

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 2, 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, Monty Jordan, Matthew Crowell, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Carrolyn Bolin, Marie Allen, Christine Ruder, and Tiffany Henry

Council Members Absent: Ann Murphey

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 Councilwoman Jody Eberly 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 eleven 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 – November 4, 2019
- 2) City Council Closed Session Meeting – November 4, 2019
- 3) City Council Meeting – November 18, 2019
- 4) City Council Closed Session Meeting – November 18, 2019

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II. PUBLIC HEARINGS

None.

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Presentation to Corporal Brad Gibbs: Police Chief Sean Fagan presented Corporal Brad Gibbs of the Rolla Police Department with a life-saving award for saving the life of a student on November 20 who had sustained a severe, arterial laceration.

(B) Rolla Municipal Utilities Fourth Quarter FY 2019 Report: Rolla Municipal Utilities General Manager Rodney Bourne provided an overview of RMU's Fourth Quarter FY 2019 Report.

(C) Rolla Area Chamber of Commerce Third Quarter 2019 Report: Rolla Area Chamber of Commerce Executive Director Stevie Kearsse provided an overview of the Third Quarter 2019 Report.

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

Mayor Magdits referred the Council to **(A)** the October 2019, Environmental Services Department Monthly Report; **(B)** the October 2019, Parks Department Financial Analysis; **(C)** the October 2019, Centre Financial Analysis; **(D)** the October 2019, Municipal Court Monthly Report; **(E)** the October 2019, Building Codes Monthly Report; **(F)** the November 7, 2019, Board of Adjustment Meeting Minutes; **(G)** the November 12, 2019, Planning and Zoning Commission Meeting Minutes; **(H)** the September 2019 Police Department Monthly Report, and; **(I)** the October 2019, Animal Control Monthly Report.

V. OLD BUSINESS

(A) Ordinance Approving the Rezoning of 2050 Old St. James Road from GI (Governmental & Institutional) to M-1 (Light Manufacturing): City Planner Tom Coats informed the Council that the subject property is located on Old St. James Road and is currently undeveloped. The applicant is requesting the property be rezoned from

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V. OLD BUSINESS (continued)

(A) Ordinance Approving the Rezoning of 2050 Old St. James Road from GI (Governmental & Institutional) to M-1 (Light Manufacturing) (continued): GI (Governmental & Institutional) to M-1 (Light Manufacturing), which is in line with adjacent properties.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4529: AN ORDINANCE TO APPROVE THE REZONING OF 2050 OLD ST. JAMES RD FROM GI, GOVERNMENTAL AND INSTITUTIONAL TO M-1, LIGHT MANUFACTURING. A motion was made by Eberly and seconded by Meusch to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jordan, Bolin, Ruder, Schneider, Allen, Henry, Crowell, Meusch, Rohter, Eberly, and Schott. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

(B) Ordinance Approving the Rezoning of 4001 Enterprise Drive from M-2 (Heavy Manufacturing) to C-3, (Highway Commercial): City Planner Tom Coots said the subject request is to rezone the property, located at 4001 Enterprise Drive, from M-2 (Heavy Manufacturing) District to C-3 (Highway Commercial) District. The applicant for the rezoning is QuikTrip who plans to construct a gas station.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4530: AN ORDINANCE TO APPROVE THE REZONING OF 4001 ENTERPRISE DR FROM M-2, HEAVY MANUFACTURING TO C-3, HIGHWAY COMMERCIAL. A motion was made by Schott and seconded by Allen to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Allen, Henry, Bolin Schneider, Ruder, Meusch, Rohter, Eberly, Crowell, Schott, and Jordan. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

(C) Ordinance Approving the Minor Subdivision Final Plat of Quiktrip #7067 Subdivision & Vacating Certain Easements: City Planner Tom Coots informed the Council that the subject property is currently owned by the Rolla Community Development Corporation (RCDC). The RCDC is in the process of selling the property to QuikTrip. Mr. Coots noted the property lines do not match the area that was rezoned. He explained the subdivision would cleanup those property lines, which would create two lots.

