

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JULY 2, 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, Steven Jung, and Tiffany Henry

**Council Members Absent:** Brian Woolley

**Department Directors in Attendance:** Interim Community Development Director Steve Flowers, Environmental Services Director Brady Wilson, Police Chief Sean Fagan, Finance Director Steffanie Rogers, and Fire Chief Ron Smith

**Other City Officials in Attendance:** City Administrator John Butz, City Planner James Shields, City Engineer Darin Pryor, 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 a member of the Rolla Ministerial Alliance to give the invocation.

Councilman Steven Jung led in the Pledge of Allegiance.

**I. CONSENT AGENDA**

A motion was made by Williams and seconded by Eberly 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 4, 2018
- 2) City Council Closed Session Meeting – June 4, 2018
- 2) City Council Meeting – June 18, 2018
- 3) City Council Closed Session Meeting – June 18, 2018

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**II. PUBLIC HEARINGS (continued)**

**(A) Continuation – Amending Certain Provisions of the Planning & Zoning Code Pertaining to Nonconforming Uses, Exceptions:** City Planner James Shields explained the subject ordinance was drafted after receiving questions from appraisers, real estate agents, and other members of the public about the limitations and prohibitions on rebuilding and adding on to non-conforming buildings. He said non-conforming uses are usually tolerated but should come into conformance when practicable and reasonable. To encourage that performance, typically limitations are applied to change of use, repairs, and alterations, rebuilding in the event of a catastrophe, and abandonment of use. Mr. Shields then outlined in some detail the proposed changes pertaining to nonconforming uses.

Mayor Magdits noted the public hearing on the proposed changes to the subject ordinance is still open. He opened the floor to anyone wishing to address the Council concerning the proposed ordinance. 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: AN ORDINANCE AMENDING DIVISIONS 1, 15, 17, 18, 19, AND 21 OF ARTICLE III, WHICH IS KNOWN AS THE ROLLA PLANNING AND ZONING CODE, OF CHAPTER 42 OF THE ROLLA CITY CODE BY DELETING, ADDING, AND AMENDING LANGUAGE THAT PERTAINS TO PROVISIONS RELATED TO NONCONFORMING USES AND OTHER EXCEPTIONS. (NONCONFORMING USES, EXCEPTIONS)

**III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS**

**(A) Bi-Annual Citizen Survey:** City Administrator John Butz informed the Council that the City has been a participant in ETC's DirectionFinder Survey since 2002 or 2003 and the survey is conducted every two or three years. He said it is not only a good survey document for the City's purposes, but the real value is because we have been doing it over the last fifteen years and we have the trending capability. Additionally, Mr. Butz stated the City can compare its answers and data with what are really quality communities across Missouri and Kansas. He stated that ETC is not so broad that they actually incorporate a nationwide scoring on comparisons. The Council then listened to a recorded presentation from Mr. Chris Tatham of the City's most recent DirectionFinder Survey.

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

Mayor Magdits referred the Council to (A) the May 2018, Environmental Services Department Monthly Report; (B) the May 2018, Police Department Monthly Report; (C) the May 2018, Animal Control Division Monthly Report; (D) the June 12, 2018, Unapproved Planning & Zoning Commission Meeting Minutes; (E) the May 2018, Rolla Municipal Utilities Monthly Report; (F) the May 22, 2018, Rolla Board of Public Works Meeting Minutes; (G) The May 2018, Centre Financial Analysis; (H) the May 2018, Park Financial Analysis; (I) the May 2018 Building Codes Division Monthly Report; and (J) the May 2018 Municipal Court Report.

