

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 7, 2020; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Pro-Tem Matthew Crowell

Council Members in Attendance via Zoom Videoconferencing: Christine Ruder, Jody Eberly, Ann Murphey, and Lister B. Florence Jr.,

Council Members in Physical Attendance: Rachel Schneider, Matthew Crowell, David Schott, John Meusch, Carrolyn Bolin, Marie Allen, and Deanne Lyons

Council Members Absent: Terry Higgins.

Department Directors in Attendance via Zoom Videoconferencing: Mayor Louis J. Magdits, IV, Parks Director Floyd Jernigan, Community Development Director Steve Flowers, and Public Works Director Steve Hargis

Department Directors and Other City Officials in Physical Attendance: City Administrator John Butz, Fire Chief Ron Smith, City Engineer Darin Pryor, City Clerk Lorri Thurman, Finance Director Steffanie Rogers and Rolla Police Captain Doug James

Mayor Pro-Tem Matthew Crowell called the meeting to order at approximately 6:30 p.m. and asked Councilperson Carrolyn Bolin to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by John Meusch and seconded by Carrolyn Bolin to approve the consent agenda as submitted. A roll call vote on the motion showed the following: Ayes; Meusch, Schott, Ruder, Schneider, Allen, Murphey, Lyons, Crowell, Florence, Eberly, and Bolin. Nays; None. Absent; Higgins. Motion carried.

The consent agenda consisted of the following:

(A) Consider Approval of the Rolla City Council Minutes for the following:

- 1) City Council Meeting, November 2, 2020
- 2) City Council Closed Session Meeting, November 2, 2020
- 3) City Council Meeting, November 16, 2020
- 4) City Council Closed Session Meeting, November 16, 2020
- 5) Special City Council Meeting, November 23, 2020

DECEMBER 7, 2020

COUNCIL MEETING MINUTES
December 7, 2020
PAGE 2

II. PUBLIC HEARINGS

(A) Kohl's Tax Increment Financing (TIF) – 5 Year Review (City Administrator, John Butz)

City Administrator John Butz explained that per State Statute in addition to filing an Annual Report with the Mo Dept. of Revenue, the City is required to hold a public hearing on the TIF project status every five years from the year the Redevelopment Plan was approved. The Kohl's TIF Plan was approved in 2010, the Redevelopment Agreement was approved in 2011, and the store opened in 2012.

As a stand-alone store, we are not able to share actual sales data but overall the project is underperforming on both the incremental property taxes paid (PILOT-payment in Lieu of Tax) and incremental sales tax (EATS- Economic Activity taxes) based on initial projections by the company.

The total construction project (hence TIF assistance) came in under budget so the initial TIF financing was \$3,168,488 rather than the projected \$3,300,000. Kohl's elected to finance the project directly rather than have City issue TIF bonds - fixed at 6.5%. While the company has expressed satisfaction with the store's performance, their outstanding debt is now \$3,619,413 with interest accumulation. Store sales would need to rise considerably over the next 10-12 years to pay off the notes completely. By law, a TIF project can run no more than 23 years at which point the financing is complete with no further obligation on the City's part.

Matthew Crowell opened the Public Hearing. Following no public comment, a motion was made by Bolin and seconded by Lyons to accept the report. A roll call vote on the motion showed the following: Ayes; Florence, Crowell, Murphey, Schott, Schneider, Ruder, Allen, Eberly, Lyons, Bolin, and Meusch. Nays; none. Absent; Terry Higgins. Motion carried.