V. OLD BUSINESS (continued)

(C) Ordinance Approving the Minor Subdivision Final Plat of QuikTrip #7067 Subdivision & Vacating Certain Easements (continued): City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4531: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF QUIKTRIP #7067 SUBDIVISION AND VACATING CERTAIN EASEMENTS. (SUB19-06). A motion was made by Eberly and seconded by Schott to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Crowell, Schott, Ruder, Schneider, Jordan, Henry, Bolin, Meusch, Rohter, Eberly, and Allen. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

(D) Ordinance Approving the Minor Subdivision Final Plat of Miner Alumni Addition: City Planner Tom Coots explained the subject property is located in downtown Rolla and is owned by the Miner Alumni Association., and located to the north of their building on Pine Street. He said plans are to possibly demolish the building on the lot and construct a parking lot.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4532: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF MINER ALUMNI ADDITION. (SUB19-07). A motion was made by Bolin and seconded by Ruder to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Eberly, Allen, Bolin, Schneider, Ruder, Meusch, Jordan, Henry, Crowell, Schott, and Rohter. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

(E) Ordinance Approving the Minor Subdivision Final Plat of Old Wire Road Plat #1: City Planner Tom Coots said the subject request is to reconfigure the subject property, which consists of three platted lots. He indicated the lot lines are proposed to be adjusted to allow for the development of the remainder of the property.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4533: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF OLD WIRE ROAD PLAT #1 (SUB19-08). A motion was made by Schneider and seconded by Schott to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Schneider, Rohter, Ruder, Bolin, Jordan, Schott, Crowell, Meusch, Allen, Eberly, and Henry. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

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V. OLD BUSINESS (continued)

(F) Ordinance Amending Chapter 37 of the Code Enacting a Local Use Tax: City Administrator John Butz indicated the Use Tax, which was approved by voters on November 5, would go into effect April 1, 2020, once the Department of Revenue is notified. He added that during the Council's last meeting, someone raised the question that while the phrase "fully fund public safety" is included in the title of the ordinance it was not included in the body, which is the portion that would be codified. The ordinance included in the agenda materials has been amended to include this wording.

A motion was made by Schott and seconded by Schneider to amend the proposed ordinance to include "fully fund public safety" in the body of the subject ordinance. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title, as amended. ORDINANCE NO. 4534: AN ORDINANCE AMENDING CHAPTER 37 OF THE ROLLA CITY CODE AND ENACTING A NEW SECTION ENACTING A USE TAX AT THE SAME RATE AS THE TOTAL LOCAL SALES TAX RATE TO FULLY FUND PUBLIC SAFETY NEEDS WITH ANY ADDITIONAL FUNDS BEING APPLIED TO OTHER GENERAL FUND NEEDS. A motion was made by Schott and seconded by Ruder to approve the proposed ordinance, as amended. A roll call vote on the motion showed the following: Ayes; Schott, Meusch, Jordan, Bolin, Schneider, Ruder, Allen, Henry, Crowell, Eberly, and Rohter. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

(G) Ordinance Amending Sec. 7-9, Sec. 7-26 & Sec. 7-27 of the Code Pertaining to Cemeteries and Burials: Parks Director Floyd Jernigan asked the Council to consider the final reading of the proposed ordinance, which would amend the cemetery lot burial fees and lot sales for the Rolla City Cemetery, which were last increased in 2012. Additionally, staff recommended some minor changes to the rules and regulations, both which were previously approved by the Parks Advisory Commission.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4535: AN ORDINANCE AMENDING SECTIONS 7-9, 7-26, AND 7-27 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO CEMETERIES AND BURIALS. A motion was made by Schott and seconded by Henry to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Ruder, Jordan, Schneider, Allen, Bolin, Henry, Crowell, Meusch, Rohter, Schott, and Eberly. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

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V. OLD BUSINESS (continued)

(H) Ordinance Authorizing the Mayor to Enter into an Agreement with Lankford Enterprises, Inc., for Project 501 – Centre Basketball Court Refinishing: City Engineer Darin Pryor asked the Council to consider the final reading of an ordinance that would authorize the Mayor to enter into a contract with Lankford Enterprises, LLC, for refinishing The Centre basketball court.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4536: 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 LANKFORD ENTERPRISES INC., FOR CENTRE BASKETBALL COURT REFINISHING, PROJECT #501. A motion was made by Eberly and seconded by Henry to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Henry, Allen, Bolin, Schneider, Ruder, Meusch, Jordan, Eberly, Rohter, Schott, and Crowell. Nays; None. Absent; Murphey. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Approving the Major Subdivision Final Plat of South Meadow Subdivision: City Planner Tom Coots recalled that during the Council's last meeting, a resolution was passed which approved the preliminary plat of the South Meadow Subdivision. He indicated the next step in the process is the final plat. The applicant has submitted the improvement plans for a sewer line extension, which are currently being reviewed. The plan also indicates the sidewalk construction. Mr. Coots reminded the Council that the subject property is located at the southwest corner of Lions Club Drive and State Highway O and is zoned R-2 (Two Family) District.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE MAJOR SUBDIVISION FINAL PLAT OF SOUTH MEADOW SUBDIVISION. (SUB19-05)

