

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, AUGUST 5TH, 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: Mattias Penner, Joshua Vroman, Megan Johnson, Nathan Chirban, Steve Jackson, William Hahn, Rob Kessinger, Kevin Greven, Victoria Steen and Tina Balch

Council Members Absent: Matt Fridley and Stanley Mayberry

Department Directors and Other City Officials in Physical Attendance: Public Works Director Darin Pryor, Fire Chief Jeff Breen, Environmental Services Director Roger Pankey, Police Chief Sean Fagan, Finance Director Steffanie Rogers, Community Development Director Dawn Bell, City Planner Tom Coots, and City Counselor Nathan Nickolaus.

A moment of silence was requested for the passing of former Mayor Elwyn Wax .

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

I. CONSENT AGENDA

- A. Consider Approval of the City Council Minutes of:
1. City Council Minutes – July 1st, 2024
 2. City Council Minutes – July 15th, 2024

A motion was made by Jackson and seconded by Vroman to approve the minutes. A voice votes showed 10 Ayes, 0 Nays, and 2 Absent.

II. PUBLIC HEARINGS – None

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

- a. Environmental Services Department Monthly Report June 2024
- b. Building Codes monthly report – June 2024
- c. Police Department Monthly Report – June 2024
- d. Animal Control Division Report – June 2024
- e. Rolla Municipal Court Summary – June 2024
- f. The Centre Income Statement ending June 2024
- g. P&Z Meeting Minutes for Tuesday, July 9th, 2024
- h. Park Advisory Commission Minutes, June 26th, 2024
- i. City of Rolla Financials ending June 30th, 2024

Councilman Hahn questioned the information provided in the reports and asked to include some deliverable goals for each Department.

August 5th, 2024

IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

- A. Chief Sean Fagan presented Civilian Service Awards to Gary Weidemann, Billie Fuller and Cherie James (Cherie James not present) for their heroic actions during the June 19th shooting at Sinks Pharmacy on 10th Street.
- B. Rebecca West DEI Program Manager at MS&T shared a presentation regarding Celebration of Nations scheduled for September 21, 2024.
- C. Jamie Myers (Executive Director) and David Chirban of Prevention Consultants shared with council drug and alcohol use with minors and programs currently being used in the Rolla Public Schools. The grants supporting the programs are due to sunset, putting these programs at risk for being discontinued. The possibility of City support with funds collected from the Opioid settlement were briefly discussed.

V. OLD BUSINESS –

- A. **Ordinance** to approve the map amendment rezoning 408 E 5th Street from the R-3, Multi-family district to the R-4, Urban Multi-family district. (City Planner Tom Coots) City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4812: AN ORDINANCE TO APPROVE THE RE-ZONING OF PROPERTY ADDRESSED AS 406/408 E 5TH FROM THE R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO THE R-4, URBAN MULTI-FAMILY DISTRICT. A motion was made by Jackson and seconded by Kessinger to approve the ordinance. A roll call vote showed the following: Ayes: Chirban, Balch, Greven, Vroman, Steen, Kessinger, Penner, Hahn, Jackosn, and Johnson. Nays: none Absent: Mayberry and Fridley.
- B. **Ordinance** to approve the map amendment rezoning property located at the SW corner of Hwy 72/Osage Drive and the SE corner of Osage Drive/Country Ridge Rd to apply a PUD, Planned Unit Development zoning overlay; and to rezone a portion of the property from the C-2, General Commercial district to the R-1, Suburban Residential district. (Community Development Director Dawn Bell)
Comm Dev. Director Dawn Bell reviewed the PUD request and plans for development that included changes requested at the July 15th meeting. Further concerns were expressed about tree maintenance and green space between the rolled curb and sidewalk.
A motion was made by Hahn and seconded by Vroman to amend section 3.1(f) to end with.” to be maintained by property owner. A voice vote showed 8 Ayes, 2 Nays (Jackson and Johnson) and 2 Absent (Mayberry and Fridley).
A motion was made by Chirban and seconded by Greven to modify section 3.1(f) to require the area between the rolled curb and sidewalk be greenspace. A voice vote showed 10 Ayes, zero Nays, 2 Absent (Mayberry and Fridley).
City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4813: AN ORDINANCE TO APPROVE THE RE-ZONING OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF HWY 72 AND OSAGE DRIVE AND THE SOUTHEAST CORNER OF OSAGE DRIVE AND COUNTRY RIDGE ROAD TO APPLY A PUD, PLANNED UNIT DEVELOPMENT ZONING OVERLAY; AND TO REZONE A PORTION OF SAID PROPERTY FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO THE R-1, SUBURBAN RESIDENTIAL DISTRICT AS AMENDED. A motion was made by Jackson and seconded by Greven to approve the ordinance. A roll call vote showed the following: Ayes: Balch, Chirban, Greven, Vroman, Jackson, Kessinger, Penner, Hahn, and Steen. Nays: Johnson Absent: Mayberry and Fridley

- C. **Ordinance** to re-adopt procedure to disclose potential conflicts of interest. (City Administrator John Butz) City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4814: AN ORDINANCE OF THE CITY OF ROLLA, MISSOURI, REPEALING SECTION 2-237 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND ENACTING A NEW SECTION IN LIEU THEREOF. A motion was made by Johnson and seconded by Kessinger to approve the ordinance. A roll call vote showed the following: Ayes: Kessinger, Steen, Vroman, Chirban, Balch, Johnson, Jackson, Penner, Hahn, and Greven. Nays: zero. Absent: Mayberry and Fridley.

VI. NEW BUSINESS –

- A. **Ordinance** to authorize the Mayor to sign a Special Warranty Deed to transfer Excess property to Missouri S&T (Tim Bradley Way). PW Director Darin Pryor explained the Special Warranty Deed is to transfer excess property acquired for the Tim Bradley Way (University Drive) project to Missouri S&T as committed in the October 2022 joint development agreement between the city and MS&T (MRTDD). City Counselor Nathan Nickolaus 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 SPECIAL WARRANTY DEED BETWEEN THE CITY OF ROLLA, MISSOURI AND THE CURATORS OF THE UNIVERSITY OF MISSOURI.
- B. **Ordinance** amending sections 27-97 and 27-118 of the Rolla City Code regarding Timed Parking. PW Director Darin Pryor explained that a comprehensive review of Section 27-97 and 27-118 of the City of Rolla Code concerning timed parking was completed. The proposed changes are necessary to reconcile the ordinance to what is in the field. City Counselor Nathan Nickolaus read the ordinance for its first reading, by title: AN ORDINANCE AMENDING SECTIONS 27-97 AND 27-118 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING NEW SECTIONS 27-97 AND 27-118 IN LIEU THEREOF RELATING TO PARKING.

VII. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Motion** to award bid to Pierce Asphalt for Project #577 FY 2024 Phase III Asphalt Improvements and Ordinance to enter into an agreement with same. (PW Director Darin Pryor) Councilman Jackson announced that his company was the highest bidder on the list. A motion was made by Johnson and seconded by Vroman to award the bid to Pierce Asphalt for \$205,631.30. A voice vote showed 10 Ayes, zero Nays, and 2 Absent. City Counselor Nathan Nickolaus read the ordinance for its first reading, by title: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND PIERCE ASPHALT LLC.
- B. **Motion** to award bid to KPM for Audit Services for a 3-year term. (Finance Director Steffanie Rogers) A motion was made by Vroman and seconded by Chirban to award the bid to KPM, CPA for audit services for 3 fiscal years (ending September 30, 2026) with the possibility of a 2-year extension. A voice vote showed 10 Ayes, zero Nays, and 2 Absent. A resolution will be presented at the next meeting to approve the agreement with same.

VIII. CITIZEN COMMUNICATION

- A. David Dukes shared his frustration regarding lack of action against gaming machines
- B. Alfred Chapman asked that the same concessions be made for the local contractors as the out of area developers. He did not believe the labor or building supplies for the proposed Hwy 72/Osage Drive development will be sourced locally.
- C. Jim Larson shared his concerns about the need for storm water detention improvements on 9th and Rolla Streets to control the storm water that comes off the University and City Parking lots.

IX. MAYOR/CITY COUNCIL COMMENTS

- A. **Motion** to re-appoint Dale Martin to the Rolla Enhanced Enterprise Zone Board for a 4 year term (June 2028) A motion was made by Johnson and seconded by Kessinger, to approve the appointment. A voice vote showed: 10 Ayes, 0 Nays, and 2 Absent.
- B. Councilman Kessinger asked City Counselor Nathan Nickolaus to explain the issue with pursuing prosecution of gaming machines. Mr. Nickolaus explained that there is a loophole in state law that may allow the machines to exist. Mr. Nicholaus added that the City of Springfield is taking this matter through the courts. Chief Fagan shared a story regarding his failed attempt to have the machines removed.

X. COMMENTS FOR THE GOOD OF THE ORDER

- A. Next Meeting Date, Monday, August 19th, 2024
- B. City Council Workshop on the Centre – 5:30 pm, Tuesday, August 6th at The Centre.
- C. Councilwoman Johnson thanked the Park’s Department for getting SplashZone re-opened and the Pickleball Courts opened.
- D. Councilman Greven shared the great turnout at the final dedication of the Veteran’s Memorial Park.

XI. CLOSED SESSION –

- A. Closed Session per RSMo 610.021- None

XII. ADJOURNMENT -

With nothing further to discuss, the meeting was adjourned at 9:35 pm.

Minutes respectfully submitted by City Clerk Lorri Powell.

CITY CLERK

MAYOR