

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, SEPTEMBER 19, 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:** None

**Council Members in Physical Attendance:** Moriah Renaud, Megan Johnson, Nathan Chirban, Matt Fridley, Carolyn Bolin, Jaired Hall, Rob Kessinger, Stanley Mayberry, Terry Higgins, Lister Florence, Victoria Steen and Tina Balch.

**Council Members Absent:** None

**Department Directors in Attendance via Zoom Videoconferencing:** - None

**Department Directors and Other City Officials in Physical Attendance:** 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, Centre Recreation Director Marci Fairbanks, Park Director Floyd Jernigan and City Counselor Lance Thurman.

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

**I. PUBLIC HEARINGS –**

A. **Public Hearing** regarding Text Amendment pertaining to Homeless Shelters. City Planner Tom Coots briefly highlighted the changes made to the text as discussed in the September 6<sup>th</sup> meeting. At 6:37 pm the Mayor continued the public hearing.

Ashley Brooks-Director of the Mission: shared concerns that by excluding C1 and C2 zoning from shelter locations, Council would be severely limiting the Mission and future shelters as to where they could possibly move. She requests that C1 and C2 include overnight shelters as a conditional use.

Chris Macroy: shared his experience as a Mission client three years ago and how participation in the services they provided helped get him back on his feet.

Lonna Sowers: spoke on behalf of the Rolla downtown business owners who have expressed concern. She cautioned Council to consider that this ordinance would affect safety and future economic impacts for years to come.

Katie Croker- Executive Director of the Russell House: Shared concerns regarding the use of “shall” in regards to criminal history checks. Forcing them to preform criminal records checks on their residents will cause them to lose state and federal funding. She asked that the word be changed to “should”. Concerns were also shared about the requirement for them to release floor plans when the very location is

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Confidential. In regards to zoning locations, she asked Council to remember that they too housed families and not including them in that zoning would be to their disadvantage.

Dale Wands – 606 Penny Lane: shared concerns about wording in the text.

Joanna Stiritz – property owner near the Mission: shared how transients have created hardship on her family.

Felicia Richards- Board member of The Mission: shared that almost 80% of the patrons became homeless while living in Phelps County and that she has never once felt unsafe downtown while supporting local businesses.

Lauren Mack– Board member of The Mission: shared her experience as a student who lived directly across from the Mission and how she never had a negative experience or felt unsafe. At 7:16 pm, the Mayor officially closed the public hearing.

Councilwoman Renaud suggested exempting domestic/sexual violence shelters from the text or making the standards to follow the same as required by the Missouri Coalition to End Domestic Violence and Sexual Violence. Ashley Brooks stated they are also a member of coalition called the National Coalition to End Homelessness and they too are audited for grant compliance. In addition, The Mission also receives funding from HUD for their Emergency Shelter Program. Ashley added that the Emergency Shelter Program is only one of several programs they have available to the public. They also have a meal program, free laundry program as well as a shower and hygiene program.

Councilwoman Johnson stated she would like to see the replacement of the word “shall or should” with the word “must”.

A motion was made by Renaud and seconded by Fridley to select the word “shall” on Section 42-224.4. A voice vote showed 12 Ayes. A motion was made by Johnson and seconded by Chirban to change the word “shall” to “must”. A voice vote showed 12 Ayes with none who spoke in opposition.

A motion was made by Fridley and seconded by Kessinger to select the word “Shall” on Section 42-224-1.3. A voice vote showed 12 Ayes. A motion was made by Kessinger and seconded by Chirban to change the word “shall” to “must”. A voice vote showed 12 Ayes with none that spoked in opposition. Mayor Magdits stated that staff would look into incorporating the “best practices” previously discussed and will present to Council the findings at the next meeting October 3rd

## **II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –**

A. Ozark Rivers Audubon Chapter – Gina Root, Director of ROCS, informed Council of the progress and programs of the Audubon Nature Centre and asked that Council consider awarding ARPA funds to their organization for their Recreational Trails Program.

