

**ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, JULY 5TH, 2022; 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: Lister Florence and Victoria Steen

Council Members in Physical Attendance: Moriah Renaud, Megan Johnson, Nathan Chirban, Matt Fridley, Jaired Hall, Rob Kessinger, Stanley Mayberry, Terry Higgins and Tina Balch.

Council Members Absent: Carrolyn Bolin

Department Directors in Attendance via Zoom Videoconferencing: - Centre Recreation Director Marci Fairbanks

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

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

I. CONSENT AGENDA

- A. Consider Approval of the City Council Minutes of:
1. City Council Meeting – June 6th, 2022
 2. Closed Session Minutes – June 6th, 2022
 3. City Council Meeting – June 20th, 2022
 4. City Council Workshop Minutes – June 27th, 2022

A motion was made by Fridley and seconded by Johnson to accept the minutes. A voice vote revealed 11 Ayes, zero Nays, and 1 Absent.

II. PUBLIC HEARINGS – Mayor Magdits announced that item II.B. would first be addressed.

- A. **Public Hearing (Continued)** Proposed text amendment in Chapter 42 of City Code pertaining to homeless shelters and related issues. (City Planner Tom Coots) at 6:52 pm the public hearing was continued. The following citizens voiced concerns or support regarding the proposed text, The Mission, or homeless situation: Patrick Wilson-209 Sooter Lane, Ashley Brooks-Executive Director of The

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Mission, Shawn Harris-15600 Meadows Drive, Marsha Ray-Volunteer at Mission, Heather Walls-1908 N. Bishop, Lela Weibbenmeier, Dale Wands, Patti Fleck-501 Dover, Tommy-patron of the Mission, Elaine Grover, Paz Johnson, and Joanne Stiritz-business neighbor of the Mission. At 7:52 pm the public hearing was closed.

Mayor Magdits stated that the proposed text was meant to start a community conversation. Councilwoman Johnson made a motion to amend the text to remove the Commercial zonings from the text amendment. Mayor Magdits and Legal Counsel stated that tonight was intended as a public hearing only and not for taking action. Further discussion would be had during closed session.

- B. **Public Hearing and Ordinance** to allow the rezoning of 1306 Hwy 72 East from the C-1, Neighborhood Commercial district to the C-2, General Retail district ZON22-02 (City Planner Tom Coots) Mayor Magdits opened the hearing at 6:34 pm. Eric Showalter-615 Brighton Court spoke on lighting, erosion, and planting concerns. Polly Scott-Showalter spoke on noise concerns and previous experiences regarding music being played from the car lot. At 6:48 pm the public hearing was closed. City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4683: AN ORDINANCE TO APPROVE THE RE-ZONING OF 1306 HWY 72 EAST FROM THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-2, GENERAL RETAIL DISTRICT. A motion was made by Johnson and seconded by Kessinger to pass the ordinance. A roll call vote showed the following: Ayes: Mayberry, Balch, Chirban, Renaud, Steen, Kessinger, Florence, Hall, Johnson, Fridley, and Higgins. Nays: None. Absent: Bolin.

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 – May 2022
- b. Building Codes monthly report – May 2022
- c. Police Department Monthly Report – May 2022
- d. Animal Control Division Report – May 2022
- e. RMU monthly reports – May 2022
- f. Rolla Board of Public Works minutes for May 24th, 2022
- g. Rolla Board of Public Works Workshop minutes for June 13th, 2022
- h. The Centre Income Statement – May 2022
- i. Municipal Court Division Summary – May 2022
- j. Development Review Committee Minutes for June 7th, 2022
- k. Parks & Rec Director's Update

Councilwoman Balch drew attention to the issues in the Directors of Parks and Rec report regarding the homeless.

V. **OLD BUSINESS** –

- A. **Ordinance** authorizing the agreement with Archer-Elgin Engineering for Professional Services and authorizing Task Order Number 1. (Public Works Director Steve Hargis) City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4684: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT FOR PROFESSIONAL SERVICES AND TASK ORDER NUMBER 1 BETWEEN THE CITY OF ROLLA, MISSOURI AND CM ARCHER GROUP, P.C. A motion was made by Higgins and seconded by Fridley to approve the ordinance. A roll call vote showed the following: Ayes: Hall, Mayberry, Chirban, Renaud, Steen, Kessinger, Higgins, Balch, Johnson, Fridley, and Florence. Nays: zero Absent: Bolin.

