

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, DECEMBER 21ST, 2020; 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: Ann Murphey and Rachel Schneider

Council Members in Physical Attendance: Terry Higgins, Matthew Crowell, Lister B. Florence, Jr., David Schott, Jody Eberly, John Meusch, Carrolyn Bolin, Marie Allen, Christine Ruder and Deanne Lyons

Council Members Absent: None.

Other City Officials and Department Directors in Attendance via Zoom Videoconferencing: Community Development Director Steve Flowers, Parks Director Floyd Jernigan, and Finance Director Stephanie Rogers

Department Directors in Physical Attendance: Rolla City Fire Assistant Chief Jeff Breen

Other City Officials in Physical Attendance: Rolla City Police Captain Doug James, Rolla City Police Chief Sean Fagan, and City Engineer Darin Pryor

A member of the Rolla Ministerial Alliance opened the meeting with prayer.

Mayor Louis J. Magdits, IV called the meeting to order at approximately 6:30 p.m. and asked Councilperson Marie Allen to lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS

None.

II. SPECIAL PRESENTATIONS

(A) ETC Institute, Chris Tatham, Presented the “Leading the Way” award to the City of Rolla for being one of the top 16 Cities in the Nation for Excellence in quality and value of City services provided to the community.

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III. OLD BUSINESS

(A) ORDINANCE AUTHORIZING THE EXECUTION OF AGREEMENT WITH SKYSCRAPER MARINE LLC. City Engineer Darin Pryor recalled that bids were received for the demolition of structures for the University Drive Realignment project (Project #359). This project will remove 14 residential structures and 1 commercial structure. The City received 14 bids and the lowest bid was from Skyscraper Marine, LLC dba Tubbs & Son Construction for \$158,295.50.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4594: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CONTRACT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND SKYSCRAPER MARINE, LLC dba TUBBS & SON CONSTRUCTION, LONEDELL, MO

A motion was made by Bolin and seconded by Ruder to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Meusch, Schott, Ruder, Schneider, Allen, Murphey, Lyons, Crowell, Florence, Higgins, Eberly, and Bolin. Nays; None. Absent; None. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) RESOLUTION AUTHORIZING THE EXECUTION OF A REAL ESTATE AGREEMENT/QUIT CLAIM DEED AT 1612 HELLER STREET, LOT 14 FRISCO ADDITION WITH STEVE FARLEY. City Administrator John Butz reported in 1974, the City of Rolla acquired Lot 14 of the Frisco Subdivision for unknown reasons. In 1977 the city issued a quit claim deed to the owners of Lot 13 – a single family home at 1612 Heller Street. The home was partially built over the lot line causing a cloud on the title. The City deeded the lot to 1612 Heller Street with a condition that the lot would revert to the City if any further expansion was constructed. The issue surfaced recently when a new buyer surfaced to acquire the now vacant and deteriorated structure.

The attached real estate agreement eliminates any further claim/interest in the property. The prospective buyer has agreed to compensate the city \$1,500 to clear the title with a commitment to clean up the site within 90 days and to commence renovation of the home at 1612 Heller Street by spring 2021.

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City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO 1982: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A REAL ESTATE AGREEMENT RELEASING A DEED RESTRICTION ON LOT 14 OF THE FRISCO ADDITION. A motion was made by Schott and seconded by Lyons to approve the proposed resolution. A roll call vote on the motion showed the following: Florence, Crowell, Murphey, Schott, Schneider, Ruder, Allen, Higgins, Eberly, Lyons, Bolin, and Meusch. Nays; None. Absent; None. Motion carried. The resolution passed.

V. CLAIMS and/or FISCAL TRANSACTIONS

None.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Planning & Zoning Commission reappointment: Mayor Magdits requested the reappointment of Mr. Bob Anderson to the Planning & Zoning Commission, for a 4 year term ending October 2024. A motion was made by Scott and seconded by Crowell to approve the reappointment. A voice vote on the motion showed Aye; 12 Nays; None Absent; None. Motion carried.

