

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 15, 2018; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Louis J. Magdits, IV

Council Members in Attendance: Daniel Jones, Ann Murphey, Matthew Crowell, Jacob Rohter, Jody Eberly, John Meusch, Jim Williams, Brian Woolley, and Tiffany Henry

Council Members Absent: Jonathan Hines, David Schott, and Steven Jung

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost, City Planner James Shields, City Engineer Darin Pryor, Assistant Fire Chief Jeff Breen 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 Jody Eberly to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

(A) Ordinance Rezoning Lot 2, Poe's Subdivision (104 E. 4th St.) from General Retail District (C-2) to Highway Commercial District (C-3) (Bahr): City Planner James Shields informed the Council the subject parcel is located in central Rolla, Missouri, on the southwest side of the intersection of Fourth and Oak Streets. Anthony M. and Susan J. Bahr own the subject parcel. The agent of this case is Madison Daily, Vice President of Operations for Talema Group, LLC. Mr. Shields explained Talema Group owns various companies that produce small electronic components for stereo amplifiers, medical test equipment, and industrial battery equipment. The request is to rezone the lot from C-2 (General Retail District) to C-3 (Highway Commercial District). Mr. Shields told the Council the agent recently applied for a wall sign permit and proposed operating a warehouse/distribution facility for small electronic components.

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I. PUBLIC HEARINGS (continued)

(A) Ordinance Rezoning Lot 2, Poe's Subdivision (104 E. 4th St.) from General Retail District (C-2) to Highway Commercial District (C-3) (Bahr) (continued): Mr. Shields reported no protest petitions were filed with the City. Additionally, the Planning and Zoning Commission recommends approval of the rezoning request by a vote of six ayes and one nay. He pointed out the agenda materials incorrectly show unanimous approval.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request.

Mr. Edward Tenes, 13385 Highway 63 South, Rolla, Missouri, said he previously lived at 400 North Pine Street for about six years and has owned the property, which is located within 185 feet of the subject property, since 1982. He told the Council his property is zoned R-3 (Multi-Family District) and it is surrounded by C-2 (General Retail District) and C-3 (Highway Commercial District). He said he and his tenants have had to contend with sandblasting and a portable toilet business. Mr. Tenes expressed concern about what types of businesses could be allowed if the property is rezoned C-3 (Highway Commercial District). He noted 80% of the property is zoned residential. Mr. Tenes said he is providing a valuable service of low-income housing for college students and other folks. When you have a business like the one across the street (portable toilet rental) it makes it very difficult to keep the units rented. When voting, Mr. Tenes asked the Council to consider what type of business could be placed in C-3 (Highway Commercial District) zoning.

No one else 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 THAT REZONES LOT 2 OF POE'S SUBDIVISION, WHICH IS, AS CURRENTLY CONFIGURED, THE PARCEL IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR ACCOUNT NUMBER OF 7642 AND THE ADDRESS OF 104 EAST 4TH STREET, FROM THE GENERAL RETAIL (ZONING) DISTRICT (C-2) TO THE HIGHWAY COMMERCIAL (ZONING) DISTRICT (C-3). (BAHR)**

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II. SPECIAL PRESENTATIONS

(A) Move Rolla Transportation Development District (MRTDD) Concept Report: Mr. Kip Strauss and Mr. Andy Potthast with HNTB Corporation updated the Council on the Move Rolla Transportation Development District plan concept-planning phase.

III. OLD BUSINESS

(A) Ordinance Amending Sections 18-16(a) & 18-25 of the Code Pertaining to Residential & Commercial Refuse Disposal & Collection: Environmental Services Director Brady Wilson recalled that during the last Council meeting he talked about the factors that prompted a proposed rate increase for the Department's primary services. Those services mainly being a decrease in some revenue sources along with increases in operating costs. The increases proposed in the weekly residential trash/recycling/yard waste collections and basic commercial collection all range in the area of a 5% to 10% increase depending upon the level of service chosen. Mr. Wilson said a 9% increase is what is being proposed in the residential monthly rates. These rates would go into effect January 1, 2019.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4448: AN ORDINANCE REPEALING SECTION 18-16 (a), AND SECTION 18-25 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING NEW SECTIONS IN LIEU THEREOF PERTAINING TO RESIDENTIAL AND COMMERCIAL REFUSE DISPOSAL AND COLLECTION. 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; Williams, Jones, Woolley, Murphey, Henry, Crowell, Meusch, Rohter, and Eberly. Nays; None. Absent; Jung, Schott, and Hines. Motion carried. The ordinance passed.

(B) Ordinance Authorizing the Mayor to Enter into an Agreement with Insituform Technologies USA for Sanitary Sewer Line Rehabilitation: Public Works Director Steve Hargis said staff is proposing to rehabilitate about 1.6 miles of sanitary sewers at various locations throughout the city. Staff is proposing to participate in the eighth year of a cooperative purchasing arrangement with other Missouri communities in a bid that was received from Independence, Missouri. The City would piggyback on that particular contract. Mr. Hargis noted the total contract amount is \$233,799 with the Shady Oaks Sewer District paying \$26,584 of that amount.

