

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, APRIL 19th, 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: None

Council Members in Physical Attendance: Rachel Schneider, Lister Florence, Christine Ruder, Terry Higgins, Matthew Crowell, Ann Murphey, Carrolyn Bolin, Jody Eberly, John Meusch, Dave Schott, Deanne Lyons and Marie Allen

Newly Elected Members in Physical Attendance: Moriah Renaud, Megan Johnson, Matt Fridley, Robert Kessinger, Stanley Mayberry, and Victoria Steen.

Council Members Absent: None.

Department Directors in Attendance via Zoom Videoconferencing: Finance Director Steffanie Rogers

Department Directors and Other City Officials in Physical Attendance: City Administrator John Butz, Fire Chief Ron Smith, City Engineer Darin Pryor, Police Chief Sean Fagan, Environmental Services Director Brady Wilson, Public Works Director Steve Hargis, Parks Director Floyd Jernigan, City Planner Tom Coots, Community Development Director Steve Flowers, RMU General Manager Rodney Bourne, and City Counselor Carolyn Buschjost.

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

I. Old Business

- A. Ordinance** authorizing the Mayor to enter into agreement with Donald Maggi Inc. for Project #493 – Oak Street Improvements. (City Engineer Darin Pryor) **Final Reading**

City Engineer Darin Pryor stated bids were awarded to Donald Maggi Inc. at the last meeting for Project #493 – Oak Street Improvements. The approval of the final reading of the proposed ordinance would allow the Mayor to enter into an agreement with Donald Maggi, Inc. for \$312,894.50.

City Counselor Carolyn Buschjost read the proposed ordinance for its final reading, by title: ORDINANCE NO 4612: 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 DONALD MAGGI, INC. A motion was made by Crowell and

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seconded by Schneider to accept the proposed ordinance. A roll call vote showed the following results: Ayes: Eberly, Allen, Murphey, Bolin, Schneider, Ruder, Meusch, Higgins, Lyons, Crowell, Schott, and Florence. Nays: none. Ordinance passed.

B. Ordinance authorizing the Mayor to enter into agreement with Donelson Construction Co., LLC. for Project #522 – 2021 Microsurfacing (City Engineer Darin Pryor) **Final Reading**

City Engineer Darin Pryor stated a bid was awarded at the last meeting to Donelson Construction Co., LLC. for project #522 – 2021 Microsurfacing. The approval of the final reading of the proposed ordinance would allow the Mayor to enter into an agreement with Donelson Construction Co., LLC for \$464,800.72.

City Counselor Carolyn Buschjost read the proposed ordinance for its final reading by title: ORDINANCE NO. 4613: 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 DONELSON CONSTRUCTION COMPANY, LLC FOR 2021 MICROSURFACING, PROJECT #522. A motion was made by Bolin and seconded by Crowell to accept the proposed ordinance. A roll call vote showed the following results. Schneider, Florence, Ruder, Bolin, Higgins, Murphey, Schott, Crowell, Meusch, Allen, Eberly, and Lyons. Nays: none. Ordinance passed.

C. Ordinance authorizing the Mayor to enter into agreement with Don Maggi, Inc. for Project #359 – University Dr. Realignment (Director of Public Works Steve Hargis) **Final Reading**

Director of Public Works Steve Hargis stated that a bid was awarded to Donald Maggi, Inc. for asphalt for Project #359 – University Dr. Realignment. The approval of the final reading of the proposed ordinance would allow the Mayor to enter into an agreement with Donald Maggi, Inc. for \$2,884,920.92. The MRTDD Board has reviewed and is recommending final approval.

City Counselor Carolyn Buschjost read the proposed ordinance for its first reading by title: ORDINANCE NO. 4614: 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 DONALD MAGGI, INC. A motion was made by Meusch and seconded by Bolin to accept the proposed ordinance. A roll call vote showed the following results; Ayes: Schott, Meusch, Higgins, Bolin, Schneider, Ruder, Allen, Murphey, Lyons, Crowell, Eberly, and Florence. Nays: none. Ordinance passed.

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- D. **Motion** approving sold surplus assets through GovDeals – Oct. 1, 2019 – April 15, 2021. (City Administrator John Butz) **Motion.**

City Administrator John Butz stated that for the past 6 months, the city has sold about \$68,000 worth of items on GovDeals and Purple Wave. Twice a year the list is brought to Council to document the release of assets and receive approval for the sales. A motion was made by Bolin and seconded by Schneider to approve the sales. A voice vote revealed 12 Ayes and zero Nays. Motion passed.

II. CONSENT AGENDA

- A. **Motion** to Accept April 6th, 2021 Certified Election Results. (City Administrator John Butz) **Motion**

City Administrator John Butz advised that 1949 votes were cast in the Council Election which is a little under 12% of the registered voters. This information was received from the Phelps County Clerk, Pam Grow, who is the election authority for Phelps County. A motion was made by Crowell and seconded by Bolin to accept the 2021 Municipal Election results. A voice vote revealed 12 Ayes and zero Nays. Motion passed.

III. ELECTED OFFICIALS SWEARING-IN CEREMONY

- A. **Comments/Recognitions of Outgoing Councilmembers:** Mayor Magdits recognized the following outgoing Councilmembers with a plaque presentation.

- i) Councilwoman Rachel Schneider
- ii) Councilman Matt Crowell
- iii) Councilman David Schott
- iv) Councilman John Meusch
- v) Councilwoman Christine Ruder
- vi) Councilwoman Marie Allen

- B. **Swearing-In of Newly Elected Officials:** City Clerk Lorri Thurman administered the Oath of Office to the following incoming Councilmembers:

- i) Councilwoman Moriah Renaud
- ii) Councilwoman Megan Johnson
- iii) Councilman Matt Fridley
- iv) Councilman Robert Kessinger
- v) Councilman Stanley Mayberry
- vi) Councilwoman Victoria Steen (*Elected as Culver but has since married and changed name*)

IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS - None

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V. PUBLIC HEARINGS

- A. Ordinance Rezoning: 512 E. 18th Street from M-2, Heavy Manufacturing district to the C-3, Highway Commercial district. (City Planner Tom Coots) **Public Hearing/First Reading**

City Planner Tom Coots stated this was a request for rezoning from M-2 to C-3 to put in a baseball training facility.

Mayor Magdits opened the Public Hearing at 6:52 P.M. He asked if any citizen present living within 185 feet of the property wanted to speak for or against the zoning; there were none. He asked if any citizen present living further than 185 feet of the property wanted to speak for or against the zoning. Johnny Jones from 206 Brookridge spoke in support of the change. The Public Hearing was closed at 6:54 P.M.

City Counselor Carolyn Buschjost read the proposed Ordinance for its first reading by title: ORDINANCE NO: AN ORDINANCE TO APPROVE THE RE-ZONING OF 512 E 18TH STREET FROM M-2, HEAVY MANUFACTURING TO C-3, HIGHWAY COMMERCIAL DISTRICT (ZON21-01)

VI. NEW BUSINESS

- A. **Ordinance** to approve the minor subdivision final plat of Drury Development Addition – 2004/2006 N. Bishop. (City Planner Tom Coots) **First Reading**

City Planner Tom Coots stated the subject property is currently one large tract with two commercial uses. The applicant seeks to subdivide the property into two commercial lots, with the restaurant on one lot, and the motel on the other lot so they can be sold separately.

City Counselor Carolyn Buschjost read the proposed Ordinance for its first reading by title: ORDINANCE NO.: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF DRURY DEVELOPMENT ADDITION. (SUB20-01)

- B. **Resolution** approving license agreement for MS&T Little Miners Child Care Center to construct and maintain a canopy within the public right-of-way. (Public Works Director Steve Hargis) **Motion**

This item was set aside for the May 6th meeting.

- C. **Motion** to allow the temporary closure of 10th Street for the RHS Graduation (Public Works Director Steve Hargis) **Motion**

Public Works Director Steve Hargis and High School Principal Jim Pritchett spoke on the request to close 10th Street from Cedar to Holloway from 7:30 to 9 P.M. for the high school graduation. Doing so helps cut down the noise from the passing vehicles, allowing for a better experience for the graduates and their families. A motion was made by Bolin and seconded by Murphey to allow the closure. A voice vote revealed 12 Ayes and zero Nays.

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- D. **Motion** to allow the temporary closure of Pine Street for Dine on Pine. (Public Works Director Steve Hargis) **Motion**
Public Works Director Steve Hargis stated the Rolla Area Chamber of Commerce is requesting Pine Street to be closed from 10th-12th Streets and 11th Street from Rolla Street to Elm Street beginning at noon on June 12th until midnight for their private Dine on Pine event. Insurance and Security have been arranged by R.A.C.C. A motion was made by Murphey and seconded by Lyons to allow the closure. A voice vote revealed 12 Ayes and zero Nays.

VII. CLAIMS and/or FISCAL TRANSACTIONS

- A. **Motion** to award Bid for tractor to be used at the Rolla National Airport. (Public Works Director Steve Hargis) **Motion**
Public Works Director Steve Hargis stated that approximately 30% of labor and equipment cost at the Airport is ground maintenance. It is believed that the funds needed for ground maintenance can be decreased considerably by updating the equipment used for mowing and by increasing the amount of ground that is maintained by a tractor and rotary cutter, which would decrease the amount mowed with lawn mowers. Mr. Hargis proposed that a portion of the funds received for the timber harvest be used to pay for the equipment in conjunction with \$16,500 trade-in value from two older tractors. A motion was made by Eberly and seconded by Lyons to award the bid. A voice vote revealed 12 Ayes and zero Nays.
- B. **Motion** accepting the emergency purchase of an HVAC Unit Replacement by RPD. (Chief Sean Fagan)
Chief Fagan stated that one of the six older air conditioning units used to cool the department quit working on April 6th. The temperatures in the offices covered by this unit quickly climbed to over 80 degrees with little relief creating a hardship on the employees and computer equipment. Under those emergency circumstances, Chief Fagan contacted two local dealers as well as a business out of St. Louis who was awarded a past bid and found Hartley's Climate Control, LLC of Rolla to be the lowest bid at \$11,769.00. A motion was made by Bolin and seconded by Eberly to accept the emergency purchase. A voice vote revealed 12 Ayes and zero Nays.

VIII. CITIZEN COMMUNICATION

- A. Open Citizen Communication
1. Johnny Jones - Ward 2: Congratulated the new Council and expressed concerns to the veteran Council. He requested a police presence at Soest and Forum regarding a traffic issue. Chief Fagan advised he was aware of that very issue and that a solution was in the works.

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2. Robert Miller – 2101 Vienna Road: Asked what threshold had to be met in order for the Emergency Declaration to be lifted. Mayor Magdits stated that since the current COVID cases are at a manageable level, Council will probably begin looking at releasing the few restrictions remaining, next week.
3. Gayle Daniel: S.A.V.E: Shared a flyer regarding an upcoming drug awareness event on May 15th.
4. James Cory – 414 Bill Ave: Expressed concerns over a neighbor’s yard condition and trash receptacle.

IX. MAYOR/CITY COUNCIL COMMENTS

- A. Council Selection of Mayor Pro-Tempore: City Administrator John Butz briefly described the duties of the Mayor Pro-Tempore. A motion was made by Florence and seconded by Lyons to nominate Councilperson Jody Eberly as Pro-Tempore for a one year term. A voice vote revealed 12 Ayes and zero Nays.
- B. **Motion** reappointing Terry Harris to the Industrial Development Authority. (March 2024). A motion was made by Bolin and seconded by Murphey to appoint Terry Harris to the IDA. A voice vote revealed 12 Ayes and zero Nays.
- C. **Motion** reappointing Zach Robinson to the Industrial Development Authority. (March 2025). A motion was made by Eberly and seconded by Lyons to appoint Zach Robinson to the IDA. A voice vote revealed 12 Ayes and zero Nays.
- D. **Motion** reappointing Maria Bancroft to the Industrial Development Authority. (March 2027). A motion was made by Murphey and seconded by Bolin to appoint Maria Bancroft to the IDA. A voice vote revealed 12 Ayes and zero Nays.
- E. **Arbor Day Proclamation:** Mayor Magdits read a Proclamation declaring April 30th, 2021 as Arbor Day. Parks Director Floyd Jernigan briefed Council on the four requirements for the City of Rolla to remain as a “Tree City USA” and different initiatives in which citizens can participate.
- F. **Earth Day:** Environmental Services Director Brady Wilson stated that Earth Day is on April 22nd, 2021. It takes 17 trees to make one ton of paper. Rolla typically recycles 2000 Tons of paper a year.
- G. Councilperson Murphey urged citizens to stay engaged on current legislative initiatives at the state level and named examples such as Medicare expansion and the possible elimination of April Municipal Elections.

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X. COMMENTS FOR THE GOOD OF THE ORDER

- A. Mayor Magdits spoke on statements made by a prominent newscaster and a Congresswoman, encouraging violence towards Law Enforcement in order to force change. Mr. Magdits encouraged citizens to get to know a Law Enforcement Officer and see the good that they do.
- B. Councilperson Lyons stressed support for Congresswoman Maxine Waters and her statement to push back. Lyons stated that if people are not being represented, then they should push back.
- C. Councilperson Johnson and Councilperson Fridley both stated the local Police Department had been assisting them both with Neighborhood Watch details and had found them to be most helpful. Councilperson Fridley stated the importance that citizens of the community work together to take care of one another.
- D. Mayor Magdits mentioned an upcoming New Council Workshop to get the new members up to speed as quickly and efficiently as possible over a course of the next 3 or 4 months.

XI. CLOSED SESSION - None

XII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 8:12 PM
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

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