nine to at least a seven. He said this could be done through training and equipment. Over the long run, Chief Smith said they hope to help them achieve a higher rating. He noted the Vichy Fire Department is working with the City in this effort.

(E) Motion to Solicit Bid for a New 107' Aerial Ladder Truck: Fire Chief Ron Smith asked the Council to consider authorizing the Fire Department to solicit bids for a new 107-foot aerial ladder truck through the Houston/Galveston Area Council Buy Program (HGAC). He explained HGAC program allows government and certain non-profit organizations to make purchases such as fire apparatus and public works vehicles for a better bulk price. Chief Smith told the Council this vehicle would join the fleet of five additional vehicles/apparatus that would be housed at the two fire stations. He said staff plans to solicit bids and bring those bids to the Council at its June 18 meeting. If approved on June 18, a finance package would be submitted to the Council at its July 2 meeting. He explained it would take approximately 12 to 18 months for the truck to be built. Chief Smith also recommended not selling one of the existing fire trucks. A motion was made by Rohter and seconded by Hines to authorize the Fire Department to solicit bids for a new 107-foot aerial ladder truck through the Houston/Galveston Area Council Buy Program (HGAC). A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

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IV. NEW BUSINESS (continued)

(F) Ordinance Vacating an Existing Sanitary Sewer Easement in the 2400 Block of N. Bishop: Public Works Director Steve Hargis informed the Council that Extreme Accessories built a new sewer line around their proposed improvements. The new sewer line has been accepted and the other one has been abandoned so there is no need to have this easement.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4418: AN ORDINANCE VACATING AN EXISTING SEWER EASEMENT IN THE 2400 BLOCK OF NORTH BISHOP AVENUE. A motion was made by Williams and seconded by Schott to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed nine ayes, one nay, and two 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 Schott to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jones, Williams, Hines, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Schott. Nays; None. Absent; Jung and Woolley. Motion carried. The ordinance passed.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Project #462-Sixth St., Concrete Improvements, and; an Ordinance Authorizing the Mayor to Enter into a Contract for Same: Public Works Director Steve Hargis indicated bids were received for concrete improvements on Sixth Street. The street improvement project will install new curb, driveways, and sidewalks. Staff recommends the bid be awarded to the low bidder, Donald Maggi, Inc., Rolla, Missouri, for \$163,775. A motion was made by Williams and seconded by Murphey to award the bid for Project 462, Sixth Street concrete improvements to Donald Maggi, Inc., for \$163,755. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

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 AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND DONALD MAGGI, INC., FOR 6TH STREET CONCRETE IMPROVEMENTS, PROJECT 462.

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V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion Awarding Bid for Green Acres Bathroom: Parks and Recreation Director Floyd Jernigan asked the Council to consider awarding the bid for new restrooms for the Green Acres Park to the low bid, which is the Missouri State bid to CTX of Spokane, Washington. A motion was made by Williams and seconded by Hines to award the Green Acres restrooms' bid to CTX of Spokane, Washington, for \$42,950. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(C) Motion Awarding Laser Brick Engraving Services for the SAVE Animal Shelter Project: City Administrator John Butz stated the SAVE (Spay, Adopt, Volunteer, Educate) project has been talking about doing a brick dedication or paving program. The City solicited proposals from four companies that offer this program. Staff is recommending the bid be awarded to Fundraising Brick, Hermann, Missouri. It is estimated that somewhere between \$15,000 and \$25,000 can be raised. A motion was made by Williams and seconded by Murphey to award laser brick engraving services for the SAVE Animal Shelter Project to Fundraising Brick, Hermann, Missouri. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Councilman Matt Crowell - POW-MIA City: Councilman Crowell suggested the City join "POW-MIA City" program. He indicated it is a very good program and well worth the minor cost of getting involved.

City Administrator John Butz indicated staff would provide a resolution for this effort at a future Council meeting.

(B) Councilman David Schott: Councilman Schott noted that during the past few meetings there has been some discussion pertaining to zoning. He specifically noted that in relation to residential, it seems we have a zoning in place where we start with R-1 (Single Family District) to R-2 (Two-Family District) and then you step up to R-3 (Multi-Family District). Even if you have an R3b (Multi-Family District), you immediately go to 14 units per acre. Mr. Schott noted there is no intermediary designation that could be for three to six units per acre. He suggested considering this in the future.

City Planner James Shields indicated there are mechanisms available to do this.

VII. CITIZEN COMMUNICATION

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

VIII. COMMENTS FOR THE GOOD OF THE ORDER

None.

IX. CLOSED SESSION

Mayor Magdits noted two items are scheduled for closed session and one is rather complicated, particularly for the newer Council members. Additionally, the other item can certainly wait. Due to the length of the open Council meeting, Mayor Magdits proposed these items be deferred until the next Council meeting. The Council's consensus was to defer consideration until the next meeting.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 10:08 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR