

**ROLLA CITY COUNCIL MEETING MINUTES  
TUESDAY, SEPTEMBER 6, 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, Carrolyn Bolin, Jaired Hall, Rob Kessinger, Stanley Mayberry, Terry Higgins, Lister Florence, Victoria Steen and Tina Balch.

**Council Members Absent:** Matt Fridley

**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, Finance Director Steffanie Rogers and City Counselor Carolyn Buschjost.

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

**I. CONSENT AGENDA**

- A. Consider Approval of the City Council Minutes of:
1. City Council Meeting – August 1st, 2022
  2. Closed Session Minutes – August 1st, 2022
  3. City Council Meeting – August 15th, 2022
  4. City Council Workshop Minutes – August 29th, 2022

A motion was made by Bolin and seconded by Higgins to approve the minutes. A voice vote showed 11 ayes, zero Nays, and 1 absent (Fridley).

**II. PUBLIC HEARINGS –**

- A. **Public Hearing** regarding Text Amendment pertaining to Homeless Shelters. City Planner Tom Coots stated there were changes in the text pertaining to the definitions of soup kitchens and usage rules of same as well as zoning district changes. It is proposed that there be no overnight usage allowed for soup kitchens. At 6:33p.m. Mayor Magdits opened the Public Hearing for citizen comment.

August 1, 2022

Dale Wands of 606 Penny Lane shared he felt like the text amendments were accommodating to the Mission and he felt like the public was not being listened to. He stated that business owners and citizens were not coming forward for fear of retaliation and scrutiny. He shared that within the text, the definition for “transitional housing” was too vague. He shared concerns regarding zoning and then presented the Mayor with four hundred signatures of citizens from May, 2022 located near South Highway 63 who were in opposition of the shelter being in that area. Mayor Magdits spoke on the reality of the City’s range of influence and that the dilemma faced is still where the shelters are to be located. As it is written now, Shelters are not “by right” anywhere and if the shelter is under the auspices of a church, then no written restrictions by the City applies.

- There was a motion by Johnson, seconded by Hall to create a 4th definition category for Domestic Shelters. A voice vote showed 11 Ayes, zero nays, and 1 absent.
- There was a motion by Hall, seconded by Johnson to remove Emergency Shelter from Definitions. A voice vote showed 10 Ayes, 1 Nay, and 1 absent.
- A motion was made by Renaud and seconded by Kessinger to remove from page II.A.20 (3), “3 days” and replace it with “before resides overnight”. A voice vote showed 10 ayes, 1 Nay, and 1 absent.
- A motion was made by Chirban and seconded by Renaud to remove overnight shelter from C2 Zoning to not permissible. A voice vote showed 10 Ayes, 1 Nay, and 1 Absent.

At 7:51, Mayor Magdits stated that the public hearing would remain open, to be continued after Council reviews proposed changes on September 19<sup>th</sup>.

**Public Hearing and Ordinance** approving the FY 2023 Budget and 2023 Sewer Fees. City Administrator John Butz stated the Budgeted expenses of \$35,436,749 is offset with projected revenues of \$34,357,170 plus retained earnings. The \$1,079,579 deficit is covered from revenues in prior years for the SRF Sewer Bond project, TDD funds received in 2022 for the Pine Street project in FY 2023 and round 2 of ARPA funds (revenues received in FY 2022). The Budget included a 10% increase in sewer flow rates and a \$.50 increase in monthly residential trash collection fees, a 5% increase in other solid waste services, as well as a \$1.00 increase in Splashzone fees. At 8:00 p.m. Mayor Magdits opened the public hearing. There were no citizens that wished to speak on the topic and the public hearing was closed at 8:00 p.m. There was discussion about the effects of not approving the \$.50 sewer increase this year which would amount to a \$50,000 to \$60,000 shortfall and result in a larger increase next year. There was a conflicting discussion on the number of Police Officer positions available and budgeted that would be clarified in a later discussion and presented to Council at the next meeting for final reading. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022 AND APPROPRIATING FUNDS PURSUANT THERETO.

