

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 18th, 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: Moriah Renaud, Terry Higgins, Megan Johnson, Ann Murphey, Matt Fridley, Lister Florence, Jody Eberly, Robert Kessinger, Stanley Mayberry, Carrolyn Bolin, and Victoria Steen.

Council Members Absent: None

Department Directors in Attendance via Zoom Videoconferencing: Finance Director Steffanie Rogers and Recreation Center Director Marci Fairbanks

Department Directors and Other City Officials in Physical Attendance: Assistant Fire Chief Jeff Breen, City Engineer Darin Pryor, Public Works Director Steve Hargis, Environmental Services Director Brady Wilson, City Planner Tom Coots, Police Chief Sean Fagan, Community Development Director Steve Flowers, Parks Director Floyd Jernigan, and City Counselor Carolyn Buschjost.

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

I. PUBLIC HEARINGS –

- A. Public hearing: Request to allow Conditional Use Permit (CUP) for wireless communications facility. (City Planner Tom Coots) Applicant seeks to construct a wireless communications tower. Mayor Magdits opened the public hearing at 6:42pm. Three emails were read by City Administrator John Butz from citizens, Jana Bramer, Alexander Gilliam, and Marsha Rowland, all opposing the tower. Russell Been was the spokesperson for Collective Solutions. Zach Bachheit, Attorney from St. Louis, was the spokesperson for his client SPA. Chris Dering, a resident of Ward 6 and Student of MS&T, spoke in favor of the tower and its services. The public hearing remains open until the next meeting on November 1st where a draft ordinance will be presented to Council and follow-up questions will be submitted for public record. As currently submitted, the CUP does not meet the height and set back requirements and includes a “crow’s nest” platform in contrast to standard requirements.

- B. Public hearing and Ordinance: Request to rezone 438 W. Little Oaks Rd from the C-2, General Retail district to the RMH, Residential Manufactured Home district. The applicant is seeking to rezone the property to allow for a planned manufactured home to be placed on the property. Mayor Magdits opened the public hearing at 7:42pm. Joshua Humphrey, property owner of 438 W. Little Oaks Road, advised Council that the reason he wants to move in a manufactured home is to better care for his Mother. Ray Schweikhardt of 1342 S. Rolla, spoke in opposition of the mobile home. No other speakers came forward and the public hearing was closed at 7:45pm. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF 438 W. LITTLE OAKS FROM THE C-2, GENERAL RETAIL DISTRICT TO THE R-1, SINGLE-FAMILY DISTRICT AND THE RMH, RESIDENTIAL MANUFACTURED HOME DISTRICT. (ZONE21-06)

- C. Public hearing and Ordinance: Request to rezone 1879 Longview Ln from the R-R, Rural Residential district to the R-1, Single-family district. (City Planner Tom Coots) The applicant is seeking to rezone the property to allow for a proposed minor subdivision to reorganize the platted lots. Mayor Magdits opened the public hearing opened at 7:49pm. There were none that spoke in support nor in opposition of the rezoning and the hearing was closed at 7:49pm. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF 1879 LONGVIEW LN FROM THE R-R, RURAL RESIDENTIAL DISTRICT TO THE R-1, SINGLE-FAMILY DISTRICT. (ZON21-07)
- D. Public hearing and Ordinance: Request to rezone vacant property on Old Hwy 66 west of HyPoint Industrial Park Dr. from M-2, Heavy Manufacturing to the C-3, Highway Commercial district. (City Planner Tom Coots) The subject property is owned by the Rolla Community Development Corporation. They have an interested buyer, but the buyers proposed use would require that the property be rezoned. Mayor Magdits opened the public hearing at 7:52pm. There were none that spoke in support nor in opposition of the rezoning and the hearing was closed at 7:53pm. Mayor Magdits expressed concern regarding traffic congestion at the Hwy V interchange. The suggestion was made to require an updated traffic study prior to issuance or building permits. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF A VACANT PROPERTY LOCATED ON OLD HWY 66 (I-44 OUTER ROAD) FROM THE M-2, HEAVY MANUFACTURING DISTRICT TO THE C-3, HIGHWAY COMMERCIAL DISTRICT. (ZON21-08)
- E. Public hearing and Ordinance: Request to rezone 900 Meriweather Ct from the R-1, Single-family district to the GI, Government and Institutional District. (City Planner Tom Coots) This property is owned by the Ozark Rivers Chapter of the National Audubon Society. They propose to construct a pavilion on the property. Mayor Magdits opened the public hearing at 7:58pm. There were none that spoke in support nor in opposition of the rezoning and the hearing was closed at 7:58pm. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF 900 MERIWEATHER COURT FROM THE R-1, SINGLE-FAMILY DISTRICT TO THE GI, GOVERNMENT AND INSTITUTIONAL DISTRICT. (ZON21-09)
- F. Public Hearing and Ordinance: Ward Redistricting 2020 Census (Public Works Director Steve Hargis) After each Census, the City is required to evaluate the ward boundaries and adjust them in order to keep the population of each ward as equal as possible within 10 percent. Mayor Magdits opened the public hearing at 8:02pm. There were none that spoke in support nor in opposition of the redistricting and the hearing was closed at 8:02pm. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading by title: AN ORDINANCE AMENDING EXISTING ROLLA CITY CODE SECTION 9-1, PROVIDING FOR REAPPORTIONMENT OF POPULATION OF SAID CITY AND DIVISION OF SAID CITY

INTO WARDS AND DESCRIBING THE BOUNDARIES OF SAID WARDS.

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

- A. Nicole Hood – MoDOT State Highway Safety and Traffic Engineer: Buckle Up Phone Down program with proclamation by Mayor Magdits. Ms. Hood presented a campaign encouraging citizens to buckle up and put their phones down while driving a vehicle.

III. OLD BUSINESS

- A. **Ordinance** Authorizing the Mayor to enter into a Missouri Highway & Transportation Commission Amendment to State Block Grant Agreement #2. (Public Works Director Steve Hargis) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4642: 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 CIT OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR AMENDMENT TO STATE BLOCK GRAND AGREEMENT, AMENDMENT #2 (extends the project completion schedule). A motion was made by Bolin and seconded by Murphey to pass the ordinance as written. A roll call vote revealed the followed results: Ayes: Bolin, Higgins, Steen, Fridley, Mayberry, Murphey, Lyons, Johnson, Kessinger, Florence, Eberly, and Renaud. Nays: none. Absent none.
- B. **Ordinance** authorizing the Mayor to enter into a Missouri Highways & Transportation Commission Supplemental Agreement to Airport Aid Agreement. (Public Works Director Steve Hargis) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO DESIGN AND CONSTRUCT RUNWAY 4/22 REHABILITATION AND EXHIBIT “A” UPDATE. (extends the project completion schedule) A motion was made by Eberly and seconded by Bolin to pass the ordinance. A roll call vote revealed the following results: Ayes: Lyons, Mayberry, Murphey, Bolin, Renaud, Florence, Kessinger, Higgins, Eberly, Johnson, Fridley, and Steen. Nays: none. Absent: none.

IV. NEW BUSINESS

- A. **Ordinance** Authorizing the Mayor to enter into an agreement with Motorola for the purchase of Public Safety portable and mobile radios. (Police Chief Sean Fagan and Fire Chief Ron Smith) This ordinance would allow the Mayor to enter into a contract with Motorola Solutions for the State Procurement purchase of portable and mobile radios for the Police and Fire Departments. ARPA funding will be utilized. 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 CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI AND MOTOROLA SOLUTIONS.
- B. **Ordinance** Authorizing the Mayor to enter into an agreement with Wireless USA for the Installation and programming of the portable and mobile radios. (Police Chief Sean Fagan and Fire Chief Ron Smith) This ordinance will allow the mayor to enter into a contract with Wireless USA for the installation and programming of portable and mobile radios. ARPA funding will be utilized. 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 CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI AND WIRELESS USA.

- C. Report on Animal Shelter Design Progress. (City Administrator John Butz) Mr. Butz updated Council on the progress relating to the new Animal Shelter. A Final design is anticipated to go out to market in the December/January time frame. Construction is planned for spring/summer 2022 located off Lion's Club Dr. approaching Highway 72.
- D. **Ordinance** allowing a final plat to reconfigure two residential lots: Parker Addition (City Planner Tom Coots) The applicant has also submitted a request to rezone the property to the R-1, Single-family district. Lot 2 shown on the proposed plat was found to not meet the minimum lot size requirements for the R-R, Rural Residential district. The plat cannot be approved by Council unless Lot 2 is rezoned. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF PARKER ADDITION. (SUB 21-5)
- E. Presentation of Pine Street/Downtown circulation study (Public Works Director Steve Hargis) Mr. Hargis presented the executive summary of the Move Rolla TDD Pine Street/Downtown Circulation Study done by HNTB Corporation. Kip Strauss presented a Power Point to present the conclusions from the study.

V. CLAIMS and/or FISCAL TRANSACTIONS

- A. **Motion** to allow the purchase of 1000 refuse carts from Schaefer Carts-\$59,809.75. (Environmental Services Director Brady Wilson) Quotes were recently requested for the purchase of 1000 poly-carts. Mr. Wilson requested the purchase of the Schaefer Carts (currently in use) for a total price of \$59,809.75. A motion was made by Bolin and seconded by Kessinger to allow the purchase as requested. A voice vote unanimously carried as submitted.
- B. **Motion** to allow the purchase of new refuse collection truck-\$358,969.00. (Environmental Services Director Brady Wilson) This is a request for a second automated collection truck. It was recommended to use the Sourcewell (formerly NJPA) Contract Pricing as was done for the first truck. Armor Equipment of Arnold, Mo along with Heil Environmental hold the Sourcewell contract for this equipment. It was recommended to use the Sourcewell contract to purchase the truck. A motion was made by Bolin and seconded by Kessinger to allow the purchase. A voice vote unanimously carried to approve as submitted.
- C. **Motion** to allow the purchase of a Britespan Building System Structure for salt storage-\$51,264.56. (Public Works Director, Steve Hargis) Bids were sought for a Britespan Building System Structure used to store salt for use of snow and ice management. It was requested to award the bid for \$51,264.56 utilizing Sourcewell Contract #091319-BRT. Sourcewell is a competitive solicitation service for public agency members. A motion was made by Murphey and seconded by Johnson to approve the purchase. A voice vote unanimously carried to approve as submitted.

VI. CITIZEN COMMUNICATION

VII. MAYOR/CITY COUNCIL COMMENTS

- A. City Council agenda preparation process (Councilperson Victoria Steen) A motion was made by Steen and seconded by Lyons to create an ordinance outlining the exact process of how an agenda is made. A

roll call vote revealed the following: Ayes: Steen, Renaud, Lyons, and Florence. Nays: Murphey, Higgins, Mayberry, Bolin, Johnson, Kessinger, Fridley, and Eberly. Motion failed.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

IX. **CLOSED SESSION** – Closed Session Pursuant to RSM0 610.021 (1) for legal actions/legal work product. At 9:34pm, a motion was made by Johnson and seconded by Fridley to go into closed session. A roll call voted revealed the following. Ayes: Murphey, Lyons, Mayberry, Bolin, Renaud, Kessinger, Higgins, Eberly, Florence, Fridley, and Johnson. Nays: Steen objected on the reason that if any litigation comes from the meeting she does not want to be held liable.

At 10:20pm Council came out of closed session. Counselor Carolyn Buschjost stated the entire Council was in closed session and no final action was taken.

X. **ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 10:20pm
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR