

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JULY 15, 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, Daniel Jones, Ann Murphey, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, Marie Allen, Christine Ruder, and Tiffany Henry

**Council Members Absent:** Matthew Crowell

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

**Other City Officials in Attendance:** City Counselor Carolyn Buschjost, City Planner Tom Coots, and City Clerk Carol Daniels

A member of the Rolla Ministerial Alliance gave the invocation.

Mayor Magdits called the meeting to order at approximately 6:33 p.m. and asked Councilwoman Marie Allen to lead in the Pledge of Allegiance.

**I. PUBLIC HEARINGS**

**(A) Ordinance Rezoning Lot #2, Municipal Acres No. 2, from C-1 (Neighborhood Business District) to R-2 (Two-Family District) Zoning (Rolla Municipal Utilities):** City Planner Tom Coots informed the Council that the subject property is owned by Rolla Municipal Utilities (RMU). RMU is requesting the rezoning of the subject property from C-1 (Neighborhood Business District) to R-2 (Two-Family District) zoning. The property is located at the southwest corner of the intersection of Lions Club Drive and State Highway O and consists of approximately two acres. Mr. Coots pointed out the property is currently undeveloped. The proposed R-2 (Two-Family District) Zoning would allow for a planned duplex development. He mentioned that RMU has tried to find a buyer for the property with the commercial zoning, but have been unsuccessful. However, RMU has found someone who is interested in the property if it were rezoned to residential.

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**I. PUBLIC HEARINGS (continued)**

**(A) Ordinance Rezoning Lot #2, Municipal Acres No. 2, from C-1 (Neighborhood Business District) to R-2 (Two-Family District) Zoning (Rolla Municipal Utilities) (continued):** Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE RE-ZONING OF LOT #2, MUNICIPAL ACRES NO. 2, THE PARCEL IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR ACCOUNT NUMBER OF 10259.01 AT THE SOUTHWEST CORNER OF LIONS CLUB DRIVE AND STATE HWY O, FROM THE NEIGHBORHOOD BUSINESS (ZONING) DISTRICT (C-1) TO THE TWO FAMILY (ZONING) DISTRICT (R-2), CITY OF ROLLA, PHELPS COUNTY, MISSOURI. (ROLLA MUNICIPAL UTILITIES)

**II. SPECIAL PRESENTATIONS**

**(A) Rolla Regional Economic Commission (RREC) Report:** RREC Executive Director Cyndra Lorey and Mr. Ben Tipton, President of the RREC Advisory Board updated the Council on what the RREC is working on. Additionally, Mr. Tipton commented on the replacement process for retiring Executive Director Cyndra Lorey's position.

**III. OLD BUSINESS**

**(A) Ordinance Authorizing the Mayor to Enter into a Contract with Donald Maggi, Inc., for Project 463 – 10<sup>th</sup> Street Concrete:** Public Works Director Steve Hargis asked the Council to consider the final reading of an ordinance authorizing the Mayor to enter into a contract with Donald Maggi, Inc., for Project 463 – Tenth Street Concrete. He recalled the Council awarded the bid for this project during its last meeting.

Councilman Jim Williams expressed his concern with the widening of the sidewalks in town. He asked Mr. Hargis to obtain Council approval before the construction of additional sidewalks.

**III. OLD BUSINESS (continued)**

**(A) Ordinance Authorizing the Mayor to Enter into a Contract with Donald Maggi, Inc., for Project 463 – 10<sup>th</sup> Street Concrete (continued):** City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4500: 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 DONALD MAGGI, INC. FOR 10<sup>TH</sup> STREET CONCRETE, PROJECT #463. A motion was made by Schott and seconded by Eberly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Murphey, Henry, Allen, Schneider, Ruder, Meusch, Jones, Eberly, Rohter, and Schott. Nays; Williams. Absent; Crowell. Motion carried. The ordinance passed.

**IV. NEW BUSINESS**

**(A) Ordinance Amending Sec. 27-67 of the Code Relating to Speed in School Zones:** Public Works Director Steve Hargis indicated the subject ordinance was drafted at the request of Municipal Judge Crump who felt the language should be clarified. Mr. Hargis pointed out the primary amendment to the Code was the addition of the first paragraph.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING SECTION 27-67 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO MAXIMUM LIMITS ESTABLISHED ON CERTAIN STREETS DURING SCHOOL PERIODS.

**(B) Ordinance Authorizing the Mayor to Execute a Contract with the Burlington Northern Santa Fe Railway Company for 18<sup>th</sup> Street Sidewalk Improvements:** Public Works Director Steve Hargis indicated the subject contract would authorize the City to work with Burlington Northern in the installation of curb, gutter and sidewalks, and storm sewer improvements around and across the 18<sup>th</sup> Street railroad grade crossing.

City Counselor Carolyn Buschjost 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 BURLINGTON NORTHERN SANTA FE (BNSF) FOR 18<sup>TH</sup> STREET SIDEWALK IMPROVEMENTS

**IV. NEW BUSINESS (continued)**

**C) Ordinance Approving the Final Plat of Martin Subdivision (SED Investments, Inc.):** City Planner Tom Coots told the Council the subject property is owned by SED Investments, Inc. It is located on the north side of Highway 72 between Rolla and Elm Streets. The applicant seeks to reassemble the property to create two platted lots and dedicate a portion of the property to the City. He told the Council the property is mostly undeveloped. The Planning and Zoning Commission unanimously recommends approval of this request.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE FINAL PLAT OF THE PARCELS THAT ARE KNOWN AS MARTIN SUBDIVISION THROUGH THE MINOR SUBDIVISION PROCESS. (MARTIN SUBDIVISION).

