

Please Note: The Council Meeting will be conducted at Rolla City Hall but physical participation will be limited per CDC guidelines. Citizens are encouraged to watch the proceedings live on Fidelity Cable Channel 16 or through the Fidelity YouTube link at <https://www.youtube.com/channel/UCffrfbYSQqtuhOAVkCCyieA>

COUNCIL PRAYER
Ministerial Alliance

AGENDA OF THE ROLLA CITY COUNCIL
Monday, December 5th, 2022; 6:30 P.M.
City Hall Council Chambers
901 North Elm Street

PRESIDING: Mayor Louis J. Magdits IV

COUNCIL ROLL: MORIAH RENAUD, TERRY HIGGINS, MEGAN JOHNSON, NATHAN CHIRBAN, LISTER B. FLORENCE, JR., MATTHEW FRIDLEY, JAIED HALL, ROBERT KESSINGER, CAROLYN BOLIN, STANLEY MAYBERRY, VICTORIA STEEN, AND TINA BALCH

PLEDGE OF ALLEGIANCE
Councilman Jaired Hall

I. CONSENT AGENDA

- A. Consider Approval of the City Council Minutes of:
 - 1. City Council Meeting – November 7th, 2022
 - 2. Closed Session Minutes – November 7th, 2022
 - 3. City Council Meeting – November 21st, 2022
 - 4. Closed Session Minutes – November 21st, 2022

II. PUBLIC HEARINGS – None

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

- A. Presentation of RMU Quarterly Report – Rodney Bourne GM of RMU

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

- a. Environmental Services Department Monthly Report – October 2022
- b. Building Codes monthly report – October 2022
- c. Police Department Monthly Report – October 2022
- d. Animal Control Division Report – October 2022
- e. City of Rolla Financial Reports – July 31st, 2022
- f. Rolla Board of Public Works minutes for October 25th, 2022
- g. The Centre Income Statement ending October 31, 2022
- h. Development Review Committee Minutes for November 15th, 2022
- i. Rolla Planning and Zoning Commission Meeting for October 11, 2022
- j. Board of Adjustment Minutes for October 13th, 2022
- k. Municipal Court Summary for September 2022

December 5th, 2022

V. **OLD BUSINESS** –

- A. **Ordinance** allowing a Map Amendment to rezone 1000 and 1006 N Oak St; and 204-208 E 11th St from R-3, Multi-family district; C-1, Neighborhood Commercial district; and M-1, Light Manufacturing district to a PUD, Planned Unit Development district. (City Planner Tom Coots) **Final Reading**
- B. **Ordinance** to allow a PUD subdivision to combine parcels into one platted lot: Campus Fellowship Addition. (City Planner Tom Coots) **Final Reading**
- C. **Ordinance** to enter into an agreement with MDOC for a Work Release Program with SCCC. (Interim Public Works Director Darin Pryor) **Final Reading**
- D. **Ordinance** to enter into an agreement with MoDOT for ADA curb ramp improvements. (Interim Public Works Director Darin Pryor) **Final Reading**

VI. **NEW BUSINESS** –

- A. **Ordinance** to allow the vacation of an easement at 700 Aldi Drive. (City Planner Tom Coots) **First Reading**
- B. **Ordinance** to Consider April 2023 Prop P (Parks) Sales Tax Reauthorization (City Administrator John Butz) **Discussion/First Reading**
- C. **Ordinance** to approve an amendment of Section 27-66 of the City of Rolla Code concerning speed limits. (Interim Public Works Director Darin Pryor) **First Reading**
- D. **Ordinance** to return unneeded ROW back to Investment Realty. (Interim Public Works Director Darin Pryor) **First Reading**
- E. **Ordinance** to return unneeded ROW back to MOI. (Interim Public Works Director Darin Pryor) **First Reading**

VII. **CLAIMS and/or FISCAL TRANSACTIONS** – None

VIII. **CITIZEN COMMUNICATION**

IX. **MAYOR/CITY COUNCIL COMMENTS**

- A. Candidate filing opens 8:00 AM, Tuesday December 6th, 2022 for the April 4th, 2023 Municipal Election in the office of the City Clerk, 3rd floor of the Rolla City Hall. Filing ends on December 27, 2022. Candidates will need to provide a picture ID.

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

- A. Invitation to Breakfast with Santa – Marci Fairbanks, Recreation Centre Director

XI. **CLOSED SESSION** – Closed Session per RSMo 610.021- None

XII. **ADJOURNMENT** -

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 7, 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: Jaired Hall

Council Members in Physical Attendance: Moriah Renaud, Megan Johnson, Nathan Chirban, Matt Fridley, Rob Kessinger, Stanley Mayberry, Terry Higgins, Lister Florence, and Victoria Steen

Council Members Absent: Tina Balch and Carrolyn Bolin

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, Interim PW Director Darin Pryor, Police Chief Sean Fagan, Fire Chief Ron Smith, Centre Recreation Director Marci Fairbanks, Park Director Floyd Jernigan, Finance Director Steffanie Rogers and City Counselor Lance Thurman.

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

I. CONSENT AGENDA

A. Consider Approval of the City Council Minutes of:

1. City Council Meeting – October 3rd, 2022
2. Closed Session Minutes – October 3rd, 2022
3. City Council Meeting – October 17th, 2022
4. Council Budget Workshop Minutes – October 24th, 2022

A motion was made by Johnson and seconded by Higgins to accept the minutes. A voice vote showed 10 Ayes, zero Nays, and 2 Absent (Bolin and Balch)

II. PUBLIC HEARINGS –

- A. **Public Hearing and Ordinance** to allow a street name change, renaming Fraternity Circle to Spruce Drive. City Planner Tom Coots explained that the applicant (Missouri S&T) was requesting all of Fraternity Circle be renamed to Spruce Drive. Mayor Magdits officially opened the public hearing at 6:34. No citizens spoke regarding the name change and the public hearing was closed at 6:34. City Counselor read the ordinance for its first reading by title: AN ORDINANCE TO CHANGE THE NAME OF FRATERNITY CIRCLE TO SPRUCE DRIVE.

November 7, 2022

- B. **Public Hearing and Ordinance** to allow a street name change, renaming University Drive to Tim Bradley Way. Mayor Magdits opened the public hearing at 6:36. No citizens spoke regarding the name change and the public hearing was closed at 6:36. City Counselor read the ordinance for its first reading by title: AN ORDINANCE TO CHANGE THE NAME OF A PORTION OF UNIVERSITY DRIVE TO TIM BRADLEY WAY.
- C. **Public Hearing and Ordinance** to allow a street name change, renaming a portion of Kingshighway and Ridgeview Rd. to Highway 72. Mayor Magdits opened the public hearing at 6:37. No citizens spoke regarding the name change and the public hearing was closed at 6:38. City Counselor read the ordinance for its first reading by title: AN ORDINANCE TO CHANGE THE NAME OF A PORTION OF KINGSHIGHWAY AND RIDGEVIEW RD TO HIGHWAY 72.

III. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** –

- A. Presentation of the new campus meal delivery service via robot. Mark Potrafka – Director, Havener Center & Hospitality Services, Sam Farrar Director of University Dining, and representative of Starship Robots were present and explained the new, campus only, delivery system. Participants will place their orders and payment via an app.

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

- a. Environmental Services Department Monthly Report – September 2022
- b. Building Codes monthly report – September 2022
- c. Police Department Monthly Report – September 2022
- d. Animal Control Division Report – September 2022
- e. City of Rolla Financial Reports – July 31st, 2022
- f. Rolla Board of Public Works minutes for September 27th, 2022
- g. The Centre Income Statement ending September 30, 2022
- h. Development Review Committee Minutes for October 18th, 2022
- i. Park Advisory Commission Meeting Minutes for October 24th & September 28th, 2022
- j. Rolla Planning and Zoning Commission Meeting for September 13th, 2022
- k. Board of Adjustment Minutes for July 7th, 2022

V. **OLD BUSINESS** –

- A. **Ordinance** to allow a Minor Subdivision to combine two residential lots at 3 Lewis Lane. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4705: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF FRUEH ADDITION. A motion was made by Fridley and seconded by Kessinger to approve the ordinance. A roll call vote showed the following: Higgins, Steen, Fridley, Mayberry, Chirban, Johnson, Kessinger, Florence, Hall, and Renaud. Nays: none. Absent: Balch and Bolin.
- B. **Ordinance** regarding Text Amendment pertaining to Overnight Shelters. A motion was made by Kessinger and seconded by Johnson to remove the phrase “and any other state or federal requirements” from section 42-224.2 regarding domestic violence shelter uses. A voice vote showed 10 ayes, zero Nays, and 2 Absent (Balch and Bolin). City Counselor Lance Thurman read the ordinance for its final reading: by title: ORDINANCE 4706: AN ORDINANCE AMENDING CHAPTER 42, ARTICLE III OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI REGARDING OVERNIGHT SHELTER, SOUP KITCHENS, AND TRANSITIONAL HOUSING. A roll call vote

showed the following: Ayes: Mayberry, Chirban, Renaud, Florence, Kessinger, Higgins, Johnson, and Fridley. Nays: Hall and Steen, Absent: Balch and Bolin.

VI. **NEW BUSINESS** – NONE

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

- A. **Resolution** to authorize the Mayor to sign a contract with Axon Enterprise for a 5 year lease/purchase agreement for Tasers and body cameras for a total of \$287,903.75 (\$57,580.75/yr). City Counselor read the resolution for one reading, by title: RESOLUTION 2012: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CONTRACT WITH AXON ENTERPRISE, INC. FOR THE PURCHASE OF TWENTY-SEVEN (27) TASERS AND TWENTY-FIVE (25) BODY CAMERAS, ACCESSORIES, CLOUD STORAGE AND TRAINING OVER A FIVE (5) YEAR PERIOD. A motion was made by Kessinger and seconded by Steen to approve the contract. A voice vote showed 10 Ayes, zero Nays, and 2 Absent. (Balch and Bolin)
- B. **Motion** to allow the purchase of 11 MDT's with a 5-year warranty, from Turn-Key Mobile Inc. for a total of \$44,957. A motion was made by Fridley and seconded by Steen to award the bid to Turn-Key Mobile. A voice vote showed 10 Ayes, zero Nays, and 2 Absent (Bolin and Balch).
- C. **Motion** to award bid to Alexander Construction to perform EIFS replacement on the exterior wall of the Rolla Police Department.
Police Chief Sean Fagan stated no bids were received when advertised due to the request for a 5-year warranty. Contractors will not warranty the EIFS when they did not install the underlying material. RPD reached out to Alexander Construction who had successfully repaired the south wall in March of 2016. Council posed the question as to whether there was a better method of covering the outer wall that would be more efficient and cheaper? With an unidentified water issue at hand, Council asked that further investigating be done and this agenda item be postponed for another time.
- D. **Motion** to award bid to Musco All Purpose out of Lebanon, Ill for replacement lighting for Morgan Field. Park's Director Floyd Jernigan stated that due to the emergency nature of this project (downed light pole from windstorm with existing poles in similar poor condition), budget adjustments will have to be made including deferral of playground and vehicle purchases. A motion was made by Johnson and seconded by Higgins to award the bid to Musco. A voice vote showed 10 Ayes, zero Nays and 2 Absent (Bolin and Balch).
- E. **Resolution** to approve the application for federal funding available through Land, Water, Conservation grants for field lighting and turf.
Federal funding is available for Land, Water Conservation fund grants at a maximum of \$500,000, with a minimum of 50% match. If funds were granted, the project timeline is over a two-year period and would allow for the lighting of the Larry Wilson Ballfield and installation of lighting and turf of the Kittie Robertson soccer field. City funding would come via budgeted dollars during this span, contingent on the public's renewal of the 1/16th of one percent sales tax in April 2023. City Counselor Lance Thurman read the Resolution for one reading by title: RESOLUTION: 2013: WHEREAS, THE CITY OF ROLLA, MISSOURI IS APPLYING FOR FEDERAL ASSISTANCE FROM THE LAND & WATER

CONSERVATION FUND PROGRAM FOR THE PURPOSE OF CONSTRUCTION/RENOVATION (ROLLA BER JUAN SPORTS COMPLEX IMPROVEMENTS). A motion was made by Johnson and seconded by Fridley to approve the grant application. A voice vote showed 10 Ayes, zero Nays, and 2 Absent (Bolin and Balch).

- F. **Motion** to approve Round 2 ARPA spending. City Administrator John Butz made council aware that competitive ARPA funding applications would be presented to Council to approve by Resolution over the next couple months. He then presented a list of Round 2 ARPA funds for approval. A motion was made by Kessinger and seconded by Renaud to approve Round 2 allocations. A voice vote showed 9 Ayes, zero Nays, 1 Abstention, (Hall) and 2 absent (Balch and Bolin).

VIII. **CITIZEN COMMUNICATION**

- A. Jerome Beck - 13850 S Highway 6: Spoke on homelessness and finding solutions.

IX. **MAYOR/CITY COUNCIL COMMENTS**

- A. Councilman Fridley reminded citizens that Friday, November 11th is Veteran's Day.
- B. Councilman Chirban shared a program at the library for kids where projects they complete get sent to the Veteran's Home for Veteran's Day.
- C. Councilwoman Johnson complimented the Everyday Hero's event and the children who read their essays.
- D. Councilman Fridley reminded citizens again that if the see something out of the usual to say something.
- E. Mayor Magdits reminded citizens of the election on November 8th.
- F. Councilman Kessinger complimented the Ozark Actors Theater and the Tom Sawyer production.

X. **COMMENTS FOR THE GOOD OF THE ORDER - NONE**

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

At 8:32 pm a motion was made by Chirban and seconded by Johnson to go into closed session. A roll call voted showed the following: Ayes: Higgins, Steen, Fridley, Mayberry, Chirban, Johnson, Kessinger, Florence, Hall, and Renaud. Nay: zero. Absent: Bolin and Balch.

At 8:49 Council returned from closed session, City Counselor Lance Thurman stated that an items of attorney client communication and litigation were discussed. No final action taken.

XII. **ADJOURNMENT -**

Having no further business, the meeting adjourned at approximately 8:49 p.m.
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

November 7, 2022

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 21, 2022; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Pro-Tem Lister Florence

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

Council Members Absent: Rob Kessinger

Department Directors and Other City Officials in Physical Attendance: Community Development Director Steve Flowers, Interim PW Director Darin Pryor, Police Chief Sean Fagan, Fire Chief Ron Smith, MIS Coordinator Brian Kinsey, Environmental Services Director Brady Wilson, Park Director Floyd Jernigan, Finance Director Steffanie Rogers and City Counselor Lance Thurman.

Mayor Pro-Tem Lister Florence called the meeting to order at approximately 6:30 p.m. and lead in the Pledge of Allegiance.

I. PUBLIC HEARINGS –

A. Public Hearing and Ordinance allowing a Map Amendment to rezone 1000 and 1006 N Oak St; and 204-208 E 11th St from R-2, Two-family district; C-1, Neighborhood Commercial district; and M-1, Light Manufacturing district to a PUD, Planned Unit Development district.

Community Development Director Steve Flowers explained to Council the uses of a PUD. The proposed development would serve as a “Women’s House” with Christian Campus Ministries to provide up to 32 bedrooms and space to hold church services and meetings. Mayor Pro-Tem Florence opened the public hearing at 6:40pm. There were no citizens that spoke in favor of or against the PUD and the public hearing was closed at 6:40pm. City Counselor Lance Thurman read the ordinance for its first reading: AN ORDINANCE TO APPROVE THE RE-ZONING OF 1000 AND 1006 N OAK STREET; AND 204-208 E 11TH STREET FROM THE R-2, TWO FAMILY; C-1, NEIGHBORHOOD COMMERCIAL; AND M-1, LIGHT MANUFACTURING DISTRICTS TO A PUD, PLANNED UNIT DEVELOPMENT.

B. (Withdrawn by applicant) Cancelled Public Hearing to consider a map amendment, rezoning 821 Hwy O from the R-R, rural Residential district to the C-3, Highway Commercial district.

Community Development Director Steve Flowers stated this rezoning request was presented on November 15th to P&Z. The commission voted to recommend that the City Council deny the rezoning request, due to opposition from the adjacent land owners and finding that the location is not appropriate for the requested zoning. The applicants withdrew their request and this public hearing was cancelled.

November 21, 2022

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

III. **OLD BUSINESS** –

- A. **Ordinance** to allow a street name change, renaming Fraternity Circle to Spruce Drive. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4707: AN ORDINANCE TO CHANGE THE NAME OF FRATERNITY CIRCLE TO SPRUCE DRIVE. A motion was made by Johnson and seconded by Fridley to pass the ordinance. A roll call vote showed the following: Ayes: Johnson, Fridley, Steen, Renaud, Higgins, Chirban, Balch, Bolin, Florence, Hall, and Mayberry. Nays: zero. Absent: Kessinger.
- B. **Ordinance** to allow a street name change, renaming University Drive to Tim Bradley Way. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4708: AN ORDINANCE TO CHANGE THE NAME OF A PORTION OF UNIVERSITY DRIVE TO TIM BRADLEY WAY. A motion was made by Bolin and seconded by Balch to pass the ordinance. A roll call vote showed: Ayes: Hall, Mayberry, Chirban, Bolin, Renaud, Steen, Higgins, Balch, Johnson, Fridley, and Florence. Nays: none. Absent: Kessinger.
- C. **Ordinance** to allow a street name change, renaming a portion of Kingshighway and Ridgeview Rd. to Highway 72. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading by title: ORDINANCE 4709: AN ORDINANCE TO CHANGE THE NAME OF A PORTION OF KINGSHIGHWAY AND RIDGEVIEW RD TO HIGHWAY 72. A motion was made by Johnson and seconded by Higgins to pass the ordinance. A roll call vote showed: Ayes: Renaud, Florence, Steen, Bolin, Higgins, Chirban, Fridley, Johnson, Mayberry, Hall, and Balch. Nays: none. Absent: Kessinger.

IV. **NEW BUSINESS** –

- A. **Motion** to allow street closings for Christmas Festivities December 2nd - December 4th. (Interim Public Works Director Darin Pryor)
Bill Bicknell of the Sister City Association, shared with council the timeline of activities for Christkindl Markt and Lichternacht (10th Anniversary of the Christkindl Markt.)
Executive Director Stevie Kears and Bailey Barnes stated the lineup for the 52nd annual Christmas Parade will begin at 8:30am and the parade will begin at 10:00am. A motion was made by Johnson and seconded by Higgins to approve the street closures. A roll call vote showed: Ayes: Fridley, Higgins, Bolin, Renaud, Steen, Mayberry, Chirban, Balch, Johnson, Hall, Florence. Nays: none. Absent: Kessinger.
- B. **Ordinance** to enter into an agreement with MDOC for a Work Release Program with SCCC. (Interim Public Works Director Darin Pryor)
This agreement will allow the City to utilize an eight-member work release crew to perform grass mowing and tree trimming type activities along City of Rolla rights of way and Park property. City Counselor Lance Thurman read the ordinance for its first reading: 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 MISSOURI DEPARTMENT OF CORRECTIONS.

- C. **Ordinance** to enter into an agreement with MoDOT for ADA curb ramp improvements. (Interim Public Works Director Darin Pryor)

MoDot is proposing to improve the curb ramps on the northwest and northeast corners at the intersection of Route O with Lions Club Drive. In order to perform this work, MoDot will need a Municipal Agreement with the City of Rolla for the work on the city street right of way. City Counselor Lance Thurman read the ordinance for its first reading: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN MUNICIPAL AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PROJECT J5P3490.

- D. **Resolution** to authorize staff to file an application for ARPA grant funding for “Downtown Improvements”.

City Administrator John Butz explained this funding request was for two different applications (City and Ozark Actor’s Theater) bundled together for the Downtown Revitalization project. This grant would allow for enhance lighting, ADA accessibility, landscaping & aesthetics and building façade improvements. In addition to the “Community Revitalization” grant the proposed Resolution also includes an endorsement of a “Tourism” grant being submitted by OAT in partnership with the Downtown revitalization. City Counselor Lance Thurman Read the resolution for one reading by title: RESOLUTION 2014: A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT, STATE ARPA GRANT PROGRAMS FOR SUBAWARD OF FEDERAL FINANCIAL ASSISTANCE PROVIDED TO THE STATE OF MISSOURI BY THE U.S. DEPARTMENT OF THE TREASURY (“TREASURY”) AS AUTHORIZED BY SECTION 9901 OF THE AMERICAN RESCUED PLAN ACT (MARCH 11, 2021) A motion was made by Renaud and seconded by Fridley to accept the resolution. A voice vote showed 11 Ayes, zero Nays, and 1 Absent (Kessinger)

- E. **Resolution** to authorize staff to file an application for ARPA grant funding for “Community Revitalization” addressing park improvements.

Parks Director Floyd Jernigan stated this grant would allow for the lighting of the Bayless ballfield, replacement of the Ber Juan Park trail/sidewalk, a new ADA compliant bathroom at Ber Juan Park, and replacement of various exercise stations throughout Ber Juan. If the grant is awarded, city funding would come primarily from parks projects completed during this time frame and approximately \$75,000 from Park funds. City Counselor Lance Thurman read the resolution for one reading by title: RESOLUTION 2015: A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT, STATE ARPA GRANT PROGRAMS FOR SUBAWARD OF FEDERAL FINANCIAL ASSISTANCE PROVIDED TO THE STATE OF MISSOURI BY THE U.S. DEPARTMENT OF THE TREASURY (“TREASURY”) AS AUTHORIZED BY SECTION 9901 OF THE AMERICAN RESCUED PLAN ACT (MARCH 11, 2021). A motion was made by Johnson and seconded by Higgins to accept the resolution. A voice vote showed 11 Ayes, zero Nays, and 1 Absent (Kessinger).

- F. **Ordinance** vacating a portion of an easement at 589 Sycamore Dr.

Community Development Director Steve Flowers explained that the applicant was seeking to vacate the south 10 feet of a 20-foot-wide utility easement along the north side of their property to allow for the construction of a small addition to the house. The area to be vacated does not have any utilities. The

remaining easement does have electric utilities, however the remaining easement and an easement on the adjacent property will be large enough to maintain the utility. City Counselor Land Thurman read the ordinance for its first reading by title: **ORDINANCE: 4710: AN ORDINANCE APPROVING THE VACATION OF A PORTION OF AN EASEMENT LOCATED ON 589 SYCAMORE DRIVE. A motion was made by Hall and seconded by Balch to suspend the rules for a final reading. A roll call vote showed the following: Ayes: Fridley, Steen, Renaud, Mayberry, Chirban, Balch, Johnson, Florence, Higgins, Hall, and Bolin. Nays: none. Absent: Kessinger.** City Counselor Lance Thurman read the ordinance for its final reading. **A motion was made by Johnson and seconded by Higgins to approve the ordinance. A roll call vote showed the following: Ayes: Florence, Johnson, Chirban, Fridley, Renaud, Steen, Mayberry, Higgins, Hall, Balch, and Bolin. Nays: none. Absent: Kessinger.**

G. Ordinance to allow a PUD subdivision to combine parcels into one platted lot: Campus Fellowship Addition

Community Development Director Steve Flowers explained this final plat is related to the Christian Campus Ministry PUD being reviewed concurrently. The plat combines several parcels into a single lot for the development. City Counselor Lance Thurman read the ordinance for its first reading by title: **AN ORDINANCE TO APPROVE THE FINAL PLAT OF CAMPUS FELLOWSHIP ADDITION.**

V. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Award** of bid to JOMAC for the purchase of a custom service body for the recently purchased Ford F-550 for \$32,769.93. (Fire Chief Ron Smith) **A motion was made by Chirban and seconded by Balch to award the bid to JOMAC. A roll call vote showed the following: Ayes: Mayberry, Balch, Chirban, Bolin, Renaud, Steen, Florence, Hall, Johnson, Fridley, and Higgins. Nays: none. Absent: Kessinger.**
- B. **Award** of bid to Central Salt, LLC for 800 tons of de-icing salt for \$78,504. (Interim Public Works Director Darin Pryor) **A motion was made by Johnson and seconded by Bolin to purchase the de-icing salt. A roll call vote showed the following: Ayes: Johnson, Fridley, Steen, Renaud, Higgins, Chirban, Balch, Bolin, Florence, Hall, and Mayberry. Nays: none. Absent Kessinger.**

VI. CITIZEN COMMUNICATION

VII. MAYOR/CITY COUNCIL COMMENTS

- A. Candidate filing opens 8:00 AM, Tuesday December 6th, 2022 for the April 4th, 2023 Municipal Election in the office of the City Clerk, 3rd floor of the Rolla City Hall. Filing ends on December 27, 2022.
- B. Small Business Saturday Proclamation – Saturday, November 26th, 2022. Mayor Pro-Tem Florence read an excerpt from a proclamation and encouraged small business support this holiday season.
- C. Councilman Fridley stated that it was important for the citizens of Rolla to provide feedback to their Councilmembers regarding the implementation of Proposition 3.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

- A. Councilwoman Renaud encouraged all to support local businesses during the upcoming holiday season.
- B. Councilwoman Johnson invited citizens to the Optimist Club Christmas Tree Lot located in the Kroger parking lot beginning on Black Friday.
- C. Councilman Chirban commented on the good turnout for the Hero’s Marathon and encouraged further participation.

IX. CLOSED SESSION – Closed Session per RSMo 610.021 (3) Personnel and (21) Network Security

At 7:44, a motion was made by Johnson and seconded by Hall to go into closed session. A roll call vote showed the following: Ayes: Fridley, Higgins, Bolin, Renaud, Steen, Mayberry, Chirban, Balch, Johnson, Hall, and Florence. Nays: None. Absent: Kessinger.

At 8:28, Council returned from Closed Session where 2 items were discussed for personnel and network security. No final action was taken.

X. ADJOURNMENT -

Having no further business, the meeting adjourned at approximately 8:28 p.m.
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

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2022

Fiscal Year 4th Quarter Report



Rolla Municipal Utilities
Provided to Rolla City Council
December 5, 2022 IIIA1

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A STATEMENT BY THE BOARD OF PUBLIC WORKS

The Electric Power and Water System of the City of Rolla will be known as the **ROLLA MUNICIPAL UTILITIES**. Mr. J. B. Bronson will continue as general manager.

It will be the policy of the Board to operate the Rolla Municipal Utilities strictly on a business basis. There will be no change in the general policies of the management. All rates will be the same for the present.

The Board has three primary obligations:

1. To give the best possible service to the Citizens of Rolla.
2. To accumulate funds for the payment of the indebtedness, (Bond Issue and Revenue Certificates).
3. To build up reserve funds for any emergency and for replacement of machinery and equipment.

Regarding Service Interruptions:

This trouble is not in the local system, but in the source of supply. We hope eventually to have other sources of supply available and improve the electric service in Rolla.

Beginning immediately, \$1000.00 per month from the profits will be paid to the General Fund of the City of Rolla, which is to replace the Franchise Tax formerly paid by the Missouri General Utilities.

No merchandise will be sold in competition with local merchants.

No repair service will be maintained in competition with local Electric Service men.

Next Monday, November 12th, our offices will open in our new building, formerly the Negro U. S. O Building, 102 W. 9th Street. All business will be transacted from this location after that date. The Rolla Free Public Library will occupy the second floor, and the State Board of Health and the County Agent the basement of this building. These quarters are furnished to the above organizations without cost as a public service of the Rolla Municipal Utilities.

Rolla Board of Public Works

H. E. CASTLEMAN, President
F. H. FRAME, Vice-President
R. E. SCHUMAN, Secretary
F. A. CAMERON, Member

FOURTH QUARTER FINANCIAL RECAP (Unaudited)

OPERATING INCOME and EXPENSES

	4th Quarter FYTD 2022	4th Quarter FYTD 2021	CHANGE
OPERATING REVENUES	\$31,263,128	\$30,303,528	\$959,600
OPERATING EXPENSES	(\$31,424,337)	(\$34,541,027)	(\$3,116,690)
OPERATING INCOME	(\$161,209)	(\$4,237,500)	\$4,076,291
OTHER INCOME & EXPENSES	\$844,255	\$9,555,286	(\$8,711,031)
NET INCOME/LOSS	\$683,047	\$5,317,786	(\$4,634,739)

At the end of the 2022 Fiscal Year, we are showing a total operating income of \$31,263,128. This is an increase of over \$950,000 compared to Fiscal Year 2021.

Total operating expenses through the 4th quarter of 2022 was \$31,424,337. Our operating expenses decreased over \$3,116,690 from the end of 4th quarter of 2021; this is mainly due to costs associated with February's winter storm Uri.

Total Net Income after the 4th quarter of 2022 was \$683,047. The 4th quarter of 2021 showed a net income of \$5,317,786 which was due to assets sold to Ameren.



STATUS OF PENDING PROJECTS



ELECTRIC DEPARTMENT

ELECTRICAL EXTENSIONS/UPGRADES

- Lions Club Drive – Installation of street lighting. Rolla Street to Highway 63. Started March 29, 2022. Completed September 2022.
- Conversion from Overhead to Underground distribution
Carmel Court, Malibu Court, San Fernando Court, and Monterey Court completed September 22, 2022. Streetlighting completed September 27, 2022.
- Missouri Science & Technology
 - a. Conversion of loads from one metering point to 4 new RMU service locations.
 - b. General Services Building – Overhead & underground primary extensions, new transformer, and metering for commercial development. In progress.
- Burgher Drive – Identified issues during the August storm event
Replacement of 3 poles owned by Lumen. Completed September 14, 2022.
- Upcoming Projects
 - a. 9th Street Conversion – Convert overhead electric distribution to underground
 - b. Replacement of underground primary on Aintree Road, Steeplechase Road, Lariat Lane, Fox Creek Road, Rolla Apartments, Brighton Court
 - c. Ongoing changes – Removal of overhead services not in use.

WATER DEPARTMENT

- Water Main Replacement on 18th Street from Holloway to Old St. James Road. Project almost complete. Asphalt repairs should be complete before winter.
- Water Main Replacement on Holloway Street from Arkansas Avenue to 18th Street
- Water Main Replacement on Turkey Run from Cypress Drive to Sycamore Drive
- Upcoming Projects – Replacement of old water main
 - a. Main Street: 9th Street to 10th Street
 - b. 10th Street: Main Street to Rolla Street
 - c. Rolla Street: 10th to 11th Streets
 - d. Eastwood Drive
 - e. Elmwood Drive

FIBER

- Upcoming Projects
 - a. Heritage Substation – Fiber extension
 - b. 9th Street Conversion from overhead to underground
 - c. MO S&T General Services Building – extension of fiber system
 - d. Rolla Public Schools RTC building – reconfigure fiber

MPUA/MoPEP UPDATES

- August MoPEP Board meeting
 - a. A peak for the power pool was established. Peak of 531 MW occurred on July 5th at hour ending 17:00
 - b. Southwest Power Pool (SPP) is increasing the reserve margin above peak capacity from 12% to 15% effective in 2023. This requires MoPEP group to have 16 MW additional capacity margin available to use when needed.
- MPUA Annual Conference, Executive Committee, and Board Meetings.
Attended by Chad Davis, Jason Grunloh, Gwen Cresswell, Jason Bell, Eric Lonning and Rodney Bourne. October 5-7, 2022.

MISCELLANEOUS

- Public Power Week – Cookout Celebration was on October 5th
- Rolla Legislative Day
- Challenges with line truck replacement time frames.
- Service Center Expansion Update

RMU PEAK ALERT Program

Peak Alert Winter 2023

By joining the RMU Peak Alert program, participants receive text alerts on their phones warning them of upcoming peak electric demand windows, when we will all need to try and lower our electric usage.

These peak windows are times in which RMU customers are expected to use a large quantity of electricity at the same time. Simply put, peak times occur when the majority of customers on the electrical grid are using the most power at the same time, during the winter this usually occurs in the mornings.

RMU's cost of electricity is based on how much power is used during these peak demand times.

RMU is a nonprofit organization and when we can control our cost it allows us to control your rates. This is why on the coldest of mornings, we will text you to ask you to minimize your energy usage. Avoid using your dishwasher, dryers, and other unneeded major appliances. Adjust the thermostat a few degrees and turn off extra lights.

Remember **When RMU Saves, You Save!**

Some ideas to help lower demand during our key times.

- Do not use the microwave, electric stove, electric skillet, toaster, or other small appliances
- Turn off or unplug unused appliances
- If you have electric heat, adjust your thermostat down to 55 degrees at 7am back to normal after 10 am
- Large consumers of electricity should consider reducing non-essential production or delaying opening.
- Businesses should minimize use of electric lighting and electricity-consuming equipment as much as possible



**To Join Text:
EZRMUALERT
to 573-341-1344**



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OCTOBER MATERIALS COLLECTED & SHIPPED FROM RECYCLING CENTER

(Based on Calendar Year)

Material	Oct 2022	Sep 2022	Oct 2021	Year-to-Date 2022	Year-to-Date 2021	Yearly Total 2021
Cardboard	102.0 ton	125.0 ton	143.5 ton	1,244.4 ton	1,380.5 ton	1,649.0 ton
Newspaper	34.0 ton	34.5 ton	36.5 ton	382.1 ton	455.5 ton	527.1 ton
High Grade Paper	0.0 ton	0.0 ton	22.0 ton	42.0 ton	65.5 ton	65.5 ton
Aluminum	0.0 ton	2.5 ton	1.9 ton	13.6 ton	16.3 ton	19.7 ton
Steel Cans/Scrap Metal	2.6 ton	3.5 ton	6.9 ton	46.7 ton	55.9 ton	63.7 ton
Plastic	0.0 ton	29.3 ton	10.0 ton	81.2 ton	102.1 ton	122.6 ton
Glass	20.0 ton	0.0 ton	23.2 ton	201.7 ton	238.2 ton	260.2 ton
Batteries	0.7 ton	0.7 ton	360 lbs ton	2.1 ton	0.3 ton	0.3 ton
Electronic Waste	4.0 ton	3.4 ton	4.0 ton	33.0 ton	40.3 ton	47.8 ton
Household HW	0.0 ton	0.0 ton	0.0 ton	0.0 ton	0.3 ton	0.3 ton
TOTAL	163.3 ton	198.8 ton	248.0 ton	2,046.8 ton	2,354.8 ton	2,756.0 ton

SERVICES PROVIDED

Type of Service	Oct 2022	Sep 2022	Oct 2021	Year-to-Date 2022	Year-to-Date 2021	Yearly Total 2021
Special Pick-ups	39	43	44	552	632	732
Paper Shredding	4.5 hours	5.5 hours	3.5 hours	50.5 hours	57.8 hours	64.3 hours
Reported Trash Nuisances	0	0	0	0	0	0
Households Dropping Off Hazardous Waste	78	80	54	814	626	762

DISPOSAL TONNAGE

(Sanitation Division)

Material	Oct 2022	Sep 2022	Oct 2021	Year-to-Date 2022	Year-to-Date 2021	Yearly Total 2021
Refuse	1,269.4 ton	1,378.5 ton	1,594.3 ton	13,893.9 ton	15,398.4 ton	18,681.1 ton

**Management Report
FISCAL YEAR 2023**

October 2022

BUILDING PERMITS ISSUED	OCTOBER		OCTOBER		YTD		YTD		Δ CHANGE	
	FY 2023		FY 2022		FY 2023		FY 2022		FY 22 - FY 23	
	#	Value	#	Value	#	Value	#	Value	# ISSUED	\$ VALUE
PERMITS ISSUED	36	\$ 2,260,767	46		36		46		-21.7%	
Electric, Plumbing, etc. Only	16		13	\$ -	16	\$ -	13	\$ -	23.1%	
Single Famil Detached	1	\$ 290,000	2	\$ 838,200	1	\$ 290,000	2	\$ 838,200	-50.0%	-65.4%
Single Family Attached	-	\$ -	4	\$ 869,000	-	\$ -	4	\$ 869,000	-100.0%	-100.0%
Duplexes	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
3-or-4 family	-	\$ -	5	\$ 2,131,000	-	\$ -	5	\$ 2,131,000	-100.0%	-100.0%
5-or-more family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	#DIV/0!	#DIV/0!
Hotels, Motels	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Other nonhousekeeping shelter	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Amusement, social, recreational	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Churches, other religious	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Industrial	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Parking Garages,	2	\$ 25,383	-	\$ -	2	\$ 25,383	-	\$ -		
Service stations, repair garages	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Hospitals, institutional	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Offices, banks, professional	1	\$ 1,100,000	-	\$ -	1	\$ 1,100,000	-	\$ -		
Public Works, utilities	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Schools, other educational	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Stores, customer	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Towers, antennas	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Signs, attached and detached	4	\$ 10,700	4	\$ 31,000	4	\$ 10,700	4	\$ 31,000	0.0%	-65.5%
Residential addition, remodel	5	\$ 202,684	9	\$ 135,500	5	\$ 202,684	9	\$ 135,500	-44.4%	49.6%
Commercial addition, remodel	6	\$ 632,000	5	\$ 1,117,500	6	\$ 632,000	5	\$ 1,117,500	20.0%	-43.4%
Residential garage, carport	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Demolition, single family	1	\$ -	2	\$ -	1	\$ -	2	\$ -	-50.0%	#DIV/0!
Demolition, 2-family	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Demolition, 3-or-4 family	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Demolition, 5-or-more family	-	\$ -	-	\$ -	-	\$ -	-	\$ -		
Demolition, all other	-	\$ -	2	\$ -	-	\$ -	2	\$ -	-100.0%	
Total Residential Units	1	\$ 290,000.00	23	\$ 3,838,200	1	\$ 290,000	23	\$ 3,838,200	-95.7%	-92.4%
EST. CONSTRUCTION COSTS		\$ 2,260,767		\$ 5,122,200		\$ 2,260,767		\$ 5,122,200	#DIV/0!	-55.9%
Building Permit Fees		\$ 8,475		\$ 19,492		\$ 8,475		\$ 19,492	#DIV/0!	-56.5%
FEES		\$ 16,725		\$ 37,167		\$ 16,725		\$ 37,167	#DIV/0!	-55.0%

INSPECTIONS PERFORMED	OCTOBER	OCTOBER	YTD	YTD	FY
	FY 2023	FY 2022	FY 2023	FY 2022	FY 22 - FY 23
Building Inspections	119	164	119	164	-27%
Electrical Inspections	58	63	58	63	-8%
Excavation Inspections	0	0	0	0	#DIV/0!
Plumbing Inspections	42	35	42	35	20%
Mechanical Inspections	15	21	15	21	-29%
Code Inspections	186	221	186	221	-16%
Nuisance Inspections	91	72	91	72	26%
Business License Inspections	12	5	12	5	140%
TOTAL INSPECTIONS	523	581	523	581	-10%

October 2022

	Building	Elec.	Plumb	Mech.	Gen Com	Nuis.	BL	Daily #	N/R	30 Day P	30 Day F	Grass P	Grass F	Trash P	Trash F	Abate Grass	Abate Trash	Summons	# of Inspect.
10/3	5	3	0	0	8	1	0	17	0	0	2	0	7	0	2	0	0	0	2
10/4	5	2	4	2	9	5	0	27	0	1	2	0	6	0	0	0	0	0	2
10/5	6	1	1	0	8	4	0	20	0	2	1	0	4	0	0	0	0	0	2
10/6	7	3	1	1	9	4	1	26	0	0	0	0	1	0	0	0	0	0	2
10/7	4	4	1	1	8	4	0	22	0	0	0	0	3	0	0	0	0	0	2
10/11	11	3	3	1	15	3	0	36	0	0	1	0	2	0	0	0	0	1	3
10/12	4	2	1	1	5	7	1	21	0	2	0	0	0	0	0	0	0	0	3
10/13	4	0	0	0	4	4	0	12	0	0	2	1	0	1	0	0	0	0	2
10/14	7	4	5	3	8	4	1	32	0	0	0	0	0	0	0	0	0	0	3
10/17	9	5	6	2	13	4	3	42	0	0	0	0	0	0	0	0	0	0	3
10/18	5	4	4	1	14	6	0	34	0	2	0	1	0	0	0	0	0	0	3
10/19	8	1	2	0	11	2	1	25	0	0	3	0	0	0	0	0	0	0	3
10/20	10	4	2	1	13	8	0	38	0	0	1	0	0	0	0	0	0	0	3
10/21	5	6	2	0	13	4	0	30	0	0	1	0	0	2	0	0	0	0	3
10/24	4	3	3	0	11	12	1	34	0	3	0	0	0	0	0	0	0	0	3
10/25	7	2	0	0	8	2	2	21	0	2	3	0	0	0	0	0	0	0	3
10/26	5	2	2	1	6	4	0	20	0	1	2	0	0	1	0	0	0	0	3
10/27	4	1	1	0	6	7	1	20	0	2	1	0	0	0	0	0	0	0	3
10/28	7	6	2	1	11	2	1	30	0	0	2	0	0	1	0	0	0	0	3
10/31	2	2	2	0	6	4	0	16	0	3	0	0	0	0	0	0	0	0	2
								0											
								0											
	119	58	42	15	186	91	12	523	0	18	21	2	23	5	2	0	0	1	

Rolla Police Department Monthly Report

YTD 2022

Calls for Service

"Calls for Service" refers to the general daily activity of the officers - and dispatchers, in some situations - of the Rolla Police Department, as recorded in the Computer Aided Dispatch (CAD) system. Each incident handled by one or more of those individuals, whether in response to a citizen's request for assistance, self-initiated by an officer, or scheduled, is recorded as a single "Call for Service". Call types are assigned based on the intitial circumstances presented to the dispatcher and, therefore, should not be considered a reflection of the full nature of the call. "Calls for Service" should also not be mistaken for "Reports Taken".

Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2021 YTD	% Increase
Abandoned/Recovered Property	18	11	17	19	24	21	26	27	27	17			207	192	7.81%
Abandoned Vehicle	13	16	20	28	15	9	26	27	28	28			210	200	5.00%
Accident - Fatality	0	0	0	0	0	0	0	0	0	0			0	1	-100.00%
Accident - Injury	19	13	22	20	22	11	16	24	15	21			183	167	9.58%
Accident - Leave The Scene	13	14	10	18	17	10	15	9	23	22			151	155	-2.58%
Accident - No Injury	45	48	46	51	37	42	36	34	31	46			416	392	6.12%
Accident - Private Property	23	22	28	24	24	20	22	32	28	20			243	243	0.00%
Accident - Road Blocked	5	5	3	9	7	2	6	5	7	6			55	72	-23.61%
Adult Abuse	0	0	0	0	0	0	1	1	1	0			3	4	-25.00%
Alarm LE	75	80	61	66	61	76	63	70	55	80			687	640	7.34%
Animal Bite/Attack	2	3	8	2	3	4	5	5	3	1			36	32	12.50%
Animal Control	88	91	101	98	142	147	145	163	153	129			1,257	1,245	0.96%
Arson	0	0	0	0	0	0	0	0	0	0			0	0	#DIV/0!
Assault	13	13	13	17	20	18	9	11	28	20			162	95	70.53%
Assist Agency Non-LEA	85	69	73	58	83	63	79	77	60	86			733	795	-7.80%
Assist Citizen	4	10	8	3	13	5	9	6	2	9			69	85	-18.82%
Assist LEA	16	9	19	19	10	20	21	15	9	20			158	180	-12.22%
Assist Motorist	24	40	22	28	18	27	28	23	30	23			263	295	-10.85%
Bomb Threat	0	0	2	0	0	1	0	0	0	1			4	0	#DIV/0!
Building Lockout	0	0	0	0	1	0	1	2	1	1			6	4	50.00%
Burglary	14	12	14	17	16	23	11	18	14	14			153	170	-10.00%
Business/Building Check	410	191	157	224	150	284	516	309	224	264			2,729	2,038	33.91%
Call for Police	73	60	82	71	86	76	40	56	63	66			673	1,014	-33.63%
Check Well Being	96	102	102	118	128	160	136	119	133	113			1,207	1,053	14.62%
Child Abuse	2	1	1	1	3	3	2	6	2	5			26	26	0.00%
Child Exploitation/Pornography	0	0	0	0	0	0	0	0	0	0			0	2	-100.00%
Confidential Investigation	0	2	0	0	0	0	0	0	0	0			2	0	#DIV/0!
Conservation Violation	0	1	0	0	0	0	0	0	0	0			1	1	0.00%
Court	8	8	7	15	11	7	7	8	10	10			91	133	-31.58%
Crossing Guard (Officer coverage)	5	7	8	7	20	0	0	1	3	0			51	67	-23.88%
CWB 911 Hangup	251	209	229	174	215	154	163	185	199	210			1,989	2,660	-25.23%
Death	1	3	2	2	2	0	0	3	1	2			16	11	45.45%
Destruction of Property	13	20	11	23	17	20	27	24	12	23			190	187	1.60%
Disturbance-Fireworks	1	1	1	0	1	5	22	1	4	1			37	35	5.71%
Disturbance-Liquor	0	0	1	0	1	1	2	0	1	3			9	10	-10.00%
Disturbance-Other	73	53	63	67	85	86	54	68	69	82			700	796	-12.06%
Domestic Violence	39	45	46	42	49	40	44	49	26	33			413	390	5.90%
Driving While Intoxicated	13	10	9	14	5	8	11	9	9	9			97	96	1.04%
Drown/Water Rescue	0	0	0	1	0	0	0	0	0	0			1	2	-50.00%
Drug Paraphernalia	5	2	17	7	12	12	15	9	13	7			99	72	37.50%
Escort - Bank	0	1	0	0	0	0	0	0	0	0			1	2	-50.00%
Escort - Courtesy	7	11	4	5	1	4	3	6	6	5			52	94	-44.68%
Escort - Funeral	7	7	6	6	6	8	5	6	10	2			63	76	-17.11%
Exparte Violation	2	6	8	6	10	7	8	7	9	4			67	73	-8.22%
Field Interview	38	28	24	46	68	88	105	69	55	57			578	584	-1.03%
Fight	4	4	7	3	5	10	6	1	1	6			47	61	-22.95%
Fingerprints	6	11	8	10	5	1	3	5	2	4			55	69	-20.29%
Follow-up	141	87	110	111	145	119	147	122	113	116			1,211	1,332	-9.08%
Foot Patrol	0	0	1	0	2	1	2	5	1	0			12	11	9.09%
Forgery-Counterfeiting	1	1	1	0	1	2	1	0	1	2			10	7	42.86%
Found Body	0	0	1	0	0	0	0	0	0	0			1	2	-50.00%
Fraud - Checks/Credit Card	13	16	32	18	13	27	23	25	18	15			200	189	5.82%
Harassment	16	20	18	24	25	25	29	29	38	26			250	177	41.24%
Hotel/Motel Check	0	0	0	0	0	0	0	0	0	0			0	1	-100.00%
Identity Theft	0	2	2	2	2	1	0	2	1	0			12	5	140.00%
Information Request	202	205	257	268	292	321	313	304	270	350			2,782	2,225	25.03%
Intoxicated Person	11	7	20	9	16	4	9	9	4	11			100	100	0.00%
Jail Incident	0	0	0	0	0	0	0	1	0	0			1	0	#DIV/0!
Juvenile Complaint	12	15	13	10	23	9	8	9	18	19			136	78	74.36%
Keep the Peace/Standby	22	13	14	11	9	8	19	12	12	16			136	118	15.25%

Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2021 YTD	% Increase
Kidnapping	1	0	0	0	0	0	1	0	0	1			3	3	0.00%
Leave without Pay	0	1	0	0	1	3	0	1	0	0			6	10	-40.00%
Liquor Violation	0	0	2	0	0	0	0	0	0	0			2	3	-33.33%
Littering/Dumping	2	2	3	0	9	11	8	3	3	6			47	29	62.07%
Loitering	9	7	8	4	8	16	12	12	7	7			90	120	-25.00%
Lost or Stolen Property	7	6	7	4	5	4	6	7	8	6			60	50	20.00%
Loud Noise Complaint	19	28	42	25	36	25	16	17	21	32			261	215	21.40%
Malicious Mischief	3	1	2	2	0	0	1	2	2	0			13	6	116.67%
Other	0	0	0	0	0	0	0	0	0	0			0	4	-100.00%
Mental Health	35	25	31	20	30	28	46	28	31	31			305	276	10.51%
Missing Person	3	15	8	9	7	7	7	12	6	5			79	84	-5.95%
Narcotics Violation	14	18	29	29	39	18	22	19	15	24			227	292	-22.26%
Negotiation Callout	0	0	1	0	0	0	1	0	0	0			2	0	#DIV/0!
No Business License	1	0	0	0	0	0	0	0	0	0			1	0	#DIV/0!
Open Door	6	10	4	14	5	10	3	13	4	10			79	86	-8.14%
Overdose	5	11	9	12	11	7	14	8	8	10			95	100	-5.00%
Paper Service	30	27	43	27	23	19	19	19	21	24			252	263	-4.18%
Prisoner Transport	1	3	2	2	2	2	1	1	2	2			18	29	-37.93%
Property Damage-Non Criminal	0	1	1	2	1	2	3	1	2	0			13	13	0.00%
Prostitution	0	0	0	0	1	1	0	1	0	0			3	1	200.00%
Prowler	1	3	2	4	5	5	5	7	6	4			42	33	27.27%
Public Indecency	0	0	0	0	0	4	3	2	2	0			11	10	10.00%
Public Relations	4	1	9	6	13	4	18	21	21	17			114	83	37.35%
Pursuit	1	0	0	0	1	0	0	0	0	1			3	8	-62.50%
Rape/Sexual Assault	0	1	1	2	1	1	2	0	0	1			9	8	12.50%
Robbery	0	1	0	0	0	0	1	1	0	0			3	3	0.00%
Runaway	7	7	9	4	12	6	8	4	6	11			74	49	51.02%
Search Warrant	0	0	0	1	1	1	0	3	1	0			7	3	133.33%
Vacation/Security Check	32	17	23	19	23	18	35	21	30	10			228	108	111.11%
Selective Enforcement	0	0	0	1	0	0	0	0	0	0			1	4	-75.00%
Sewer Alarm	0	0	0	2	0	0	1	1	0	0			4	1	300.00%
Sex Offenses	11	3	5	9	4	5	3	2	4	7			53	35	51.43%
Shots Fired	2	2	2	3	0	0	5	11	5	6			36	33	9.09%
Smoking Violation	0	0	0	0	0	0	0	0	0	0			0	2	-100.00%
Soliciting	1	1	1	1	3	3	2	3	1	1			17	11	54.55%
Stabbing	0	0	0	0	0	0	0	1	0	0			1	0	#DIV/0!
Stabbing or Shooting with Injury	0	0	0	0	1	1	1	0	2	2			7	7	0.00%
Stalking	0	0	0	0	0	1	1	1	0	1			4	3	33.33%
Stealing	54	38	75	73	98	94	100	83	95	82			792	824	-3.88%
Stolen Vehicle	10	5	7	5	6	17	9	4	11	6			80	96	-16.67%
Suicide	1	0	0	0	0	0	0	0	0	0			1	1	0.00%
Suspicious Activity	80	78	63	102	123	121	95	108	100	85			955	949	0.63%
Suspicious Package/Item	0	0	1	1	0	0	1	0	0	0			3	4	-25.00%
SWAT Callout	0	0	1	0	1	0	1	0	0	0			3	3	0.00%
Tampering	3	8	3	4	9	8	10	7	8	3			63	63	0.00%
Telephone Harassment	8	4	6	9	13	9	8	25	9	6			97	105	-7.62%
Tow Sticker Expired	11	7	16	28	17	22	17	17	11	9			155	89	74.16%
Traffic Complaint	122	160	150	168	163	161	118	160	152	156			1,510	1,329	13.62%
Traffic Stop	291	379	465	272	385	424	374	279	361	448			3,678	3,750	-1.92%
Trespassing	36	38	32	42	81	84	77	74	68	55			587	305	92.46%
Try to Contact	14	12	16	16	14	18	11	12	10	21			144	131	9.92%
Vehicle Identification	60	55	42	61	41	58	47	47	55	48			514	648	-20.68%
Vehicle Lockout	1	1	1	1	3	5	1	5	5	1			24	39	-38.46%
Vehicle Repossession	6	5	2	8	4	2	6	4	6	6			49	32	53.13%
Veterinary Call	7	3	5	5	4	10	7	11	6	6			64	64	0.00%
Weapons Violation	4	2	6	4	10	6	3	4	7	5			51	22	131.82%
Totals	2,832	2,591	2,864	2,773	3,135	3,231	3,369	3,070	2,955	3,161	0	0	29,981	29,203	2.66%

**Rolla Police Department Monthly Report
YTD 2022**

Part I Crimes

Calls that result in written reports are processed through the department's Records Management System (RMS) and ultimately reported to the MSHP and FBI. Beginning in 2020, we transitioned from the FBI's Uniform Crime Report (UCR) method, which counted only the most serious crime from each incident, to the National Incident-Based Reporting System (NIBRS), which counts each of the offenses per incident separately. NIBRS is now considered the FBI's standard method of reporting. The FBI has historically classified eight of the most serious offenses as "Part I Crimes" (these totals are somewhat fluid as investigations and report processing are not limited to monthly time frames):

	<u>Criminal</u> <u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Felony</u> <u>Assault</u>	<u>Burglary</u>	<u>Larceny</u>	<u>Auto Theft</u>	<u>Arson</u>	<u>Total</u>	<u>Change from</u> <u>Previous Yr</u>
October	0	0	0	10	14	39	1	1	65	
YTD 2022	0	9	3	74	93	455	38	2	674	
2021	1	15	9	68	119	565	36	1	814	-21.28%
2020	1	11	1	93	156	712	59	1	1034	11.42%
2019	0	16	6	87	164	604	46	5	928	14.71%
2018	0	30	7	84	102	547	34	5	809	-5.49%
2017	0	18	14	80	114	593	32	5	856	11.31%

Overdoses

The following data pertain to calls for service responded to by the Rolla Police Department in which an overdose was known or suspected. It is not an accurate representation of all overdoses occurring in Rolla, as these incidents aren't always reported since Narcan is available over-the-counter. Also, in many circumstances, law enforcement may not be called on to respond, as an overdose could be reported as a medical call, or the patient could be transported to the hospital by family/friends. Note the "Narcan Administered" column is ONLY for Narcan administered by RPD. Therefore, it cannot be used as a representation of the # of Narcan uses per overdose incident, as many times another responding agency (Fire, EMS, other LE) administers the Narcan. We do not have statistics for those agencies. Overdose Deaths are those deaths in which it is immediately known an overdose was involved. There is potential for this total to change as death investigations and/or lab results are finalized.

	<u>Overdose Calls for Service</u>	<u>Narcan Administered by RPD</u>	<u>Overdose Deaths</u>
October	11	5	1
YTD 2022	121	39	10
2021	140	58	13

ANIMAL CONTROL MONTHLY TOTALS

October 2022

ANIMALS IMPOUNDED

	Canine	Feline	Other	Wildlife	Monthly Total	2022 YTD Total	2021 YTD Total
	Domestic						
City of Rolla	22	10	0	9	41	405	392
Rolla Area	1	0	0	0	1	11	32
City of Newburg	0	0	0	0	0	0	3
Newburg Area	0	0	0	0	0	0	0
Edgar Springs Area	0	0	0	0	0	1	0
Other Agencies	0	0	0	0	0	0	0
St. James Area	0	0	0	0	0	8	1
Ft. Leonard Wood	0	0	0	0	0	0	1
Monthly Total	23	10	0	9	42		
2022 YTD Total	216	76	1	132		425	
2021 YTD Total	203	90	0	136			429
Total Phelps County	1	0	0	0	1	16	32

ANIMAL DISPOSITION

	Canine	Feline	Other	Wildlife	Monthly Total	2022 YTD Total	2021 YTD Total
	Domestic						
Animals Adopted ①	8	2	0	0	10	119	99
Animals Claimed	13	0	0	0	13	83	99
Euthanized(Ill/Injured)	0	0	0	0	0	9	8
Euthanized(Dangerous)	0	4	0	0	4	37	46
Euthanized(Un-Placed)②	0	0	0	0	0	0	0
Deceased on Arrival	0	3	0	3	6	75	72
Transferred to Rescue③	0	0	0	0	0	8	19
Wildlife Relocated	0	0	0	6	6	50	69
Other	1	0	0	0	1	2	5
Monthly Total	22	9	0	9	40		
2022 YTD Total	197	77	1	108		383	
2021 YTD Total	196	90	0	131			417

	Monthly Total	2022 YTD Total	2021 YTD Total			
Adoption Rate (① + ③) ÷ (① + ② + ③)	100.00%	100.00%	100.00%			
PR Programs	2	11	9			
Calls for Service	129	1,150	1,333			
Written Warnings	0	0	0			
Citations	1	19	27			
Total Incinerator Hours	0	159	638			

**CITY OF ROLLA
CASH ANALYSIS REPORT
October 31, 2022**

GENERAL FUND

CASH IN BANK	\$ 62,575.47
NIB GENERAL FUND	\$ 8,898.47
CASH - BAIL BONDS	\$ -
ROLLA MUNICIPAL COURT	\$ 4,362.00
ASI FLEX 125	\$ 22,673.42
CASH - HEALTH ACCOUNT	\$ -
TIF ACCOUNT - EATS	\$ 97,795.84
TIF ACCOUNT - PILOT	\$ 33.79
CASH - PAID UNDER PROTEST	\$ -
INVESTMENTS - GENERAL FUND	\$ 1,683,194.77
USE TAX MMA	\$ 1,021,511.93
MMA - GENERAL FUND RESERVE REBUILD	\$ 1,306,415.33
POLICE EVIDENCE FUNDS	\$ 18,894.48
CITY SEIZURES & FORFEITURES	\$ 21,693.14
TASKFORCE SEIZURES & FORFEITURES	\$ 543,934.47
ANIMAL CONTROL SHELTER COMM PARTNER	\$ 131,829.74
ANIMAL CONTROL SHELTER RESERVE	\$ 385,370.97
PROPERTY FIRE DAMAGE ACCOUNT	\$ 15.04
ANIMAL CONTROL SHELTER COMM PARTNER - ENDOW	\$ -
DISASTER RESPONSE	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 180,044.09
US BANK ESCROW	\$ -
INVESTMENTS - CDS	\$ -
EAC ACCOUNT	\$ -
GENERAL FUND TOTALS	\$ 5,489,242.95

SEWER FUND

CASH IN BANK	\$ 824,201.28
NIB GENERAL FUND	\$ 105.00
SEWER FUND MMA	\$ 1,062,360.20
SEWER FUND DEPREC & RESERVE	\$ 504,382.93
INVESTMENTS - GENERAL FUND	\$ 10,201.08
GENERAL FUND CREDIT CARD ACCOUNT	\$ 899.00
US BANK ESCROW	\$ -
INVESTMENT - CDS	\$ -
SEWER FUND TOTALS	\$ 2,402,149.49

ENVIRONMENTAL SERVICES FUND

CASH IN BANK	\$ 398,713.69
NIB ENV SVS FUND	\$ -
INVESTMENTS - GENERAL FUND	\$ 200.00
GENERAL FUND CREDIT CARD ACCOUNT	\$ 3,401.31
MMA PCB	\$ 1,635,067.39
ENV SVS CC	\$ 60,132.16
INVESTMENT - CDS	\$ -
ENV SVS FUND TOTALS	\$ 2,097,514.55

ARPA FUNDING

CASH IN BANK	\$ -
ARPA FUNDING MMA	\$ 1,842,549.48
AIRPORT FUND TOTALS	\$ 1,842,549.48

**CITY OF ROLLA
CASH ANALYSIS REPORT
October 31, 2022**

AIRPORT FUND

CASH IN BANK	\$ (184,128.28)
NIB GENERAL FUND	\$ 416.68
GENERAL FUND CREDIT CARD ACCOUNT	\$ 5,521.93
INVESTMENTS - MMA	\$ 74,046.71
INVESTMENTS - MMA (BREWER LEASE AGREE)	\$ 27,300.00
AIRPORT FUND TOTALS	\$ (76,842.96)

CEMETERY FUND

CASH IN BANK	\$ -
CASH - MMA	\$ 332,466.57
INVESTMENTS - RESTRICTED	\$ -
CEMETERY FUND TOTALS	\$ 332,466.57

STREET FUND

CASH IN BANK	\$ 59,837.24
NIB GENERAL FUND	\$ -
GENERAL FUND MMA	\$ 7,032.96
GENERAL FUND CREDIT CARD ACCOUNT	\$ 3,770.00
CASH - MMA	\$ 1,442,693.80
MODOT RESERVE	\$ 1,510,356.58
INVESTMENT - CDS	\$ -
STREET FUND TOTALS	\$ 3,023,690.58

RECREATION FUND

CASH IN BANK	\$ (86,627.02)
INVESTMENTS - GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ -
DEPR RES & EQUIP - MMA	\$ -
RECREATION FUND TOTALS	\$ (86,627.02)

HEALTH INSURANCE FUND

HEALTH INSURANCE RESERVE	\$ 502,219.35
CASH - HEALTH ACCOUNT	\$ 178,426.26
GENERAL FUND CREDIT CARD ACCOUNT	\$ 6,193.30
HEALTH FUND TOTALS	\$ 686,838.91

PARK FUND

CASH IN BANK	\$ 88,534.22
NIB GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 40.00
INVESTMENTS - PARK SALES TAX	\$ 173,166.57
PARKS CC	\$ 29,378.25
PARK FUND TOTALS	\$ 291,119.04

PARK LAND RESERVE FUND

CASH IN BANK	\$ 55,984.68
PARK LAND RESERVE ACCOUNT	\$ 18,618.77
PARK LAND RESERVE FUND TOTALS	\$ 74,603.45

GRAND TOTAL ALL FUNDS **\$ 14,234,155.56**

ANY AND ALL FINANCIAL RECORDS ARE OPEN TO THE PUBLIC

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
October 31, 2022
8% of Year

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<u>GENERAL FUND</u>				
REVENUES	\$14,212,885.00	\$ 726,907.50	\$ 13,485,977.50	5.1%
EXPENDITURES				
GENERAL ADMINISTRATIVE	\$ 709,485.00	\$ 124,853.26	\$ 584,631.74	17.6%
ADMINISTRATION	\$ 308,055.00	\$ 18,420.55	\$ 289,634.45	6.0%
LIBRARY	\$ 318,850.00	\$ 18,549.42		5.8%
FINANCE	\$ 729,200.00	\$ 32,518.97	\$ 696,681.03	4.5%
LEGAL	\$ 70,700.00	\$ 4,960.28	\$ 65,739.72	7.0%
COURT	\$ 133,450.00	\$ 7,483.95	\$ 125,966.05	5.6%
TELECOMMUNICATIONS	\$ 1,498,835.00	\$ 79,866.65	\$ 1,418,968.35	5.3%
ANIMAL CONTROL	\$ 335,740.00	\$ 11,072.27	\$ 324,667.73	3.3%
POLICE	\$ 4,993,225.00	\$ 339,124.05	\$ 4,654,100.95	6.8%
FIRE	\$ 4,655,462.00	\$ 273,914.89	\$ 4,381,547.11	5.9%
ROLLA RURAL FIRE	\$ -	\$ 34,453.39	\$ (34,453.39)	#DIV/0!
BUILDING SERVICES	\$ 105,715.00	\$ 9,063.96	\$ 96,651.04	8.6%
COMMUNITY DEVELOPMENT	\$ 518,500.00	\$ 31,000.55	\$ 487,499.45	6.0%
ECONOMIC DEVELOPMENT	\$ 57,075.00	\$ -	\$ 57,075.00	0.0%
TOTAL EXPENDITURES	<u>\$14,434,292.00</u>	<u>\$ 985,282.19</u>	<u>\$ 13,148,709.23</u>	6.8%
REVENUES OVER/UNDER EXPENDITURES	\$ (221,407.00)	\$ (258,374.69)	\$ 337,268.27	
<u>SEWER FUND</u>				
REVENUES	\$ 5,902,917.00	\$ 424,163.56	\$ 5,478,753.44	7.2%
EXPENDITURES	<u>\$ 5,874,432.00</u>	<u>\$ 240,104.29</u>	<u>\$ 5,634,327.71</u>	4.1%
REVENUES OVER/UNDER EXPENDITURES	\$ 28,485.00	\$ 184,059.27	\$ (155,574.27)	
<u>ENVIRONMENTAL SERVICES FUND</u>				
REVENUES	\$ 4,291,200.00	\$ 66,880.48	\$ 4,224,319.52	1.6%
EXPENDITURES				
RECYCLING	\$ 428,375.00	\$ 36,935.04	\$ 391,439.96	8.6%
SANITATION	\$ 3,072,950.00	\$ 168,321.21	\$ 2,904,628.79	5.5%
VEHICLE MAINTENANCE	\$ 496,230.00	\$ 41,302.81	\$ 454,927.19	8.3%
TOTAL EXPENDITURES	<u>\$ 3,997,555.00</u>	<u>\$ 246,559.06</u>	<u>\$ 3,750,995.94</u>	6.2%
REVENUES OVER/UNDER EXPENDITURES	\$ 293,645.00	\$ (179,678.58)	\$ 473,323.58	
<u>ARPA FUNDING</u>				
REVENUES	\$ 750.00	\$ 4,031.29	\$ (3,281.29)	537.5%
EXPENDITURES	<u>\$ 1,635,000.00</u>	<u>\$ -</u>	<u>\$ 1,635,000.00</u>	0.0%
REVENUES OVER/UNDER EXPENDITURES	\$ (1,634,250.00)	\$ 4,031.29	\$ (1,638,281.29)	

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
October 31, 2022
8% of Year

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<u>AIRPORT FUND</u>				
REVENUES	\$ 605,728.00	\$ 53,246.43	\$ 552,481.57	8.8%
EXPENDITURES	\$ 794,560.00	\$ 120,283.78	\$ 674,276.22	15.1%
REVENUES OVER/UNDER EXPENDITURES	\$ (188,832.00)	\$ (67,037.35)	\$ (121,794.65)	
<u>CEMETERY FUND</u>				
REVENUES	\$ 10,500.00	\$ 1,690.90	\$ 8,809.10	16.1%
EXPENDITURES	\$ 10,000.00	\$ -	\$ 10,000.00	0.0%
REVENUES OVER/UNDER EXPENDITURES	\$ 500.00	\$ 1,690.90	\$ (1,190.90)	
<u>STREET FUND</u>				
REVENUES	\$ 6,910,000.00	\$ 580,905.76	\$ 6,329,094.24	8.4%
EXPENDITURES				
STREET	\$ 5,443,085.00	\$ 130,164.06	\$ 5,312,920.94	2.4%
TDD	\$ 1,660,000.00	\$ 7,574.99	\$ 1,652,425.01	0.5%
ENGINEERING	\$ 926,750.00	\$ 54,146.17	\$ 872,603.83	5.8%
TOTAL EXPENDITURES	\$ 8,029,835.00	\$ 191,885.22	\$ 7,837,949.78	
REVENUES OVER/UNDER EXPENDITURES	\$ (1,119,835.00)	\$ 389,020.54	\$ (1,508,855.54)	
<u>RECREATION FUND</u>				
REVENUES	\$ 450,000.00	\$ 200.00	\$ 449,800.00	0.0%
EXPENDITURES				
AQUATICS	\$ -	\$ -	\$ -	#DIV/0!
ADMINISTRATION	\$ 459,025.00	\$ 112,232.35	\$ 346,792.65	24.5%
MAINTENANCE	\$ -	\$ -	\$ -	#DIV/0!
TOTAL EXPENDITURES	\$ 459,025.00	\$ 112,232.35	\$ 346,792.65	24.5%
REVENUES OVER/UNDER EXPENDITURES	\$ (9,025.00)	\$ (112,032.35)	\$ 103,007.35	
<u>PARK FUND</u>				
REVENUES	\$ 1,973,900.00	\$ 140,510.45	\$ 1,833,389.55	7.1%
EXPENDITURES				
ADMINISTRATION	\$ 238,075.00	\$ 12,113.66	\$ 225,961.34	5.1%
PARKS	\$ 1,135,145.00	\$ 84,370.59	\$ 1,050,774.41	7.4%
SPLASHZONE	\$ 254,420.00	\$ 9,994.52	\$ 244,425.48	3.9%
OUTDOOR RECREATION	\$ 184,410.00	\$ 5,931.46	\$ 178,478.54	3.2%
TOTAL EXPENDITURES	\$ 1,812,050.00	\$ 112,410.23	\$ 1,699,639.77	6.2%
REVENUES OVER/UNDER EXPENDITURES	\$ 161,850.00	\$ 28,100.22	\$ 133,749.78	

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
October 31, 2022
8% of Year

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<u>PARK LAND RESERVE FUND</u>				
REVENUES	\$ 40.00	\$ 14.59	\$ 25.41	36.5%
EXPENDITURES	\$ 25,000.00	\$ -	\$ 25,000.00	0.0%
REVENUES OVER/UNDER EXPENDITURES	\$ (24,960.00)	\$ 14.59	\$ (24,974.59)	

REGULAR SESSION – October 25, 2022

~ Meeting was held in the Board Room at RMU's Tucker Professional Center at 4:30 p.m. ~

The meeting was called to order at 4:35 p.m. by Rolla Board of Public Works ("RBPW" or "Board") President, Nick Barrack presiding. The following were present:

- Board members: President, Nick Barrack
 Vice President, Albert Crump, Jr.
 Secretary, Dr. Wm. E. Showalter
 Vice Secretary, Ted Read
- RMU Staff: General Manager, Rodney P. Bourne, P.E.
 Operations Manager, Chad Davis, P.E.
 Business Manager, Jason Grunloh
 Finance Manager, Gwen Cresswell
 Electric Superintendent, Eric Lonning
 Water Superintendent, Jason Bell

Minutes submitted, according to Agenda, by RMU's Administrative Assistant, Megan Saylor.

* * * * *

I. **APPROVAL OF MINUTES**
Crump made a motion, seconded by Showalter, the minutes of the September 27, 2022 Board meeting Regular and Executive sessions be approved as presented. Motion passed unanimously.

II. **CITIZEN COMMUNICATION** (None)

III. **SPECIAL PRESENTATION** (None)

IV. **STAFF REPORTS**

A. **FINANCE MANAGER'S REPORT** (presented by Cresswell)

1. The Board received the Statement of Income & Expenses reports for September 2022 (FY22). Cresswell reviewed September reports (FY22):
Month-to-Date comparison of September 2022 to September 2021
 - Cresswell stated that the financial statements in your packet are prior to the audit. The auditors are expected for an initial visit in December.
 - RMU finished the year with operating income of \$31,263,000. This is an increase of over \$63,000 from September 2021 and an increase of over \$950,000 year-to-date. We finished the year at 102% of our budget for operating income.
 - Purchased power expenses for the month were \$1,719,000 and \$21,663,000 for the year. Purchased power expenses for the year ended \$400,000 over budget.
 - Operating expenses finished the year at \$31,424,000 which includes the \$21,633,000 for purchased power. This finished the year with an operating loss of \$161,209.
 - After other income and expenses, RMU finished the year with a total Net Gain before audit of \$683,047.
2. Cresswell presented RMU's Financial Statement, Statistics report, and the Disbursement Summary for September 2022.
3. Service Center Expansion Update
 Cresswell mentioned that RMU had the opportunity a few weeks ago to meet with the architects, ARCHimages. This meeting was called a "Programming Meeting," with the purpose of figuring out the needed square footage for different areas and positions. We are planning to have one more meeting with ARCHimages in the next few weeks and then should be ready to meet with the entire committee to review.

Read made a motion, seconded by Crump, that the financial reports be approved as presented and forwarded to the City. Motion passed unanimously.

B. **BUSINESS MANAGER'S REPORT** (presented by Grunloh)

1. American Rescue Plan Act (ARPA) Grants
 Grunloh reported that RMU most likely will not score high enough to qualify for state grant money through ARPA. RMU and the City of Rolla do have allocated funds (\$2 million) from Legislative Priority Projects for

water and wastewater projects. Additionally, the city budgets annually \$300,000 for city sewer main relining. Those funds plus reserves will be the primary funding for water projects.

2. Customer Information System (CIS) Update

Grunloh informed the Board that after exploring the options available, we have narrowed the search to a couple different vendors. We will seek feedback from utility companies who have used the software and then complete a cost estimate. RMU staff plans to include the new CIS into next year's budget (FY2024).

C. **OPERATIONS MANAGER'S REPORT** *(presented by Davis)*

1. **Updates on:**

a. Development Review Committee Meeting (DRC).

Davis reviewed the four agenda items for the October 18th DRC meeting.

- Pre-Application Meeting – Rolla Truck Wash
- ZON22-04, 821 Hwy O – IECA Warehouse and Office
- PUD22-01, Christian Campus Ministry Women's House
- PUD22-01, Blue's Lake RV Park

RMU has existing infrastructure in place to supply both water and electrical power for these projects. As previously discussed IECA would self-serve electric if rezoning is approved. A complete summary and details of the DRC meeting was included in Board packets.

b. Current RMU projects

Davis highlighted work projects listed on the Operation Manager's Report.

- Davis reported that the conversion of overhead electric distribution systems to underground distribution on Carmel Court, Malibu Court, San Fernando Court and Monterey Court was completed at the end of September.
- Tower Road Substation – Upgrade SCADA communications with installation of RTU connected via fiber and elimination of old RTU connected via radio. Installation of new feeder breaker. Replacement of two poles incoming to substation so that static wire can be added above 34.5 kV conductor. Davis noted that he ordered new main breakers, which have a six month turnaround time.
- Davis mentioned that the water department is almost done with the replacement of old water main on 18th Street from Holloway to Old St. James Road. Asphalt repairs should be complete before winter.
- Davis noted the cost of the asphalt repairs for water main projects 1) Cedar Street from 7th to 10th Streets and 2) 18th Street from Maxwell Street to Holloway Street is a total of \$72,691.50.

A complete list with details of all electric and water projects were included in the Board packet.

2. Line Truck Discussion

Davis reported supply chain challenges affecting lead time for vehicles and line trucks. New line trucks have approximately a five-year time frame. If ordered today, Truck 22, a 72' bucket truck, would be scheduled to be delivered in 2027. Pricing for Truck 22 would be approximately \$450,000. RMU's current replacement schedule is 12 years. We are having to plan far in advance to place orders long before the time comes for replacement. RMU is still researching cooperating purchase agreements and updating our purchasing procedures to allow these types of procurements. Davis wanted the Board to be aware of the challenges and additional information will be given at future Board meetings.

D. **GENERAL MANAGER'S REPORT** *(Bourne)*

Bourne mentioned the USO plaque was not on the agenda, but the finished plaque arrived this morning and is available for Board members to see. We are working on a date for a ceremony and will announce that as soon as it's set.

1. Rolla Legislative Day

Bourne announced that the regional legislative day was very well received. Senator Brown and Representatives Mayhew, Copeland and Cook were able to attend. They were shown the SCADA room, the Aifermann substation and looked at abandoned poles and clutter areas along the way. RMU was able to thank them for budget appropriations and discuss hometown utilities during the visit and lunch.

2. MPUA Update

Bourne reported that he attended the MPUA Annual Conference in early October. SPP and MISO gave a presentation regarding the changing dynamics of the power grid and adequate resource planning. Bourne noted that MoPEPs units are extremely viable and nowhere close to retirement. There was also discussion concerning coal reserves going into the winter months. Bourne reported that at the MPUA Board meetings, it was discussed that MJMEUC completed the purchase of the electric transmission line from GridLiance that serves Nixa. MPUA will operate this asset and will result in lower costs in that area. Additionally, MPUA is working with Ameren on a transmission project near Hannibal and another near Sikeston/New Madrid.

3. Safety Awards Banquet

Bourne reminded the Board of the Annual Safety Awards Banquet on November 4th and encouraged them to RSVP if they plan to attend.

4. 11th Street Undergrounding Update

Bourne reported that RMU met with the contractor and MS&T the previous week concerning their planned excavation and RMU's installation of underground conduit. Bourne anticipates hearing from MS&T later this week about how to proceed.

5. APPA Legislative Rally

Bourne notified the Board, according to RMU's travel policy, of his plans to attend the APPA Legislative Rally in Washington DC in February 2023.

V. UNFINISHED BUSINESS (None)

VI. NEW BUSINESS

A. RFB #23-100 Directional Drilling

Davis reported that RMU solicited bids for unit pricing for horizontal directional boring. Staff would like authorization from the Board to utilize the low bidders to perform directional drilling during the fiscal year as needed. Davis noted that bids were requested from five businesses. Three bidders provided pricing and one responded with no bid. Two companies, Ridenhour Directional Drilling and TNT Underground Construction have similar pricing. Staff recommends approval for all three companies that responded with pricing and then schedule projects based on availability and/or cost, proceeding with the most cost effective first. Crump made a motion, seconded by Showalter, to authorize staff to approve spending over the \$25,000 limit utilizing the cost sheet and prices from Eli Directional Drilling, Ridenhour Directional Drilling and TNT Underground Construction. Motion passed unanimously.

B. Purchase Order 23-0015

Davis reported that RMU sent several transformers to Jerry's electric to be tested and either scrapped or repaired based on the test results. Many of the transformers are repairable and staff is requesting approval to proceed forward with the testing and repairing of 32 transformers, which is more cost effective and quicker than ordering new. Read made a motion, seconded by Showalter, that the Board approve the purchase order for testing and repairing transformers through Jerry's Electric for a total of \$32,430.00. Motion passed unanimously.

VII. EXECUTIVE SESSION (None)

VII. ADJOURNMENT

With no further business appearing, Read made a motion, seconded by Showalter, to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 5:25 p.m.

Nicholas Barrack, President

Dr. Wm. Eric Showalter, Secretary

The Board's next meeting is scheduled for Tuesday, November 29, 2022 at 4:30 p.m.



STATISTICS

October 2022

PRODUCTION

Date of Demand	10/19/2022
Time of Demand	07:35 AM
Scada Demand	44,500.00
kWh Purchased	22,524,800
Total Cost	\$1,687,560.61 *
Cost per kWh	0.074921 *
Load Factor	68.0%

Pumped #2 Well	0
Pumped #3 Well	0
Pumped #4 Well	3,339,000
Pumped #5 Well	2,449,000
Pumped #6 Well	4,235,000
Pumped #7 Well	1,970,000
Pumped #8 Well	2,185,000
Pumped #9 Well	2,605,000
Pumped #10 Well	3,555,000
Pumped #11 Well	0
Pumped #12 Well	3,933,000
Pumped #13 Well	6,315,000
Pumped #14 Well	4,496,000
Pumped #15 Well	2,890,000
Pumped #16 Well	9,746,000
Pumped #17 Well	4,545,000
Pumped # 1 Ind Park Well	4,797,000
Pumped # 2 Ind Park Well	4,373,000
Total Gallons	61,433,000

METERS IN SERVICE	Electric	Water
Residential - Single Phase	8,025	6,412
Residential - Three Phase	22	20
Commercial - Single Phase	932	516
Commercial - Three Phase	495	311
Power Service	103	90
Industrial	5	2
Area Lighting	15	7
Street Lighting	27	1
Missouri S&T	0	5
PWSD #2	1	578
Net Metering	1	0
Total	9,626	7,942

ELECTRIC SALES

Residential - Single Phase kWh	6,322,806
Residential - Three Phase kWh	147,829
Commercial - Single Phase kWh	1,238,353
Commercial - Three Phase kWh	3,206,965
Power Service kWh	6,758,770
Industrial kWh	5,610,040
Area Lighting kWh	13,963
Street Lighting kWh	29,405
Rental Lights kWh	78,141
Total kWh Sold	23,406,272
Demand kW	29,268
Revenue	\$2,093,916.00
Monthly Gain	3.91%
Fiscal Year to Date Gain	3.91%

WATER SALES

Residential - Single Phase Gallons	27,743,000
Residential - Three Phase Gallons	428,000
Commercial - Single Phase Gallons	6,721,000
Commercial - Three Phase Gallons	5,933,000
Power Service Gallons	12,316,000
Industrial Gallons	2,557,000
Missouri S&T Gallons	3,767,000
PWSD #2 Gallons	2,539,000
Total Gallons Sold	62,004,000
Revenue	\$312,422.22
Pumping Cost, Electric	\$31,402.10
Monthly Unidentified Gain	0.93% **
Fiscal Year to Date Unidentified Gain	0.93% ***

Sewer Service Charge	\$447,984.41
Refuse Service Charge	\$207,621.55

Gross Payroll \$295,866.83

* Energy losses are not included in this statistic and are estimated at an additional 12%.

** Loss includes 3,869,000 gallons per water main flushing records.

*** FY loss includes 3,869,000 gallons per water main flushing records.



**FINANCIAL STATEMENT
OCTOBER 2022**

RECEIPTS:	
Electric, Water, Tax, Sewer and Refuse Charge	\$3,530,669.26
Accounts Receivable - Miscellaneous	\$46,115.49
Customer's Deposits - Refundable	\$33,950.00
Misc Non-Operating Revenue	<u>\$1,426.13</u>
Total Receipts	\$3,612,160.88
Southern Bank ICS Sweep Account Interest (September 30, 2022)	\$37,416.90
Southern Bank Money Market Account Interest (September, 2022)	\$0.00
Southern Bank Electronic Payment Account Interest (September 30, 2022)	\$113.65
Southern Bank General Fund Account Interest (September 30, 2022)	\$3,219.52
FSCB Super-Now Account Interest (September 30, 2022)	\$3,425.08
FSCB Money Market Account Interest (September 30, 2022)	\$0.00
FSCB Electronic Payment Account Interest (September 30, 2022)	\$702.02
FSCB ICS Sweep Account Interest (September 30, 2022)	\$0.00
PCB Super-Now Account Interest (September 30, 2022)	\$0.17
Public Utility Cash In Bank (September 30, 2022)	<u>\$32,268,274.58</u>
Total Receipts and Cash In Bank	<u>\$35,925,312.80</u>
DISBURSEMENTS:	
Power Purchased	\$1,693,827.81
Operating Expenses	\$202,557.07
Administrative and General Expenses	\$95,571.29
Payroll	\$207,155.42
Capital Expenditures	\$48,582.75
Construction in Progress	\$130,631.21
Stock Purchases (Inventory)	\$7,782.39
Balance of Customer's Deposits after Finals	\$6,674.19
Medical, Dental, Vision and Life Insurance Paid by Employees	\$14,626.78
Support Payments	\$1,761.86
457 Plan Employee Contributions	\$9,648.46
Flexible Spending Account Contributions	\$909.12
U.S. Withholding Tax	\$28,738.39
Missouri Dept. of Revenue (Sales Tax)	\$51,444.97
Missouri Dept. of Revenue (Income Tax)	\$11,985.00
First State Community Bank (Social Security)	\$42,305.90
Sewer Service Charge	\$447,984.41
Refuse Service Charge	\$207,621.55
PILOT to City of Rolla	\$130,986.81
Purchase U.S. Treasury Bill / Certificates of Deposit	\$0.00
Standpipes Lease/Purchase	\$715.72
Utility Incentives	\$0.00
Unclaimed Deposits to State	\$6,698.93
Primacy Fees	\$0.00
Void General Fund Check: #35383, #36367	-\$164.99
Void Working Fund Check: Cks#58696, #58340, #58653, #58538, #58618, #58740, #58817, #58664	-\$1,144.94
2021 Unclaimed Checks	-\$15,035.71
2nd September WF (reimbursed in 2nd October WF)	<u>\$6,036.54</u>
	\$3,337,900.93
Cash in Bank (October 31, 2022)	<u>\$32,587,411.87</u>
Total Disbursements and Cash In Bank	<u>\$35,925,312.80</u>
BALANCE OF OTHER FUNDS:	
PUBLIC UTILITY ACCOUNTS:	
Citizens Bank of Newburg, Ck#1282 for \$414.10	\$2,000.00
First State Community Bank-Electronic Payment Account, Ck#1073 for \$702.02	\$116,052.32
First State Community Bank-Money Market	\$0.00
First State Community Bank-ICS Sweep Account	\$0.00
First State Community Bank-General Fund, Ck#36442 for \$88,723.06, Ck#36443 for \$6.46	\$14,005.75
Southern Bank-General Fund, Cks#7367-37504 for \$3,338,065.92	\$3,771,156.35
Southern Bank-Electronic Payment Account, Ck #1252 for \$1,523,884.66	\$207,805.05
Southern Bank-Money Market	\$0.00
Southern Bank-ICS Sweep Account	\$478,499.26
PCB-Super Now, Check #26362 for \$43,268.11	\$2,101.14
Town & Country Bank, Ck# for \$	<u>\$2,000.00</u>
Total Public Utility Accounts	\$4,593,619.87
ELECTRIC RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$10,195,583.00 FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Electric Reserves	\$10,195,583.00
RESTRICTED ELECTRIC RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$14,250,000.00 FY21 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Electric Reserves	\$14,250,000.00
WATER RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$3,548,209.00 FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Water Reserves	\$3,548,209.00
TOTAL RESERVES:	<u>\$27,993,792.00</u>
TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:	<u>\$32,587,411.87</u>

The Centre Rolla's Health & Recreation Complex
Income Statement
For the 1 Months Ending
October 31, 2022