B. Choices for People updates and event announcement – Paula Delong, Choices for People CEO, explained for Council the services provided by Choices for People. Last year over 400 people with disabilities were assisted with their various programs. The public is invited to the Royal Oak Gives Back Backyard Burger Gilling Competition on September 24<sup>th</sup> from 11:00am-3:00pm. All proceeds benefit Choices for People with Royal Oak matching all funds raised.

## **III. OLD BUSINESS –**

A. **Ordinance** authorizing Socket Telecom LLC ROW use Agreement. (City Engineer Darin Pryor) City Counselor Lance Thurman read the ordinance for its final reading by title: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND SOCKET TELECOM, LLC. A motion was made by Kessinger and

seconded by Bolin to allow the agreement. A roll call vote showed: Ayes: Kessinger, Fridley, Steen, Renaud, Mayberry, Chirban, Balch, Johnson, Florence, Higgins, Hall, and Bolin. Nays: none

- B. **Ordinance** authorizing the Mayor to enter into a Missouri Highways and Transportation Commission Transportation Alternatives Funds Agreement for Hwy E sidewalk project. (City Engineer Darin Pryor) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4694: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN TRANSPORTATION ALTERNATIVE FUNDS PROGRAM AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR APPROXIMATELY 3,000 FEET OF PEDESTRIAN IMPROVEMENTS. A motion was made by Bolin and seconded by Steen to approve the agreement. A roll call votes showed: Ayes: Florence, Johnson, Chirban, Fridley, Renaud, Steen, Mayberry, Higgins, Hall, Balch, Bolin, and Kessinger.
- C. **Ordinance** to allow a License Agreement with Daily Rental Service to use and maintain the existing sign for Budget Deluxe Motel. (City Engineer Darin Pryor) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4695: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LICENSE AGREEMENT WITH DAILY RENTAL SERVICE, LLC. A motion was made by Higgins and seconded by Renaud to approve the ordinance. A roll call vote showed: Ayes: Higgins, Bolin, Steen, Renaud, Mayberry, Chirban, Balch, Johnson, Kessinger, Florence, Hall, and Fridley. Nays: none
- D. **Ordinance** authorizing the Mayor to enter into a professional services agreement with HNTB, Amendment Number 12 for Pine Street traffic signaling (City Engineer Darin Pryor) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4696: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI AMENDMENT NO. 12 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND HNTB CORPORATION. A motion was made by Bolin and seconded by Higgins to authorize the amendment. A roll call vote showed the following: Ayes: Mayberry, Balch, Chirban, Bolin, Renaud, Steen, Kessinger, Florence, Hall, Johnson, Fridley, and Higgins. Nays: none
- E. **Ordinance** authorizing the increase of sewer rates for FY 2022-2023. (City Engineer Darin Pryor) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4697 AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 35 KNOWN OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO SEWERS AND WATER. A motion was made by Bolin and seconded by Higgins to approve the rate increase. A roll call vote showed: Ayes: Johnson, Fridley, Steen, Renaud, Higgin, Chirban, Balch, Bolin, Kessinger, Florence, Hall, and Mayberry. Nays: none.
- F. **Ordinance** approving the FY 2023 Budget. (City Administrator John Butz) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4698: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022 AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Bolin and

seconded by Higgins to approve the budget. A roll call vote showed: Ayes: Hall, Mayberry, Chirban, Bolin, Renaud, Steen, Kessinger, Higgins, Balch, Johnson, Fridley, and Florence. Nays: none