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

None

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

Mayor Pro-Tem Matthew Crowell referred the Council to the (A) the October 2020, Environmental Services Department Monthly Report; (B) the October 2020, Parks Financial Analysis; (C) the October 2020, Centre Financial Analysis; (D) the October

DECEMBER 7, 2020

COUNCIL MEETING MINUTES

December 7, 2020

PAGE 3

2020, Municipal Court Monthly Report; **(E)** the October 2020, Police Department Monthly Report; **(F)** the October 2020, Animal Control Division Monthly Report; **(G)** the October and November 2020 Building Codes Monthly Reports; **(H)** the November 18, 2020, Park Advisory Commission Meeting Minutes; **(I)** and the November 10th, 2020, Rolla Planning and Zoning Commission Meeting Minutes.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

(A) **Resolution** awarding the financing of Centre IT equipment to First State Community Bank. Finance Director Steffanie Rogers reported soliciting local financial firms to finance the improvements of \$80,000 for 4 years at 1.9% interest.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION 1981: A RESOLUTION AWARDING THE FINANCING OF CENTRE IT EQUIPMENT TO FIRST STATE COMMUNITY BANK AND AUTHORIZING THE MAYOR TO EXECUTE LEASE DOCUMENTS. A motion was made by Meusch and seconded by Schneider to approve the proposed resolution. A roll call vote on the motion showed the following: Ayes; Bolin, Ruder, Schneider, Allen, Murphey, Lyons, Crowell, Meusch, Florence, Eberly, and Schott. Nays; None. Absent; Higgins. Motion carried. Resolution approved.

(B) **Ordinance** authorizing the Mayor to execute a grant of easement for sidewalk and utility purposes on Kingshighway. (City Engineer Darin Pryor) – **First/Final Reading Requested**

City Engineer Darin Pryor, on behalf of RMU, presented the need for a new easement by MO S&T for sidewalk and utility purposes the Kingshighway road project. The request for first and final reading is made to continue the active project while weather permits.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE 4592: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT OF EASEMENT FOR SIDEWALK AND UTILITY PURPOSES ON KINGSHIGHWAY. A motion was made by Murphey and seconded by Allen to suspend the rules and that the ordinance be read for its final reading by title. A roll call vote on the motion showed the following: Ayes; Allen, Lyons, Murphey, Bolin, Schneider, Ruder, Meusch, Florence, Eberly, and Schott. Nays; Crowell. Absent; Higgins. Motion carried. Ms. Buschjost then read the proposed

DECEMBER 7, 2020

COUNCIL MEETING MINUTES

December 7, 2020

PAGE 4

ordinance for its final reading by title. 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: Aye; Crowell, Schott, Ruder, Schneider, Murphey, Lyons, Bolin, Meusch, Florence, Eberly, and Allen. Nays; None, Absent; Higgins. Motion carried. The ordinance passed.

(C) **Ordinance** authorizing the Mayor to execute a grant of easement for utility purposes on Kingshighway. (City Engineer Darin Pryor) – **First/Final Reading Requested**

City Engineer Darin Pryor, on behalf of RMU, presented the need for a new easement by MO S&T for sidewalk and utility purposes the Kingshighway road project. The request for first and final reading was made to continue the active project while weather permits.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE 4593: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT OF EASEMENT FOR UTILITY PURPOSES ON KINGSHIGHWAY. A motion was made by Bolin and seconded by Murphey to suspend the rules and that the ordinance be read for its final reading by title. A roll call vote on the motion showed the following: Ayes; Eberly, Allen, Murphey, Bolin, Schneider, Ruder, Meusch, Lyons, Crowell, Schott, and Florence. Nays; Crowell. Absent; Higgins. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading by title. A motion was made by Schott and seconded by Bolin to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Schneider, Florence, Ruder, Bolin, Murphey, Schott, Crowell, Meusch, Allen, Eberly, and Lyons. Nays; None. Absent; Higgins. Motion carried. The ordinance passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) **Motion** Awarding Bid for University Drive Building Demolition, and an **Ordinance** authorizing the Mayor to execute an agreement with Skyscraper Marine, LLC dba Tubbs & Son Construction, Lonedell, Mo (City Engineer Darin Pryor) – **Motion/First Reading Requested**

City Engineer Darin Pryor reported that the City received bids for the demolition of structures for the University Drive Realignment project. This project will remove 14 residential structures and 1 commercial structure. 14 bids were received and the lowest bid of \$158,295.50 by Skyscraper Marine, LLC dba Tubbs & Son Construction, is being recommended. Cost of project is paid from Move Rolla Transportation Development District bond proceeds.

