

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 21ST, 2025; 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, Matt Fridley, William Hahn, Kevin Greven, Rob Kessinger, Victoria Steen and Tina Balch

Council Members Absent: Stanley Mayberry (resigned 09/03/24)

Department Directors and Other City Officials in Physical Attendance: Public Works Director Darin Pryor, Fire Chief Jeff Breen, Police Chief Sean Fagan, Parks Director Floyd Jernigan, Comm. Dev. Director Dawn Bell, Recreation Centre Interim Director Josh Stephens, City Planner Tom Coots and City Counselor Nathan Nickolaus.

Mayor Magdits called the meeting to order at approximately 5:30 p.m. and asked Councilman Penner to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS –

- A. **Public Hearing and Ordinance** to rezone 21 Stephendale Ct. from the R-1 Suburban Residential district, to the C-1, Neighborhood Commercial district. City Planner Tom Coots explained that the applicant has Highway 72 and Stephendale frontage and wishes to have a small restaurant carry out business on the dead-end street.

At 6:36 Mayor Magdits opened the public hearing.

- Thu Tran, owner of subject property, shared his plans to open a small carry-out Vietnamese restaurant. He believes he has enough space to have 5-7 parking spaces.
- Will Bernhardt spoke against the rezoning stating there wasn't enough room for appropriate parking and the entrance would bring too much traffic to a normally low trafficked dead-end street.
- Thu Tran addressed the concerns of the previous speaker and shared comparisons between his proposal to a business next door with a similar parking/traffic situation.

At 6:47 pm Mayor Magdits closed the public hearing.

City Counselor Nathan Nickolaus read the ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF PROPERTY LOCATED AT 21 STEPHENDALE COURT FROM THE R-1, SUBURBAN RESIDENTIAL DISTRICT TO THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT.

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS – None

III. OLD BUSINESS –

- A. **Ordinance** to enter in agreement Lochmueller Group Inc for design and right-of-way plans for a roundabout at 18th /Bardsley/Old St. James Road. (Public Works Director Darin Pryor) City Counselor Nathan Nickolaus read the ordinance for its final reading, by title: ORDINANCE 4840: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AMENDMENT NO.1 BETWEEN THE CITY OF ROLLA, MISSOURI AND THE LOCHMUELLER GROUP FOR PROFESSIONAL SERVICES FOR INTERSECTION IMPROVEMENTS 18TH/OLD ST JAMES/BARDSLEY, PROJECT NUMBER 528. A motion was made by Jackson and seconded by Johnson to approve the ordinance. A roll call vote showed: Ayes: Kessinger, Fridley, Vroman, Chirban, Balch, Johnson, Jackson, Penner, Hahn, and Greven. Nays: Steen. Absent: none.
- B. **Discussion** regarding the future of city water fluoridation. (City Administrator John Butz) A motion was made by Johnson and seconded by Kessinger to move forward with the fluoride removal process. A roll call vote showed: Ayes: Johnson, Chirban, Steen, Penner, Balch, and Kessinger. Nays: Jackson, Fridley, Vroman, Hahn, and Greven. Absent: none. Administration will move forward with the required 90 day public notice, after which an ordinance for first reading will be presented for Council consideration.

IV. NEW BUSINESS –

- A. **Resolution** to authorize the City Administrator to execute a notice of award with the State of Missouri Division of Tourism. (Public Works Director Darin Pryor) City Counselor Nathan Nickolaus read the resolution for one reading, by title: RESOLUTION 2056: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CERTAIN NOTICE OF AWARD BETWEEN THE CITY OF ROLLA AND THE STATE OF MISSOURI DIVISION OF TOURISM. A motion was made by Fridley and seconded by Johnson to approve the resolution. A voice vote showed: 11 Ayes, 0 Nays, none Absent.

V. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Motion** to award the bid and **ordinance** authorizing an agreement with Corrective Asphalt Materials, LLC. (Public Works Director Darin Pryor) A motion was made by Jackson and seconded by Greven to award the bid to Corrective Asphalt Materials, LLC for \$95,067.05. A voice vote showed: 11 Ayes, 0 Nays, and 0 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 CORRECTIVE ASPHALT MATERIALS, LLC.
- B. **Motion** to award bid and **ordinance** authorizing an agreement with Visu-Sewer of Missouri, LLC. (Public Works Director Darin Pryor) A motion was made by Greven and seconded by Johnson to award the bid to Visu-Sewer for \$292,794. A voice vote showed: 10 Ayes, 0 Nays, and 0 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 VISU-SEWER OF MISSOURI, LLC.

