

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, FEBRUARY 4, 2019; 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, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, and Steven Jung

Council Members Absent: Matthew Crowell, Brian Woolley, and Tiffany Henry

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

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

Mayor Magdits asked a Boy Scout to lead in the Pledge of Allegiance.

A member of the Rolla Ministerial Alliance then gave the invocation.

Mayor Magdits called the meeting to order at approximately 6:32 p.m.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Jung to approve the consent agenda as submitted. A voice vote on the motion showed nine ayes, zero nays, and three 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 – January 7, 2019
- 2) City Council Closed Session Meeting – January 7, 2019
- 3) City Council Meeting – January 22, 2019
- 4) City Council Closed Session Meeting – January 22, 2019

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II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

None.

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

Mayor Magdits referred the Council to **(A)** the December 2018, Environmental Services Department Monthly Report; **(B)** the December 2018, Police Department Monthly Report; **(C)** the December 2018, Animal Control Division Monthly Report; **(D)** the December 2018 Centre Financial Analysis; **(E)** the January 16, 2019, Centre Board Meeting Minutes; **(F)** the December 2018, Park Department Financial Analysis; **(G)** the October 10, 2018, Park Advisory Commission Meeting Minutes; **(H)** the December 2018 Rolla Municipal Utilities Monthly Report; **(I)** the December 18, 2018, Rolla Board of Public Works Meeting Minutes; **(J)** the January 3, 2019, Board of Adjustment Meeting Minutes; **(K)** the December 11, 2018 and January 8, 2019, Planning and Zoning Commission Meeting Minutes; **(L)** the November and December 2018, Municipal Court Monthly Reports.

V. OLD BUSINESS

(A) Ordinance Amending Ch. 36 of City Code Pertaining to Right-of-Way Management and Telecommunication Wireless Facilities: City Administrator John Butz recalled the Council conducted the first reading of the subject ordinance just before the end of last year. Staff wanted to delay final consideration of the ordinance until the Planning and Zoning Commission had an opportunity to review it pertaining to the small cell tower wireless zoning application issues. Mr. Butz mentioned City Planner James Shield would be addressing the small cell tower wireless issue later in the meeting.

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V. OLD BUSINESS (continued)

(A) Ordinance Amending Ch. 36 of City Code Pertaining to Right-of-Way Management and Telecommunication Wireless Facilities (continued): Mr. Butz highlighted ten primary areas of concern (listed in the agenda materials) which the proposed ordinances addresses. He told the Council the management and enforcement of this ordinance would be coordinated by the Community Development and Engineering Departments.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4469: AN ORDINANCE AMENDING ARTICLES III-VI OF CHAPTER 36 AND REPEALING SECTIONS 25-42, 25-44, AND 25-45 OF THE ROLLA CITY CODE RELATED TO REGULATIONS FOR RIGHT-OF-WAY MANAGEMENT AND TELECOMMUNICATION WIRELESS FACILITIES. 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: Meusch, Schott, Jung, Hines, Murphey, Rohter, Jones, Eberly, and Williams. Nays: None. Absent: Woolley, Henry, and Crowell. Motion carried. The ordinance passed.

(B) Ordinance Inserting a New Division into Article III of Chapter 42 of the Code, Division 22 – Wireless Communications Facilities Code (Wireless Facilities): City Planner James Shields explained the proposed ordinance is in response to new legislation that would preempt certain zoning authority over small cell deployment and certain utility poles. The main purpose of the requirements is to limit the size and ensure they do not degrade the aesthetics of the area. Mr. Shields reported the Planning and Zoning Commission unanimously recommends approval.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4470: AN ORDINANCE OF THE CITY OF ROLLA, MISSOURI AMENDING CHAPTER 42 OF THE ROLLA CITY CODE TO ADOPT REGULATIONS RELATING TO COMMUNICATIONS ANTENNAS AND SUPPORT STRUCTURES AND RELATING TO PREEMPTION BY OR CHANGES IN FEDERAL OR STATE LAW. 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: Rohter, Murphey, Schott, Hines, Jung, Jones, Eberly, Williams, and Meusch. Nays: None. Absent: Crowell, Woolley, and Henry. Motion carried. The ordinance passed.

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VI. NEW BUSINESS

(A) Ordinance Renaming West End of Twelfth Street to Fitch Street: City Planner James Shields asked the Council to consider the first reading of an ordinance that would change the street name of a portion of 12th Street, located in west Rolla immediately south of the intersection of 12th and 14th Streets, to Fitch Street. The request was made by Mark and Stephanie Fitch who reside at 1016 West 12th Street. Mr. Shields recalled that in early 2018 a portion of 12th Street was vacated to accommodate the construction of a parking lot for PCRMC (Phelps County Regional Medical Center). When this occurred, a part of 12th Street was isolated from the remainder of 12th Street.

Mr. Shields explained the required process to change the name of a street. He recalled the Council approved Resolution No. 1939 in December 2018, which was published in the newspaper for a week. He reported no written protests have been filed with the city clerk.

Fire Chief Ron Smith stated he does not have anything additional to add to his comments made in December. However, he indicated he would prefer the Council wait to consider the ordinance until the PCRMC has completed their improvements.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE THAT CHANGES THE NAME OF THE WEST END OF 12TH STREET THAT IS SITUATED BETWEEN 14TH STREET AND THE VACATED SECTION OF 12TH STREET, WHICH IS CURRENTLY PART OF THE PARCEL THAT IS IDENTIFIED BY THE PHELPS COUNTY ASSESSOR ACCOUNT NUMBER OF 7071, TO FITCH STREET. (12TH TO FITCH STREET).

VII. CLAIMS and/or FISCAL TRANSACTIONS

None.

VIII. CITIZEN COMMUNICATION

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

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IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Appointing Mr. Cody Norris to the Bicycle Pedestrian Advisory Committee (BPAC) to Complete the Unexpired Term of Ms. Judy Williams (April 2019): A motion was made by Williams and seconded by Murphey to appoint Mr. Cody Norris to the BPAC Committee to complete the unexpired term of Ms. Judy Williams (April 2019). A voice vote on the motion showed nine ayes, zero nays, and three absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Next Council Meeting: City Administrator John Butz announced that due to the Presidents Day holiday on Monday, February 18, 2019, the next City Council meeting would be held on Tuesday, February 19, 2019.

(B) Interim Recreation Center Director: City Administrator John Butz introduced Ms. Marci Fairbanks, the City's Interim Recreation Center Director. He noted she has been employed with the Recreation Center for several years.

XI. CLOSED SESSION

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

The Council adjourned into Closed Session at approximately 6:54 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 7:59 p.m.

City Counselor Lance Thurman reported that during closed session, the Council discussed union negotiations, but no final action was taken.

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XIII. ADJOURNMENT

The meeting adjourned at approximately 8 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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