III. OLD BUSINESS (continued)

(B) Ordinance Authorizing the Mayor to Enter into an Agreement with Insituform Technologies USA for Sanitary Sewer Line Rehabilitation (continued): City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4449: 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 INSITUFORM TECHNOLOGIES USA, LLC. A motion was made by Williams and seconded by Eberly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Henry, Woolley, Murphey, Williams, Rohter, Meusch, Jones, Eberly, and Crowell. Nays; None. Absent; Hines, Schott, and Jung. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Motion Authorizing the Closing of Certain Streets During the Christmas Parade and Christkindl Market: Public Works Director Steve Hargis explained the annual Christmas Parade is scheduled for Saturday, December 1, 2018 and staff is recommending the closing of Pine and Rolla Streets during that time. Additionally, the Rolla Sister City Association will be hosting the Christkindl Market on Friday evening November 30 and Saturday, December 1. The Association is requesting the closing of Seventh Street from Pine to Rolla Street on Friday for setup and the closing of Rolla Street following the parade on Saturday. During the Christmas tree lighting ceremony, Mr. Hargis indicated Pine Street would be closed from Ninth to Tenth Streets until 8 p.m. at the Rolla Library.

Ms. Madonna Woelk, representing the Rolla Sister City Association, told the Council this is their sixth year hosting the Christkindl Market. She commented on the festivities scheduled for November 30 and December 1.

A motion was made by Williams and seconded by Woolley to authorize the closing of the requested streets during the Christmas parade and Christkindl Market on November 30 and December 1, 2018. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

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IV. NEW BUSINESS (continued)

(B) Resolution Authorizing the Filing of an Application with the MoDNR State Revolving Fund Program (continued): Public Works Director Steve Hargis explained the subject resolution would authorize City Administrator John Butz to be the point of contact for the SRF (State Revolving Fund) application, subject to approval by the voters.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1936; A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, STATE REVOLVING FUND PROGRAM FOR LOANS UNDER THE MISSOURI CLEAN WATER LAW (SECTION 644, RSMo). A motion was made by Williams and seconded by Woolley to approve the proposed resolution. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried. The resolution passed.

(C) Ordinance Authorizing the Mayor to Enter into a Joint City/Housing Service Contract with the Rolla Housing Authority: Police Chief Sean Fagan asked the Council to consider reapproving the Housing Officer Contract with the Rolla Housing Authority. He explained one of the City's police officer works 50% of their shift for the Housing Authority.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4450: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE ROLLA HOUSING AUTHORITY. A motion was made by Williams and seconded by Meusch to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eight ayes, one nay, and three 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; Meusch, Woolley, Murphey, Henry, Crowell, Rohter, Jones, Eberly, and Williams. Nays; None. Absent; Schott, Jung, and Hines. Motion carried. The ordinance passed.

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V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Purchase of a 2019 Bucket Truck: City Engineer Darin Pryor referred the Council to information in the agenda packet regarding the State bids received for a 2019 bucket truck. Staff is requesting to make a cooperative purchase of a bucket truck for the Street Department using MoDOT (Missouri Department of Transportation) bid lift trucks. Mr. Pryor said this unit is a planned replacement. Staff is recommending the purchase of a Versalift VST-40-I on a 2019 Ram 5500 chassis from Drake Scruggs Equipment, Inc., for \$129,941. Mr. Pryor noted staff plans to surplus the existing unit on either Govdeals.com or PurpleWave.com. A motion was made by Williams and seconded by Eberly to authorize the purchase of the 2019 Ram 5500 bucket truck from Drake Scruggs Equipment, Inc., for \$129,941. A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Bishop Avenue Aquarium and Pets: Councilman Meusch commented he recently spoke with the owner of Bishop Avenue Aquarium and Pets, which is located on South Bishop Avenue. He said he learned they plan to display “Fluffy” the alligator this weekend at their Rolla business.

City Administrator John Butz informed the Council there is a provision in the City Code that allows for a circus or this type of temporary display. As long as the alligator is kept in a self-contained unit and is separated by at least three feet from anyone being able to reach into the container, it is permitted.

(B) Flu Shot Reminder: Councilman Woolley mentioned it is flu season and he encouraged everyone to get a flu vaccination.

(C) Drug Dealers: Councilman Jones mentioned there was a recent roundup of drug dealers in Rolla and a lot of meth and heroin was removed from the streets, which in turn saves many lives. He thanked the law enforcement officials and those who helped get it done.

(D) Governor Parson Visit: City Administrator John Butz announced Governor Parson would be speaking at the Rolla Price Chopper beginning at 12 p.m. on Friday, October 19. He said he would be speaking about Prop D, the statewide gas tax issue. Mr. Butz encouraged everyone to attend.

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VII. CITIZEN COMMUNICATION

Mayor Magdits opened the public hearing to anyone wishing to address the Council. No one present responded.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

None.

IX. CLOSED SESSION

None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 7:35 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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