#### IV. **NEW BUSINESS** –

- A. **Motion** to allow certain street closures for Oktoberfest on Saturday, September 24<sup>th</sup>, 2022. (Public Works Director Steve Hargis) A motion was made by Hall and seconded by Johnson to allow the road closures. A voice vote showed 12 Ayes, and zero Nays.
- B. **Motion** to allow certain street closures for the 43<sup>rd</sup> Annual Arts and Crafts Festival on Saturday, October 1, 2022 (Public Works Director Steve Hargis) A motion was made by Renaud and seconded by Kessinger to allow the road closures. A voice vote showed 12 Ayes and zero Nays.
- C. **Motion** to allow certain street closures for the 2022 Homecoming Parade on Thursday, October 6<sup>th</sup> at 6:00 pm. (City Engineer Darin Pryor) A motion was made by Johnson and seconded by Balch to approve the road closures. A voice vote showed 12 Ayes and zero Nays.
- D. **Ordinance** allowing a Minor Subdivision to combine lots and create an outlot at 2000 Hwy E. (City Planner Tom Coots) The applicant is under contract to sell an existing multi-family development. There is a regional detention basin on the back of the property. This plat will combine two areas on the west and create a new outlot common area on the east. This will be added to the HOA. City Counselor Lance Thurman read the ordinance for its first reading by title: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF GRACIE PLACE 2.

#### V. **CLAIMS and/or FISCAL TRANSACTIONS** –

- A. **Motion** to allow the procurement of a third trash truck for automated trash collection. (Environmental Services Director Brady Wilson) A motion was made by Kessinger and seconded by Johnson to allow the purchase of a 3<sup>rd</sup> automated trash truck (to be received in 2024) for an estimated \$402,083. A voice vote showed 12 Ayes and zero Nays.
- B. **Motion** to allow RPD to re-order 6 Dodge Durangos for the FY 2022 budget year appropriation and to approve the purchase of 5 Tahoes for the FY 2023 budget year from Don Brown Chevrolet. (Police Chief Sean Fagan) A motion was made by Hall and seconded by Kessinger to allow 6 Dodge Durangos (not yet in production) to be re-ordered at an estimated \$42,234 each. A voice vote showed 12 Ayes and zero Nays. A second motion was made for the purchase of 5 Chevrolet Tahoe's (previously ordered and declined by another agency and ready for pick-up in November) for a total of \$198,880 to be paid from the FY2023 budget. A voice vote showed 12 Ayes and zero Nays.

#### VI. **CITIZEN COMMUNICATION** - None

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

- A. Motion to reappoint Judy Jepsen to the Police Personnel Board (4 yr. term, exp. June 2024) A motion was made by Kessinger and seconded by Johnson to accept the reappointment. A voice vote showed 12 Ayes and zero Nays.
- B. Motion to reappoint Bob Desai to the Police Personnel Board (4 yr. term, exp. June 2026) A motion was made by Bolin and seconded by Johnson to accept the reappointment. A voice vote showed 12 Ayes and zero Nays.

- C. Motion to reappoint Jonathan Hines to the Police Personnel Board (4 yr. term, exp. June 2025)  
A motion was made by Johnson and seconded by Steen to accept the reappointment. A voice vote showed the following: 12 Ayes and zero Nays.
- D. Motion to reappoint Kevin Crider to the Planning and Zoning Commission. (4 yr. term, exp. June 2026)  
A motion was made by Bolin and seconded by Johnson to accept the reappointment. A voice vote showed the following: 12 Ayes and zero Nays.
- E. Motion to reappoint Russ Schmidt to the Planning and Zoning Commission (4yr. term, exp. May 2026)  
A motion was made by Bolin and seconded by Renaud to accept the reappointment. A voice vote showed the following: 12 Ayes and zero Nays.
- F. Motion to appoint Julie Peterman to the Library Board (3 yr term, exp. Sept 2025) A motion was made by Fridley and seconded by Higgins to accept the appointment. A voice vote showed 12 Ayes and zero Nays.

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

IX. **CLOSED SESSION** – Closed Session per RSMo 610.021 – (1) Legal

At 9:54 pm, A motion was made by Johnson and seconded by Higgins to go into closed session. A roll call vote showed the following: Ayes: Higgins, Bolin, Steen, Renaud, Mayberry, Chirban, Balch, Johnson, Kessinger, Florence, Hall, and Fridley. Nays: none. Absent: None.

AT 10:17 Council returned from Closed session where they discussed one legal matter, no final action was taken.

X. **ADJOURNMENT** -

Having no further business, the meeting adjourned at approximately 10:17 p.m.  
Minutes respectfully submitted by City Clerk Lorri Thurman.

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CITY CLERK

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MAYOR