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 – July 2022
- b. Building Codes monthly report – July 2022
- c. Police Department Monthly Report – July 2022
- d. Animal Control Division Report – July 2022
- e. City of Rolla Financial Reports – July 31st, 2022
- f. Rolla Board of Public Works minutes for July 26th, 2022
- g. Municipal Court Division Summary – July 2022
- h. The Centre Income Statement ending July 31, 2022

V. **OLD BUSINESS** – None:

VI. **NEW BUSINESS** –

- A. **Ordinance** authorizing Socket Telecom LLC ROW use Agreement. City Engineer Darin Pryor stated Socket is the first entity to apply for a ROW (Right of Ways) use Agreement since the passing of the ordinance requiring to do so, in 2018. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND SOCKET TELECOM, LLC.
- 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 stated this grant provides funding for a new sidewalk on State Route E from Dana Court to an existing sidewalk at Vista Drive. The total estimated cost for these improvement is \$550,842 with the state providing up to 80% (\$440,673.60), Phelps County pledging \$50,000, and the city paying the remaining at an estimated \$61,168.40. City Counselor Carolyn Buschjost 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 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.
- 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 stated that in 2005 the city acquired right of way at the present intersection of US Hwy 63. When Budget Deluxe Motel changed hands and applied for a permit to rehabilitate and operate their current sign, it was discovered that the sign was actually located on this city owned right of way. City Counselor Carolyn Buschjost 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 LICENSE AGREEMENT WITH DAILY RENTAL SERVICE, LLC
- 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 stated this amendment to the professional services agreement with HNTB would provide for design services for a new signal at 11<sup>th</sup> and pine. City Counselor Carolyn Buschjost 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 AMENDMENT NUMBER 12 TO AN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND HNTB CORPORATION FOR PROFESSIONAL SERVICES.
- E. **Ordinance** authorizing the increase of sewer rates for FY 2022-2023. City Engineer Darin Pryor stated that this ordinance would increase the basic user rate for metered user from \$5.65/1000 gal to \$6.25/1000. The service availability fee would remain at \$12.00/mth for a total monthly increase for the average user to go from \$34.60 to \$37.00/mth. Non-metered users will increase from \$419.95/yr to \$444.00/yr. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 35 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.

- F. **Motion** to appoint City Employer Representative to the annual LAGERS meeting October 27<sup>th</sup>-28<sup>th</sup>. (City Administrator John Butz) A motion was made by Johnson and seconded by Hall to attend or appoint a delegate. A voice vote showed 11 Ayes, zero Nays, 1 Absent.

**VII. CLAIMS and/or FISCAL TRANSACTIONS** –

- A. **Motion** to award health insurance excess coverage-Finance Director Steffanie Rogers stated that Quotes were solicited through stop loss brokers. Only two quotes were obtained due to the number of excess coverage claims in recent years. The current excess coverage deductible is \$75,000. A motion was made by Steen and seconded by Johnson to renew Health Insurance excess coverage to C&F and to maintain the current deductible of \$75,000. A voice vote revealed 11 Ayes, zero Nays, 1 Absent.

**VIII. CITIZEN COMMUNICATION**

- A. Ray Schweikhardt shared concerns pertaining to the new roundabout.

**IX. MAYOR/CITY COUNCIL COMMENTS**

- A. Proclamation making September National Recovery Month - Mayor Magdits presented Tuesday Florence with a Proclamation. Mrs. Florence invited the community on September the 24<sup>th</sup> at 11:00 a.m. to the 33<sup>rd</sup> Anniversary of Recovery month hosted by Project Heal and New Dimensional Christian Ministry Church. 12719 County Road 5110.

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

- A. Councilwoman Renaud stated Saturday September 17<sup>th</sup> was Parenting Resource Center's 5K race at 10:00 a.m.  
B. Councilwoman Tina Balch commented that Pride Night was a success and reminded everyone that the Phelps County Dream Center will be having food distribution at 10:00 a.m. Wednesday, September 7<sup>th</sup>.  
C. Councilman Kessinger stated a constituent had reached out to him regarding overhanging branches on the Acorn Trail and that a group of volunteers from his church resolved the issue.

**XI. CLOSED SESSION** – Closed Session per RSMo 610.021 (1) legal

At 8:37 pm a motion was made by Johnson and seconded by Renaud to move into closed session. A roll call vote showed the following. Ayes: Renaud, Florence, Steen, Bolin, Higgins, Chirban, Johnson, Kessinger, Mayberry, Hall, and Balch. Nays: none. Absent: Fridley.

At 9:12 p.m. Council returned from closed session where they discussed one legal matter with no final action taken.

**XII. ADJOURNMENT**

Having no further business, the meeting adjourned at approximately 9:12 p.m.  
Minutes respectfully submitted by City Clerk Lorri Thurman.

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CITY CLERK

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MAYOR

August 1, 2022