

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, MARCH 15TH, 2021; 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: Terry Higgins, Jody Eberly, John Meusch, Carrolyn Bolin, Christine Ruder, Rachel Schneider, Ann Murphey, David Schott, Matthew Crowell, Marie Allen and Lister Florence Jr .

Council Members Absent: None.

Other City Officials and Department Directors in Attendance via Zoom Videoconferencing: Community Development Director Steve Flowers, Finance Director Steffanie Rogers, and Centre Director Marci Fairbanks

Department Directors and City Officials in Physical Attendance: Rolla City Fire Chief Ron Smith, City Engineer Darin Pryor, City Planner Tom Coots, City Administrator John Butz, Environmental Services Director Brady Wilson, Parks Director Floyd Jernigan and Police Chief Sean Fagan

A member of the Rolla Ministerial Alliance opened the meeting with prayer.

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

I. PUBLIC HEARINGS

- A. **Public Hearing** - Oak Tree (Diamond) Apartments Renovation - MHDC Tax Credits (Mr. Pete Ramsel - Diamond Apartments and City Administrator John Butz) **Resolution**

City Administrator John Butz stated this was a new rehabilitation project of Oak Tree Apartments with a new ownership partnership of Diamond Apartments. MHDC is finalizing both state and Federal Tax credits and the public hearing is an IRS requirement. IDA issued a resolution of intent to issue bonds last year. After the public hearing, the Council will be asked to approve the resolution allowing them to proceed.

Mayor Magdits officially opened the hearing at 6:33p.m. and asked if any citizens wished to speak regarding the project or the tax credits. None came forward.

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Pete Ramsel spoke briefly stating this was a necessary project for the community and assured Council that once finished would be very nice.

Mayor Magdits closed the public hearing at 6:36p.m.

City Counselor Lance Thurman read the proposed resolution by title for one reading: RESOLUTION 1985: A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ROLLA, MISSOURI FOR A HOUSING PROJECT. A motion was made by Crowell and seconded by Murphey to adopt the resolution as written. A roll call vote showed the following results: Ayes: Schneider, Florence, Ruder, Bolin, Higgins, Murphey, Schott, Crowell, Meusch, Allen, Eberly, and Lyons. Resolution passed.

B. Public Hearing-Major Thoroughfare Plan Amendment for University Ave. Realignment (City Planner Tom Coots) First Reading

City Planner Tom Coots stated this was an amendment to the Major Thoroughfare Plan for the University Ave. realignment. Approval of the amendment to the thoroughfare plan is the next step in the process for the project to remain in compliance with the letter and intent of the state statutes.

Mayor Magdits officially opened the public hearing at 6:42p.m. and asked if any citizens wished to speak on the project. None came forward and the public hearing closed at 6:43p.m.

City Counselor Lance Thurman read the proposed ordinance for its first reading, by title: ORDINANCE 4608: AN ORDINANCE ADOPTING AN AMENDMENT TO THE MAJOR THOROUGHFARE PLAN, A PART OF THE ROLLA 2020 COMPREHENSIVE PLAN UPDATE 2005 FOR THE UNIVERITY DRIVE RE-ALIGNMENT. A motion was made by Murphey and seconded by Bolin to suspend the rules and read the ordinance for its final reading. A voice vote showed 11 Ayes and 1 Nay. Mr. Thurman read the ordinance for its final reading. A motion was made by Eberly and seconded by Bolin to approve the ordinance as written. A roll call vote revealed the following results: Ayes: Ruder, Murphey, Higgins, Schneider, Allen, Bolin, Lyons, Crowell, Meusch, Florence, Schott, and Eberly. Ordinance passed.

II. SPECIAL PRESENTATIONS

- A. Citizen Award Presentation to Judy Terry (Fire Chief Ron Smith & Police Chief Sean Fagan) Fire Chief Ron Smith and Police Chief Fagan presented a Citizen Award to Judy Terry (a volunteer with the American Red Cross) for excellent service to the community.

