

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY JUNE 20th, 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

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

Council Members Absent: none

Department Directors in Attendance via Zoom Videoconferencing: - None

Department Directors and Other City Officials in Physical Attendance: City Administrator John Butz, Community Development Director Steve Flowers, Public Works Director Steve Hargis, 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, and City Counselor Carolyn Buschjost.

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

I. PUBLIC HEARINGS –

- A. **Public Hearing and 1st Reading** Enhanced Enterprise Zone Property Tax Abatement – Fairfield Inn by Marriott. City Administrator John Butz explained to Council that the EEZ program provides real property tax abatement to selected industry. The minimum tax abatement is 50% for 10 years with enhanced benefits based on employment, wages, and investment. Fairfield Inn by Marriott actually qualifies for a 65% tax credit for 10 years, expiring in 2032. At 6:30 Mayor Magdits opened the Public Hearing. Mark Rene had culture and symbolism questions. With no other comments, the Public Hearing closed at 6:49. City Counselor Lance Thurman read the proposed ordinance for its first reading; by title: AN ORDINANCE APPROVING AN ENHANCED ENTERPRISE ZONE PROJECT AND AUTHORIZING THE CITY OF ROLLA, MISSOURI TO ENTER INTO AN ENHANCED ENTERPRISE ZONE AGREEMENT WITH KRIS HOTEL LLC.
- B. **Public Hearing and 1st Reading** 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 explained that the applicant was seeking to vacate the subject streets and alley to

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allow for the construction of a parking lot. At 6:52 Mayor Magdits opened the Public Hearing for citizen comment. There were none that spoke for or against the cause and the Public Hearing was then closed at 6:52. City Counselor Lance Thurman read the ordinance for its final reading; by title: AN ORDINANCE APPROVING THE VACATION OF THE REMAINDER OF SPRING STREET, NORTH OF 13TH STREET’ A PORTION OF THE 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.

- C. **Public Hearing and 1st Reading** to authorize the vacation of the remainder of State Street north of 11th Street. City Planner Tom Coots stated the applicant was seeing to vacate the remainder of State Street north of 11th street to allow for construction of a parking garage and main entryway from Tim Bradley Way. At 6:54 Mayor Magdits opened the Public Hearing for citizen comment. There were none spoke for or against the issue and the Public Hearing was closed at 6:54. City Counselor Lance Thurman read the ordinance for its first reading; by title: AN ORDINANCE APPROVING THE VACATION OF THE REMAINDER OF STATE STREET NORTH OF 11TH STREET.
- D. **Public Hearing and 1st Reading** 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) The applicant intends to lease a portion of the subject property and construct a paved display for their used car dealership which is adjacent to the subject property. At 7:02 Mayor Magdits opened the Public Hearing for citizen comment. There were none that spoke for or against the issue and the hearing was closed at 7:02 pm. City Counselor Lance Thurman read the ordinance for its first reading; by title: 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. (ZON22-02)
- E. **Public Hearing** to solicit input on the proposed text amendment in Chapter 42 of City Code pertaining to homeless shelters and related issues. (City Planner Tom Coots) The proposed text was voted down by P&Z without much input. A discussion was had over the definitions, zoning allowance, and requirements of various shelters. The options presented were to withdraw the ordinance altogether, prepare an ordinance, amend proposed text, or postpone action until additional public input is received. At 7:39 Mayor Magdits opened the Public Hearing for citizen comment. Dale Wands of 606 Penny Lane asked why we were talking about a shelter when the Mission seemed to be the issue. Mr. Wands felt the statistics being shared by the Mission were not accurate and encouraged Council to each have a meeting in their wards to gather info from their constituents. Mr. Wands stated he didn’t feel homeless shelters should be in any commercial areas or in residential areas which leaves manufacturing zones. Mark Rene spoke on serving the homeless. Dustin Lyndsey (County resident) offered support to Council stating it was a hard topic to deal with. At 8:00 the Public Hearing was closed. After further discussion it was decided to provide a “white paper” at the next meeting (July 5th) describing the current classification of the Mission and to discuss in closed session the legal ramifications of adopting zoning regulations. It was decided to not discard the proposed text all together but to back up and focus the city’s statutory authority on the location and definitions of the different emergency shelters and later discuss operational issues. There was a motion made by Renaud and seconded by Higgins to continue the Public Hearing until July 5th. A voice vote showed 12 Ayes and zero Nays.

II. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** – None

III. **OLD BUSINESS** –

- A. **Ordinance** allowing the rezoning of 1898 Old Saint James Rd from C-3, Highway Commercial district to

the M-1, Light Manufacturing district. (City Planner Tom Coots) After some discussion that included input from the land owner, Barry Dunnigan, it was decided to remove the section of the proposed ordinance pertaining to a buffer zone. City Counselor Lance Thurman read the ordinance for its final reading as amended; by title: ORDINANCE 4682 AN ORDINANCE TO APPROVE THE RE-ZONING OF 1898 OLD SAINT JAMES RD FROM THE C-3, HIGHWAY COMMERCIAL DISTRICT TO THE M-1, LIGHT MANUFACTURING DISTRICT. A motion was made by Fridley and seconded by Mayberry to accept the amended ordinance. A roll call vote showed the following: Ayes: Fridley, Kessinger, Higgins, Bolin, Renaud, Steen, Mayberry, Chirban, Balch, and Florence. Nays: Johnson and Hall.

IV. NEW BUSINESS

- A. **Ordinance** authorizing the agreement with Archer-Elgin Engineering for Professional Services and authorizing Task Order Number 1. (Public Works Director Steve Hargis)
RFQ's were recently solicited for consultant services to prepare an engineering report to evaluate alternatives or replacement of a pressurized system that provides wastewater treatment from Hy Point to the Southeast treatment plant. The attached Ordinance would authorized the Mayor to enter into an agreement for Professional Services and authorized Task Order Number 1 for the Hy Point Lift Station report. 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 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.
- B. **Ordinance** authorizing a Minor Subdivision Final Plat to reorganize two residential lots into one lot. Wolfe's Corner: SUB22-05 (City Planner Tom Coots) The applicant owns two residential lots in the Woodcrest Estates Resubdivision and seeks to construct a pool on the property. Zoning doesn't allow an accessory structure to be constructed by itself without a primary structure so the lots need to be combined to allow for the proposed pool. City Counselor Lance Thurman read the proposed ordinance for its first reading; by title: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF WOLFE'S CORNER.
- C. **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)
The lots the university is planning for the relocation of the General Services building are encumbered by easements. The proposed easements to be vacated have never been used for utilities. The university is choosing to combine the lots by platting as well as vacating the easements. City Counselor Lance Thurman read the ordinance for its first reading; by title: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF UNIVERSITY FRATERNITY SUBDIVISION NO. 3 AND VACATING CERTAIN EASEMENTS.

V. CLAIMS and/or FISCAL TRANSACTIONS - None

VI. CITIZEN COMMUNICATION

- A. Tara Peters – Introduced herself as a candidate for Missouri State Representative District 122.

VII. MAYOR/CITY COUNCIL COMMENTS

- A. 20 Year Anniversary Celebration of The Centre June 20-26th : Mayor Magdits told a short history the Centre . Centre Recreation Director Marci Fairbanks shared special offers for this weekend to celebrate the Centre's 20th Anniversary.
- B. Councilwoman Johnson had questions for Chief Fagan about recent vehicle thefts.

- C. Councilwoman Johnson reminded everyone that the Rolla Town Band would be playing at 7:15 pm on June 21st at the band shell for Make Music Night.
- D. Councilwoman Johnson encouraged citizens to attend the open house from 4-6:00 pm at the Eugene Norther Hall on June 23rd. Directors from different divisions of city government would be available to discuss future projects and idea.
- E. Councilwoman Renaud had questions for Chief Fagan regarding panhandling at Hwy 63 and Hwy 72.
- F. Mayor Magdits and City Administrator John Butz shared the many compliments and comments received regarding the Big BAM event where Rolla hosted 150 bike riders plus their families as they biked from Joplin to Eureka.
- G. Councilwoman Balch shared that a documentary on voter fraud from the last election called “2000 Mules” would be shown at the Phelps County Courthouse on Thursday, June 23rd at 7:00 pm. Doors will open at 5:30 pm.

VIII. **COMMENTS FOR THE GOOD OF THE ORDER** - None

IX. **CLOSED SESSION** – None

X. **ADJOURNMENT** -

Having no further business, the meeting adjourned at approximately 8:50 PM
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR