

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 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, Matthew Crowell, Ann Murphey, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Tiffany Henry

Council Members Absent: None.

Department Directors in Attendance: Public Works Director Steve Hargis, Police Chief Sean Fagan, Environmental Services Director Brady Wilson, Community Development Director Steve Flowers, Parks Director Floyd Jernigan, and Fire Chief Ron Smith

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

Councilman Daniel Jones led 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 twelve ayes, zero nays, and zero 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 – February 4, 2019
- 2) City Council Closed Session Meeting – February 4, 2019
- 3) City Council Meeting – February 19, 2019
- 4) City Council Closed Session Meeting – February 19, 2019

MARCH 4, 2019

**COUNCIL MEETING MINUTES
MARCH 4, 2019
PAGE 2**

II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) St. Pat's Celebration Update: Public Works Director Steve Hargis apprised the Council of the street and parking lot closings during the annual St. Patrick's Day celebration.

(B) Integrated Management Plan Approval Presentation: Mr. Dave Carani with HDR Engineering provided a brief overview of the City's Integrated Management Plan. He explained the Plan is the long-term strategic plan to help guide the City's wastewater and storm water investments over the next 20 years.

A motion was made by Williams and seconded by Eberly to approve the proposed Integrated Management Plan and to submit it to the Department of Natural Resources (DNR) for final disposition. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

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

Mayor Magdits referred the Council to **(A)** the January 2019, Environmental Services Department Monthly Report; **(B)** the January 2019, Police Department Monthly Report; **(C)** the January 2019, Animal Control Division Monthly Report; **(D)** the January 2019 Centre Financial Analysis; **(E)** the January 2019 Rolla Municipal Utilities Monthly Report **(F)** the January 22, 2019, Rolla Board of Public Works Meeting Minutes; **(G)** the January 2019 Building Codes Division Monthly Report; **(H)** the February 12, 2019, Planning and Zoning Commission Meeting Minutes; and **(I)** and January 2019, Municipal Court Monthly Report.

MARCH 4, 2019

V. OLD BUSINESS

(A) Ordinance Rezoning Parcel Located on the Southeast Side of the Intersection of Lions Club Dr. & Highway O from Rural Residential District (R-R) to Highway Commercial District (C-3) (Intercounty Electric): Community Development Director Steve Flowers reported the rezoning request for the Intercounty Electric property has been permanently withdrawn.

(B) Ordinance Approving Final Plat of Cottonwood Dr. Addition (Cottonwood Dr. Add.): Community Development Director Steve Flowers explained the subject request is to approve the final plat of Cottonwood Addition, which through the minor subdivision process would consolidate parcels identified with Phelps County Assessor's account numbers of 10731 through 10735 and part of 10725 into a 1.53-acre lot. William, Robert, & Suzanne Stoltz own the subject lots. Mr. Flowers informed the Council that Mr. Rusty Doss of the Overland Group, LLC, which is an umbrella LLC that builds and owns the buildings in which Dollar General Retail stores operate, is acting as the agent for this project. The subject lots are located on the northwest side of the intersection of Cottonwood Drive and South Bishop Avenue. Mr. Flowers noted the building located on the north boundary of Lot 1 would be demolished before building permits would be issued. He reported the Planning and Zoning Commission recommends approval of this request.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4472: AN ORDINANCE APPROVING THE FINAL PLAT OF COTTONWOOD DRIVE ADDITION, WHICH IS A PLAT THAT WILL, THROUGH THE MINOR SUBDIVISION PROCESS, CONSOLIDATE THE PARCELS IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR ACCOUNT NUMBERS OF 10731, 10732, 10733, 10734, 10735, AND PART OF 10725 INTO A 1.53-ACRE LOT. (COTTONWOOD DR. ADD.). 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; Williams, Jones, Jung, Schott, Woolley, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Hines. Nays; None. Absent; None. Motion carried. The ordinance passed.

(C) Ordinance Approving Final Plat of Joyner Acres (Joyner): Community Development Director Steve Flowers indicated the request is to approve the final plat of Joyner Acres, which is currently platted as Lot 4 of the final plat of Moutray Acres. Dr. Ginger Koller and Mr. Paul A. Joyner own the subject lot. He said the subject lot is

V. OLD BUSINESS (continued)

(C) Ordinance Approving Final Plat of Joyner Acres (Joyner) (continued): located north of the intersection of Thomas Drive and Traci Dawn Drive. Mr. Flowers noted the subject lot was part of a reconfiguration in July 2018, which was conducted through a subdivision process. He informed the Council the applicant would like to replat the subject lot as Lot 1 of Joyner Acres. Mr. Flowers reported that unanimously the Planning and Zoning Commission recommends approval of the final plat.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4473: AN ORDINANCE APPROVING THE FINAL PLAT OF JOYNER ACRES, WHICH IS CURRENTLY PLATTED AS LOT 4 OF THE FINAL PLAT OF MOUTRAY ACRES. (JOYNER ACRES). 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; Henry, Woolley, Murphey, Williams, Hines, Rohter, Meusch, Jones, Eberly, Crowell, Schott, and Jung. Nays; None. Absent; None. Motion carried. The ordinance passed.

(D) Ordinance Vacating Alley that Connects Rolla Street to the End of Houston Road (Houston/Rolla Alley Vacation): Community Development Director Steve Flowers explained the subject request is to vacate the entire alley that connects Rolla Street and the northeastern end of Houston Road. Four separate property owners own property along this approximately 16.5 foot-wide and 260-foot long stretch of alley to be vacated. Mr. Flowers noted the City recommends vacating the alley to facilitate the conveyance of property and because there is no evidence the property was properly dedicated to the City. He reported that unanimously the Planning and Zoning Commission recommends approval of the request.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4474: AN ORDINANCE APPROVING THE VACATION OF THE ENTIRE ALLEY THAT CONNECTS ROLLA STREET TO THE NORTHEASTERN END OF HOUSTON ROAD. (HOUSTON/ROLLA ALLEY VACATION). 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, Woolley, Murphey, Henry, Crowell, Rohter, Jones, Eberly, and Williams. Nays; None. Absent; None. Motion carried. The ordinance passed.

V. OLD BUSINESS (continued)

(E) Ordinance Amending Section 27-92 of the Code Relating to Parking on Holloway Street: City Engineer Darin Pryor stated staff is proposing to remove the on-street parking on Holloway Street on the west side from Fourteenth Street to Eighteenth Street. After the installation of the sidewalk on the west side, it would be difficult to allow on-street parking.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4475: AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO PARKING. 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; Rohter, Crowell, Murphey, Schott, Hines, Jung, Woolley, Jones, Eberly, Henry, Williams, and Meusch. Nays; None. Absent; None. Motion carried. The ordinance passed.

(F) Ordinance Amending Section 27-5 of the Code Relating to Right Turns: City Engineer Darin Pryor said staff is proposing to remove the right-turn only restriction at the Strobach and South Bishop Avenue intersection. He told the Council staff has received several requests to consider removing this restriction. Mr. Pryor indicated staff would continue to monitor this intersection for safety.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4476: AN ORDINANCE AMENDING SECTION 27-5 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO RIGHT TURNS. 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; Jones, Williams, Jung, Hines, Woolley, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Schott. Nays; None. Absent; None. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Building Code Effectiveness Grading Schedule Results: Community Development Director Steve Flowers touched on the Building Code Enforcement Evaluation Report. He noted the City improved in several areas and the City received a Class 4 ISO rating, which is an improvement over the previous Class 10 ISO rating.

**COUNCIL MEETING MINUTES
MARCH 4, 2019
PAGE 6**

VI. NEW BUSINESS (continued)

(B) Ordinance Authorizing the Mayor to Enter into an Agreement with the Missouri Department of Transportation Pertaining to Grants: Police Chief Sean Fagan asked the Council for permission to continue working with the Missouri Department of Transportation on grants for DWI saturation patrols and for traffic enforcement. The Police Department normally receives \$25,000 for this grant.

City Administrator John Butz asked the Council to consider the final reading of the ordinance at this meeting due to timing issues.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4477: 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 THE MISSOURI DEPARTMENT OF TRANSPORTATION PERTAINING TO GRANTS. A motion was made by Meusch 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 twelve ayes, zero nays, and zero absent. Motion carried. Mr. Thurman then read the proposed ordinance for its final reading, by title. 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; Woolley, Henry, Murphey, Williams, Hines, Jung, Meusch, Rohter, Eberly, Crowell, Schott, and Jones. Nays; None. Absent; None. Motion carried. The ordinance passed.

(C) Ordinance Amending Sections 27-98, 27-101, and 27-118 of the Code Relating to Parking: City Engineer Darin Pryor reported the business owner at 1004 North Pine Street has requested changes to the two-hour and thirty minute parking on Pine Street between Tenth and Eleventh Streets on the east side. The business is the Downtown Barber Shop owned by Mr. Dennis Foster. Mr. Pryor said Mr. Foster has requested the parking on the east side of this block of Pine be changed to one-hour parking from 8 a.m. until 5 p.m. except on Sundays and legal holidays.

Mayor Magdits suggested to Mr. Pryor that he reach out to the Rolla Downtown Business Association and downtown merchants regarding this request.

MARCH 4, 2019

VI. NEW BUSINESS (continued)

(C) Ordinance Amending Sections 27-98, 27-101, and 27-118 of the Code Relating to Parking (continued): City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING SECTIONS 27-98, 27-101 AND 27-118 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO PARKING.

(D) Resolution Authorizing the Mayor to Enter into a Sewer Use Agreement with HLG, LLC: Public Works Director Steve Hargis relayed that in early 2014 the City entered into an agreement with Stately Mansions Mobile Home Park to provide sewer service. That agreement was based on some easements and property the City had purchased from the Huffmans that allowed them to connect to the City's sewer system. The original agreement was based on charging the City's residential unmetered rate. Mr. Hargis noted currently there are 42 units with a maximum 50 units in the park. The charges in the new agreement are based on a metered rate at a cost of 1.5 times the City rate. The mobile home park will have its own service availability fee of \$175 a month.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1944: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND HLG, LLC. A motion was made by Williams and seconded by Jung to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. The resolution passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for VIPS Vehicle Replacement: Police Chief Sean Fagan stated the Police Department is requesting permission to purchase a pre-owned Highway Patrol vehicle for \$15,250, for the VIPS program. This vehicle would replace one of the four current vehicles in the fleet. A motion was made by Williams and seconded by Jung to authorize the purchase of a 2016 Dodge Charger from the Missouri State Highway Patrol for \$15,250. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion Awarding Bid for Project #482 - 2019 Phase II Asphalt Improvements; and an Ordinance Authorizing the Mayor to Enter into a Contract with N.B. West Contracting for Same: City Engineer Darin Pryor asked the Council to consider awarding the bid for Project #482 – 2019 Phase II Asphalt Improvements to the low bidder, N.B. West contracting, Sullivan, Missouri for \$172,290.90. This project would pave Forum Drive from Tenth Street to the roundabout and paves the intersection of Soest and Pinetree Roads. Additionally, Mr. Pryor asked the Council to consider the first reading of an ordinance that would authorize the Mayor to enter into a contract with N.B. West Contracting.

A motion was made by Murphey and seconded by Schott to award the bid for Project #482, 2019 Phase II Asphalt Improvements to N.B. West Contracting, Sullivan, Missouri, for \$172,290.90. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

City Counselor Lance Thurman 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 N.B. WEST CONTRACTING COMPANY FOR 2019 PHASE II ASPHALT IMPROVEMENTS, PROJECT #482.

(C) Ordinance Authorizing Grant Award with SEMA for Storm Siren Replacement: Fire Chief Ron Smith informed the Council that in December the City was notified by SEMA (State Emergency Management Association) that the Fire Department was eligible to receive a grant for a storm siren for up to \$30,000 without any matching funds. In February 2019, the Fire Department was notified it had been awarded the grant. Chief Smith asked the Council to consider the first and final readings of the subject ordinance at this meeting due to a requirement to have the siren installed by June 1, 2019. Chief Smith indicated this grant would replace two sirens, which are 25 to 30 years old. The new siren will be capable of covering the area of the two older sirens.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4478: 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

VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(C) Ordinance Authorizing Grant Award with SEMA for Storm Siren Replacement (continued): CITY OF ROLLA, MISSOURI AND THE MISSOURI STATE EMERGENCY MANAGEMENT AGENCY TO PURCHASE AN OUTDOOR STORM SIREN. 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 twelve ayes, zero nays, and zero absent. Motion carried. Mr. Thurman then read the proposed ordinance for its final reading, by title. 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; Crowell, Schott, Jung, Hines, Jones, Murphey, Henry, Williams, Meusch, Rohter, Eberly, and Woolley. Nays; None. Absent; None. Motion carried. The ordinance passed.

(D) Resolution Authorizing the Mayor to Execute Siren Purchase from Federal Signal: Fire Chief Ron Smith asked the Council to consider authorizing the purchase of an outdoor storm siren from Federal Signal. He noted Blue Valley provides the maintenance work on the sirens.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1945: A RESOLUTION AUTHORIZING THE PURCHASE OF A FEDERAL SIGNAL 2001-130 STORM SIREN AND COMMUNICATIONS EQUIPMENT THROUGH FEDERAL SIGNAL SAFETY CORPORATION. A motion was made by Williams and seconded by Jung to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. The resolution passed.

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) Snow/Ice on Sidewalks: Mayor Magdits noted he received a couple of complaints about the snow and ice on downtown sidewalks. One complaint was about the snow and ice in front of a business and two were on numbered streets, which did not have a

IX. MAYOR/CITY COUNCIL COMMENTS (continued)

(A) Snow/Ice on Sidewalks (continued): business facing it. Mayor Magdits asked who is responsible for snow/ice removal.

City Administrator John Butz said it is the responsibility of the adjacent property owner. Mr. Butz added the City has a generic ordinance based on statutory authority that says you can declare the adjacent property owner responsible.

Councilwoman Eberly suggested reminding the business owners and the Rolla Downtown Business Association (RDBA) at the beginning of the winter season that it is the property owner's responsibility.

(B) Assisted Living: Councilman Williams reminded everyone that Rolla has some nice assisted living places. He said he toured Oak Pointe, Parkside, Silverstone, Rolla Manor, and Rolla Rehabilitation and they are all very nice. Mr. Williams encouraged folks to tour these facilities.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Pine Street Incident: Councilman Jones commented about an incident that occurred on Pine Street involving a shopper that turned into a physical altercation. He said it could have been a lot worse had it not been for Chief Fagan's team showing up and deescalating the situation. Mr. Jones thanked the Police Department for a safer night.

XI. CLOSED SESSION

None.

XII. ADJOURNMENT

The meeting adjourned at approximately 7:52 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

MARCH 4, 2019