

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 6TH, 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 and Victoria Steen

Council Members in Physical Attendance: Moriah Renaud, Terry Higgins, Megan Johnson, Ann Murphey, Matt Fridley, Lister Florence, Jody Eberly, Carolyn Bolin, Robert Kessinger, and Stanley Mayberry.

Council Members Absent: None

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

Department Directors and Other City Officials in Physical Attendance: City Administrator John Butz, Fire Chief Ron Smith, City Planner Tom Coots, Community Development Director Steve Flowers, Public Works Director Steve Hargis, City Engineer Darin Pryor, Environmental Services Director Brady Wilson, Captain Doug James, RMU General Manager Rodney Bourne, Parks Director Floyd Jernigan and City Counselor Lance Thurman.

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

I. CONSENT AGENDA

- A. Consider Approval of the City Council Minutes of:
1. City Council Meeting – November 1st, 2021
 2. City Council Closed Session Minutes: November 1st, 2021
 3. City Council Meeting – November 15th, 2021
 4. City Council Closed Session Minutes: November 15th, 2021

A motion was made by Bolin and seconded by Johnson to approve the minutes as submitted. A voice vote revealed 12 Ayes, zero Nays.

II. PUBLIC HEARINGS - None

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

- A. RMU Quarterly Report. (General Manager Rodney Bourne) Mr. Bourne reported that operating Revenues were \$30,303,528, an increase of \$894,672 compared to last year. Operating Expenses

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were \$34,541,027 for the same period resulting in an Operating Income loss of \$4,237,500, due to the peak demand from the February 2021 freeze where \$4million extra was spent on power supply. There are no current plans for rate increases. RMU is currently sending billing invoices through a third party vendor leaving late notices (or disconnect notices) as the last thing they have been sending through the RMU office. Beginning January 1st, RMU will no longer be sending those out. Customers will have to sign-up through the e-billing system to be able to get those electronically.

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

- a. Environmental Services Department Monthly Report – November 2021
- b. Building Codes Monthly Report – October 2021
- c. Police Department Monthly Report – October 2021
- d. Animal Control Division Report – October 2021
- e. Centre Income Statement – October 2021
- f. RMU Monthly Reports –October 2021
- g. Rolla Board of Public Works Minutes for October 28th, 2021
- h. Park Director’s update for December 2021
- i. Park Advisory Commission Minutes for September 22, 2021
- j. Municipal Court Division Summary – October 2021
- k. Development Review Minutes for November 9th and November 16th, 2021
- l. City of Rolla Financial Reports – October 2021
- m. Planning & Zoning Commission Minutes – November 9, 2021

V. OLD BUSINESS

- A. **Ordinance** rezoning 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) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4654: AN ORDINANCE TO APPROVE THE RE-ZONING OF 305 S. OAK STREET AND 304 S. OLIVE STREET FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-2, GENERAL RETAIL DISTRICT. (ZONE21-10) A motion was made by Johnson and seconded by Bolin to approve the re-zoning. A roll call vote revealed the following: Ayes: Steen, Murphey, Higgins, Renaud, Mayberry, Bolin, Lyons, Johnson, Kessinger, Florence, Fridley, and Eberly. Nays: none.
- B. **Ordinance** rezoning 306 N. Walnut Street from the R-1, Single-family district to the R-3, Multi-family district. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4655: 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) A motion was made by Eberly and seconded by Johnson to approve the re-zoning. A roll call vote revealed the following: Ayes: Murphey, Lyons, Mayberry, Bolin, Renaud, Steen, Kessinger, Higgins, Eberly, Florence, Fridley, and Johnson. Nays: none
- C. **Direction** regarding the request to allow Conditional Use Permit (CUP) for wireless communications facility. City Planner Tom Coots recalled for Council the details of the request pertaining to the CUP. City Counselor Lance Thurman presented a summary review prepared by legal counsel to assist in the decision to approve or deny the CUP by Resolution or Ordinance at the December 20th meeting.

- D. **Ordinance** to approve assignment of Interconnection Agreement to Missouri Joint Municipal Electric Utility Commission for Rolla Solar Farm. (RMU General Manager Rodney Bourne) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4656: AN ORDINANCE AUTHORIZING AND APPROVING ASSIGNMENT AND ASSUMPTION OF INTERCONNECTION AND OPERATING AGREEMENT RELATED TO SOLAR FARM. A motion was made by Bolin and seconded by Kessinger to approve the agreement. A roll call vote revealed the following: Ayes: Lyons, Mayberry, Murphey, Bolin, Renaud, Florence, Kessinger, Higgins, Eberly, Johnson, Fridley, and Steen. Nays: none.

VI. NEW BUSINESS

- A. **Ordinance** repealing Sec. 7-26 of the Rolla City Code and enacting a new 7-26 relating to Cemetery Burial Permit Fees. (Parks Director Floyd Jernigan) As budgeted, a 10% increase for burial fees at the Rolla City Cemetery was recommended to offset the rising cost of inflation and minimum wage impacts over the last two years. City Counselor Lance Thurman read the ordinance for its first reading, by title: AN ORDINANCE REPEALING SECTION 7-26 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND EXACTING A NEW SECTION 7-26 RELATING TO CEMETERY BURIAL PERMIT FEES.
- B. **Ordinance** repealing Ordinance 4648 and enacting a new ordinance regarding ward boundaries. (Public Works Director Steve Hargis) The ordinance adopted on November 1, 2021 establishing the new Ward boundaries had discrepancies between the map presented and the boundary descriptions. The proposed Ordinance contains the necessary changes in the descriptions. City Counselor Lance Thurman read the ordinance for its first reading, by title: ORDINANCE 4657: AN ORDINANCE REPEALING ORDINANCE NUMBER 4648 AND ENACTING A NEW 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. A motion was made by Fridley and seconded by Bolin to suspend the rules and allow the final reading. A voice vote revealed 12 Ayes and zero Nays. City Counselor Lance Thurman read the ordinance for its final reading. A motion was made by Bolin and seconded by Murphey to pass the ordinance. A roll call vote revealed the following: Ayes: Higgins, Bolin, Steen, Renaud, Mayberry, Murphey, Lyons, Johnson, Kessinger, Florence, Eberly, and Fridley. Nays: none.
- C. **Ordinance** allowing the Mayor to enter into an agreement with B&B Building Systems for a salt storage building purchase. (Public Works Director Steve Hargis) City Counselor Lance Thurman read the 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 CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND B&B BUILDING SYSTEMS TO CONSTRUCT A BRITESPAN BUILDING.
- D. **Ordinance** to vacate a sanitary sewer easement on lots 168, 177, and 178 of the College Hills Subdivision. (City Engineer Darin Pryor) An applicant requested the vacation of a sanitary sewer easement in College Hills Subdivision where a sanitary sewer is no longer located within the said easement. City Counselor Lance Thurman read the ordinance for its first reading, by title: AN ORDINANCE VACATING AN EXISTING SEWER EASEMENT IN THE COLLEGE HILLS SUBDIVISION.

VII. CLAIMS and/or FISCAL TRANSACTIONS – None

VIII. CITIZEN COMMUNICATION – Peter Cook Ward 1 – North Maple Street: Expressed concern over the procedure regarding the passing of the Ward redistricting ordinance.

IX. MAYOR/CITY COUNCIL COMMENTS

- A. Appointment of Matthew Crowell for the Board of Adjustment (5 yr. term expires Dec 2026). Motion was made by Murphey and seconded by Bolin to allow the appointment. A voice voted showed 11 Ayes and 1 Nay (Johnson).
- B. Reappointment of Dr. Diana Ahmad to the Library Board (2nd 3 yr. term expires May 2023) Motion was made by Johnson and seconded by Higgins to allow the appointment. A voice vote unanimously carried to approve.
- C. Reappointment of John Denbo to the Library Board (2nd 3 yr. term expires May 2023) Motion was made by Johnson and seconded by Eberly to allow the appointment. A voice vote unanimously carried to approve.
- D. Reappointment of Rachel White to the Library Board (2nd 3 yr. term expires May 2024) Motion was made by Higgins and seconded by Johnson to allow the appointment. A voice vote unanimously carried to approve.
- E. Reappointment of Albert Crump to the Board of Public Works (4 yr. term expires Aug 2025) Motion was made by Bolin and seconded by Eberly to allow the appointment. A voice vote unanimously carried to approve.

X. COMMENTS FOR THE GOOD OF THE ORDER

- A. Notice of Candidacy Filing for the April 5th, 2022 Municipal Election. First day of candidate filing for the April 5th, 2022 Municipal Election is Tuesday, December 7th at 8am. Last day to file is December 28th, 2021 at 5pm.

XI. CLOSED SESSION

XII. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 7:44 pm
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR