

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 20TH, 2021; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Pro-Tem Jody Eberly

Council Members in Attendance via Zoom Videoconferencing: Deanne Lyons and Rob Kessinger

Council Members in Physical Attendance: Moriah Renaud, Terry Higgins, Megan Johnson, Matt Fridley, Jody Eberly, Robert Kessinger, Stanley Mayberry, and Carrolyn Bolin

Council Members Absent: Victoria Steen and Lister Florence

Department Directors in Attendance via Zoom Videoconferencing: Finance Director Steffanie Rogers

Department Directors and Other City Officials in Physical Attendance: Fire Chief Ron Smith, City Engineer Darin Pryor, City Planner Tom Coots, Police Chief Sean Fagan, Community Development Director Steve Flowers, Parks Director Floyd Jernigan, Recreation Center Director Marci Fairbanks, and City Counselor Lance Thurman.

Mayor Pro-Tem Jody Eberly called the meeting to order at approximately 6:28 p.m. and asked Councilperson Ann Murphey to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS –

- A. **Request to Postpone Public Hearing** - Conditional Use Permit (CUP) to allow a Wireless Communications Facility not permitted by Section 42-400 or 42-401. City Planner Tom Coots requested that Council postpone this item until the October 18th meeting. Citizens were invited to submit their written comments to the City Clerk. The next scheduled Planning and Zoning Commission meeting will be October 12th. A motion was made by Johnson and seconded by Murphey to extend the public hearing until 6:30pm on Monday , October 18th. A roll call vote revealed the following: Ayes: Johnson, Fridley, Renaud, Higgins, Murphey, Lyons, Bolin, Kessinger, Eberly, and Mayberry. Nays: None Absent: Steen and Florence.
- B. **Public Hearing and Ordinance** to vacate a portion of the right-of-way of the alley between Oak Street and Olive Street; and between US 63 and 18th Street. City Planner Tom Coots showed Council the North half of an ally next to Koi that the owner is requesting to be vacated. The owner of Koi owns the property on both sides of the area requested to be vacated. The utility easement would remain. Mayor Pro-Tem Eberly opened the Public Hearing at 6:36PM. No citizens spoke for against the matter and the hearing was then closed at 6:37PM. City Counselor Lance Thurman read the ordinance for its first reading, by title: AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE RIGHT-OF-WAY OF THE ALLEY BETWEEN OAK STREET AND OLIVE STREET AND BETWEEN 18TH STREET AND BISHOP AVENUE (VAC21-01)

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS – NONE

III. OLD BUSINESS

- A. **Ordinance** Considering the FY 2022 Budget – City Administrator John Butz explained that this year staff planned the budget knowing something dramatic would have to be done for employee compensation. Salary adjustments range from 7% to 14% (combination of COLA and merit) depending on the Tax. The \$42.5Million budget contains \$2Million in ARPA (American Rescue Plan Act) funding going towards Public Safety radio equipment (\$1.1Million) and lost revenues for the Centre, Park’s Dept., and General Fund. The remaining \$2Million will be decided by Council with consideration regarding strict spending restrictions placed by the U.S. Treasury. There are budgeted service fee increases for sewer, trash, and cemetery burial fees. A later decision by Council will determine the continuation of curbside recycling. The General Fund is showing a \$214,000 deficit. The City agrees that body cameras are necessary for Public Safety but are unable to commit to the recurring annual costs of approximately \$44,000. It is recommended that the FY2022 budget be approved with the commitment that Council will continue to search for long term solutions to General Fund sustainability including body cameras.

City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4636: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2021 AND APPROPRIATING FUNDS PURSUANT. A motion was made by Bolin and seconded by Murphey to accept the FY2022 Budget. A roll call vote revealed the following results: Ayes: Renaud, Bolin, Higgins, Murphey, Fridley, Johnson, Kessinger, Mayberry, Eberly, and Lyons. Nays: none. Absent: Steen and Florence.

- B. **Ordinance** to renew the Housing Officer Contract. This is a contract renewal with the Housing Authority for a dedicated Officer to work at least 20 hours a week for Housing Authority. In return, they would reimburse the City for ½ of the Officer’s salary and fringe benefits. City Counselor Lance Thurman pointed out that the Attorney listed for the Housing Authority on the Contract is listed as Emily Woodward Guffey; a partner in the same law firm as he. Mr. Butz will renew the matter of legal representation with the Housing Authority.