- B. **Ordinance** approving Enhanced Enterprise Zone Property Tax Abatement – Fairfield Inn by Marriott. (City Administrator John Butz) City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4685: AN ORDINANCE APPROVING AN ENHANCED ENTERPRISE ZONE PROJECT AND AUTHORIZING THE CIT OF ROLLA, MISSOURI TO ENTER INTO AN ENHANCED ENTERPRISE ZONE AGREEMENT WITH KRIS HOTEL LLC. A motion was made by Johnson and seconded by Fridley. A roll call vote showed the following: Ayes: Renaud, Florence, Steen, Higgins, Chirban, Fridley, Johnson, Kessinger, Mayberry, Hall, and Balch. Nays: zero. Absent: Bolin.
- C. **Ordinance** to authorize the vacation of the remainder of Spring Street, north of 13th Street; a portion of 13th Street, between Spring Street and Bishop Avenue; and the remainder of an alley between Spring Street and bishop Ave and 13th Street and University Dr. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4686: AN ORDINANCE APPROVING THE VACATION OF THE REMAINDER OF SPRING STREET, NORTH OF 13TH STREET; A PORTION OF 13TH STREET, BETWEEN SPRING STREET AND BISHOP AVENUE; AND THE REMAINDER OF AN ALLEY BETWEEN SPRING STREET AND BISHOP AVE AND 13TH STREET AND UNIVERSITY DR. A motion was made by Higgins and seconded by Renaud to approve the ordinance. A roll call vote showed the following; Ayes: Fridley, Kessinger, Higgins, Renaud, Steen, Mayberry, Chirban, Balch, Johnson, Hall, and Florence. Nays: zero. Absent: Bolin.
- D. **Ordinance** to authorize the vacation of the remainder of State Street north of 11th Street. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4687: AN ORDINANCE APPROVING THE VACATION OF THE REMAINDER OF STATE STREET NORTH OF 11TH STREET. A motion was made by Hall and seconded by Johnson to approve the ordinance. A roll call vote showed the following; Ayes: Steen, Chirban, Higgins, Renaud, Mayberry, Balch, Johnson, Kessinger, Florence, Fridley, and Hall. Nays: zero, Absent: Bolin.
- E. **Ordinance** authorizing a Minor Subdivision Final Plat to reorganize two residential lots into one lot. Wolfe’s Corner: SUB22-05 (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4688: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF WOLFE’S CORNER. A motion was made by Fridley and seconded by Chirban to approve the ordinance. A roll call vote showed the following: Chirban, Balch, Mayberry, Renaud, Steen, Kessinger, Higgins, Hall, Florence, Fridley, and Johnson. Nays: zero. Absent: Bolin.
- F. **Ordinance** authorizing a Minor Subdivision Final Plat to combine six lots into one lot and vacate utility easements. University Fraternity Subdivision NO. 3: SUB22-06 (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading; by title: ORDINANCE 4689: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF UNIVERSITY FRATERNITY SUBDIVISION NO. 3 AND VACATING CERTAIN EASEMENTS. A motion was made by Hall and seconded by Higgins. A roll call vote showed the following: Ayes: Higgins, Steen, Fridley, Mayberry, Chirban, Balch, Johnson, Kessinger, Florence, Hall, and Renaud. Nays: zero. Absent: Bolin.

VI. **NEW BUSINESS** - NONE

VII. **CLAIMS and/or FISCAL TRANSACTIONS** - NONE

VIII. CITIZEN COMMUNICATION

- A. Angela Grogg-Owner of O’Doggy: Shared experiences and concerns regarding the negative impact the homeless have had on her business.
- B. Lisa MaCarthy- Introduced herself as a candidate for Missouri State Representative District 122.

IX. MAYOR/CITY COUNCIL COMMENTS

- A. Appointment of John Meusch to the Board of Adjustment (term expires July 2027) A motion was made by Fridley and seconded by Stanley. A roll call vote showed the following: Ayes: Balch, Mayberry, Chirban, Renaud, Florenc,e Kessinger, Higgins, Hall, and Fridley. Nays: Johnson and Steen. Absent: Bolin.
- B. Re-appointment of Linda Goff to the Health and Recreation Centre Board (term expires April 2024) A motion was made by Johnson and seconded by Fridley to approve the appointment. A roll call vote showed the following: Ayes: Kessinger, Fridley, Steen, Renaud, Mayberry, Chirban, Balch, Johnson, Florence, Higgins, and Hall. Nays: none. Absent: Bolin
- C. Councilman Mayberry shared that he had forwarded an email with links that had been prepared by a citizen regarding the text verbiage of the shelter.
- D. Councilman Florence praised the efforts of the Lions Club during the carnival and urged all citizens to join a local charitable organization to get involved.
- E. Fire Chief Ron Smith announced that the City of Rolla was under a Burn Ban due to abnormally dry conditions.
- F. Councilman Fridley drew more attention to the Director of Park’s and Rec report and the issues they are dealing with. He urged citizens that if they see something to report it.

X. COMMENTS FOR THE GOOD OF THE ORDER

XI. CLOSED SESSION – Closed Session per RSMo 610.021 (1) for a legal matter

At 8:46 pm a motion was made by Johnson and seconded by Fridley to go into closed session. A roll call vote showed the following: Ayes: Florence, Johnson, Chirban, Fridley, Renaud, Steen, Mayberry, Higgins, Hall, Balch, and Kessinger. Nays: none. Absent: Bolin

At 10:46 Council returned to open session. City Counselor Carolyn Buschjost stated that Council had gone into closed session for 1 legal matter with no action taken.

XII. ADJOURNMENT –

Before adjourning Councilman Fridley shared a map of traffic flow that was presented to him by a citizen who proposed that one-way traffic be routed south on Pine Street to highlight the proposed fountain park Plaza at 6th and Pine.

Having no further business, the meeting adjourned at approximately 10:50 PM
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

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