(B) Resolution Authorizing the Mayor to Enter into a Contract for Floodplain Review with Allgeier, Martin and Associates, Inc.: Public Works Director Steve Hargis informed the Council that the Missouri State Emergency Management Agency (SEMA) and the Federal Emergency Management Agency (FEMA) have updated the

VI. NEW BUSINESS (continued)

(B) Resolution Authorizing the Mayor to Enter into a Contract for Floodplain Review with Allgeier, Martin, and Associates, Inc. (continued): Flood Insurance Rate Maps for Phelps County including the City of Rolla. He told the Council that staff met with them on November 21, 2019. During that meeting, SEMA presented the proposed updated Flood Insurance Rate Maps for Rolla. Mr. Hargis pointed out the new proposed maps presented by SEMA have areas, which indicate significant increases in the limits of the 100-Year Base Flood Areas. An increase where many existing homes could now be required to purchase flood insurance. Mr. Hargis said staff is recommending the City contract with Allgeier, Martin, and Associates to review the new mapping and verify the methodology and modeling done by FEMA.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1957: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN CONTRACT FOR FLOODPLAIN REVIEW WITH ALLGEIER, MARTIN, AND ASSOCIATES, INC. A motion was made by Schott and seconded by Schneider to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(C) Resolution Authorizing the Mayor to Execute a Lease with the ABLE Commission for the Holloway House: Parks Director Floyd Jernigan explained the Achievement of Better Lifestyles for the Elderly (ABLE) Committee has requested the extension of its building lease contract, which is set to expire December 2019. The new contract, if approved, would extend the lease through December 31, 2021 with a one-year extension option. He noted that under the contract, the City is responsible for the exterior of the building and major building components, while ABLE is responsible for minor interior items.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1958: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A LEASE BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE A.B.L.E. COMMISSION, INC., FOR THE HOLLOWAY HOUSE. A motion was made by Jordan and seconded by Crowell to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

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VI. NEW BUSINESS (continued)

(D) Resolution Authorizing the Mayor to Execute a Contract for Services with the ABLE Commission Pertaining to Senior Citizen Services: Parks Director Floyd Jernigan explained the subject contract for services with the Achievement of Better Lifestyles for the Elderly (ABLE) Commission, which also expires in December 2019, addresses programming for seniors, and defines the expectations. He noted this contract could be extended for two years, with a one-year extension. Mr. Jernigan said the proposed contract provides for a payment of \$5,500 annually to the ABLE Commission, pending Council approval. This payment would help cover utilities and insurance on the building.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1959: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI THE CONTRACT FOR SERVICES WITH THE A.B.L.E. COMMISSION, INC., PERTAINING TO SENIOR CITIZEN SERVICES. A motion was made by Jordan and seconded by Schott to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

None.

VIII. CITIZEN COMMUNICATION

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

Christy and Bill Hahn, 593 Sycamore Drive, Rolla, Missouri, informed the Council that they are members of the “Friends of the Holloway House” group. They appealed to the Council to reuse the Holloway House instead of demolishing it. They also asked the Council to consider another location for a senior center.

No one else present addressed the Council.

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IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Appointing Mr. Ray Schweikhardt to the Planning and Zoning Commission to Complete the Unexpired Term of Mr. Monty Jordan (June 2022): A motion was made by Crowell and seconded by Ruder to appoint Mr. Ray Schweikhardt to the Planning and Zoning Commission. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion Appointing Mr. Mike Fleischhauer to the Park Advisory Commission (November 2022): A motion was made by Schott and seconded by Schneider to appoint Mr. Mike Fleischhauer to the Park Advisory Commission. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

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 real estate and litigation. A roll call vote on the motion showed the following: Ayes; Bolin, Jordan, Ruder, Schott, Allen, Henry, Crowell, Meusch, Rohter, Eberly, and Schneider. Nays; None. Absent; Murphey. Motion carried.

The Council adjourned into Closed Session at approximately 8:33 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 9 p.m.

City Counselor Lance Thurman reported that during Closed Session the Council discussed a real estate and litigation matter. No final action was taken on either matter.

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XIII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 9:01 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

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