**V. OLD BUSINESS**

**(A) Ordinance Readopting Public Officials Personal Financial Disclosure Ordinance:** City Administrator John Butz recalled that many years ago the City of Rolla chose to enact its own ordinance that would lay out what the potential conflict of interest reporting would be. Rather than applying it to all members of the City Council, the City focused on the positions of mayor, city administrator, finance director, and Rolla Municipal Utilities general manager. Mr. Butz explained the subject ordinance is primarily a renewal of the policy the City has had for the past 20+ years. The reports are available for inspection from the Missouri Ethics Commission. He added that State Statute requires adoption every two years or the City defers to the requirements of the Statute.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4427: AN ORDINANCE OF THE CITY OF ROLLA, MISSOURI, REPEALING SECTION 2-237 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND ENACTING A NEW SECTION IN LIEU THEREOF. A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Hines, Rohter, Jung, Williams, Jones, Murphey, Schott, Crowell, Meusch, Eberly, and Henry. Nays; None. Absent; Woolley. Motion carried. The ordinance passed

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**VI. NEW BUSINESS**

None.

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

**(A) Motion Approving the Sold Surplus Assets through GovDeals (Jan. – June 2018):** City Administrator John Butz noted that approval of the sold surplus assets is usually done after the sale. He said that when the Council gives staff the authority to surplus other items and sell them through GovDeals, it is with the understanding that staff would report to the Council twice a year. Mr. Butz stated staff remains satisfied with the way GovDeals works. A motion was made by Williams and seconded by Schott to approve the sold surplus assets for the period January through June 2018. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**VIII. CITIZEN COMMUNICATION**

**(A) Open Citizen Communication:** Mayor Magdits opened the floor to anyone wishing to address the Council.

No one present responded.

**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Motion Reappointing Mr. Don Morris and Mr. Doug Cresswell to the Enhanced Enterprise Zone Board (EEZ) (June 2023):** A motion was made by Williams and seconded by Jung to reappoint Mr. Don Morris and Mr. Doug Cresswell to the Enhanced Enterprise Zone Board until June 2023. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**(B) Councilman Schott:** Councilman Schott said he wanted to highlight that the DirectionFinder Survey showed that 75% of the citizens find it important that existing trees, other vegetation and terrain should be considered when situating streets and building on a site. He said the parks and the natural feel of a neighborhood help that

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**IX. MAYOR/CITY COUNCIL COMMENTS (continued)**

**(B) Councilman Schott (continued):** area retain value because people come into it and feel the freshness of the nature that is there. Mr. Schott suggested if there is a way in the future where the Council and community can continue to value this because he believes this is much of what draws people to Rolla.

Councilman Schott also encouraged the public to attend an open house on Tuesday, July 10 from 5 p.m. to 7 p.m. at The Centre, regarding the Kingshighway improvements.

City Administrator John Butz added there would be an opportunity for Council members, members of the TDD (Transportation Development District), and the core community to meet an hour earlier to see a preview from 4 p.m. to 5 p.m.

Councilwoman Murphey asked if there is a way to provide Channel 16 with this information to share with the public.

Mr. Butz indicated a message could be displayed on Channel 16.

**(C) Councilman Jones:** Councilman Jones commended the employees who are working on the Sixth Street project. He said they are working very hard in this heat and he has not witnessed any of them doing anything but working.

**(D) Side Walk Issue:** Councilman Jones reported a sidewalk issue from a constituent who resides at 201 North Oak Street. He informed the Council he is unable to get his walker across some of the sidewalks when he takes children to the corner for the bus stop.

**(E) Councilwoman Eberly:** Councilwoman Eberly relayed that when she either walks or bikes on the Deible Trail and whenever she encounters an employee mowing in the area, the employee has always turned off the mower until she has safely passed.

Ms. Eberly also encouraged everyone to support the Rolla Lions Club during this year's carnival and fireworks.

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

None.

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**XI. CLOSED SESSION**

A motion was made by Williams and seconded by Hines to adjourn into closed session pursuant to RSMo. 610.021 to discuss contract negotiations and real estate. A roll call vote on the motion showed the following: Ayes; Schott, Meusch, Jones, Williams, Hines, Jung, Rohter, Henry, Crowell, Eberly, and Murphey. Nays; None. Absent; Woolley. Motion carried.

The Council adjourned into closed session at approximately 7:18 p.m.

**XII. CLOSED SESSION ACTION**

The Council reconvened into open session at approximately 8:27 p.m.

City Counselor Carolyn Buschjost reported that during closed session the Council discussed contract negotiations and real estate. No final action was taken.

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at 8:28 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

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CITY CLERK

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MAYOR

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