

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 22, 2022; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Louis J. Magdits IV

Council Members in Attendance via Zoom Videoconferencing: Deanne Lyons

Council Members in Physical Attendance: Moriah Renaud, Terry Higgins, Megan Johnson, Ann Murphey, Matt Fridley, Lister Florence, Jody Eberly, Carolyn Bolin, Robert Kessinger, Stanley Mayberry, and Victoria Steen.

Council Members Absent: None

Department Directors in Attendance via Zoom Videoconferencing: None

Department Directors and Other City Officials in Physical Attendance: City Administrator John Butz, Community Development Director Steve Flowers, Public Works Director Steve Hargis, City Engineer Darin Pryor, Environmental Services Director Brady Wilson, Police Chief Sean Fagan, Fire Chief Ron Smith, Parks Superintendent Stan Busch, Centre Director Marci Fairbanks, Finance Director Steffanie Rogers, City Planner Tom Coots, RMU GM Rodney Bourne, and City Counselor Carolyn Buschjost.

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Terry Higgins to lead in the Pledge of Allegiance.

- Mayor Magdits chose to begin with item VII. A. Status of Application for Use variance – The Mission
The Mayor reported the Mission filed for a Use Variance with the Board of Adjustment. The Board of Adjustment will determine on March 10th whether the application meets the stipulations pertaining to the allowance of a variance. City Counselor Carolyn Buschjost read chapter 42-255.7 of the Rolla City Code, which specifically addresses the Board of Adjustment and Use Variance applications. City Administrator John Butz spoke on Planned Unit Developments (PUD) and that the Mission has, thus far, chosen not to go that route and is waiting to see if the variance applies.
A motion was made by Johnson and seconded by Kessinger for a draft ordinance to be created pertaining to homeless shelters. A roll call vote showed the following: Ayes: Mayberry, Bolin, Renaud, Steen, Kessinger, Higgins, Johnson, and Fridley. Nays: Eberly, Murphey, Lyons, and Florence.
The Mayor then spoke on the complex issue of homelessness.

February 22nd, 2022

I. **PUBLIC HEARINGS** – None

II. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** – None

A. Share a Heart Proclamation – This item was cancelled for this agenda.

B. RMU 1st quarter report for Fiscal Year 2022. (General Manager Rodney Bourne)

- Operating income was up approximately \$1 million dollars from last year.
- Current projects
- Water main installation projects
- In January, RMU initiated their first “Peak Shaving” alert.
- Missouri will receive several billions in American Rescue Plan funds for investments in infrastructure and other programs. RMU is focused on water, broadband, and industrial site development projects.

III. **OLD BUSINESS**

A. **Ordinance** to repeal and re-enact all of existing Section 27-92 of the Rolla City Code pertaining to no parking zones including an additional 110’ on the east side of Vichy Road. (Public Works Director Steve Hargis) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4669: AN ORDINANCE REPEALING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 27-92 IN LIEU THEREOF PERTAINING TO PARKING. A motion was made by Johnson and seconded by Higgins to pass the ordinance. A roll call vote revealed the following: Ayes: Renaud, Florence, Steen, Bolin, Higgins, Murphey, Fridley, Johnson, Kessinger, Mayberry, and Eberly. Nays: Lyons.

B. **Discussion** regarding the elimination of residential curbside recycling or a 20% increase in residential service rates. (Environmental Services Director Brady Wilson) A motion was made by Kessinger and seconded by Fridley to rewrite City Code to facilitate the removal of curbside recycling. A voice vote showed 12 Ayes and zero Nays.

C. **Ordinance** to enter into an agreement with Cahill’s Construction for the new Animal Shelter Phase 1. (City Administrator John Butz) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4670: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CAHILL’S CONSTRUCTION, INC. A motion was made by Murphey and seconded by Bolin. A roll call vote showed the following: Ayes: Steen, Murphey, Higgins, Renaud, Mayberry, Bolin, Lyons, Johnson, Kessinger, Florence, Fridley, and Eberly. Nays: none

IV. **NEW BUSINESS**

A. **Ordinance** to approve the minor subdivision plat of Davis Addition. (City Planner Tom Coots) The applicant seeks to combine three platted lots and a formerly vacated alleyway into one large commercial lot, appropriate for neighborhood commercial use. City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF DAVIS ADDITION.

B. **Discussion** regarding UTV operations in City limits. (City Administrator John Butz) A motion was made by Kessinger and seconded by Steen to draft an ordinance to outline appropriate safety and permissible uses of UTVs on city streets. A voice vote showed 9 Ayes and 3 Nays (Bolin, Eberly, and Murphey).

- C. **Report** on abandoned building ordinance. (Community Development Director Steve Flowers) An update was given regarding the successful progress of Ordinance 4624, passed on July 19th, 2021 regarding the vacant building registry.

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

- A. **Motion** to award bid for a new Buehler Park playground structure to Hutchinson Recreation and **Ordinance** to enter into contract with same. (Parks Director Floyd Jernigan)
- A motion was made by Eberly and seconded by Johnson to award the bid to Huchinson Recreation for Miracle Option A. A voice vote revealed 12 Ayes.
 - City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SALES AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND HUTCHINSON RECREATION FOR THE PURCHASE OF A NEW PLAYGROUND STRUCTURE FOR BUEHLER PARK.
- B. **Motion** to authorize expenditure of \$39,500 from Park Land Reserve Fund for partial payment of Buehler Park playground structure. (Parks Director Floyd Jernigan) A motion was made by Murphey and seconded by Bolin to allow the transfer of funds from the Parkland reserve fund in the amount of \$39,500 for partial payment of the new playground structure. (The remaining balance will be paid from the Parks Fund made possible by Proposition P.) A roll call vote showed the following: Ayes: Kessinger, Fridley, Steen, Renaud, Mayberry, Murphey, Lyons, Johnson, Florence, Higgins, Eberly, and Bolin.

VI. **CITIZEN COMMUNICATION**

Mike Ashcroft – Phelps County resident and City of Rolla employee: asked about the status of ARPA funds to be paid to essential workers during the pandemic.

Dale Trainer – St. James resident and City of Rolla employee: Spoke on the frustration of current wage rates in relation to their trade, required certification, and in comparison to fast food restaurants.

Brock Johnson Ward 3: Followed up on the proposal he made regarding the City of Salem using Federal Funds to flip abandoned houses.

The following residents spoke in opposition of the use variance application by The Mission or related issues pertaining to the homeless shelter that is being reviewed by the Board of Adjustment on March 10th.

Chris Bartle, Brett Bruner, Kevin Bowers, Jerry Bartle, Pam McCall, Lela Weibbenmeier, Danette Sherrell, Wanda Crane, Dale Wands, Terry Baker, Jacob Lepich, Alice Halbert, and Able Delagarza.

VII. **MAYOR/CITY COUNCIL COMMENTS**

- A. Status of Application for Use variance – The Mission. *See notes for this at the start of the meeting.

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

- Councilwoman Johnson: Asked if the public safety research had been completed on the fountain maintenance yet. City Administrator John Butz replied that it was going to involve a trip to see an existing fountain on the Hill.

- Councilman Fridley: Responded to a comment that citizen Delagarza had made regarding the vote for a BOA appointment and that he disagreed with the Mayor on his comment that Council should have contacted him directly if the general consensus was that the appointment wouldn't be a good fit. He also spoke about negative experiences he has had on his personal property with the homeless and his desire to find a solution and protect the community.
- Councilwoman Johnson: Stated that she appreciates the work the Mayor puts into trying to find appointments for the different boards but that ultimately the decision is up to the Council.
- Councilman Florence: Thanked the citizens for coming in to speak and reinforced a previous comment he had made about the community coming together as a whole and taking care of one another.
- Councilman Kessinger: Told the citizens their voice had been heard and thanked them for coming out.

IX. **CLOSED SESSION** – None

X. **ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 10:05 pm
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR