

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 4, 2018; 5:30 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, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, and Tiffany Henry

Council Members Absent: Matthew Crowell, Brian Woolley, and Steven Jung

Department Directors in Attendance: Finance Director Steffanie Rogers and Fire Chief Ron Smith

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, and City Clerk Carol Daniels

(1) ADJOURNMENT INTO CLOSED SESSION

Mayor Magdits called the meeting to order at approximately 5:35 p.m. and entertained a motion to adjourn into Closed Session.

A motion was made by Williams and seconded by Meusch to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss the following: A) legal actions and work product, and B) real estate. A roll call vote on the motion showed the following: Ayes; Schott, Meusch, Jones, Williams, Hines, Rohter, Henry, Eberly, and Murphey. Nays; None. Absent; Jung, Woolley, and Crowell. Motion carried.

The Council adjourned into Closed Session at approximately 5:37 p.m.

(2) CLOSED SESSION ACTION

The Council reconvened into open session at approximately 6:15 p.m.

City Counselor Carolyn Buschjost reported the Council met in Closed Session at approximately 5:30 p.m. and discussed an attorney/client legal matter and one real estate item. No final action was taken.

(3) ADJOURNMENT

Having no further business, the meeting adjourned at 6:15 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

SEPTEMBER 4, 2018

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Council Members in Attendance: Jonathan Hines, Daniel Jones, Ann Murphey, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, Brian Woolley, and Tiffany Henry

Council Members Absent: Matthew Crowell and Steven Jung

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

Other City Officials in Attendance: City Administrator John Butz, City Planner James Shields, City Engineer Darin Pryor, City Counselor Carolyn Buschjost, and City Clerk Carol Daniels

A member of the Rolla Ministerial Alliance gave the invocation.

Following the invocation Mayor Magdits called the meeting to order at approximately 6:33 p.m. and asked Councilwoman Ann Murphey to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Woolley 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 6, 2018
- 2) City Council Closed Session Meeting – August 6, 2018
- 3) City Council Meeting – August 20, 2018
- 4) City Council Closed Session Meeting – August 20, 2018

SEPTEMBER 4, 2018

II. PUBLIC HEARINGS

(A) Ordinance Considering the City of Rolla Fiscal Year 2018/2019 Budget: City Administrator John Butz said the proposed budget is of about \$29.4 million and has increased slightly from what the Council saw during the recent budget workshop. He recalled that Councilwoman Eberly discovered a \$60,000 error, which has been corrected and incorporated in the agenda materials. Mr. Butz indicated staff projects revenue growth (taxes) predominantly in the one and one-half to two percent range.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the proposed fiscal year 2018/2019 budget. 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 ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2018 AND APPROPRIATING FUNDS PURSUANT THERETO.**

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Celebration of Nations 2018 Update: Mr. Richie Myers, Program Coordinator for International and Cultural Affairs at Missouri S&T, expressed appreciation to the City of Rolla for its unending support of the Celebration of Nations event. Mr. Myers reported they are still looking for volunteers to work at this year's event, which is scheduled for September 29, 2018.

(B) Rolla National Airport Fly-In, Sept. 15, 8:30 a.m. to 2:00 p.m.: Rolla National Airport Manager Darrin Bacon provided an overview of the events that would be taking place during the Rolla National Airport Fly-In at the Rolla National Airport on Saturday, September 15. He said the Experimental Aircraft Association (EAA) would be on display and flying, and free Young Eagles flights would be offered.

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

Mayor Magdits referred the Council to **(A)** the July 2018, Environmental Services Department Monthly Report; **(B)** the July 2018, Police Department Monthly Report; **(C)** the July 2018, Animal Control Division Monthly Report; **(D)** the July 2018 Centre Financial Analysis; **(E)** the July 2018, Park Financial Analysis; **(F)** the April 18, 2018, Health & Recreation Center Meeting Minutes; **(G)** the July 2018 Building Codes Division Monthly Report; **(H)** the July 2018 Municipal Court Report; **(I)** the June and July 2018, Rolla Municipal Utilities Monthly Reports; and **(J)** the June 26 & July 24, 2018, Rolla Board of Public Works Meeting Minutes.

V. OLD BUSINESS

(A) Ordinance Amending Chapter 33 of the Rolla City Code Pertaining to the Police Personnel Board: City Administrator John Butz stated the subject ordinance is part of the update of the personnel rules and regulations and provides consistency with other provisions of the City Code. He noted that during the last meeting, Mayor Magdits suggested that Section 33-21 be consistent with the wording regarding the hearing officer. Mr. Butz said three or four sentences from the personnel rules have been replicated in the proposed ordinance.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4439: AN ORDINANCE REPEALING SECTIONS 33-21, 33-22, 33-30, AND 33-36 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO THE POLICE PERSONNEL BOARD AND ENACTING NEW SECTIONS 33-21, 33-22, 33-30, AND 33-36 IN LIEU THEREOF. A motion was made by Williams and seconded by Woolley to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Jones, Schott, Woolley, Murphey, Henry, Meusch, Rohter, Eberly, and Hines. Nays; None. Absent; Jung and Crowell. Motion carried. The ordinance passed.

(B) Ordinance Approving Personnel Rules and Regulations Update: Finance Director Steffanie Rogers asked the Council to consider the first reading of the subject ordinance pertaining to the City's personnel manual. She briefly outlined the primary changes made to the manual.

**COUNCIL MEETING MINUTES
SEPTEMBER 4, 2018
PAGE 4**

V. OLD BUSINESS (continued)

(B) Ordinance Approving Personnel Rules and Regulations Update (continued):

City Administrator John Butz mentioned the only change made since the last meeting was correcting the language regarding the Christmas Eve holiday.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING SECTION 32-1 OF THE CITY CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO PERSONNEL

VI. NEW BUSINESS

(A) Ordinance Changing Name of Part of Eagleson Drive to Silverstone Drive: City Planner James Shields explained the subject street is located at the intersection of Vichy Road and the area between the northeast sides of Lots 1 and 2 of the Arwood Hills No. 1 Subdivision. It ends at the rim of the cul-de-sac that connects Lots 1, 3 and 4 of the Rolla Skilled Nursing Home Facility Plat No. 2 from Eagleson Drive to Silverstone Drive. At the recommendation of the City, Mr. Greg Spence, owner of Rolla SNF LLC, and who owns the facility and property, agreed to apply for the street name change in order to prevent confusion for emergency first responders and others turning down the street and causing unnecessary traffic. Mr. Shields recalled the Council approved Resolution No. 1929 that authorized the City to initiate the process of changing the subject-street's name. He reported no written petitions were submitted to the City; therefore, the City has the authority to change the name of the street through ordinance.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE THAT CHANGES THE NAME OF THE STREET THAT BEGINS AT THE INTERSECTION OF VICHY ROAD AND THE AREA BETWEEN THE NORTHEAST SIDES OF LOT 1 AND LOT 2 OF THE ARWOOD HILLS NO. 1 SUBDIVISION AND ENDS AT THE RIM OF THE CUL-DE-SAC THAT CONNECTS LOT 1, LOT 3, AND LOT 4 OF THE ROLLA SKILLED NURSING HOME FACILITY PLAT NO. 2 FROM EAGLESON DRIVE TO SILVERSTONE DRIVE. (EAGLESON TO SILVERSTONE DRIVE)

**COUNCIL MEETING MINUTES
SEPTEMBER 4, 2018
PAGE 5**

VI. NEW BUSINESS (continued)

(B) Motion Appointing Employer Delegate for the Annual LAGERS Meeting: City Administrator John Butz noted the City is a member of the Local Government Employees Retirement System (LAGERS). The City spends about \$700,000 a year for employee coverage of their pension. Mr. Butz explained the LAGERS annual meeting is scheduled for October 25 and 26 in St. Louis, Missouri. In the past, either the Council has a volunteer attend as the employer representative or the Council authorizes him to appoint someone to serve as the employer representative.

A motion was made by Williams and seconded by Eberly to appoint City Administrator John Butz as the employer representative or authorize him to appoint an alternate to attend the LAGERS annual conference. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(C) Ordinance Amending Sec. 4-4 of the Code – Purchase/Possession of Alcohol by a Minor: Police Chief Sean Fagan told the Council the City’s current ordinance states the violation of this ordinance is up to \$500. He noted, however, the State of Missouri has mandated the fine can be no more than \$300 for this charge. Secondly, Chief Fagan recommended the City’s Code be amended to mirror State Statute regarding purchase or possession by a minor. He told the Council the Police Department can charge minors with purchase or possession, but currently it must be charged under State Statute, which requires the officer to appear in Phelps County Court rather than Rolla Municipal Court. Chief Fagan said it is easier for the Rolla officers to go to Rolla Municipal Court rather than the County.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING SECTION 4-4 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO PURCHASE OR POSSESSION BY A MINOR – PROHIBITED; PENALTY PROVISIONS.

(D) Review Certificate of Substantial Completion – Westside Market Place: City Administrator John Butz explained that this item does not require Council action. He noted Mayor Magdits was authorized to sign this document as part of the development agreement. Mr. Butz reported the project is coming in at just over \$3 million under what was going to be the maximum TIF (Tax Increment Financing) allocation. He said this would allow the TIF bond to be paid off early.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Health Insurance Excess Coverage: Finance Director Steffanie Rogers asked the Council to consider a motion awarding the City's Health Insurance Excess Coverage to QBE Renewal and to remain at the current deductible of \$75,000. A motion was made by Williams and seconded by Schott to award the bid for the City's Health Insurance Excess Coverage to QBE Renewal with a deductible of \$75,000. A voice vote on the motion showed ten ayes, zero nays, and two 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) Resolution Supporting Missouri Proposition D Pertaining to Fuel Tax: Mayor Magdits asked the Council to consider two things before discussing this item. First, he asked the Council if they wanted to take action at this meeting or wait until they have an opportunity to attend the public presentation by the Missouri Department of Transportation, which is scheduled for tomorrow. Secondly, he asked the Council if they want to consider a resolution in the form included in the agenda packets. Mayor Magdits said he does not personally believe in endorsements, particularly when it comes to a tax increase. He noted there are communities that will just acknowledge the need for a tax without "endorsing" it. The Council would have the flexibility of either endorsing it or acknowledging it. Mayor Morgan informed the Council that the presentation on this issue would be held tomorrow at 3:30 p.m. at Columbia College located on Blues Lake Parkway.

The Council's consensus was to wait until after the presentation to make a decision.

(B) Motion Appointing Councilman Daniel Jones to the Refuse Review Committee: A motion was made by Schott and seconded by Hines to appoint Councilman Daniel Jones to the Refuse Review Committee. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

**COUNCIL MEETING MINUTES
SEPTEMBER 4, 2018
PAGE 7**

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(C) Motion Reappointing Mr. Ken Kwantes and Mr. Larry Thomas to the Parks Advisory Commission: A motion was made by Williams and seconded by Hines to reappoint Mr. Ken Kwantes and Mr. Larry Thomas to the Parks Advisory Commission (June 2021). A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

(D) Veterans Park Sign: Councilwoman Eberly relayed that while she was walking on the Acorn Trail this morning, she noticed a man was finishing the rockwork on the Veterans Park sign. She said the sign looks “fabulous.”

(E) High Grass: Councilman Williams reminded residents to mow their lawns. He mentioned he reported 80 high grass properties to the Codes Department.

(F) Opioid Overdoses: Councilman Jones noted that since the Council’s last meeting there have been some incidences of overdoses and opioids in the area. He thanked the first responders for taking care of those issues because they are happening more frequently and more than we have ever had to deal with in Missouri history.

X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

None.

XII. ADJOURNMENT

A motion was made by Hines and seconded by Williams to adjourn the meeting. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

Having no further business, the meeting adjourned at 7:30 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

SEPTEMBER 4, 2018