

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, OCTOBER 2ND, 2023; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor Louis J. Magdits IV

**Council Members in Physical Attendance:** Joshua Vroman, Terry Higgins, Megan Johnson, Nathan Chirban, Lister Florence, Matt Fridley, Jaired Hall, Rob Kessinger, Kevin Greven, Stanley Mayberry, and Victoria Steen

**Council Members Absent:** Tina Balch

**Department Directors and Other City Officials in Physical Attendance:** Police Chief Sean Fagan, Fire Chief Jeff Breen, Finance Director Steffanie Rogers, Public Works Director Darin Pryor, City Planner Tom Coots, Centre Recreation Director Marci Fairbanks and City Counselor Carolyn Buschjost.

Mayor Louis J. Magdits IV called the meeting to order at approximately 6:30 p.m. and asked Councilman Nathan Chirban to lead in the Pledge of Allegiance.

**I. CONSENT AGENDA**

A. Consider Approval of the City Council Minutes of:

1. City Council Workshop – August 28<sup>th</sup>, 2023
2. City Council Minutes – September 5<sup>th</sup>, 2023
3. Closed Session City Council Minutes – September 5<sup>th</sup>, 2023
4. City Council Minutes – September 18<sup>th</sup>, 2023

A motion was made by Vroman and seconded by Greven to approve the minutes. A voice vote showed 10 Ayes, 0 Nays, and 1 Absent (Balch).

**II. PUBLIC HEARINGS** – None

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

- a. Environmental Services Department Monthly Report – August 2023
- b. Building Codes monthly report – August 2023
- c. Municipal Court Summary Reporting for August 2023
- d. Police Department Monthly Report – August 2023
- e. Animal Control Division Report – August 2023
- f. RMU Board of Public Works Report for August 2023
- g. The Centre Income Statement ending August 2023
- h. P&Z Commission Minutes for September 12<sup>th</sup> and 19<sup>th</sup>, 2023

October 2nd, 2023

- i. DRC Minutes for September 5<sup>th</sup> & 19th 2023
- j. City of Rolla Financial Report ending August 2023

#### IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

- A. Proclamation for Infant Safe Sleep Awareness Month. Mayor Magdits presented Maria Grant, Safe Sleep Coordinator with the Community Partnership, with a proclamation for Infant Safe Sleep Awareness Month.

#### V. OLD BUSINESS –

\*Note: Councilman Hall joined the meeting at 6:38 pm.

**Ordinance** to approve Jenks Parking Lot Lease. (PW Director Darin Pryor) City Counselor Carolyn Buschjost read the ordinance for its final reading by title: ORDINANCE 4761: 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 JENKS, WILLIAM S III & PAULE J TRUST FOR A PARKING LOT LEASE. A motion was made by Johnson and seconded by Higgins to approve the ordinance. A roll call vote showed the following: Ayes: Higgins, Greven, Steen, Vroman, Mayberry, Chirban, Johnson, Kessinger, Florence, Hall, and Fridley Nays: none. Absent: Balch.

**Ordinance** to approve re-adoption and revisions to Chapter 42 (Planning and Zoning) of the City of Rolla Ordinances. City Planner Tom Coots advised Council that two minor corrections were made since the first reading in sections 42.420 Adult Uses, Subsection (3); and Section 42.700 Definitions. City Counselor Carolyn Buschjost read the ordinance for its final reading by title: ORDINANCE 4762: AN ORDINANCE AMENDING CHAPTER 42, OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE PLANNING AND ZONING CODE, BY REPEALING THE CHAPTER IN ITS ENTIRETY, AND ENACTING IN LIEU THEREOF A NEW CHAPTER, ZONING AND SUBDIVISION REGULATIONS; AND REPEALING IN ITS ENTIRETY CHAPTER 29, EXPLICIT SEXUAL MATERIALS DISPLAY, SEXUALLY ORIENTED BUSINESS; AND REPEALING IN ITS ENTIRETY CHAPTER 39, TRAILERS AND MOBILE HOMES; AND REPEALING IN ITS ENTIRETY CHAPTER 40, URBAN RENEWAL; AND AMENDING CHAPTER 15, STORMWATER AND FLOOD CONTROL; AND AMENDING CHAPTER 20, HOUSING; AND AMENDING CHAPTER 28, NUISANCES; AND AMENDING CHAPTER 41, WEAPONS; AND RE-ADOPTING THE OFFICIAL ZONING MAP AS CORRECTED. A motion was made by Vroman and seconded by Chirban to approve the zoning code. A roll call vote showed the following: Ayes: Mayberry, Chirban, Greven, Vroman, Steen, Kessinger, Hall, Johnson, Fridley, and Higgins. Nays: none. Absent: Balch. Abstention: Florence.

#### VI. NEW BUSINESS –

**Ordinance** to approve a Minor Subdivision to subdivide one residential lot into three lots at 511 Christy Drive. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its first reading by title: ORDINANCE 4763: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF DEER CROSSING EAST, VI. A motion was made by Johnson and seconded by Kessinger to suspend the rules for final reading. A voice vote showed: Ayes: 11. Nays: zero. Absent: Balch City Counselor Carolyn Buschjost read the ordinance for its final reading. A motion was made by Kessinger and seconded by Vroman to approve the ordinance. A roll call vote showed the following. Ayes: Johnson, Fridley, Steen, Vroman, Higgins, Chirban, Greven, Kessinger, Florence, Hall, Mayberry. Nays: none. Absent: Balch.

**Ordinance** to authorize Delta Regional Authority (DRA) Participation (Grant) Agreement for updating of Comprehensive Plan. (City Administrator John Butz) **First and Final Reading Requested**

City Counselor Carolyn Buschjost read the 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 PARTICIPATION (GRANT) AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND DELTA REGIONAL AUTHORITY FOR FINANCIAL ASSISTANCE REGARDING AN UPDATED COMPREHENSIVE PLAN. A motion was made by Johnson and seconded by Greven to suspend the rules for final reading. A voice vote showed: Ayes: 11. Nays: zero. Absent: Balch. City Counselor Carolyn Buschjost read the ordinance for its final reading. A motion was made by Greven and seconded by Johnson to approve the ordinance. A roll call vote showed the following. Ayes: Hall, Mayberry, Chirban, Greven, Vroman, Steen, Kessinger, Higgins, Johnson, Fridley, Florence. Nays: zero. Absent: Balch.

## VII. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Award of Bid** to Deere & Company of North Carolina for \$160,911.54 for the purchase of a Tractor Boom Mower. (PW Director Darin Pryor) A motion was made by Higgins and seconded by Johnson to approve the purchase. A voice vote showed Ayes: 11, Nays: zero, Absent: Balch.
- B. **Award of Bid** to Seiler Geospatial Division of St. Louis, Missouri for a GPS surveying unit. (PW Director Darin Pryor) A motion was made by Chirban and seconded by Higgins to award the bid for \$45,796.31. A voice vote showed Ayes: 11. Nays: zero. Absent: Balch.
- C. **Motion** to authorize the second (FY 2023) allocation of Rec Centre funding of \$125,000, Comp Plan allocation of \$125,000 and Phase 2 Funding for the Animal Shelter of \$100,000. (City Administrator John Butz).  
A motion was made by Greven and seconded by Fridley to authorize the requested allocation of ARPA funds. A voice vote showed 11 Ayes, zero Nays, and Balch Absent.

## VIII. CITIZEN COMMUNICATION

- A. Rodney Bourne – GM for RMU extended an invitation to council and community, to the Eighth Annual Public Power Celebration Wednesday October 4<sup>th</sup>, from 11:00 am to 1 pm.
- B. Rachel Schneider: Spoke against any ordinance regarding obscenity and the restriction of certain activities and asked council to consider, discrimination aside, all other long standing popular events that might be affected by such an ordinance, such as events with alcohol or expressing certain dancing styles.
- C. Terris Cates: Stated he felt it was vital to move on with an ordinance to protect the children.
- D. Sam Schmid: Suggested additional revenue streams to more quickly pay for the new Animal Shelter facility.
- E. Denise McClanahan: Spoke against a policy that might have double standards in the community.
- F. Robert Hazelwander: Encouraged the City to coordinate with MDC (Missouri Department of Conservation) to discuss options to help decrease the overpopulation of deer in the city limits of Rolla.
- G. David Dukes: Spoke on hypocrisy and informed Council that the Mission had not had any issues requiring law enforcement in over 6 months and urged Council to reach out to the Phelps County Prosecutor regarding the need for more aggressive criminal prosecution.

## IX. MAYOR/CITY COUNCIL COMMENTS – None

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

- A. Councilman Fridley – Encouraged citizens to call the police if they see something and shared his recent personal experience.
- B. Fire Chief Jeff Breen – Reminded all of the FEMA nationwide cell phone notifications that were scheduled for Wednesday, October 4<sup>th</sup> at 1:20 p.m.
- C. Councilman Florence – Supported Fridley’s comment of If you see something say something and expressed thanks for the collective working relationship between RPD and the other area law enforcement agencies.

**XI. CLOSED SESSION –**

- A. Closed Session per RSMo 610.021- (12) Contract Negotiations; (1) legal

At 7:55 p.m., a motion was made by Chirban and seconded by Johnson to adjourn to closed session. A roll call vote showed the following: Ayes: Greven, Higgins, Steen, Fridley, Mayberry, Chirban, Johnson, Kessinger, Florence, Hall, and Vroman. Nays: None. Absent: Balch.

At 9:05 p.m., Council returned from closed session where topics regarding Contract Negotiation and a legal matter were discussed with no final action.

**XII. ADJOURNMENT -**

Having no further business, the meeting adjourned at approximately 9:05 p.m.

Minutes respectfully submitted by City Clerk Lorri Powell.

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CITY CLERK

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MAYOR