

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, AUGUST 2, 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, Moriah Renaud, and Ann Murphey

**Council Members in Physical Attendance:** Megan Johnson, Matt Fridley, Lister Florence, Jody Eberly, Robert Kessinger, Stanley Mayberry, Carolyn Bolin, and Victoria Steen

**Council Members Absent:** Terry Higgins

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

**Department Directors and Other City Officials in Physical Attendance:** Fire Chief Ron Smith, City Engineer Darin Pryor, Police Captain Doug James, City Planner Tom Coats, Parks Director Floyd Jernigan, RMU General Manager Rodney Bourne and City Counselor Lance Thurman.

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

**I. CONSENT AGENDA**

A. Consider Approval of the City Council Minutes of:

1. City Council Meeting – July 6<sup>th</sup>, 2021
2. City Council Mini Workshop – July 6<sup>th</sup>, 2021
3. City Council Meeting – July 19<sup>th</sup>, 2021
4. City Council Closed Session – July 19<sup>th</sup>, 2021
5. 10 Year Sustainability Meeting – July 22<sup>nd</sup>, 2021

A motion was made by Bolin and seconded by Johnson to accept the minutes presented. A voice vote revealed 11 ayes, zero nays, and 1 absent.

B. **Motion** to Accept Grant of Easement for Utility Purposes from the Curators of University of Missouri (City Engineer Darin Pryor)

Mr. Pryor advised this was the last of the easements needed for the relocation of utilities on the Kingshighway project. A motion was made by Eberly and seconded by Bolin to accept the grant of easement from the Curators of University of Missouri. A voice vote revealed 11 ayes, zero nays, and 1 absent.

**August 2nd, 2021**

**COUNCIL MEETING MINUTES**  
**August 2nd, 2021**  
**PAGE 2**

**II. PUBLIC HEARINGS - None**

**III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS - None**

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

- a. Environmental Services Department Monthly Report – June 2021
- b. The Centre Income Statement ending June 30<sup>th</sup>, 2021
- c. Police Department Monthly Report – June 2021
- d. Animal Control Division Report – June 2021
- e. RMU monthly reports – May 2021
- f. RMU board meeting minutes for June 1, 2021
- g. Municipal Court Division Summary for April 1-April 30<sup>th</sup>, 2021
- h. Planning and Zoning minutes for June 15<sup>th</sup>, 2021
- i. Board of Adjustment Minutes for July 1<sup>st</sup>, 2021

Councilman Fridley brought awareness to the increase in calls related to overdoses as reflected on the Police Department's monthly report.

**V. OLD BUSINESS**

**A. Ordinance for the re-zoning of 1520 Bridge School Rd from C-3, Highway Commercial district to the R-3, multi-family district. (City Planner Tom Coots)**

Mr. Coots stated that as explained in the July 19<sup>th</sup> meeting, this property has been on the market for several years. The applicant is seeking to locate a tax credit eligible senior housing project on this property. Missouri Housing Development Commission did not approve them last year at another location, but encouraged the applicant to find a better location. Having zoning in place before applying for the credits may help their application to get approved.

City Counselor Lance Thurman read the proposed ordinance for its final reading, by title; **ORDINANCE 4625: AN ORDINANCE TO APPROVE THE RE-ZONING OF 1520 BRIDGE SCHOOL RD. FROM THE C-3, HIGHWAY COMMERCIAL DISTRICT TO THE R-3, MULTI-FAMILY DISTRICT. A motion was made by Bolin and seconded by Kessinger to allow the re-zoning. A roll call vote revealed the following results: Ayes: Bolin, Steen, Fridley, Mayberry, Murphey, Lyons, Kessinger, Florence, Eberly, and Renaud. Nays: Johnson. Absent: Higgins.**

**B. Ordinance for the annexation of properties addressed as 1815-1829 Sandstone Street and assigning a zoning of R-1 and GI. (City Planner Tom Coots)**

Mr. Coots stated that as explained in the July 19<sup>th</sup> meeting that Stone Ridge Estates was platted in 1988 within the city limits. A second strip of property ranging in size from 8 to 13 feet wide, was platted in 1996 but is not in the city limits. The lots in the 1988 plat and adjacent lots in the 1996 plat are owned by the same property owners resulting in the

**August 2nd, 2021**

## COUNCIL MEETING MINUTES

August 2nd, 2021

PAGE 3

property owned both in the city limits and in the county. The 1996 plat is completely encumbered by a utility easement.

City Counselor Lance Thurman read the proposed ordinance for its final reading, by title; ORDINANCE 4626: AN ORDINANCE TO APPROVE THE ANNEXATION OF CERTAIN PROPERTIES WITHIN THE STONE RIDGE ESTATES PLAT NO.2 AND THE DESIGNATION OF SAID PROPERTY AS THE R-1, SINGLE-FAMILY DISTRICT AND THE GI, GOVERNMENT AND INSTITUTIONAL DISTRICT.

A motion was made by Bolin and seconded by Eberly to amend the ordinance, removing lots 10 and 11. A roll call vote revealed 11 Ayes, zero nays, and 1 absent. A motion to accept the ordinance as amended was made by Bolin and seconded by Kessinger. A roll call vote showed the following results: Ayes: Kessinger, Fridley, Steen, Renaud, Mayberry, Murphey, Lyons, Johnson, Florence, Eberly, and Bolin. Nays: none. Absent: Higgins.

- C. **Ordinance** allowing a minor subdivision final flat to reorganize into two commercial lots and vacate a utility easement: Rolla Aldi Plat 1. (City Planner Tom Coots)

Mr. Coots stated the prospective owner is Aldi's. The developer is interested in demolishing the existing building to construct a grocery store. This would make two commercial lots and remove a utility easement that is no longer needed.

City Counselor Lance Thurman read the proposed ordinance for its final reading, by title; ORDINANCE 4627: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF ROLLA ALDI PLAT I AND VACATING AN EASEMENT.

A motion was made to accept the ordinance as written by Eberly and seconded by Kessinger. A roll call vote revealed the following results: Ayes: Florence, Johnson, Murphey, Fridley, Renaud, Steen, Mayberry, Eberly, Lyons, Bolin, and Kessinger. Nays: none. Absent: Higgins.

### VI. NEW BUSINESS

- A. **Motion** for Pine Street Closure for MS&T ice cream social. (City Engineer, Darin Pryor)

Mr. Pryor stated that Missouri S&T requested to close a portion of Pine Street from 2-8pm on August 10<sup>th</sup> for an Ice Cream Social to celebrate Missouri's 200<sup>th</sup> anniversary of statehood. The only business that would be affected would be the University Book & Supply, and the owner (Larry Stratman), was in support of the event. A motion was made by Bolin and seconded by Fridley to allow the closing. A roll call vote showed the following results: Ayes: Bolin, Steen, Renaud, Mayberry, Murphey, Lyons, Johnson, Kessinger, Florence, Eberly, and Fridley. Nays: zero. Absent: Higgins.

### VII. CLAIMS and/or FISCAL TRANSACTIONS

- A. **Motion** to award bid for the replacement of the cemetery maintenance building roof to Just in Time roofing and **ordinance** authorizing the Mayor to enter into the contract with Just in Time Roofing. (Parks Director Floyd Jernigan)

Mr. Jernigan stated the roof of the building (built in the 1960's) has been patched and repaired over the last 10 years and is no longer able to be patched effectively to stop the

August 2nd, 2021

## **COUNCIL MEETING MINUTES**

**August 2nd, 2021**

**PAGE 4**

latest leaks. Bids were solicited twice and businesses were contacted by phone, email, and mail. Three bids were received and it is recommended that the lowest bid be awarded to Just in Time Roofing of Rolla for \$10,525. A motion was made by Johnson and seconded by Bolin to award the bid. A voice vote revealed 11 Ayes, zero nays, and 1 absent. The first reading of the ordinance was not able to be read. Mayor Magdits requested Council to have a first and final reading at the next meeting on August 16<sup>th</sup>.

### **VIII. CITIZEN COMMUNICATION**

- A. Phelps County Collector, Faith Barnes: Concerns regarding P.A.C.E. (Property Assessed Clean Energy) Mrs. Barnes stated she had sent the Council packets regarding P.A.C.E. with articles referencing cities who are currently repealing existing ordinances that previously allowed P.A.C.E. She feels like this is a source of predatory lending that is not in the best interest of most citizens and would like Council to consider placing this on a future agenda to repeal the ordinance.
- B. Larry Tate - 1829 Sandstone: Thanked Council for allowing the annexation within Stone Ridge Estates.

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

- A. Mayor Magdits stated that COVID cases continue increasing, with 374 active cases in Phelps County. Phelps Health currently has 4 patients on ventilators. The ICU is full, the hospital is at capacity and on divert status. Phelps County currently has a 31% vaccination rate for citizens who have had a full series of shots and 36% with citizens who have only had one. There will be free vaccine clinics on August 18<sup>th</sup> and August 25<sup>th</sup> from 11-5pm at the Havener Center.
- B. Councilwoman Eberly reinforced that the COVID statistics were bad. The Delta variant is fast moving and hospitals across the country are full. She encouraged everyone to get vaccinated and that the CDC is saying it is still a good idea to wear masks in public even if you are vaccinated.
- C. Councilman Kessinger stated that the COVID cases had dropped from 374 to 315 and explained why he felt masks provided a false sense of safety and protection and encouraged citizens to wash their hands and not touch their faces.
- D. Councilman Fridley and Councilman Florence stated they would be having a WARD 3 Neighborhood Watch meeting on August 17<sup>th</sup> from 6-7pm at RTC. All are welcome.
- E. Councilwoman Steen stated she would be having a WARD 6 Neighborhood Watch meeting on August 17<sup>th</sup> at the Ber Juan pavilion at 6pm.
- F. Councilwoman Steen asked if Council could inquire to other cities as to why they were repealing their P.A.C.E. ordinances. The Mayor stated they could but with staff being in

**August 2nd, 2021**

**COUNCIL MEETING MINUTES**

**August 2nd, 2021**

**PAGE 5**

the depths of budget planning for the 2021-2022 FY, he asked that this topic be set-aside for 60 days, to be taken up again in September. Mayor Magdits stated there was a history that Council needed to be educated on before making a final decision.

**X. COMMENTS FOR THE GOOD OF THE ORDER**

- A. Councilman Florence gave kudos to RMU on providing the needs of the citizens and going above and beyond in their service to the community.

**XI. CLOSED SESSION - NONE**

**XII. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 7:14 PM  
Minutes respectfully submitted by City Clerk Lorri Thurman.

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CITY CLERK

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MAYOR

**August 2nd, 2021**