**(D) Ordinance Amending Sec. 4-16 of the Rolla City Code Pertaining to Liquor Licenses:** Mayor Magdits explained the proposed ordinance would better define the measurement of spacing as used in liquor licenses and, by reference, medical marijuana dispensaries. Since there will be people who will be making applications for dispensaries on August 3, Mayor Magdits asked the Council to consider the first and final readings of the subject ordinance at this meeting.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4501: AN ORDINANCE AMENDING SECTION 4-16 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO LIQUOR LICENSES. A motion was made by Williams and seconded by Eberly to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Allen to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Williams, Ruder, Schott, Allen, Murphey, Henry, Meusch, Rohter, Eberly, and Schneider. Nays; Jones. Absent; Crowell. Motion carried. The ordinance passed.

**(E) Resolution Authorizing the Mayor to Execute a Memorandum of Understanding with Compass Health, Inc.:** Fire Chief Ron Smith noted that with the arrival of the new fire truck, staff needed to build a structure to house the command post. While working to build a shelter for about \$30,000, Compass Health (aka Pathways)

**IV. NEW BUSINESS (continued)**

**(E) Resolution Authorizing the Mayor to Execute a Memorandum of Understanding with Compass Health, Inc. (continued):** purchased the lot to the west of the Fire Department on Tenth Street. Fire Administration approached Compass Health about their plans for the two-story 30 x 50 foot building near the new parking lot. Through discussions with Compass Health, a no cost five-year Memorandum of Understanding was offered to the City. Staff anticipates spending approximately \$10,000 to extend a garage door, install a driveway, and establish a short concrete pad in front of the bay door.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1951: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A MEMORANDUM OF AGREEMENT BETWEEN COMPASS HEALTH, INC., D/B/A COMPASS HEALTH NETWORK AND THE CITY OF ROLLA (A.K.A. ROLLA FIRE & RESCUE DEPARTMENT). A motion was made by Williams and seconded by Meusch to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

**(F) Resolution Authorizing the Mayor to Execute a Memorandum of Understanding with the South Central Regional Veterans Group:** Parks Director Floyd Jernigan explained the original agreement between the City and South Central Regional Veterans Group (SCRVG) is up for renewal. He noted the SCRVG continue their fundraising efforts. The SCRVG have asked that it be stipulated in the agreement that at the point their fundraising and efforts are complete and the funds they have raised have been turned over to the City, that the funds be used for the Veterans Park. Mr. Jernigan asked the Council to consider renewal of the proposed agreement.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1952: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ROLLA, MISSOURI AND THE SOUTH CENTRAL REGIONAL VETERANS GROUP. A motion was made by Williams and seconded by Meusch to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

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

**(A) Motion Awarding Bid for Bayless Field Fencing (Project 495); and, an Ordinance Authorizing the Mayor to Enter into an Agreement for Same:** Parks Director Floyd Jernigan informed the Council that bids were received to fence Bayless Field. He noted two bids were received and staff is recommending the bid be awarded to the low bidder, All-Type Fence, Inc., Steelville, Missouri for \$10,155.90. A motion was made by Williams and seconded by Murphey to award the bid for the Bayless Field fencing to All-Type Fence, Inc., Steelville, Missouri, for \$10,155.90. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

City Counselor Carolyn Buschjost 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 ALL-TYPE FENCE, INC., FOR BER JUAN PARK FENCING, PROJECT #495.

**VI. MAYOR/CITY COUNCIL COMMENTS**

**(A)** Councilman Daniel Jones stated that as we continue into 2019 the Council spends month after month talking about all the wonderful things happening but he believes we are ignoring one that hurts the most to ignore. He said Rolla is short staffed on police and our police are dramatically underpaid. He said we need solution-based answers to this problem. If we do not find the way to quickly solve this problem, we will fall more and more in debt to the opioid crisis and the toll it takes on our community. Mr. Jones said he would like to see a committee formed together with City Administration, Council, and police leaders to try to combat the issues of pay and police staffing. He stated Rolla needs a solution and a direction - not a solution based on future taxes and budgets. Mr. Jones said kicking the can down the road is only going to further affect his ward and the city's harmful ways. He said he would like to make a motion to assemble a committee to explore solutions to our police pay and staffing issues. Councilman Schott seconded the motion.

After some discussion, City Counselor Carolyn Buschjost suggested that from a procedural standpoint it would be best to present this as a "New Business" item on a future agenda. After additional discussion, Councilman Jones agreed to have this issue placed on a future meeting agenda and when City Administrator John Butz is able to attend.

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**VII. CITIZEN COMMUNICATION**

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

Mr. Jim Corey, 414 Bill Avenue, Rolla, Missouri, noted there is a dead tree behind a house located at the corner of Hutchinson and Bill Avenue. He told the Council the tree recently blew down during high winds, hit the fence, fell in his yard, and took out the Fidelity cable lines and weatherheads on homes across the street.

Public Works Director Steve Hargis said the City plans to trim trees in the right-of-way in that area tomorrow. Mr. Hargis said he would have that tree trimmed.

No one else present addressed the Council.

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

None.

**IX. CLOSED SESSION**

A motion was made by Williams and seconded by Murphey to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss real estate. A roll call vote on the motion showed the following: Ayes; Henry, Allen, Murphey, Williams, Schneider, Rohter, Meusch, Jones, Eberly, Schott, and Ruder. Nays; None. Absent; Crowell. Motion carried.

The Council adjourned into Closed Session at approximately 7:58 p.m.

**X. CLOSED SESSION ACTION**

The Council reconvened into open session at approximately 8:27 p.m.

City Counselor Carolyn Buschjost reported the Council met in Closed Session and discussed two real estate matters. No final action taken.

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**XI. ADJOURNMENT**

The meeting adjourned at approximately 8:28 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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