

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, NOVEMBER 15, 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, and Victoria Steen.

**Council Members Absent:** Carolyn Bolin

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

**Department Directors and Other City Officials in Physical Attendance:** City Administrator John Butz, Fire Chief Ron Smith, City Planner Tom Coots, Police Chief Sean Fagan, Community Development Director Steve Flowers, Public Works Director Steve Hargis, City Engineer Darin Pryor, Recreation Centre Director Marci Fairbanks, and City Counselor Carolyn Buschjost.

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Boy Scout Trooper Connor Hirtz to lead in the Pledge of Allegiance.

**I. PUBLIC HEARINGS**

- A. **Public Hearing and Ordinance:** Request to rezone 305 S. Oak Street and 304 S Olive Street from the C-1, Neighborhood Commercial district to the C-2, General Retail District. (City Planner Tom Coots) The applicant has acquired three platted lots and demolished one house. The applicant intends to develop the properties for commercial use. The C-2 district would allow for drive-through window service for the planned restaurant. Mayor Magdits opened the hearing at 6:34pm. There were no citizens that spoke either in favor or against the rezoning. The hearing was closed at 6:35pm. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE TO APPROVE THE REZONING OF 305 S. OAK STREET AND 304 S OLIVE STREET FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-2, GENERAL RETAIL DISTRICT. (ZON21-10)
- B. **Public Hearing and Ordinance:** Request to rezone 306 N. Walnut Street from the R-1, Single-family district to the R-3, Multi-family district. (City Planner Tom Coots) The applicant is under contract to purchase the subject property. The applicant intends to renovate the existing building for multi-family use. The applicant intends to create up to 8 dwelling units within the existing building and add the appropriate parking. The residence is currently being used as a multi-unit apartment though without

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proper permits and in violation of the R-1 zoning. Mayor Magdits opened the hearing at 6:40pm. Andrew McCluskey of 205 E 3<sup>rd</sup> Street spoke in favor of the rezoning. He is the applicant to the request and explained to Council his design plan. There were no other comments in favor or against the rezoning and the hearing was closed at 6:43pm. City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF 306 N. WALNUT STREET FROM THE R-1, SINGLE-FAMILY DISTRICT TO THE R-3, MULTI-FAMILY DISTRICT. (ZON21-11)

## **II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS - None**

## **III. OLD BUSINESS**

- A. **Ordinance** authorizing the COP financing for Public Works (phase2) (City Administrator John Butz) City Counselor Carolyn Buschjost read the Ordinance for its final reading, by title: ORDINANCE 4652: AUTHORIZING THE CITY OF ROLLA, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF CERTAIN PROJECTS AND PREPAY OUTSTANDING LEASE OBLIGATIONS OF THE CITY; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH. A motion was made by Eberly and seconded by Johnson to pass the ordinance. A roll call vote revealed the following: Ayes: Higgins, Steen, Fridley, Mayberry, Murphey, Lyons, Johnson, Kessinger, Florence, Eberly, and Renaud. Nays: none. Absent: Bolin.
- B. **Ordinance** authorizing an agreement with Insituform Technologies for the rehabilitation of sanitary sewer. (City Engineer Darin Pryor) City Counselor Carolyn Buschjost read the Ordinance for its final reading, by title: ORDINANCE 4653: 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 INSITUFORM TECHNOLOGIES USA, LLC. A motion was made by Murphey and seconded by Renaud to pass the ordinance. A roll call vote revealed the following: Ayes: Lyons, Mayberry, Murphey, Renaud, Florence, Kessinger, Higgins, Eberly, Johnson, Fridley, and Steen. Nays: zero. Absent: Bolin
- C. **Resolution** authorizing an agreement with Williams, Robinson, Rigler, & Buschjost for City Counselor Services. (City Administrator John Butz) City Counselor Carolyn Buschjost read the Resolution for one reading, by title: RESOLUTION 1997, A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE THE CITY COUNSELOR PERSONAL SERVICES CONTRACT BETWEEN THE LAW OFFICES OF WILLIAMS, ROBINSON, RIGLER AND BUSCHJOST, AND THE CITY OF ROLLA. A motion was made by Fridley and seconded by Kessinger to approve the agreement. A voice vote revealed 11 Ayes, zero Nays, and one absent.
- D. Statement of Finding by Legal Counsel and continued discussion regarding the request to allow Conditional Use Permit (CUP) for wireless communications facility. (City Planner Tom Coots) Further discussion was had regarding the Conditional Use Permit request. City Counselor Carolyn Buschjost went over the Findings of Fact and Conclusions developed by her and Mr. Thurman. Questions that Council will have to have answered by the next meeting were discussed as well as the creation of a Resolution or Ordinance by the next meeting to approve or deny the CUP.

Note: Due to internet issues, Councilperson Lyons was kicked off at 7:15pm and was able to reconnect by 7:28pm.

#### **IV. NEW BUSINESS**

- A. **Ordinance** to approve assignment of Interconnection Agreement to Missouri Joint Municipal Electric Utility Commission for Rolla Solar Farm. (RMU General Manager Rodney Bourne) In 2015, MC Power developed a 3.2MW solar farm in the City of Rolla. The development plan's intention was for MJMEUC to purchase the solar farm in 2021, after the 5 year solar tax credit period ended. When ownership of the solar farm transfers from private to public ownership, the tax status will change to "tax exempt" which was contemplated in the 2015 development plan. City Counselor Carolyn Buschjost read the proposed ordinance for its first reading, by title: AN ORDINANCE AUTHORIZING AND APPROVING ASSIGNMENT AND ASSUMPTION OF INTERCONNECTION AND OPERATING AGREEMENT RELATED TO SOLAR FARM.

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

- A. **Motion** to award bid to Landmark Dodge out of Independence, Mo for the purchase of five 2022 Dodge Durango Pursuit SUV's for \$180,206.70. (Chief Sean Fagan) A motion was made by Fridley and seconded by Higgins to award the bid to Landmark Dodge. A voice vote revealed 10 Ayes, 1 Nay, and 1 absent.
- B. **Motion** to award bid to Behlman Dodge of Troy, Mo for the purchase of a 2021 Dodge Charger for \$28,999. (Chief Sean Fagan) A motion was made by Murphey and seconded by Johnson to award the bid to Behlman Dodge. A voice vote revealed 10 Ayes, 1 Nay, and 1 Absent.
- C. **Motion** to award bid to Public Safety Upfitters for the purchase of new vehicle equipment for \$59,329. (Chief Sean Fagan) A motion was made by Eberly and seconded by Higgins to award the bid to Public Safety Upfitters for the necessary equipment. A voice vote revealed 10 Ayes, 1 Nay, and 1 Absent.
- D. **Motion** to award bid to Advantage Police Supply for 15 SWAT headsets for \$17,122.40. (Chief Sean Fagan) A motion was made by Renaud and seconded by Kessinger to award the bid to Advantage Police Supply. A voice vote revealed 11 Ayes, zero Nays, and one absent.
- E. **Motion** to award bid to First Spear, LLC for the purchase of replacement tactical vest plates for \$22,243.92. A motion was made by Johnson and seconded by Fridley to award the bid to First Spear, LLC. A voice vote revealed 11 Ayes, zero Nays and one absent.

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

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

- A. Mayor Magdits spoke for Small Business Saturday, November 27<sup>th</sup>, 2021. A proclamation will be declared on Tuesday, the 16<sup>th</sup> at 10:30am in front of Red Door.
- B. Councilwoman Eberly commented on her shopping experience last Saturday and how our local businesses were carrying a lot of really unique gifts and encouraged citizens to go support our local businesses this Holiday season.
- C. Mayor Magdits spoke on the current uptick in Covid figures.

- D. Councilperson Lyons advised this week is Transgender awareness week and ends with Transgender Day of Remembrance. Lyons encouraged everyone to help decrease the rate of suicide in our community by accepting people as they are.
- E. City Administrator John Butz advised that Lichternacht would be on Friday, December 3<sup>rd</sup> and Christkindl Market would be on Saturday the 4<sup>th</sup>. The Christmas Parade will also be on Saturday, December 4<sup>th</sup>.
- F. Councilperson Lyons warned citizens of protestors who have been on Hwy 63 and Kingshighway from 4pm-7pm. She cautioned citizens to be careful of protestors who are difficult to see in the dark in that location.
- G. Councilman Kessinger commented on all the new and amazing developments that are happening in Rolla right now.


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

**IX. CLOSED SESSION** – Closed Session Pursuant to RSMo 610.021 (2), (1) and (18) for four items of discussion pertaining to real estate, legal action, and operations guidelines, policies for law enforcement. At 8:00pm, a motion was made by Johnson and seconded by Murphey go into closed session. A roll call vote showed the following: Ayes: Higgins, Steen, Fridley, Mayberry, Murphey, Lyons, Johnson, Kessinger, Florence, Eberly, and Renaud. Nays: none. Absent: Bolin

**X. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 9:44 pm  
Minutes respectfully submitted by City Clerk Lorri Thurman.

  
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CITY CLERK

  
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MAYOR