

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, NOVEMBER 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:** Rachel Schneider, Matthew Crowell, Ann Murphey, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Marie Allen, Christine Ruder, and Tiffany Henry

**Council Members Absent:** Monty Jordan

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

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

A member of the Rolla Ministerial Alliance opened the meeting with prayer.

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Scout Trevor Pelc from Troop 145 to lead in the Pledge of Allegiance.

**I. CONSENT AGENDA**

A motion was made by Henry and seconded by Schneider to approve the consent agenda as submitted. A voice vote on the motion showed ten 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 – October 7, 2019
- 2) City Council Meeting – October 21, 2019
- 3) City Council Closed Session Meeting – October 21, 2019

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**II. PUBLIC HEARINGS**

None.

**III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS**

**(A) Eagle Scout Project at Green Acres Ballfield – Scout Trevor Pelc:** Mayor Magdits introduced Scout Trevor Pelc of Troop 145, who, as part of his Eagle Scout project, has done a terrific civic service.

Mr. Pelc addressed the Council and provided an overview of his Eagle Scout project, which consisted of completing numerous improvements to the Green Acres Park. He also entertained questions from the Council.

**(B) Recycling Promotional Videos Produced by Environmental Services:** Environmental Services Director Brady Wilson began by showing a video, which highlighted the Recycling Center's relationship with Hartmann US. He pointed out this video emphasizes the closing of the recycling loop with paper being made into egg cartons and available for purchase locally. Mr. Wilson showed a second video which stressed the importance of recycling and how correctly recycling can minimize contamination. Mr. Wilson informed the Council that the videos were funded by a small grant from the Solid Waste District through the MRPC (Meramec Regional Planning Commission) office.

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

Mayor Magdits referred the Council to **(A)** the September 2019, Environmental Services Department Monthly Report; **(B)** the September 2019, Parks Department Financial Analysis; **(C)** the July 24, 2019, Parks Advisory Commission Meeting Minutes; **(D)** the September 2019, Centre Financial Analysis; **(E)** the September 2019, Rolla Municipal Court Monthly Report; **(F)** the September 2019 Rolla Municipal Utilities Monthly Report; **(G)** the September 24, 2019 Rolla Board of Public Works Meeting Minutes; **(H)** the October 1, and 22, 2019, Development Review Committee Meeting Minutes; **(I)** the October 3, 2019, Rolla Board of Adjustment Meeting Minutes; **(J)** the October 8, 2019, Planning and Zoning Commission Meeting Minutes; **(K)** the September 2019, Police Department Monthly Report; and **(L)** the September 2019 Animal Control Monthly Report.

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**V. OLD BUSINESS**

**(A) Ordinance Vacating a Portion of the Sixth St. Right-of-Way Adjacent to 607 N.**

**Main St.:** Community Development Director Steve Flowers explained the subject ordinance would vacate eight inches of right-of-way along Sixth Street. He said when the property was recently surveyed, it was discovered the building and the retaining wall encroached into the right-of-way. Mr. Flowers said staff recommends approval.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4527: AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE RIGHT-OF-WAY OF 6<sup>TH</sup> STREET. (VAC19-02). A motion was made by Schneider and seconded by Henry to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Meusch, Schott, Ruder, Schneider, Allen, Murphey, Henry, Crowell, Rohter, and Eberly. Nays; None. Absent; Jordan. Motion carried. The ordinance passed.

**(B) Ordinance Amending Chapter 6, Article III, Section 6-17 (109.2) of the Code**

**Relating to Building Permit Fees:** Community Development Director Steve Flowers said staff would like to adopt a simpler way of calculating building permit fees. In addition, staff is recommending an increase in fees that would allow a 50% recapture rate, which is addressed in the new budget.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4526: AN ORDINANCE AMENDING CHAPTER 6, ARTICLE III, SECTION 6-17, SUBSECTION 109.2, RELATING BUILDING REGULATIONS AND ADOPTION OF THE REVISED PERMIT FEE SCHEDULE OF THE CODE OF THE CITY OF ROLLA, MISSOURI. A motion was made by Henry and seconded by Schneider to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Rohter, Crowell, Murphey, Schott, Schneider, Ruder, Allen, Eberly, Henry, and Meusch. Nays; None. Absent; Jordan. Motion carried. The ordinance passed.

**(C) Ordinance Authorizing the Mayor to Enter into an Agreement with Pierce**

**Asphalt, LLC for Project 500, FY 2020 Phase I Asphalt Improvements:** City Engineer Darin Pryor recalled that during the Council's last meeting, the bid for the FY 2020 phase I asphalt improvements were awarded to the low bidder Pierce Asphalt, LLC, for \$131,860.60. Staff is asking the Council to consider the final reading of an ordinance authorizing the Mayor to enter into an agreement with Pierce Asphalt, LLC, for the subject project.

**V. OLD BUSINESS (continued)**

**(C) Ordinance Authorizing the Mayor to Enter into an Agreement with Pierce Asphalt, LLC for Project 500, FY 2020 Phase I Asphalt Improvements (continued):**

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4528: 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 PIERCE ASPHALT, LLC, FOR FY 2020 PHASE I ASPHALT IMPROVEMENTS, PROJECT #500. A motion was made by Henry and seconded by Schneider to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Ruder, Schneider, Allen, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Schott. Nays; None. Absent; Jordan. Motion carried. The ordinance passed.

**VI. NEW BUSINESS**

**(A) Motion Authorizing the Closing of Certain Streets for Christmas Festivities, Dec. 6 & 7, 2019:** Public Works Director Steve Hargis asked the Council to consider the closing of certain streets, as outlined in the agenda materials, for the Christmas festivities on December 6 and 7, 2019.