City Attorney Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4634: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CONTACT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE ROLLA HOUSING AUTHORITY. A motion was made by Murphey and seconded by Fridley to approve the ordinance as written. A roll call vote showed the following results: Ayes: Fridley, Kessinger, Higgins, Bolin, Renaud, Mayberry, Murphey, Lyons, Johnson, and Eberly. Nays: None Absent: Steen and Florence.

- C. **Ordinance** amending section 27-101 of the Rolla City Codes pertaining to 1 hour parking on Cedar Street. Public Works Director Steve Hargis stated the applicant would like to have the timed parking removed. City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4635: AN ORDINANCE AMENDING SECTION 27-101 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI PERTAINING TO PARKING. A motion was made by Bolin and seconded by Renaud to allow the removal of the 1 hour parking on Cedar Street. A roll call vote revealed the following results: Ayes: Murphey, Higgins, Renaud, Mayberry, Bolin, Lyons, Johnson, Kessinger, Fridley, and Eberly. Nays: None. Absent: Steen and Florence.

IV. NEW BUSINESS

- A. **Ordinance** amending section 4-3 of the Rolla City Codes pertaining to Sunday liquor sales. (City Administrator John Butz). Governor Parson’s signed into law SB 126 (effective August 28, 2021) that amended several provisions of Missouri’s Liquor Laws. Local liquor merchants have contacted the City asking for clarification. The proposed ordinance would mirror that which was passed with SB 126, providing better clarity for the merchants and vendors in Rolla regarding Sunday Liquor sales. City Counselor Lance Thurman read the proposed ordinance for its first reading, by title: ORDINANCE 4637: AN ORDINANCE REPEALING SECTION 4-3 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO ALCOHOLIC BEVERAGES AND ENACTING NEW SECTION 4-3 IN LIEU THEREOF. A motion was made by Murphey and seconded by Bolin to suspend the rules. A roll call vote revealed the following results: Murphey, Lyons, Mayberry, Bolin, Renaud, Kessinger, Higgins, Eberly, Fridley, and Johnson. Nays: none. Absent: Steen and Florence. City Counselor Lance Thurman read the ordinance for its final reading. A motion was made by Bolin and seconded by Murphey to approve the ordinance. A roll call vote showed the following results: Ayes: Bolin, Higgins, Fridley, Mayberry, Murphey, Lyons, Johnson, Kessinger, Eberly, and Renaud. Nays: none. Absent: Steen and Florence.
- B. **Notice** of Wayfair Legislation in 2021 – Use Tax: Rolla voters approved the Use Tax in November 2019. In 2021, Missouri enacted Wayfair Legislation that extends the Use to internet/catalog vendors in the U.S. without a Missouri presence. All Cities with a voter-approved Use Tax need to post notice of the statutory change by November 2021. Rolla City’s notice is scheduled for publication on September 30th and October 7th, as well as being posted on the “News” section of the City’s website at www.rollacity.org.
- C. 5 Year TIF Report – Westside Market Place: City Administrator John Butz shared with Council a progress report for the Westside Market Place TIF project presented to the Phelps County Commission as sponsor of the Westside Marketplace T.I.F. Total TIF bonds of \$20,675,000 were issued in 2018 and \$5,480,000 has been paid off through May 2021. The TIF bonds could be paid off by 2032.
- D. **Ordinance** executing an agreement with MoDOT reference Highway Signage: Two years ago, the City was approached by the Knapp family to recognize the accomplishments of Chantae McMillian, a heptathlete Olympian in the 2012 Summer Olympics and more recently as a competitor on NBC’s “The Titan Games”. The group sponsoring this project has raised the funds and are anxious to get started. There is another Olympian, John Brown, who could also be recognized but the City of Rolla has been awaiting a letter of approval from the City of Dixon for a couple months now. Once received, the City can proceed with the application process. City Counselor Lance Thurman read the ordinance for its first reading, by title: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) PERTAINING TO HIGHWAY RECOGNITION SIGNAGE.
- E. **Ordinance** increasing Sewer Rates: The proposed ordinance increases the basic user rate for metered user from \$5.40/1000 gal to \$5.65/1000 gal. This will raise the average user base rate from \$21.98 to \$23.00 per month. The service availability fee remains \$12.00 per month. The total increase this budget year for the average user would then go from \$33.98 to \$35.00 per month. The non-metered user will go from \$407.74 per year to \$419.95 per year. These increases were included in the 2021-2022 Budget.

City Counselor Lance Thurman read the proposed ordinance for its first reading, by title: AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 35 OF THE GENERAL ORDINANCES OF THE CIT OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO SEWERS AND WATER.

V. CLAIMS and/or FISCAL TRANSACTIONS

- A. **Motion** to award lowest bid for Project 512, 7th Street Sidewalk Improvements, to Spalding Constructors and an **Ordinance** authorizing the Mayor to enter into the contract with Spalding Constructors.

At the meeting on September 7th, Council did not approve a combined project that was bid for 7th Street and the Cemetery trail. The contractor understands that the Cemetery project is not currently active and is prepared to go forward with the 7th Street bid if Council permits. A motion was made by Bolin and seconded by Johnson to award the 7th street sidewalk improvement bid to the lowest bidder, Spalding Constructors for \$89,298.00. A roll call vote revealed the following: Ayes: Johnson, Murphey, Fridley, Renaud, Mayberry, Higgins, Eberly, Lyons, Bolin, and Kessinger. Nays: NONE. Absent: Steen and Florence.

Councilwoman Ann Murphey made a motion to revisit the Cemetery Trail portion in 60 days. Motion died by lack of a second.

City Counselor Lance Thurman read the ordinance for its first reading, by title: 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 SPALDING CONSTRUCTORS LLC FOR PROJECT #512.

VI. CITIZEN COMMUNICATION

Robert Miller-2101 Vienna: Had questions as to why the funds being used for the University Drive extension and the removal of the Bureau of Mines building, couldn't be better allocated for the purchase of body cameras. City Administrator Butz explained that the demolition of the Bureau of Mines building was solely a University funded project and that the City's portion of the University Drive extension, was being funded through TDD (Transportation Development District) funds which could not be used for the purchase of equipment such as body cameras.

<http://moverollatdd.com/>

Michael Ashcroft – CR8260 and Environmental Services employee: Asked questions regarding ARPA funds for salary compensation, raising the Lagers retirement tier to L6 and what the 7%-14% salary increase meant for his department specifically.

VII. MAYOR/CITY COUNCIL COMMENTS

- A. Mayor Pro-Tem Eberly - Appointment of Megan Flynn to the Housing Commission; filling unexpired 4 year term of Glenda Hill (Oct 2023). A motion was made by Murphey and seconded by Bolin to approve the appointment. A roll call vote revealed the following: Ayes: Eberly, Mayberry, Murphey, Bolin, Renaud, Kessinger, Higgins, Lyons, Johnson, and Fridley. Nays: none. Absent: Steen and Florence.
- B. Mayor Pro-Tem Eberly – Re-appointment of Bill Priesmeyer to the Housing Commission (Oct 2025). A motion was made by Bolin and seconded by Higgins to approve the re-appointment. A roll call

votes revealed the following results. Ayes: Renaud, Bolin, Higgins, Murphey, Fridley, Johnson, Kessinger, Mayberry, Eberly, and Lyons. Nays: None. Absent: Steen and Florence.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

- A. Mayor Pro-Tem Eberly-
 - 1. Reminded citizens that Celebration of Nations would be on Saturday, September 25th. The parade starts at 11:00AM.
 - 2. Reminded citizens that the 5th Annual Ranney Run is also Saturday. Registration begins at 7:00AM and the race begins at 8:00AM. Proceeds from this race go toward the new animal shelter.
 - 3. Recognized Environmental Services Week which was last week and thanked them for their service.
 - 4. Brought attention to the rising positive cases of COVID in the area and encouraged everyone to get vaccinated.
- B. Councilperson Lyons – Asked about specific statistics for Rolla and Phelps County regarding COVID cases.
- C. Councilwoman Bolin – Commented on the exceptional September 11th services that were held at the Veteran’s Memorial Park.
- D. Councilman Kessinger told of a 5K that was hosted by the Pregnancy Resource Center and raised \$70,000.

IX. CLOSED SESSION – NONE

X. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 7:43 PM
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR