

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JUNE 21st, 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:** Matt Fridley

**Council Members in Physical Attendance:** Moriah Renaud, Terry Higgins, Megan Johnson, Ann Murphey, Lister Florence, Jody Eberly, Robert Kessinger, Carrolyn Bolin, Stanley Mayberry, Victoria Steen, and Deanne Lyons.

**Department Directors in Attendance via Zoom Videoconferencing:** Floyd Jernigan

**Department Directors and Other City Officials in Physical Attendance:** City Administrator John Butz, Public Works Director Steve Hargis, Finance Director Steffanie Rogers, Fire Chief Ron Smith, City Engineer Darin Pryor, Police Chief Sean Fagan, Environmental Services Director Brady Wilson, City Planner Tom Coots, Community Development Director Steve Flowers, and City Counselor Carolyn Buschjost.

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

**I. PUBLIC HEARINGS**

- A. **Public Hearing** and first reading of **Ordinance**, rezoning 2141 Old Saint James Rd. and 2301 McCutchen Drive from M-1 and M-2 Light and Heavy Manufacturing to GI (Government and Institutional District). (City Planner Tom Coots)  
Mr. Coots explained that the City owns this property which currently holds the recycling center, fleet maintenance building, community garden, and the future site for the new Public Works Facility. The City intends on maintaining ownership of both properties for governmental uses. Property owned and used by a governmental entity is generally zoned GI, Government and Institutional.  
Mayor Magdits opened the public hearing at 6:35pm. There were no citizen comments made either in favor or against the rezoning and the public hearing was closed at 6:36pm. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title; AN ORDINANCE TO APPROVE THE RE-ZONING OF 2141 OLD SAINT JAMES ROAD AND 2301 MCCUTCHEN DRIVE FROM THE M-1, LIGHT MANUFACTURING AND M-2, HEAVY MANUFACTURING DISTRICT TO THE GI, GOVERNMENT AND INSTITUTIONAL DISTRICT.
- B. **Public Hearing** and first reading of **Ordinance**, adopting the Schuman/Ber Juan Neighborhood Plan as an element of the Comprehensive Plan. (City Planner, Tom Coots)  
Mr. Coots explained that the Schuman/Ber Juan Neighborhood Plan is the first plan of its kind that has been considered in Rolla. The project started in the fall of 2019 with a neighborhood meeting. Input from the meeting, survey, and information gathered through

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other means was used to prepare the draft of the neighborhood. Passing of the proposed ordinance would adopt the neighborhood plan into the Comprehensive Plan for the City. Mayor Magdits requested a presentation in the near future for Phase II of this project that shows the potential impact of down zoning.

Mayor Magdits opened the hearing at 7:08pm. There were no citizens that spoke in favor or against the plan. The hearing was closed at 7:08pm.

City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title; AN ORDINANCE ADOPTING THE SCHUMAN/BER JUAN NEIGHBORHOOD PLAN AS AN ELEMENT OF THE ROLLA 2020 COMPREHENSIVE PLAN UPDATE 2005.

### II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

- A. Neighborhood Watch Program – Police Chief Fagan  
Chief Fagan expressed the Department’s desire to get the Neighborhood Watch program active again. The City purchases the kits which include all the instructions, forms, and signs that the neighborhood would need to create their program.
  
- B. Recognition of Sgt. Wayne Rapier (Retirement) – Mayor Magdits  
Mayor Magdits recognized the pending retirement of Sgt. Rapier and his 46 year career with the City of Rolla.

### III. OLD BUSINESS

- A. **Ordinance** authorizing the Mayor to enter into the contract with NB West Contracting for FY 2021 Phase I Asphalt. (City Engineer Darin Pryor)  
Mr. Pryor stated the bid for this project was awarded at the last meeting to NB West Contracting and he is now requesting the passage of the proposed ordinance, allowing the Mayor to enter into the agreement with NB West Contracting for FY 2021 Phase I Asphalt; Project 523.  
City Counselor Carolyn Buschjost read the proposed ordinance for its final reading, by title; ORDINANCE 4620: 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 N.B. WEST CONTRACTING COMPANY FOR FY 2021 PHASE I ASPHALT IMPROVEMENTS, PROJECT #523. A motion was made by Murphey and seconded by Bolin to pass the ordinance as written, a roll call vote revealed the following results: Ayes: Florence, Johnson, Murphey, Fridley, Renaud, Steen, Mayberry, Higgins, Eberly, Lyons, Bolin, and Kessinger. Nays: none. Ordinance passed.

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**B. Ordinance** approving interim agreement with Bird Scooters (Public Works Director Steve Hargis)

Mr. Hargis provided answers to a list of questions Council asked of him at the last meeting. The scooters are classified as a motorized bicycle. They cannot be ridden on the sidewalks and can only be parked on public right-of-ways. The contract is written for 1 year. The bikes are programmed to turn off during hours that usage is not allowed. Speed limits can be programmed for specific areas if needed. Helmets are not required in Missouri and no insurance is required to use the scooters. As the contract is currently written, the scooters would be used for the entire area of the city limits of Rolla except for University property. Mayor Magdits strongly recommended that Council ask that the contract be amended to 6 months. Councilperson Lyons shared a recent personal experience with the scooters. A motion was made by Eberly and seconded by Higgins to amend the contract from 1 year to 6 months (section 2) that is to begin at the point in which the scooters become operational and to remove skateboards from the definitions in section 3, subsection (h). A voice vote revealed 12 Ayes and zero Nays.

City Counselor Carolyn Buschjost read the proposed 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 INTERIM AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND BIRD RIDES INC. AS AMENDED.

**C. Ordinance** authorizing the Mayor to enter into the contract with Alexander Construction, LLC. for the second phase of the Public Works Facility. (Public Works Director Steve Hargis)

Mr. Hargis stated at the last meeting, Council awarded the bid for the second Phase of the Public Works Facility to Alexander Construction, LLC. Piper Sandler & Company is working on a financing package for FY2022. In order to take advantage of the lower interest rates, the City may refinance two other Certificates of Participation (COP). Since closing on financing won't be possible until November of 2021, the City will float the project out of reserves initially. The proposed ordinance authorizes the Mayor to enter in the contract with Alexander Construction, LLC.

City Counselor Carolyn Buschjost read the proposed ordinance for its final reading, by title; ORDINANCE 4621: 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. A motion was made by Bolin and seconded by Eberly to accept the ordinance as written. A roll call vote revealed the following results: Ayes: Mayberry, Lyons, Murphey, Bolin, Renaud, Steen, Kessinger, Florence, Eberly, Johnson, Fridley, and Higgins. Nays: none. Ordinance passed.

IV. NEW BUSINESS - None

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### V. CLAIMS and/or FISCAL TRANSACTIONS

- A. **Resolution** to approve the reimbursement of capital expenditures for Public Works Facility. (Public Works Director Steve Hargis)  
Mr. Hargis stated the proposed Resolution allows for reimbursement of capital expenditures paid before the closing of the 2021A Certificates Of Participation used to finance the new Public Works facility that was discussed in the prior agenda item. City Counselor Carolyn Buschjost read the proposed Resolution for its only reading by title: RESOLUTION 1990: A RESOLUTION DECLARING THE INTENT OF THE CITY OF ROLLA, MISSOURI, TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES. A motion was made by Johnson and seconded by Murphey to approve the Resolution. A voice vote unanimously carried to approve as submitted.
- B. Award of bid for 4 replacement HVAC, units for the Rolla Police Department to Hartley's Climate Control. (Police Chief Sean Fagan)  
Chief Fagan stated the remaining 4 HVAC units on the roof of the Police Department are in need of replacement and due to the expense of crane fees, it would save money if they were all replaced at the same time for one crane rental fee. Bids were received for four new units and the lowest bid was from Hartley's Climate Control, LLC in Rolla for \$15,251. A motion to award the bid to Hartley's Climate Control, LLC was made by Bolin and seconded by Renaud. A voice vote unanimously carried to approve as submitted.

### VI. CITIZEN COMMUNICATION

- A. Open Citizen Communication
1. Angela Grogg – Co-Owner of O'Doggies: Expressed concerns over Bird Scooters.
  2. Don Weaver General Council for Fraternal Order of Police. Reminded Council that Rolla Police Officers are underpaid regardless of rank and tenure. Stated the Use Tax was passed to fully fund public safety with 2 priorities being to raise salaries and to get radios.
  3. Jo Whitby- Commended Marcus Dixon who found a child in a vehicle last week and acted quickly to save the life of the child.
  4. Aaron Loker 2604 Vichy Road – Expressed concerns about the Neighborhood Watch program.

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### **VII. MAYOR/CITY COUNCIL COMMENTS**

1. Mayor Magdits – General Issues of Homelessness and a discussion of possible management methods and the need to prioritize a list of solutions.
2. Mayor Magdits – Addressed accusations from an anonymous letter received in the mail regarding use of COVID funds.
3. Councilperson Lyons – Invited citizens to the 1<sup>st</sup> Pride Picnic in Rolla this weekend.
4. Councilman Kessinger – invited Ward 4 residents to a meeting he is hosting at Veteran’s Memorial park Thursday, July 15<sup>th</sup> @ 7:30pm regarding the neighborhood watch program and the homeless issue.
5. Councilperson Lyons - questioned Chief Fagan on the new gun law passed by the State of Missouri.
6. Councilwoman Victoria Steen - asked if the Emergency Proclamation was still in effect. The current Emergency Proclamation is set to expire when the State declaration expires on August 31st.
7. Councilwoman Murphey and Mayor Magdits – COVID incidents are on the rise again. The Delta Variant is here in Rolla and only 30% of Phelps County is currently immunized.
8. Councilman Stanley Mayberry – Reminded citizens The Great Race would be in town on Tuesday, June 22<sup>nd</sup> from 11am – 2pm.
9. City Administrator John Butz- The Council bus tour has been postponed till the end of the summer.
10. Councilman Florence - wanted citizens to know that there were Councilmembers out speaking to the Mission and to homeless people within the City of Rolla to see what they needed and to try and get ideas of how the City could help. Also wanted to tell the Street Department that they were doing a great job around town and encouraged citizens to watch out for the safety of the workers.

### **VIII. COMMENTS FOR THE GOOD OF THE ORDER**

#### **IX. CLOSED SESSION**

NONE

#### **X. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 8:57 PM  
Minutes respectfully submitted by City Clerk Lorri Thurman.

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CITY CLERK

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MAYOR

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