VI. CITIZEN COMMUNICATION

- A. Lindsay Bagnall – Spoke against the proposed SCFTU ordinance and possible negative effects on the community.
- B. Dr. Jenny Penny Cook – Read a letter prepared by the Missouri State Medical Association, asking Council to reject the SCFTU proposal.
- C. Ruby Hoosar – Spoke against the proposed SCFTU ordinance.
- D. Regan Gordan – Resident of Rolla and nurse asked Council to pass the SCFTU ordinance.
- E. Cathy Frank – Expressed concerns with proposed SCFTU ordinance.
- F. Doug Center – Read scripture and said the goal of Planned Parenthood is population control.
- G. Cathy Baero – Asked Council to pass the SCFTU ordinance.
- H. Jodi Eberly – Asked Council to table the proposed SCFTU ordinance permanently.
- I. Dr. Will Zwikelmaier – Spoke against the proposed SCFTU.
- J. Ken Bergman – Shared how extreme Amendment 3 was on abortion and that it needs to be rescinded.
- K. Pamela Timson – Spoke against the proposed SCFTU.
- L. Kari Craun – Spoke against the SCFTU ordinance and encouraged Council to focus on the running the City of Rolla.
- M. Hailey Cramer – Family Nurse practitioner at Planned Parenthood – Spoke the need for Rolla to have more accessible medical care for STI and reproductive healthcare.
- N. Andrew Gigger - Spoke against the proposed SCFTU ordinance.
- O. Heath Petri – Spoke on the Comstock Act and Amendment 3 how he believes the proposed SCFTU violates the Bill of Rights.
- P. Adam Blank – Spoke in favor of saving lives and protecting the innocent.
- Q. Dan Oether- Spoke in favor of the proposed SCFTU ordinance.
- R. Brad Armstrong – Spoke against the proposed SCFTU and the unintended consequences on local businesses and economy.
- S. Mark Lee Dixon – Shared that 70 cities in 8 counties in Texas have passed the proposed SCFTU ordinance and that of those ACLU has sued only a handful and has lost.
- T. Susan Jordon (Salem resident) – Shared that Council has the opportunity to “help save the babies”.
- U. Marci Thomas (Salem proper resident) – Shared the process of chemical abortions and the negative effects on women.
- V. Rachel Schneider – Read Section 5 in Amendment 3 restricting prosecution.
- W. Zach Oski - Shared that people outside of Rolla are watching and discussing Council’s current actions and the negative effects they could have on recruitment.
- X. Emilia Barbosa – Asked Council to focus on governing Rolla and uphold the peoples will.
- Y. Melissa Jones – Shared her personal experience post abortive and that she wants to champion the proposed SCFTU ordinance but doesn’t see an effective path of enforcement.

VII. MAYOR/CITY COUNCIL COMMENTS

- A. Councilman Vroman: Discussion on Rolla as a “Sanctuary City for the Unborn” (SCFTU).

Councilman Vroman shared that the proposed ordinance protects public health and welfare and ensures compliance with federal law and is consistent with aligning Rolla ordinances with federal standards. He shared several specific instances where ordinances were passed into the city code that aligned federal law without conflicting with same.

He explained that this ordinance mirrors federal statutes for standing in state court. This ordinance is created to empower citizens with private enforcement without burdening city resources.

Council continued with discussion and clarified several questions through City Counselor Nathan Nickolaus. Comments of concern from various Councilmembers consisted of the desire to focus on positive work within the community and the lack of a clear path of enforcement. A motion was made by Fridley and seconded by Hahn to table and remove this item from the agenda indefinitely. A roll call vote showed: Ayes: Fridley, Kessinger, Greven, Balch, Johnson, and Hahn. Nays: Penner, Vroman, Steen, Chirban, and Jackson.

- B. Councilman Kessinger indicated he was unaware of the 90-day public notice requirement to consider the process to remove fluoride treatment from City of Rolla water.
- C. Councilman Chirban expressed his thanks to RMU and the road crews for their actions during the last winter storm.
- D. Councilwoman Johnson stated she has taken offense to negative dialogue regarding the SCFTU discussion.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

- A. Next Meeting Date, Monday, February 3rd, 2025

IX. CLOSED SESSION –

- A. Closed Session per RSMo 610.021, NONE

X. ADJOURNMENT -

With nothing further to discuss, the meeting was adjourned at 9:16 p.m.

CITY CLERK

MAYOR