Mr. Hargis also introduced Mr. Bill Bicknell, representing the Rolla Sister Cities Association, who provided a brief overview of the Association's upcoming events, including the Christkindl Market.

A motion was made by Crowell and seconded by Schott to authorize the closing of the streets as outlined by Public Works Director Steve Hargis. A voice vote on the motion showed ten ayes, zero nays, and one absent. Motion carried.

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

**(A) Motion Awarding Bid for Sewer Line Inspection Camera:** City Engineer Darin Pryor reported that only one bid was received for a sewer line inspection camera which will allow the Sewer Department to inspect laterals. He said staff recommends the bid be awarded to the sole bidder, RED Municipal and Industrial Equipment Company, Kansas

**VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)**

**(A) Motion Awarding Bid for Sewer Line Inspection Camera (continued):** City, Missouri for \$21,600.00. A motion was made by Henry and seconded by Schneider to award the bid for a sewer line inspection camera to RED Municipal and Industrial Equipment Company for \$21,600.00. A voice vote on the motion showed ten ayes, zero nays, and one absent. Motion carried.

**(B) Motion Awarding Bid for Police SUVs:** Police Chief Sean Fagan informed the Council that staff let bids for four police SUVs. Staff is recommending the bid be awarded to the low bidder, Taylor Dodge, Rolla, Missouri, for \$32,539.36 per vehicle for a total of \$130,157.44 for four vehicles. Chief Fagan indicated staff recommends approval. A motion was made by Crowell and seconded by Meusch to award the bid for four, 2020 Dodge Durango Pursuit SUVs for a total cost of \$130,157.44 to Taylor Dodge, Rolla, Missouri. A voice vote on the motion showed ten ayes, zero nays, and one absent. Motion carried.

**(C) Motion Awarding Bid for Police SUV Equipment:** Police Chief Sean Fagan asked the Council to consider awarding the bid for the Police SUV equipment to Public Safety Upfitters for a per vehicle price of \$8,080.75 for a total of \$32,323.00. A motion was made by Eberly and seconded by Crowell to award the bid for the police SUV equipment to Public Safety Upfitters for \$8,080.75 each for a total of \$32,323.00. A voice vote on the motion showed ten ayes, zero nays, and one absent. Motion carried.

**VIII. CITIZEN COMMUNICATION**

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

1) Mr. Joshua Vroman, 807 Wakefield Drive Rolla, Missouri, said much of the general public is concerned the funds from the proposed “use tax” will not be distributed to the Police Department that the Council is stating. If the verbiage of the ballot had been 70% of the revenue of the “use tax” will be used to fund the Police and Fire Departments, it would have made his argument much harder. Unfortunately, after tomorrow’s election, these departments may have to operate with less. Mr. Vroman asked, “if the use tax does not pass tomorrow, will we have a bad police and fire department?”

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**VIII. CITIZEN COMMUNICATION (continued)**

**(A) Open Citizen Communication (continued):** Mayor Magdits said the short answer is the fiscal realities will certainly put a burden on public safety in ensuing years and he said he believes public safety will have continued problems recruiting and retaining employees. Mayor Magdits added that at some point, the City might have to look at service cutbacks.

No one else present addressed the Council.

**IX. MAYOR/CITY COUNCIL COMMENTS**

**(A) Use Tax:** Mayor Magdits stated that in light of the conversation regarding the proposed “use tax,” he said by State Statute, elected officials and City staff cannot advocate for a tax increase – all we can do is provide facts and the explanations.

Mayor Magdits asked City Administrator John Butz to explain how the “use tax,” if approved, would be applied.

Mr. Butz explained the use tax would apply the current local sales tax rate of 2.25% to out of state purchases. We estimate this would allow the City to collect between \$235,000 to \$400,000/\$500,000 a year. He indicated this is based on Department of Revenue estimates from other cities the size of Rolla who enacted the use tax a few years ago. It is impossible to determine the anticipated revenue from this tax until after it is adopted and in place for a few years.

**(B) Medical Marijuana Possession:** Mayor Magdits noted some of us are a bit confused as to the specifics associated with possessing medical marijuana. He said part of this reason is because the regulations were mostly written after the constitutional amendment was passed. Mayor Magdits asked Police Chief Sean Fagan to give a brief presentation as to what the statutes are with respect to possession of medical marijuana.

Chief Fagan said the medical marijuana statute in Missouri is a very evolving document. The Department of Health and Senior Services are in charge of the law. He continued by providing a brief synopsis of the law and entertained questions from the Council.

**(C) LAGERS Annual Meeting:** Councilwoman Ann Murphey, the City’s employer representative for the LAGERS (Local Governmental Employee Retirement System) annual meeting, provided an overview of the meeting and the benefits of being a part of LAGERS.

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

None.

**XI. CLOSED SESSION**

A motion was made by Schneider and seconded by Eberly to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss the following: a) Real Estate (RSMo. 610.021 (2); b) Sealed Proposals (RSMo. 610.21 (12), and; c) Personnel (RSMo. 610.021 (3)). A roll call vote on the motion showed the following: Ayes; Allen, Henry, Murphey, Schneider, Ruder, Meusch, Rohter, Eberly, Crowell, and Schott. Nays; None. Absent; Jordan. Motion carried.

The Council adjourned into closed session at approximately 7:53 p.m.

**XII. CLOSED SESSION ACTION**

The Council reconvened into open session at approximately 8:44 p.m.

City Counselor Lance Thurman reported that during Closed Session the Council discussed a seal bid proposal, a real estate matter and a personnel matter. No final action was taken on any matter.

**XIII. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 8:45 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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