

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 16, 2024; 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, Matt Fridley, Lister Florence, Jaired Hall, Rob Kessinger, Stanley Mayberry and Tina Balch

Council Members Absent: Victoria Steen and Kevin Greven

Department Directors and Other City Officials in Physical Attendance: Fire Chief Jeff Breen, Police Chief Sean Fagan, Public Works Director Darin Pryor, Finance Director Steffanie Rogers, Environmental Services Director Roger Pankey, Parks Director Floyd Jernigan and City Counselor Nathan Nickolaus.

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

At 6:32 City Counselor Nathan Nickolaus joined the meeting and offered a short introduction.

I. **PUBLIC HEARINGS** – None

II. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** –

- A. Police Chief Sean Fagan Presented the Life Saving Award to Sgt. Steve Gray, Cpl. Ian Mathews, and Senior Patrol Officer Tyler Wagon, for successfully de-escalating a critical incident and applying a tourniquet which resulted in saving the life of a citizen in December of 2023.

III. **OLD BUSINESS** –

- A. **Ordinance** authorizing a Solar Ground Lease Agreement with Vichy Solar LLC. PW Director Darin Pryor reviewed the changes made to the contract as requested by council at the January 2nd meeting. A motion was made by Hall and seconded by Higgins to accept the amendments to the ordinance. A voice vote showed 10 Ayes, Zero Nays, and 2 Absent. City Counselor Nathan Nickolaus read the ordinance for its final 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 CONTRACT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND VICHY SOLAR LLC. Concerns were aired regarding loss of farm land to a foreign company, purchasing of solar panels from a foreign company, recycling of spent solar panels, bankruptcy impacts, priority power usage and lithium ion battery energy storage. A representative from Vesper was present and assured council they would continue to consult with the City regarding the project and spent time answering council concerns as they were expressed. It takes \$200K-\$300K a year to support the airport which falls under the financial support and supervision of the Public Works Dept. City Administrator John Butz added that an opportunity like this has not been presented in the last 30 years that would allow the airport to be largely self-supporting. A motion was made by Johnson and seconded by Chirban to approve the ordinance. A roll call vote showed the following. Ayes: Johnson, Chirban, Balch, Florence, Hall, and Mayberry. Nays: Fridley, Vroman, Higgins, and Kessinger. Absent: Steen and Greven. Motion failed. After discussion regarding why the motion failed, Mayor Magdits explained the process for a motion to reconsider. A motion was

made by Vroman and seconded by Hall to reconsider the vote at a later date to be determined by council. A voice vote showed 9 Ayes, 1 Nay (Fridley), and 2 Absent (Steen and Greven). A motion was then made by Hall and seconded by Vroman to table the subject for a later date. A voice vote showed 10 Ayes, zero Nays, and 2 Absent. Council was directed to email concerns to Administration so that Vesper can better address them.

- B. **Ordinance** authorizing an agreement with IMS Professional Services for Pavement Condition Assessments. (PW Director Darin Pryor) City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4782: 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 INFRASTRUCTURE MANAGEMENT SERVICES. A motion was made by Kessinger and seconded by Hall to approve the ordinance. A roll call vote showed the following: Ayes: Vroman, Florence, Higgins, Chirban, Fridley, Johnson, Kessinger, Mayberry, Hall, and Balch. Nays: none. Absent: Steen and Greven.

- C. **Ordinance** calling for an April 2024 election on the 3% tax on adult-us marijuana. (City Administrator John Butz) City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4783: AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF ROLLA, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 2, 2024; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION. Councilman Hall and Vroman noted that this issue could be placed on the August/November Ballot to give the court system time to rule on the stacking controversy. Legal Counsel Nathan Nickolaus was of the opinion that a ruling was unlikely this year. Councilwoman Johnson wanted her concerns noted regarding the lack of ballot wording specifically allocating said collected funds instead of general purposes. Councilman Vroman wanted it noted that he doesn't agree with 18-19% tax (if stacking is allowed) on anything. Councilman Hall stated he felt everyone was burned out on taxes and would be personally voting no against this ordinance. Councilman Kessinger stated he liked giving the voters the opportunity to choose and he felt now was a good time to proceed. He also reminded council of the possible 10 year budgetary shortfall that was projected in the last workshop. A motion was made by Fridley and seconded by Higgins to approve the ordinance. A roll call votes showed: Ayes: Fridley, Kessinger, Higgins, Mayberry, Chirban, Balch, Johnson, and Florence. Nays: Vroman and Hall, Absent: Steen and Greven.

- D. **Ordinance** to enter into an agreement with SAK Construction, LLC for Sanitary Sewer Lining (PW Director Darin Pryor) City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4784: 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 SAK CONSTRUCTION, LLC. A motion was made by Johnson and seconded by Chirban to approve the ordinance. A roll call vote showed the following: Ayes: Chirban, Higgins, Vroman, Mayberry, Balch, Johnson, Kessinger, Florence, Fridley, and Hall. Nays: none. Absent: Steen and Greven.

IV. **NEW BUSINESS** – None

V. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Resolution** to revise the (year-end) FY 2023 Budget. (Finance Director Steffanie Rogers) To comply with RSMo Chapter 67, the City of Rolla has evaluated its financial position prior to closing the fiscal year-end and has submitted additional budget adjustments for Council approval. City Counselor Nathan Nickolaus read the resolution for one reading, by title: RESOLUTION 2029: A RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022, AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Fridley and seconded by Higgins to approve the resolution. A voice vote showed 10 Ayes, zero Nays, 2 Absent.

VI. CITIZEN COMMUNICATION

- A. Thelma May – Shared concerns regarding the increasing homelessness in the area.
- B. Matt Farrar – Shared difficult calls he took as a Police Department, perceived discrimination regarding mental health assistance and wanted to air grievances against Police Chief Fagan but was redirected by Mayor Magdits as to the proper avenue and channels for such a complaint.
- C. Melissa Jones – Shared with council she felt their first priority is their family and the proper place to air a grievance towards a city councilmember is during an election.

VII. MAYOR/CITY COUNCIL COMMENTS

- A. Councilwoman Johnson stated she wanted to address the wants and needs of the police department to address their retention issue. Mayor Magdits stated it would be placed on the agenda.
- B. Councilman Chirban announced the next council meeting would be February 5th.
- C. Councilman Florence recognized the new Junior Cadet program of the Rolla Police Department.
- D. Councilman Florence offered congratulations to Councilman Fridley for his upcoming retirement from the Rolla Public Schools.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

IX. CLOSED SESSION –

- A. Closed Session per RSMo 610.021- (1) legal and (2) Real Estate

At 8:10 a motion was made by Johnson and seconded by Vroman enter into closed session. A roll call vote showed: Ayes: Kessinger, Fridley, Vroman, Mayberry, Chirban, Balch, Johnson, Florence, Higgins, and Hall. Nay: none. Absent: Steen and Greven.

At 9:02 council returned from closed session where an item of legal litigation and real estate were discussed. No reportable actions were taken.

- X. **ADJOURNMENT** - Having no further business, the meeting adjourned at approximately 9:03 p.m.

Minutes respectfully submitted by City Clerk Lorri Powell.

CITY CLERK

MAYOR