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- B. 2020 Tourism Audit (Kean, Wiggins, & Company LLC)
CPA Amanda Wiggins briefed Council of the Audit results of the 2020 Motel Tax fund. Overall, she said everything was very organized with no red flags. Funds for the Motel tax fund come from a 3% tax collected by the Hotels and Motels. The money goes to the City of Rolla who then remits 90% to the Chamber, while 10% remains with the City for their own tourism projects.
- C. 2020 4th Quarter Year End Tourism Report (Stevie Kears, Executive Director Rolla Area Chamber of Commerce)
Executive Director Stevie Kears presented the 2020 4th Quarter Tourism Report. She stated that 2020 was a challenging year for everyone and the Hotels had taken a major hit. She spoke on a few of the community events that, while modified, were still able to be held in 2020. 2021 has a line-up of entertaining community events as well. The Chamber has collaborated with the Rolla Regional Economic Commission to create a new website called “Geared for Phelps” to combine tourism marketing efforts.

III. OLD BUSINESS

- A. **Ordinance** authorizing the Mayor to execute an agreement with the Missouri Department of Corrections for renewal of work release program. (City Engineer Darin Pryor) **Final Reading**

City Engineer Darin Pryor stated this ordinance would allow the renewal of the work release program through the Missouri Department of Corrections. The program is currently paused for COVID reasons but the City is hopeful that it will soon again be active. When active, the City employs up to eight offenders to do manual work for the Public Works and Parks Departments. (This agreement would be effective March 1, 2021 through February 28th, 2022, and may be renewed for 2 additional one-year periods thereafter.)

City Counselor Lance Thurman read the following proposed ordinance for final reading, by title. ORDINANCE NO 4605: 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 MISSOURI DEPARTMENT OF CORRECTIONS. A motion was made by Meusch and seconded by Bolin to pass the ordinance. A roll call vote showed the following results: Ayes: Murphey, Lyons, Bolin, Schneider, Ruder, Meusch, Higgins, Eberly, Florence, Schott, and Crowell. Nays: Allen. Absent: none. Ordinance passed.

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- B. **Ordinance** authorizing the Mayor of the City of Rolla, Missouri to execute an agreement with Shelter Planners of America. (City Administrator John Butz) **Final Reading**

This agreement would start the first of two phases that would create and build the shell of the new Animal Shelter. The second phase would rely on donations and in-kind services for completion.

City Counselor Lance Thurman read the following proposed ordinance for final reading, by title. ORDINANCE NO 4606 : 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 SHELTER PLANNERS OF AMERICA OF ARLINGTON, TEXAS/ARCHER ENGINEERING OF ROLLA, MO. A motion was made by Meusch and seconded by Crowell to accept the ordinance as read. A roll call vote showed the following results: Ayes: Bolin, Higgins, Ruder, Schott, Allen, Murphey, Lyons, Crowell, Meusch, Florence, Eberly, and Schneider. Nays: none. Absent: none. Ordinance passed.

- C. **Ordinance** extending the COVID emergency proclamation (City Administrator John Butz)

This is a draft of the original proclamation passed by City Council in March, 2020 that takes advantage of what the State Statutes provide in the authority of the City Council during a pandemic. This updated version reinforces that we are still dealing with a pandemic. The proposed ordinance grants some administrative authority to the Mayor and the City Administrator to manage City properties and modify administrative procedures and ties Rolla's declaration to that of the State of Missouri's declaration.

Mayor Magdits reinforced that he is not going to ask for authority that he doesn't need or isn't likely to need. He asked Council to amend the proposed ordinance, removing Section 3, subsections e and f. A motion was made by Crowell and seconded by Meusch to amend the ordinance to remove Section 3, subsections e and f. A roll call vote showed the following results: Ayes: Allen, Murphey, Bolin, Schneider, Florence, Meusch, Higgins, Eberly, Crowell, Schott, and Ruder. Nays: Lyons. Absent: none.

City Counselor Lance Thurman read the proposed ordinance by title for its final reading, as amended: ORDINANCE NO. 4607: ORDINANCE EXTENDING THE EMERGENCY PROCLAMATION IN THE CITY OF ROLLA AND ENCOURAGING THE CITIZENS OF THE CITY OF ROLLA TO CONTINUE TO IMPLEMENT THE MITIGATION STRATEGIES LAID OUT BY THE

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CENTER FOR DISEASE CONTROL AND THE NATIONAL INSTITUTE OF HEALTH. A roll call vote showed the following results: Ayes: Meusch, Schott, Ruder, Schneider, Allen, Murphey, Lyons, Crowell, Florence, Higgins, Eberly, and Bolin. Ordinance passed.

IV. NEW BUSINESS

- A. **Ordinance** amending Sections 27-61 & 27-62 of the City Code relating to seatbelt usage (Police Chief Sean Fagan) **First Reading**

This Ordinance would mirror the Rolla City Ordinances pertaining to child restraint and seatbelt usage with the State of Missouri Statutes.

City Counselor Lance Thurman read the proposed ordinance for its first reading, by title: AN ORDINANCE AMENDING SECTIONS 27-61 AND 27-62 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING NEW SECTIONS 27-61 AND 27-62 IN LIEU THEREOF RELATING TO SEATBELT LAW.

- B. **Motion** Authorizing a Corporate Hangar lease with Mr. Gary Henderson (City Administrator John Butz) **Motion**

This hangar started as a ground lease in 1984. In 2017, the City approved the sale of the building and assignment of the ground lease from the late Bill Hoertel to Gary Henderson. In that assignment the City agreed to then lease the building to Gary Henderson when the building reverts to the City. (This lease would be effective for one year to commence on May 1, 2021 and terminate on April 30, 2022. The lease can be extended up to two additional one year terms.) A motion was made by Bolin and Seconded by Murphey to approve the lease. A roll call vote showed the following results: Ayes: Florence, Crowell, Murphey, Schott, Schneider, Ruder, Allen, Higgins, Eberly, Lyons, Bolin, and Meusch. Nays: none. Absent: none. Motion passed

- C. **Resolution** Adopting the Phelps County Multi-Jurisdiction Natural Hazards Mitigation Plan (Fire Chief Ron Smith) **Motion**

The Federal Emergency Management Agency (FEMA) requires that the Phelps County Hazard Mitigation Plan be reviewed every five years. Phelps County and nine other jurisdictions prepared this local hazard mitigation plan to guide hazard mitigation planning for the purpose of better protecting the people and property of the County from the effects of natural hazard events. In order for the City of Rolla to be eligible to receive federal disaster assistance, a resolution must be passed which approves the Phelps County Hazard Mitigation Plan.

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City Counselor Lance Thurman read the proposed resolution for one reading:
RESOLUTION 1986: A RESOLUTION ADOPTING THE PHELPS COUNTY MULTI-JURISDICTION NATURAL HAZARD MITIGATION PLAN. A motion was made by Eberly and seconded by Schott to adopt the resolution. A roll call vote showed the following results: Ayes: Higgins, Bolin, Ruder, Schneider, Allen, Murphey, Lyons, Crowell, Meusch, Florence, Eberly, and Schott. Motion passed.

D. Ordinance Approving DCM Holdings Subdivision (City Planner Tom Coots) – First Reading

The subject property consists of ten existing platted lots, a vacated alley, and a portion of another lot in an adjacent subdivision. The property is the former location of the Denny Ford Dealership (later Sakelaris Ford). The proposed minor subdivision would create two commercial lots to allow the two existing buildings to be located on separate lots.

City Counselor Lance Thurman read the Ordinance for its first reading, by title:
ORDINANCE NO : AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF DCM HOLDINGS SUBDIVISION.

V. CLAIMS and/or FISCAL TRANSACTIONS

A. Motion Awarding Bid for Public Works Building and an Ordinance Authorizing the Mayor to Enter into an Agreement with Alexander Construction (City Engineer Darin Pryor) Motion/First Reading

Mr. Pryor stated that bids were received were to begin phase one of a two-phase plan to build and complete a new Public Works building to be located off McCutchen Drive. Phase 1 will build the shell of the building. Phase 2 will be ready for bid sometime in April which will complete the interior of the facility. Lowest bid was by Alexander Construction, LLC for \$729,438.00. A motion was made by Bolin and seconded by Marie to award the bid. A roll call vote showed the following results: Ayes: Crowell, Schott, Ruder, Schneider, Higgins, Murphey, Lyons, Bolin, Meusch, Florence, Eberly, and Allen. Motion passed

City Counselor Lance Thurman read the proposed Ordinance for its first reading, by title:
ORDINANCE NO : 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 ALEXANDER CONSTRUCTION, LLC.

B. Motion Awarding Bid for 2021 Surface Sealing Parking Lots and an Ordinance Authorizing the Mayor to Enter into an Agreement with Pierce Asphalt, LLC (City Engineer Darin Pryor) Motion/First Reading

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Mr. Pryor stated that bids were received to seal specific parking lots in Rolla. Lots are scheduled to be surfaced every 5-7 years. The lowest bid received was by Pierce Asphalt, LLC. A motion was made by Crowell and seconded by Bolin to award the bid to Pierce Asphalt, LLC. A roll call vote showed the following results. Aye: Eberly, Allen, Murphey, Bolin, Schneider, Ruder, Meusch, Higgins, Lyons, Crowell, Schott, and Florence. Nay: None. Absent: None.

City Counselor Lance Thurman read the proposed ordinance for first reading, by title: ORDINANCE NO : 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 PIERCE ASPHALT, LLC, 2021 SURFACE SEALING TREATMENT PARKING LOTS, PROJECT #524.

**C. Motion Awarding Bid for Splash Zone Slide Renovation (Parks Director Floyd Jernigan)
Motion**

Mr. Jernigan stated that in 2020, the Council approved the resurfacing of Splash Zone Water Park. At that time, they noted the slides would have to be repaired/rejuvenated in 2021. A motion to award the project to SlidePros was made by Schneider and seconded by Bolin. A roll call vote showed the following results: Ayes: Schneider, Florence, Ruder, Bolin, Higgins, Murphey, Schott, Crowell, Meusch, Allen, Eberly, and Lyons.

VI. MAYOR/CITY COUNCIL COMMENTS

**A. Motion Reappointing Mr. Walt Bowe to the Planning and Zoning Commission
(Jan. 2025) Motion**

Mayor Magdits asked that a motion be made to reappoint Mr. Bowe to the Planning and Zoning Commission for another term of service. Meusch made that motion and Crowell seconded. A roll call vote showed the following results: Ayes: Schott, Meusch, Higgins, Bolin, Schneider, Ruder, Allen, Murphey, Lyons, Crowell, Eberly, and Florence. Motion passed.

VII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Magdits opened the floor to anyone wishing to address the Council

Lynn McFarland - 601 Penny Lane: Thanked Council for removing the “No Left turn” requirement at Strobach and Hwy 63. Thanked Council for the Pickle ball Courts at Green Acres Park. He also noted that they would need to be resurfaced in the near future.

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Discussed a small white house with fire damage at the end of Strobach. He asked that 2 signs be placed that state “cross traffic does not stop” at Strobach and Walker.

Karen Harris – 21 Stephendale: She thanked the Mayor for open discussion on the proposed Emergency Declaration Order.

Brady Wilson - Environmental Services Director: Reminded everyone that April 3rd would be the next City Wide Clean-up. Brady noted trash receptacles would not be emptied on that day.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

IX. CLOSED SESSION

Pursuant to Section 610.021(3) RSMo., City Council will discuss the following issues in Closed Session:

A. Personnel

Meusch made a motion and Bolin seconded to enter into closed session. A roll call vote showed the following results: Ayes: Ruder, Murphey, Higgins, Schneider, Allen, Bolin, Lyons, Crowell, Meusch, Florence, Schott, and Eberly.

Council went into closed session at 8:15 p.m.

X. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:40 p.m.

City Counselor Lance Thurman reported that during closed session the Council discussed one matter of Personnel. Council took no final action.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 8:41 p.m.

Minutes respectfully submitted by Rolla City Clerk Lorri Thurman.

CITY CLERK

MAYOR

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