(B) COVID Update/Mayor's Task Force: Mayor Magdits shared statistics regarding the number of positive COVID cases. As of Friday, December 18th, the cumulative case total to date is 2400; an increase of 68 in a period of three days from Tuesday to Friday. Total antigen positive test results 650; an increase of 61 in three days. Total active PCR and antigen active cases 374, an increase of 36, and 89 total number of COVID related deaths; an increase of 8 deaths in a 3 day period.

Councilperson David Schott thanked MS&T for being an excellent model in response to their efforts to control the spread of COVID. The positive impact is reflected in their low positive case numbers.

(C) Councilperson Carrolyn Bolin asked what could be done about the increasing number of panhandlers in the city.

Counselor Lance Thurman advised that legally there wasn't anything that could be done. He shared an instant from 4-5 years ago where an Attorney was panhandling to try and catch people violating his rights. If they are on public property it is legal but they cannot be in the street. The landowner can remove panhandlers located on private property.

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Councilperson Lyons urged the community to show compassion to the area's homeless population, stating that addiction is an illness and healthcare is not available to everyone, making it more difficult to overcome.

Councilperson Schott stated the pandemic hasn't been easy for anyone but feels that as a community there are things that can be done to help get us ahead of the curve regarding the increase of evictions and the rising poverty level.

Councilperson Higgins stated the Mission went from an occupancy level of 60, down to 20 due to COVID and feels that this has contributed to the issue.

Councilperson Ruder stated there has been a general lack of compassion for those that are in need.

Mayor Magdits encouraged the community to seek out local food banks who are in desperate need of public donations.

VII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Magdits opened the floor to anyone wishing to address the Council.

Bryce Crowley, Rolla Resident and local Attorney: After examining recent Supreme Court cases regarding Religious Restrictions, Mr. Crowley presented some amendments that he feels might provide a stronger legal standing.

Dane Crutcher, Ward 4: Questioned the 2/3 majority rule in regards to the first and final reading of the ordinance requiring face coverings. Counselor Lance Thurman advised that there was an emergency clause in the ordinance that gives the authority that allowed the Face Covering Ordinance to be passed without 2/3 majority. Also stated that this was also granted under a section of chapter 77 in the Revised Statutes of Missouri.

Scott McBride, local Attorney: Advised that he has worked with and supports the proposed amendments presented by Bryce Crowley. He feels that his church, as well as most churches in this area, have taken great steps to keep their congregants healthy. Stated that churches and businesses have to be treated equally and that after the Supreme Court ruling on November 25th, he strongly encourages Council to re-evaluate and reset the gathering limits.

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Wesley Crutcher, Ward 5: Elaborated on comments from last meeting and shared his opinion of the mask mandate.

Daniel Steen: Asked if Council had reached out to their constituents since the ordinance passed and suggested a Facebook Poll to gather opinions.

Johnny Jones, 206 Brookridge: Stated to Council that regardless of whether they have full-time jobs and other obligations, he feels it is their job as Councilpersons to reach-out to the citizens to gather opinion in the wards they represent.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

Mayor Lou Magdits: He urged the community to take a step back and focus on the true meaning of Christmas, going into the New Year with less hostility.

IX. CLOSED SESSION

A motion was made by Lyons and seconded by Ruder to adjourn into Closed Session pursuant to RSMO. 610.021 to discuss Legal Work Product. A roll call vote on the motion showed the following: Allen, Lyons, Murphey, Bolin, Schneider, Ruder, Meusch, Florence, Eberly, Crowell, Schott, and Higgins. Nays; None. Absent; None. Motion carried.

The Council adjourned into Closed Session at approximately 7:51 p.m.

X. Closed Session Action: City Counselor Lance Thurman reported the Council discussed legal work product and no final action was taken.

The Council reconvened into open session at approximately 8:47 p.m.

XI. ADJOURNMENT

Having no further business, the meeting adjourned at approximately 8:49 p.m.

Minutes respectfully submitted by Rolla City Clerk Lorri Thurman.

CITY CLERK

MAYOR

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