DECEMBER 7, 2020

COUNCIL MEETING MINUTES
December 7, 2020
PAGE 5

A motion was made by Bolin and seconded by Lyons to award the University Drive Building Demolition bid to Skyscraper Marine, LLC dba Tubbs & Son Construction, Lonedell, Mo. A roll call vote on the motion showed the following: Ayes; Schott, Meusch, Bolin, Schneider, Ruder, Allen, Murphey, Lyons, Crowell, Eberly, and Florence. Nays; None. Absent; Higgins. Motion carried. City Counselor Carolyn Buschjost then 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 CONTRACT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND SKYSCRAPER MARINE, LLC dba TUBBS & SON CONSTRUCTION, LONEDELL, MO

VIII. CITIZEN COMMUNICATION

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

Glenn Gibson 1635 Columbia Avenue: Shared pictures of flooding issues he is having due to construction of his neighbor's house. Staff will investigate and report back.

Wesley Crutcher 590 Basswood Drive: Wants the mask mandate removed. Claimed the speakers for the November 23 Public Forum were handpicked to support the mask mandate and with a majority of them being of the medical profession, it appears as though the Hospital passed the ordinance, not the Council.

Mayor Magdits explained that the speakers were from a log maintained by the City Clerk.

Melina Bradshaw 105 Greentree: Stated that she understands that we have a problem with the hospitals but that we have a problem with our small businesses as well. Asked City Council to revisit the mandate and to find a better compromise where we can work together as a community.

Able Delegarza (County Resident): Dislikes the signs he is seeing in the store windows that say, "Wear a mask/save our business." Feels they should be saying, "Wear a mask, and control the spread of the virus." Cautioned Council that the mandate was going to force people to take "revolutionary" measures and that he would fight it in court.

DECEMBER 7, 2020

COUNCIL MEETING MINUTES
December 7, 2020
PAGE 6

IX. MAYOR/CITY COUNCIL COMMENTS

Councilperson Rachel Schneider gave recognition to Steve Hargis and Tom Coots for working with the Missouri S&T students on certain projects. She had received positive feedback from the Professor regarding the success and enjoyment of the students.

Councilperson Matthew Crowell asked City Engineer Darin Pryor about the new all-inclusive playground that will be built near SplashZone. Darin explained “all-inclusive” means a playground for all physical abilities.

Councilperson Florence asked Captain Doug James if the overdose rates on the police report were normal and if COVID had affected their call volume. Captain James advised that they had received overdose calls in the last week but that, unfortunately, it is a normal amount. COVID calls are not specifically reflected on the report. The mask mandate has minimally affected the Department and no tickets have been issued.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) Candidate Filing – 8:00 A.M. on Tuesday, December 15, 2020 through 5:00 P.M. on Tuesday, January 19, 2021 in the City Clerk’s office.

XI. CLOSED SESSION

A motion was made by Allen and seconded by Lyons to adjourn into Closed Session pursuant to RSMO. 610.021 to discuss one real estate and one legal matter. A roll call vote on the motion showed the following: Ayes; Murphey, Lyons, Allen, Bolin, Schneider, Ruder, Meusch, Eberly, Florence, Schott, and Crowell. Nays; None. Absent; Higgins. Motion carried.

The Council adjourned into Closed Session at approximately 7:38 P.M.

DECEMBER 7, 2020

COUNCIL MEETING MINUTES
December 7, 2020
PAGE 7

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:00 P.M.

City Counselor Carolyn Buschjost reported that during closed session the Council discussed one matter of real estate and one legal matter. Council took no final action.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 8:00 PM

Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

DECEMBER 7, 2020