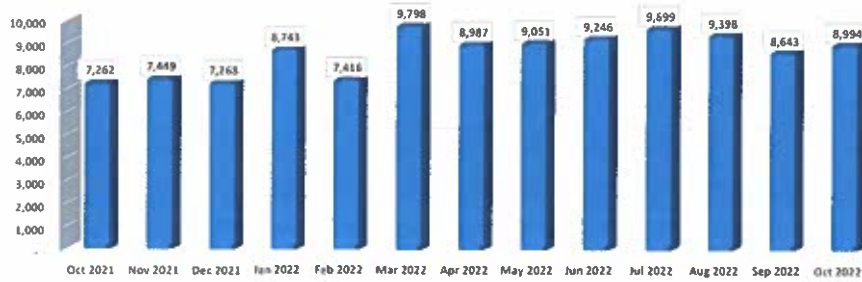
	<u>Period To Date</u>	<u>PTD Budget</u>	<u>Variance</u>	<u>Last Year</u>	<u>Year To Date</u>	<u>YTD Budget</u>	<u>Variance</u>	<u>Last Year</u>
Members:								
New	149	153	-3%	134	149	153	-3%	134
Net New & Reactivated Bridge/Freezes	(9)			6	(9)			6
Cancelled	133	70	-90%	89	133	70	-90%	89
Net	<u>7</u>	<u>83</u>	<u>-92%</u>	<u>51</u>	<u>7</u>	<u>83</u>	<u>-92%</u>	<u>51</u>
Total Members	2,065	2,233	-8%	1,595	2,065	2,233	-8%	1,595
Revenues								
Rental & Other:								
Conference Room & Other Rental	\$675	\$300	\$375	\$0	\$675	\$300	\$375	\$0
	<u>675</u>	<u>300</u>	<u>375</u>	<u>0</u>	<u>675</u>	<u>300</u>	<u>375</u>	<u>0</u>
Member Services:								
Membership Dues	52,505	56,727	(4,222)	38,597	52,505	56,727	(4,222)	38,597
Guest Fees	3,258	8,000	(4,742)	4,660	3,258	8,000	(4,742)	4,660
Special Programs	0	350	(350)	1,570	0	350	(350)	1,570
Locker Rent	40	75	(35)	106	40	75	(35)	106
	<u>55,804</u>	<u>65,152</u>	<u>(9,348)</u>	<u>44,933</u>	<u>55,804</u>	<u>65,152</u>	<u>(9,348)</u>	<u>44,933</u>
Fitness								
Enrollment Fees/Health Assessments	240	3,825	(3,585)	4	240	3,825	(3,585)	4
Special Programs	1,103	410	693	62	1,103	410	693	62
	<u>1,343</u>	<u>4,235</u>	<u>(2,892)</u>	<u>66</u>	<u>1,343</u>	<u>4,235</u>	<u>(2,892)</u>	<u>66</u>
Ancillary								
Swim Programs	8,142	11,000	(2,858)	7,901	8,142	11,000	(2,858)	7,901
General Medical Integration	743	495	248	0	743	495	248	0
Recreation	6,386	7,000	(614)	3,551	6,386	7,000	(614)	3,551
Café	324	350	(26)	0	324	350	(26)	0
Pro Shop	99	400	(301)	187	99	400	(301)	187
Personal Training/Pilates	7,114	5,583	1,531	2,156	7,114	5,583	1,531	2,156
Children's Area	2,620	1,500	1,120	980	2,620	1,500	1,120	980
	<u>25,427</u>	<u>26,328</u>	<u>(901)</u>	<u>14,775</u>	<u>25,427</u>	<u>26,328</u>	<u>(901)</u>	<u>14,775</u>
Total Revenue	83,248	96,015	(12,767)	59,774	83,248	96,015	(12,767)	59,774
Expenses								
Salaries & Burden	92,139	94,164	2,025	83,794	92,139	94,164	2,025	83,794
Other Employee Expenses	2,566	2,000	(566)	1,479	2,566	2,000	(566)	1,479
General Supplies & Services	715	442	(273)	499	715	442	(273)	499
Program Supplies	387	200	(187)	0	387	200	(187)	0
Environmental Supplies	5,952	1,500	(4,452)	2,168	5,952	1,500	(4,452)	2,168
Cost of Goods Sold	517	280	(237)	39	517	280	(237)	39
Minor Equipment	1,012	817	(195)	282	1,012	817	(195)	282
Repairs & Maintenance/Service Contracts	7,500	6,129	(1,371)	3,999	7,500	6,129	(1,371)	3,999
Marketing & Collateral	4,794	5,950	1,156	1,985	4,794	5,950	1,156	1,985
Utilities	13,382	15,125	1,743	14,580	13,382	15,125	1,743	14,580
Bank Fees & Miscellaneous	2,963	2,851	(112)	3,271	2,963	2,851	(112)	3,271
CAM, Taxes & Fees	1,712	2,665	954	1,997	1,712	2,665	954	1,997
Total Expenses	<u>133,637</u>	<u>132,123</u>	<u>(1,514)</u>	<u>114,093</u>	<u>133,637</u>	<u>132,123</u>	<u>(1,514)</u>	<u>114,093</u>
Net Operating Income	(50,389)	(36,108)	(14,281)	(54,318)	(50,389)	(36,108)	(14,281)	(54,318)
Management Fees	8,000	10,000	2,000	8,000	8,000	10,000	2,000	8,000
Net Income (Loss)	(58,389)	(46,108)	(12,281)	(62,318)	(58,389)	(46,108)	(12,281)	(62,318)
Ancillary Services Net Income (Loss)								
Swim Programs (Net)	\$3,015	\$6,600	(\$3,585)	\$3,528	\$3,015	\$6,600	(\$3,585)	\$3,528
Recreation (Net)	\$4,680	\$4,000	\$680	\$1,250	\$4,680	\$4,000	\$680	\$1,250
Café (Net)	(\$143)	\$350	(\$493)	\$0	(\$143)	\$350	(\$493)	\$0
Pro Shop (Net)	\$49	\$120	(\$71)	\$148	\$49	\$120	(\$71)	\$148
Personal Training/Pilates (Net)	\$2,169	\$1,675	\$494	(\$398)	\$2,169	\$1,675	\$494	(\$398)
Children's Area (Net)	\$1,066	(\$101)	\$1,167	(\$623)	\$1,066	(\$101)	\$1,167	(\$623)
Total Ancillary Services Net Income (Loss)	\$10,835	\$12,644	(\$1,809)	\$3,905	\$10,835	\$12,644	(\$1,809)	\$3,905

Member Breakdown	Sep 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022
Community	675	693	712	712	764	784	797	806	820	854	866	862	872	813
Employers	293	290	304	309	321	338	343	343	339	373	364	362	410	414
Senior	306	323	327	324	344	357	371	371	384	381	382	368	384	404
Youth/Child	270	289	332	345	392	424	440	440	450	432	455	417	392	394
Total Members	1,544	1,595	1,675	1,690	1,821	1,903	1,951	1,960	1,993	2,040	2,067	2,009	2,058	2,065
Center Visits	6,944	7,262	7,449	7,268	8,743	7,416	9,798	8,987	9,051	9,246	9,699	9,398	8,643	8,994
Visits per Member	4.5	4.5	4.6	4.4	4.3	4.8	5.0	4.6	4.5	4.5	4.7	4.7	4.2	4.4
Total Revenue	\$ 56,801	\$ 59,774	\$ 63,801	\$ 65,777	\$ 80,167	\$ 79,637	\$ 90,086	\$ 94,983	\$ 91,197	\$ 88,425	\$ 80,798	\$ 88,567	\$ 82,105	\$ 83,248
Total Operating Expenses	\$ 134,411	\$ 114,093	\$ 122,520	\$ 115,448	\$ 111,417	\$ 140,075	\$ 127,181	\$ 128,782	\$ 125,115	\$ 123,081	\$ 144,846	\$ 129,107	\$ 129,957	\$ 133,637
Net Operating Income	\$ (77,610)	\$ (54,319)	\$ (58,719)	\$ (49,671)	\$ (31,250)	\$ (60,438)	\$ (37,095)	\$ (33,799)	\$ (33,918)	\$ (34,656)	\$ (64,048)	\$ (40,540)	\$ (47,852)	\$ (50,389)
Net Operating Income Budget	\$ (42,185)	\$ (38,760)	\$ (49,143)	\$ (48,457)	\$ (47,509)	\$ (42,605)	\$ (43,035)	\$ (40,909)	\$ (40,687)	\$ (36,771)	\$ (35,133)	\$ (33,497)	\$ (33,471)	\$ (36,108)
Dues per Billable Member	\$28.0	\$25.0	\$24.2	\$24.4	\$27.9	\$24.2	\$25.0	\$25.2	\$25.7	\$24.8	\$23.8	\$25.4	\$24.7	\$25.4
Swim Revenue	\$ 6,956	\$ 7,901	\$ 6,007	\$ 5,095	\$ 9,546	\$ 9,616	\$ 14,162	\$ 16,463	\$ 13,685	\$ 10,714	\$ 8,404	\$ 7,501	\$ 9,020	\$ 8,142
Membership Dues	\$ 38,529	\$ 38,597	\$ 39,625	\$ 40,810	\$ 46,816	\$ 46,028	\$ 48,771	\$ 49,459	\$ 51,177	\$ 50,504	\$ 49,138	\$ 51,061	\$ 50,746	\$ 52,505

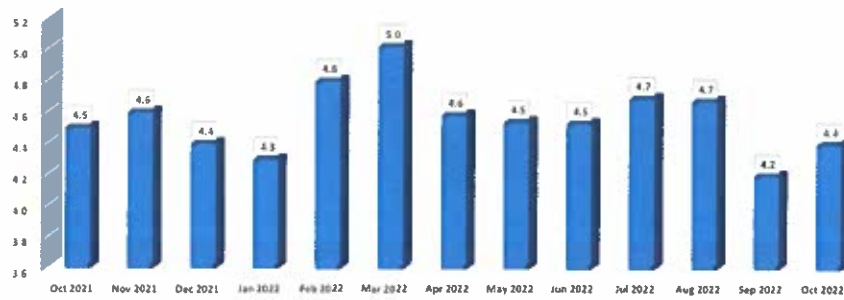
Members by Type



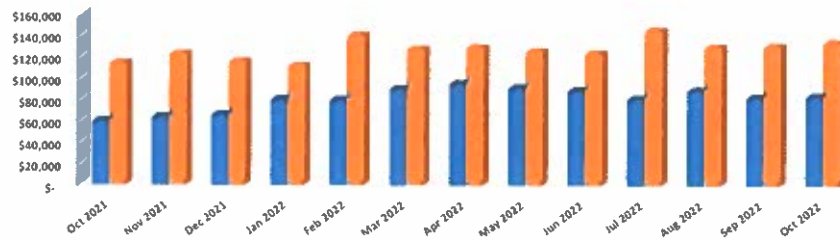
Total Center Visits



Average Visits per Member



Revenues vs Operating Expenses

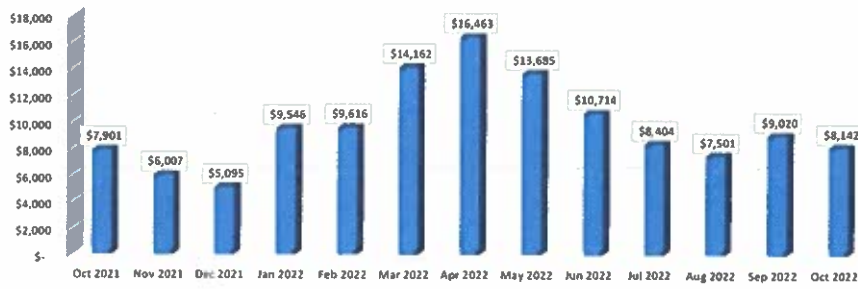


■ Total Revenue ■ Total Operating Expenses

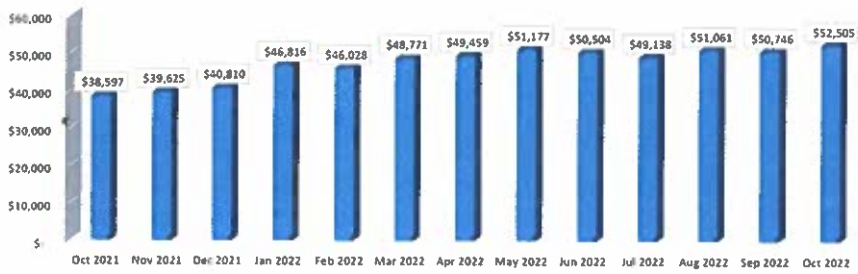
Average Dues per Billable Member



Swim Revenue



Membership Dues Revenue



**DEVELOPMENT REVIEW COMMITTEE MINUTES
TUESDAY, NOVEMBER 15TH @ 1:30 PM
MEMBERS AND OTHERS IN ATTENDANCE**

Tom Coots, Com. Dev.
Steve Flowers, Com. Dev.
Floyd Jernigan, Parks & Rec.
Carolyn Huffman, Property Owner
Darin Pryor, Public Works

Sarah West, Com. Dev.
Chad Davis, RMU
Dale Brown, RMU
Ron Smith, Fire

NEW BUSINESS:

1. **VAC22-04:** Vacation of a portion of a utility easement at 589 Sycamore Dr.

Chad Davis the underground primary is far enough north and still within the 10 foot easement that would be retained that RMU is okay with eliminating the south 10 feet of the easement.

Steve Flowers is there anything in the easement other than electric? **Davis** RMU has primary electric and street lighting, but is unsure if the telephone and gas line are in the easement.

Carolyn Huffman those lines come from the street as dig rite has been out to work on them.

Flowers why was a 30 foot easement requested? **Davis** is unsure. **Huffman** when the property was surveyed, it showed the neighbor at 591 Sycamore had no easement. **Tom Coots** that was only a boundary survey so no easements were shown. There is an existing easement on both properties.

Davis RMU is okay with a 10 feet easement on each property. **Flowers** how wide will the proposed addition be? **Huffman** 8 foot out from the current building.

Minutes Prepared By: Sarah West

NEXT MEETING:

Tuesday, December 6th @ 1:30 P.M.

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, OCTOBER 11, 2022

Presiding: Don Brown, Chairperson

Commission Members Present: Robert Anderson, Monty Jordan, Janece Martin, Russell Schmidt, Kevin Crider, Nathan Chirban

Commission Members Absent: Monte Shields

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, September 13th, 2022. **Chairperson Don Brown approved the minutes as printed and distributed.**

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

1. **SUB22-07 - Gracie Place 2:** A Minor Subdivision to combine lots and create an outlot at 2000 Hwy E

III. OLD BUSINESS: NONE

IV. NEW BUSINESS:

1. **SUB22-08 – Frueh Addition:** A Minor Subdivision to combine two residential lots at 3 Lewis Lane.

Tom Coots presents the staff report.

Don Brown asks about access for neighboring houses. Coots confirms the access will not be changing.

A motion was made by Russell Schmidt, seconded by Kevin Crider, to recommend approval to the City Council to combine two residential lots at 3 Lewis Lane. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Chirban. Nays: None. The motion passes unanimously.

V. PUBLIC HEARING:

1. **VAC22-03 – Vacation of Alley:** Vacation of a portion of the alley between 10th, 11th, Cedar, and Maple Streets.

Coots presents the staff report.

Brown asks about access to the alley for 407 East 10th Street. Coots confirms there will still be access to the alley.

Brown opens the public hearing. Seeing no questions from the audience or commissioners, he closes the public hearing.

A motion was made by Monty Jordan, seconded by Robert Anderson, to recommend approval to the City Council to vacate a portion of the subject alley with the condition that an easement be retained. A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Schmidt, Chirban, Crider and Jordan. Nays: None. The motion passes unanimously.

VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:

- 1. Update on Zoning Code Rewrite: Presentation of proposed Sections 400, 500, 600, 700, and 800

VII. CITIZEN COMMENTS:

NONE

Meeting adjourned: 5:53 p.m.

Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, November 15, 2022

BOARD OF ADJUSTMENT MINUTES
October 13, 2022
Rolla City Hall

Presiding: Chairperson Matt Crowell
Members Present: Judy Jepsen, John Meusch, Jacob Rohter (by Zoom)
Alternates Present: Jonathan Hines
Members Not Present: Laura Stoll
City Officials in Attendance: Tom Coots, City Planner, and Sarah West, Executive Assistant
Others in Attendance: Russell Been, Sasha Riedisser, and Zach Buchheit

Chairperson **Matt Crowell** called the meeting to order at 5:53 P.M. The meeting started late due to technical difficulties in connecting to Zoom. He recognized the members who were present. **Crowell** swore in all present who intended to speak.

I. APPROVE MINUTES:

John Meusch asked for an amendment to be made to the minutes to note the other persons in attendance at the meeting. **Crowell** approved the minutes from the July 7, 2022 Board of Adjustment meeting as amended by John Meusch.

II. OLD BUSINESS:

1. **ZV2021-04:** Variance to Section 42-244.4 (h) to allow a reduction in the front yard setback for a sign in the C-1, Neighborhood Commercial district.

As the applicant was not present, the Board decided to table the case until the next scheduled meeting on November 3. A voice vote showed all in favor.

2. **ZV2022-05:** Variance to Section 42.399 (h) to allow reduced setbacks for a telecommunications tower.

Tom Coots presents the staff report.

Sasha Riedisser, the Collective Solutions attorney, is located at 211 North Broadway in St. Louis, Missouri, and confirms she was sworn in. She mentions Mr. Buchheit's letter to the Board states improvements could be made to the current tower in Schuman Park to meet the 5G and FirstNet capability. However, this would be a complete redesign of the tower from the current flag pole design to a monopole. Due to this proposed unconcealed design, federal law states that it would need to go through the zoning process again. This would lead SBA to have the same issues of gaining exemptions from the setbacks that Collective Solutions is currently going through now.

Riedisser mentions the Rolla zoning code is allowed to have setbacks, but federal law is there to make sure those setbacks do not prohibit a carrier from filling a gap in coverage. She states there is no better place for the tower and not being able to build a tower and meet AT&T's coverage objectives would be a hardship. The parcel the proposed tower is located on was required by the City to have a small portion rezoned, creating a unique condition of the land and making that portion unusable for any purpose besides a tower.

Collective Solutions presents a picture to the Board of the existing tower in Schuman Park and a concept of the same tower redesigned if upgrades were made to allow for FirstNet and 5G capabilities.

Russell Been, the owner of Collective Solutions, is located at 340 Marshall Road Valley Park, Missouri, and confirms he was sworn in. He states the concept tower in the picture given to the Board is an AT&T tower with 5G and FirstNet, so the picture is an accurate representation of the proposed tower.

Zach Buchheit, representing SBA Communications, is located at 7700 Forsyth Boulevard Suite 1100 in St. Louis, and confirms he was sworn in. He states a letter from their engineer was given to AT&T in November of 2021 that offered options to modify the current tower but no response was received. He mentions there was no pictures of the upgraded Schuman Park tower put out by SBA Communications.

Buchheit states that no one on behalf of AT&T is present. Collective Solution's entire argument is their coverage objectives, but this is not a hardship imposed by the land. There is nothing unique about the land itself that causes a hardship. The hardship was self-imposed by the rezoning of the property.

He states materials submitted by Collective in the past mentioned discrimination if the tower is denied. AT&T is currently serving the community and 5G and FirstNet could be available on current tower, so there is no prohibition on service if the proposed tower is denied. The federal code being referenced talks about not discriminating against providers, not builders. Since there is no provider present, there is no discrimination against them. There cannot be discrimination between the current tower and the proposed tower as the current tower was built under a different code.

Buchheit states setbacks are common requirements across the country, and the local laws have been designed for safety in mind. Only the people interested in the property have created the hardship by rezoning the property, and nothing about the land itself creates a hardship. The land is already being used for a business. The property is a self-imposed best location that was given a limited search area.

Riedisser states AT&T is not just switching towers for financial reasons, but 5G and FirstNet cannot be put on the current tower. She points out AT&T's choice on where to locate the tower is a business decision, and state statutes dictate that authorities are not allowed to evaluate these types of decisions. She states the land owner did not want to rezone property, but the City required it. Now there is a hardship because the portion of the parcel is too small to be used for anything other than a tower.

Buchheit points out that state law says business decisions cannot be considered, so AT&T's coverage objectives should not be considered as that is a business decision.

Riedeisser states the state law uses evaluate and not consider. This does not mean you cannot take into account that AT&T needs the tower, it means that you cannot second guess whether AT&T is correct on their need for the tower.

The applicant provides a detailed site plan describing the variances needed.

Coots states the request will need four exemptions to the setbacks: from the right-of-way of Old St. James Road, from the sidewalk, from adjacent buildings, and from the property lines. The tower is 95 feet tall with a 5 foot lightning rod, so a distance of at least 100 feet is needed to meet code requirements.

The distance of the tower from the right-of-way of Old St. James Road 78 feet and 70 feet from the sidewalk. The adjacent buildings are 75.5 feet from 1850 Old St. James Road, 38 and 85 feet from the two buildings on 801 East 18th Street, and 81 feet from 1900 Old St. James Road. The tower is 25 feet from the 1850 Old St. James property line, 0 feet from 801 East 18th and 71 feet from the 809 East 18th Street property line.

Crowell asks if the people in the adjacent buildings were aware of the request. **Coots** states they were provided notice. **Crowell** asks if anyone has responded. **Coots** no.

Coots states the lot has not been subdivided, but is split zoned. The applicant is leasing the small portion that has been rezoned. **Crowell** asks if the City required the split zoning of the property. **Coots** confirms rezoning the portion of the property the applicant is leasing was a requirement of approving the Conditional Use Permit set by City Council.

Crowell moves into Board deliberation.

1st Criterion: **Crowell** states the situation is unique because City Council required the split zoning. **Coots** mentions the tower would need to have a variance for the setbacks no matter what

the property was zoned. **Meusch** mentions the applicant decided this location is best for a cell tower. **Hines** states the Board is not allowed to evaluate where the applicant can put a tower.

Crowell asks if there is any property large enough to handle the setbacks requirements in the city. **Coots** confirms there are properties within city limits, but according to the applicant, none that are in the area they need. **Crowell** states the property has a unique condition because there is no land in close proximity that would be large enough and meet coverage objectives. All Board members agreed the 1st criterion was met.

2nd Criterion: **Hines** states the applicant did not create the hardship. **Crowell** comments based upon setbacks how would any new tower be built without making some variance to Rolla's zoning code. All Board members agreed the 2nd criterion was met.

3rd Criterion: **Crowell** states the variance is based upon location and the need to cover a certain area. **Hines** comments the variance will not give special treatment to the applicant that harms the surrounding businesses. All Board members agreed the 3rd criterion was met.

4th Criterion: **Meusch** mentions there is no issues with public safety unless the tower falls. **Jepsen** points out that any building can fall and become a danger to the public. **Hines** states there is no detriment to public welfare by the tower's existence and normal use. **Crowell** mentions no neighbors have raised concerns and have had extensive time to contest the tower. All Board members agreed the 4th criterion was met.

5th Criterion: **Crowell** asks if the property was previously being used by the owner. **Coots** confirms it was being used for storage. **Hines** states the tower is not going to alter the character of the neighborhood. **Crowell** comments is the variance necessary for the reasonable use of the property if the property was already being used in a manner that was consistent with the neighborhood. He agrees the variance will not alter the character of neighborhood and is the minimum needed.

Hines states the variance is necessary for the reasonable use of a cell tower. **Meusch** comments a cell tower is a reasonable use of the property. **Crowell** it is reasonable, but is it necessary? There was a reasonable use of the property prior to the applicant wanting to build a tower. Is the variance necessary to continue to use the property? **Hines** the tower is a reasonable use so that makes the variance necessary.

Crowell asks how the criteria is interpreted. **Coots** the traditional view is the applicant cannot use the property, so a variance is needed for some reasonable use. In this case, the property is already being used. **Crowell** asks if the split zoning of the property would affect the previous use. **Coots** confirms the property could continue to be used as a storage yard with the new

zoning. **Crowell** asks if the landlord could refuse the building of the cell tower and continue using the property as before without any variances. **Coots** yes, based on what they were using it for.

Crowell asks if there is now a limited use of the property since being rezoned. **Coots** states the use would be grandfathered in. **Crowell** asks if the split zoning would grandfather in the original use. **Coots** yes it would grandfather in the use as it was the day it was zoned.

Riedeisser states there will be more economical use of the property by building a tower than using it for storage. There is no economically viable use of the small portion that was rezoned. **Crowell** asks if the Board considers the most economically viable use. **Coots** the code states the City does not have to allow for the most economical use, it has to allow a reasonable use of the property.

Crowell concerned about the variance being necessary as the property is already being used. A reasonable use of the property based on the zoning and neighborhood is storage. **Hines** we have agreed the cell tower is a reasonable use of the property. If we decide it is not necessary for a cell tower as a reasonable use, it limits the use of the land to storage. It scopes down the definition of basic reasonable use. The tower is reasonable, therefore the variance is necessary. **Crowell** states there are viable uses of the property already. Giving a variance is not essential to be able to use the property reasonably. **Jepsen, Hines, Meusch, and Rohter** agreed the 5th criterion was met. **Crowell** voted no.

6th Criterion: **Rohter** states the original intent would be the safety of surrounding areas, and engineered details were provided. All Board members agreed the 6th criterion was met.

A motion was made by Jonathan Hines, seconded by Judy Jepsen, to approve the variance to allow reduced setbacks for a telecommunications tower. A roll call vote on the motion showed the following. Ayes: Jepsen, Hines, Rohter, and Meusch. Nays: Crowell. The motion passes.

- | | |
|---|------|
| III. PUBLIC HEARING: | NONE |
| IV. OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF: | NONE |

Having no further business, the meeting was adjourned at 7:05 P.M.
Minutes prepared by **Sarah West**

NEXT MEETING: **Thursday, November 3, 2022**

MUNICIPAL DIVISION SUMMARY REPORTING FORM

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

I. COURT INFORMATION		Municipality: Rolla Municipal	Reporting Period: Sep 1, 2022 - Sep 30, 2022	
Mailing Address: 901 NORTH ELM, ROLLA, MO 65401				
Physical Address: 901 NORTH ELM, ROLLA, MO 65401			County: Phelps County	Circuit: 25
Telephone Number: (573)3648590		Fax Number:		
Prepared by: RELAUUN SMITH		E-mail Address:		
Municipal Judge: James T. Crump				
II. MONTHLY CASELOAD INFORMATION				
		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations/informations) pending at start of month		12	997	201
B. Cases (citations/informations) filed		1	314	21
C. Cases (citations/informations) disposed				
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0
2. court/bench trial - GUILTY		0	0	0
3. court/bench trial - NOT GUILTY		0	0	0
4. plea of GUILTY in court		1	36	14
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	166	1
6. dismissed by court		0	0	0
7. <i>nolle prosequi</i>		0	40	5
8. certified for jury trial (not heard in Municipal Division)		0	0	0
9. TOTAL CASE DISPOSITIONS		1	242	20
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		12	1,069	202
E. Trial de Novo and/or appeal applications filed		0	0	0
III. WARRANT INFORMATION (pre- & post-disposition)				
		IV. PARKING TICKETS		
1. # Issued during reporting period	112	1. # Issued during period	197	
2. # Served/withdrawn during reporting period	63	<input type="checkbox"/> Court staff does not process parking tickets		
3. # Outstanding at end of reporting period	1,134			

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: Rolla Municipal	Reporting Period: Sep 1, 2022 - Sep 30, 2022
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V. DISBURSEMENTS			
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)		Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Fines - Excess Revenue	\$2,672.00	Court Automation	\$433.36
Clerk Fee - Excess Revenue	\$336.00	Law Enf Arrest-Local	\$56.50
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$10.36	Overpayment-E/R	\$18.50
Bond forfeitures (paid to city) - Excess Revenue	\$0.00	Overpayments Detail Code	\$19.50
Total Excess Revenue	\$3,018.36	Total Other Disbursements	\$527.86
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)		Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$11,174.00
Fines - Other	\$6,363.00	Bond Refunds	\$157.00
Clerk Fee - Other	\$406.91	Total Disbursements	\$11,331.00
Judicial Education Fund (JEF) <input checked="" type="checkbox"/> Court does not retain funds for JEF	\$0.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$61.91		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$441.41		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$12.55		
Law Enforcement Training (LET) Fund surcharge	\$122.00		
Domestic Violence Shelter surcharge	\$120.00		
Inmate Prisoner Detainee Security Fund surcharge	\$0.00		
Restitution	\$0.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$100.00		
Total Other Revenue	\$7,627.78		

IVk2



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

SUBJECT: Map Amendment (rezoning): 1000 and 1006 N Oak St; and 204-208 E 11th St from R-3, Multi-family district; C-1, Neighborhood Commercial district; and M-1, Light Manufacturing district to a PUD, Planned Unit Development district

(PUD22-01)

MEETING DATE: December 5, 2022

Application and Notice:

Applicant/Owner - Jeremy Jamison of the Christian Campus Ministry
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property; <https://www.rollacity.org/agenda.shtml>

Background:

The applicant seeks to redevelop the property for a dormitory style residential use which would include a large sanctuary/assembly space. The applicant, Christian Campus Ministries already has a “Men’s House” located diagonally across the street from the proposed location. The proposed development would serve as a “Women’s House” and would provide space to hold their church services and meetings. Currently, the organization meets at a space on the university campus, however, they would like to have their own space. The project would include 32 bedroom and 33 parking spaces.

The applicant chose to pursue a PUD, rather than rezoning to a zoning district because of the mixed and specialized nature of the use. Neither the R-3, Multi-family district, nor the C-C, Center City district would permit the use without the need for variances.

Property Details:

Current zoning - R-2, Two-family district; C-1, Neighborhood Commercial district; and M-1, Light Manufacturing district to be rezoned to a PUD, Planned Unit Development district
Current use - Residential and Commercial/storage
Proposed use - Dormitory style residential with sanctuary/assembly space
Land area - About 40,000 sq. ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Oak Street and 11th Street, both local streets.
Sidewalks - No sidewalks are located adjacent to the property. Sidewalks are not proposed to be constructed adjacent to the property. Due to the location, sidewalks are not needed at this particular property. A sidewalk is located on the opposite side of Oak Street and 11th Street.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Community Commercial uses, due to the location being adjacent to the railroad, 10th Street overpass, and the downtown.

Discussion: The subject property is located near the downtown and near the university campus in an area with a mixture of commercial and higher density residential uses. The building would be very similar in appearance and function to a fraternity/sorority house, of which several are located in the neighborhood.

The PUD proposes allowing much of the frontage along Oak Street to be parking. This particular location may be acceptable for this design, being adjacent to the downtown and using an existing curb break. Ordinarily, a driveway would be limited to not more than 24 feet. No existing public spaces would be lost.

The development would provide enough parking for all the residents, plus would allow a few extra spaces for any staff and a few visitors. During a church service or meeting, typically held in the evening, the location adjacent to the downtown allows for ample parking for attendees. In addition, the location diagonally across from the “Men’s House” would allow for those attendees to walk.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on November 15, 2022 and voted 5-0 to recommend the City Council approve the request as presented.

Prepared by: Tom Coots, City Planner

Attachments: Public Notice Letter, PUD Report, Final Development Plan; Ordinance



Project Information:

Case No: PUD22-01
 Location: 1000 N Oak; 204-208 E 11th
 Applicant: Christian Campus Ministry
 Request:
 Rezoning from R-3, C-1, and M-1 to PUD,
 Planned Unit Development for a Christian
 dormitory and sanctuary use.



Public Hearings:

Planning and Zoning
 Commission
November 15, 2022
5:30 PM
 City Hall: 1st Floor

 City Council
November 21, 2022
6:30 PM
 City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
 tcoots@rollacity.org

 (573) 426-6974
 901 North Elm Street
 City Hall: 2nd Floor
 8:00 – 5:00 P.M.
 Monday - Friday



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

What is a Rezoning (Map Amendment)?

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

What is a PUD (Planned Unit Development)?

A PUD (Planned Unit Development) is a special zoning district that may be applied to a property. The approval includes a site plan. Use of the property is limited to the uses approved in the ordinance and site plan.

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.

LEGAL DESCRIPTION

A fractional part of Block 97 of BISHOP'S THIRD ADDITION, Rolla, Missouri more particularly described as follows: Commencing at the Northwest Corner of Block 97 of said BISHOP'S THIRD ADDITION; thence South 89°56'20" East, 104.11 feet along the South right of way of 11th Street to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2016 6654, the true point of beginning of the hereinafter described tract: Thence continuing South 89°56'20" East, 152.63 feet along the aforesaid South right of way of 11th Street to its intersection with the westerly right of way of the BNSF Railroad; thence South 30°11'00" West, 289.17 feet along said westerly right of way to its intersection with the North right of way of 10th Street – State Route BB; thence North 89°51'20" West, 115.42 feet along said North right of way to its intersection with the East right of way of Oak Street; thence North 0°52'00" East, 125.00 feet, and, North 1°02'00" East, 45.26 feet, and, North 0°54'10" East, 17.16 feet, all along said East right of way to the southwest corner of Tract 6 as described in Phelps County Deed Records at Document No. 9300269; thence South 89°55'00" East, 104.82 feet along the South line of said Tract 6 and its extension to the West line of the aforesaid Document No. 2016 6654 parcel; thence North 0°20'40" East, 62.59 feet along said West line to the true point of beginning. Above described tract contains 0.92 acre, more or less, per plat of survey J 4581F, dated October 12, 2022, by CM Archer Group, P.C.



ORDINANCE NO. _____

**AN ORDINANCE TO APPROVE THE RE-ZONING OF 1000 AND 1006 N OAK STREET;
AND 204-208 E 11TH STREET FROM THE R-3, MULTI-FAMILY; C-1,
NEIGHBORHOOD COMMERCIAL; AND M-1, LIGHT MANUFACTURING
DISTRICTS TO A PUD, PLANNED UNIT DEVELOPMENT**

(PUD22-01)

WHEREAS, an application for a rezoning was duly filed with the Community Development Department requesting the property described above be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri, so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published in the Phelps County Focus for this according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on November 15, 2022 and recommended the City Council approve the rezoning of the subject property as presented; and

WHEREAS, the Rolla City Council, during its November 21, 2022 meeting, conducted a public hearing concerning the proposed rezoning to hear the first reading of the attached ordinance;

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the City Council at the hearing by those citizens favoring the said change of zoning and by those citizens opposing said change, the City Council found the proposed rezoning would promote public health, safety, morals and the general welfare of the City of Rolla, Missouri, and would be for the best interest of said City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from R-3 (Multi Family), C-1 (Neighborhood Commercial), and M-1 (Light Manufacturing) to a PUD (Planned Unit Development) Zoning described as follows:

A fractional part of Block 97 of BISHOP'S THIRD ADDITION, Rolla, Missouri more particularly described as follows: Commencing at the Northwest Corner of Block 97 of said BISHOP'S THIRD ADDITION; thence South 89°56'20" East, 104.11 feet along the South right of way of 11th Street to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2016-6654, the true point of beginning of the

hereinafter described tract: Thence continuing South 89°56'20" East, 152.63 feet along the aforesaid South right of way of 11th Street to its intersection with the westerly right of way of the BNSF Railroad; thence South 30°11'00" West, 289.17 feet along said westerly right of way to its intersection with the North right of way of 10th Street – State Route BB; thence North 89°51'20" West, 115.42 feet along said North right of way to its intersection with the East right of way of Oak Street; thence North 0°52'00" East, 125.00 feet, and, North 1°02'00" East, 45.26 feet, and, North 0°54'10" East, 17.16 feet, all along said East right of way to the southwest corner of Tract 6 as described in Phelps County Deed Records at Document No. 9300269; thence South 89°55'00" East, 104.82 feet along the South line of said Tract 6 and its extension to the West line of the aforesaid Document No. 2016-6654 parcel; thence North 0°20'40" East, 62.59 feet along said West line to the true point of beginning. Above described tract contains 0.92 acre, more or less, per plat of survey J-4581F, dated October 12, 2022, by CM Archer Group, P.C.

SECTION 2: The PUD approval includes the PUD Report and Final Development Plan as submitted, which shall govern the land use and development of the subject property.

SECTION 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 5TH DAY OF DECEMBER, 2022.

APPROVED:

Mayor

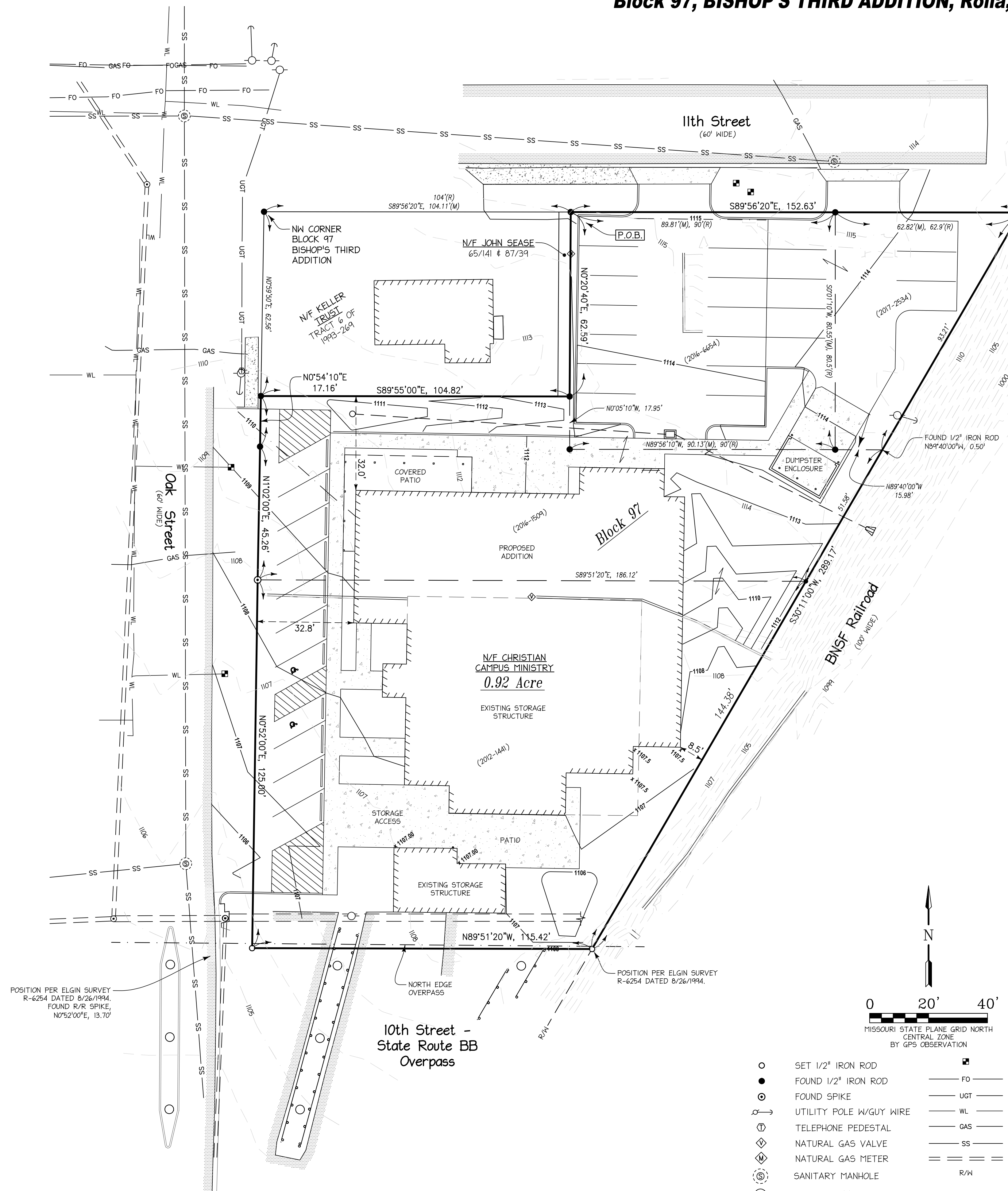
ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

Final Site Plan for CAMPUS FELLOWSHIP ADDITION Being a Planned Urban Development in Fractional Part of Block 97, BISHOP'S THIRD ADDITION, Rolla, Missouri



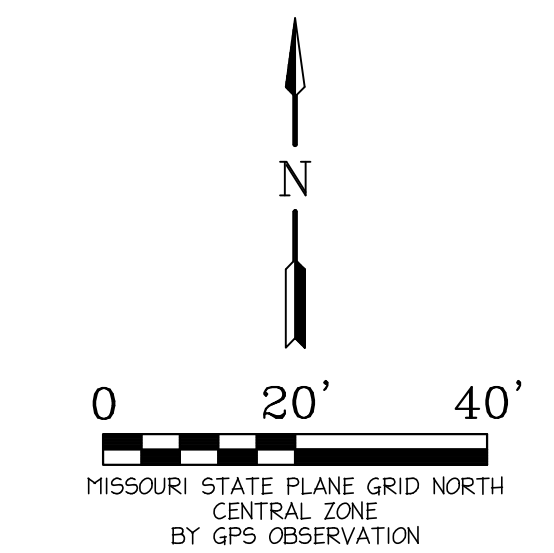
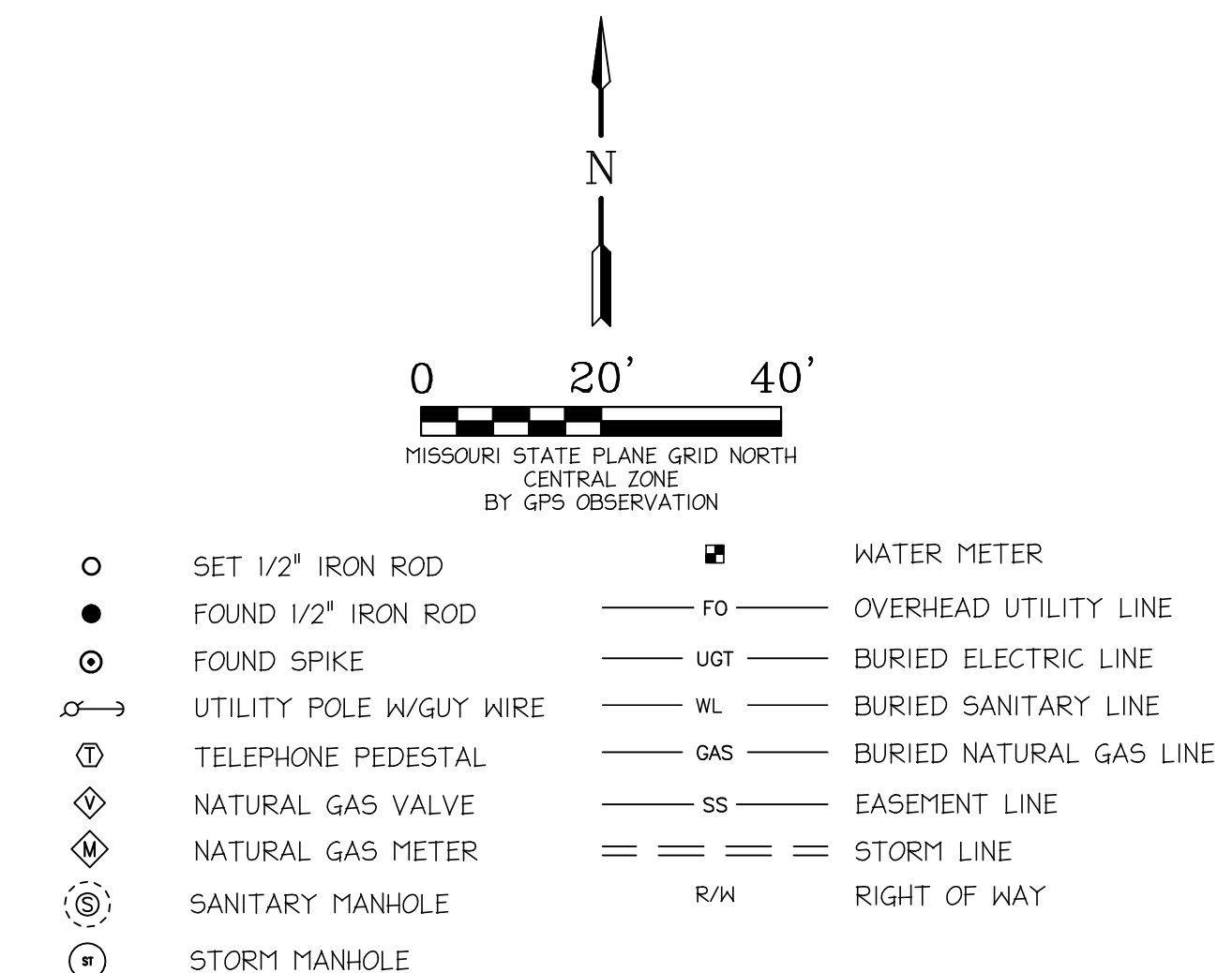
ZONING NOTES - REMODELING EXISTING STRUCTURE WITH NEW ADDITION

EXISTING ZONING:	R-2, Two Family District; C-1 Neighborhood Business District; M-1, Light Manufacturing District
NEW ZONING:	PUD, Planned Unit Development
LOT SIZE:	0.92 acre (40,013 sf)
SETBACKS:	Front = 25' Side = 5' Rear = 5'
MAX. BLDG AREA:	40% (16,005 sf)
PROPOSED AREA:	10,086 sf
PARKING REQUIRED:	32 (1 per bedroom)
PROPOSED PARKING:	33 spaces (22+11)
PROPOSED PARKING AREA:	12,059 sf
SIDEWALK:	4960sf
OPEN SPACE REQUIRED:	25% (10,003 sf)
PROPOSED OPEN SPACE:	12,908 sf (40,013-10,086-12,059-4,960)
MAXIMUM RESIDENTIAL DENSITY:	32 beds per 0.92 acre (based upon 35 beds per acre)
NON-RESIDENTIAL INTENSITY:	3,359 sf/40,013sf = 0.08 FAR

DESCRIPTION

A fractional part of Block 97 of BISHOP'S THIRD ADDITION, Rolla, Missouri more particularly described as follows: Commencing at the Northwest Corner of Block 97 of said BISHOP'S THIRD ADDITION; thence South 89°56'20" East, 104.11 feet along the South right of way of 11th Street to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2016-6654, the true point of beginning of the hereinafter described tract: Thence continuing South 89°56'20" East, 152.63 feet along the aforesaid South right of way of 11th Street to its intersection with the westerly right of way of the BNSF Railroad; thence South 30°11'00" West, 289.17 feet along said westerly right of way to its intersection with the North right of way of 10th Street - State Route BB; thence North 89°51'20" West, 115.42 feet along said North right of way to its intersection with the East right of way of Oak Street; thence North 0°52'00" East, 125.00 feet, and North 1°02'00" East, 45.26 feet, and North 0°54'10" East, 17.16 feet, all along said East right of way to the southwest corner of Tract 6 as described in Phelps County Deed Records at Document No. 9502269; thence South 89°55'00" East, 104.82 feet along the South line of said Tract 6 and its extension to the West line of the aforesaid Document No. 2016-6654 parcel; thence North 0°20'40" East, 62.59 feet along said West line to the true point of beginning. Above described tract contains 0.92 acre, more or less, per plat of survey J-4581F, dated October 12, 2022, by CM Archer Group, P.C.

- NOTES:**
- Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; and any other facts which an accurate and current title search may disclose.
 - I declare that to the best of my professional knowledge and belief, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16).
 - Tract is classified Urban (20 CSR 2030-16.040).
 - Date of field work: June 14, 2022
 - Plat represents a survey of lands described at 2012-1441, 2016-1509, 2016-6654 and 2017-2534.
 - Dimensions shown are measured. For record dimensions, see document(s) noted.
 - Only the record documents noted hereon were provided to or discovered by surveyor. No abstract, current title commitment nor other record title documentation was provided surveyor.
 - There may be structures and improvements located on this tract which are not shown hereon.
 - Tract is wholly within the corporate limits of Rolla, Missouri.
 - See applicable City of Rolla codes for conditions that might affect the development of this tract.



POSITION PER ELGIN SURVEY R-6254 DATED 8/26/1994. FOUND R/P SPIKE, N0°52'00"E, 13.70'

POSITION PER ELGIN SURVEY R-6254 DATED 8/26/1994.

10th Street - State Route BB Overpass

CM Archer Group, P.C. dba:
ARCHER-ELGIN
engineering ■ surveying ■ architecture

310 East 6th Street
Rolla, Missouri 65401
Phone: 573-364-6362
Fax: 573-364-4782
www.archer-elgin.com

REVISIONS		Final PUD Site Plan for CAMPUS FELLOWSHIP ADDITION Rolla, Missouri	
1	11-8-22	MEP	
DRAWN BY		MEP	SCALE 1"=20'
CHECKED		SFF	DATE Oct. 12, 2022
			SURVEY NO. J4581P



MEMORANDUM

Date: 11/9/2022
To: Mr. Tom Coats, Community Development Department
From: Cameron Schweiss, PE, Archer-Elgin
RE: PUD Report – CCF Women’s House Development

Name of Developer/Property Owner:

Christian Campus Ministry
112 E 12th Street
Rolla, MO 65401

Existing Zoning:

Combination of R-2, C-1 and M-1, with a proposed change to Planned Unit Development (PUD).

Stormwater Approach:

On-site storm piping will be constructed as necessary to facilitate adequate drainage around the proposed buildings as indicated on the site plans; however, development yields no appreciable increase of runoff from existing conditions, precluding the need for on-site stormwater detention.

Landscaping:

Landscaping in the initial phase of the project will be limited to seeding of open spaces as indicated on the site plans. Tree preservation is not feasible due to their location relative to the structures. All other trees and shrubs shown in renderings or plans are not included in this initial scope of work. However, the owner hopes to install additional landscaping in the future via volunteer and fundraising efforts as resources allow.

Summary of Project:

Project consists of redevelopment of the site to construct a new dormitory style “Women’s House” to serve the Christian Campus Ministry organization at Missouri S&T, along with renovation of an existing garage building into a new assembly space to be used for worship and fellowship events. The new two-story building includes eight sleeping units (with up to four beds in each), along with common areas including lobby, conference, study, laundry and restroom spaces. The fellowship area is an open concept, single story space to be used to host weekly worship services, as well as special events.

va8

Following are several rendering of the proposed facility:



Perspective view from West



Perspective View from NW



Perspective View from SE



Perspective View from North

Phasing:

The owner’s intent is to construct both the new addition and existing building renovation in one phase. There are several additive alternates for niceties (including the upper roof deck and pergola) that will be bid and funded as budget allows. Future improvements are expected to be limited to landscaping and aesthetic enhancements for the facilities.

Statement of Control of Property:

Developer currently owns all lands within the proposed PUD, and therefore controls all legal, beneficial, tenancy, and contractual interests effecting the subject property.

Proposed Land Use Tabulations:

ZONING NOTES - REMODELING EXISTING STRUCTURE + NEW ADDITION	
CHANGE OF ZONING TO "PUD" - PLANNED UNIT DEVELOPMENT	
<u>LOT SIZE:</u>	0.92 ACRES (40,013sf)
<u>SETBACKS:</u>	FRONT = 25' SIDE = 5' REAR = 5'
<u>MAX. BLDG AREA:</u>	40% (16,005sf)
<u>PROPOSED AREA:</u>	10,086sf
<u>PARKING REQ'D:</u>	32 (1 per BEDROOM)
<u>PROPOSED PARKING:</u>	33 SPACES (22+11) 12,059sf PARKING AREA
<u>SIDEWALK:</u>	4960sf
<u>OPEN SPACE REQ'D:</u>	25% (10,003 sf)
<u>PROPOSED OPEN:</u>	12,908sf (40,013-10,086-12,059-4,960)
<u>MAXIMUM RESIDENTIAL DENSITY:</u>	32 BEDS/0.92ac = 35 BEDS/ac
<u>NON-RESIDENTIAL INTENSITY:</u>	3,359sf/40,013sf = 0.08 FAR

Parking Summary:

Although the PUD zoning allows the developer to establish parking requirements for their unique development, all efforts were made to maximize parking within and around the proposed PUD. A total of 33 spaces are proposed for the site, including angled parking adjacent to Oak Street (which allows vehicles to back out of their space without encumbering the roadway), as well as a dedicated parking lot on the north side of the property. The 33 spaces provided exceed the total number of beds (32) in the facility. In other zoning circumstances, the fellowship area would require its own parking calculations related to the assembly space square footage; however, this facility is expected to primarily be used by Christian Campus Ministry residents who are already present (and parked if applicable) at either the Men's or Women's Houses. Furthermore, the City has a public parking lot available less than a block away from the development (at 9th & Oak Street) that can be used for overflow parking for what are typically after-hours/evening gatherings.

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

SUBJECT: Campus Fellowship Addition: A PUD subdivision to combine parcels into one platted lot
(PUD22-01)

MEETING DATE: December 5, 2022

Application and Notice:

Applicant/Owner - Jeremy Jamison of the Christian Campus Ministry
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property; <https://www.rollacity.org/agenda.shtml>

Background: The Final Plat is related to the Christian Campus Ministry PUD, being reviewed concurrently. The plat combines several parcels which the applicant acquired at separate times. The entire block was technically platted as one large lot, but then subdivided into smaller parcels. The plat would create one large lot for all the property included in the development.

Property Details:

Current zoning - R-3, Multi-family district; C-1, Neighborhood Commercial district; and M-1, Light Manufacturing district to be rezoned to a PUD, Planned Unit Development district
Current use - Residential and Commercial/storage
Proposed use - Dormitory style residential with sanctuary/assembly space
Land area - About 40,000 sq. ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Oak Street and 11th Street, both local streets.
Sidewalks - No sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Community Commercial uses, due to the location being adjacent to the railroad, 10th Street overpass, and the downtown.

Discussion: The Final Plat appears to meet all zoning and subdivision requirements.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on November 15, 2022 and voted 5-0 to recommend the City Council approve the plat, being a component of the PUD review.

Prepared by: Tom Coots, City Planner

Attachments: Final Plat; Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE FINAL PLAT OF CAMPUS FELLOWSHIP ADDITION.

(PUD22-01)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: An ordinance approving the Final Plat of Campus Fellowship Addition, a subdivision in City of Rolla, Phelps County, Missouri, as a component of a Planned Unit Development for the subject property.

SECTION 2: That this ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the plat has been filed with the Phelps County Recorder of Deeds.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5th DAY OF DECEMBER, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

DESCRIPTION

A fractional part of Block 97 of BISHOP'S THIRD ADDITION, Rolla, Missouri more particularly described as follows: Commencing at the Northwest Corner of Block 97 of said BISHOP'S THIRD ADDITION; thence South 89°56'20" East, 104.11 feet along the South right of way of 11th Street to the northwest corner of a parcel described in Phelps County Deed Records at Document No. 2016-6654, the true point of beginning of the hereinafter described tract: Thence continuing South 89°56'20" East, 152.63 feet along the aforesaid South right of way of 11th Street to its intersection with the westerly right of way of the BNSF Railroad; thence South 30°11'00" West, 289.17 feet along said westerly right of way to its intersection with the North right of way of 10th Street - State Route BB; thence North 89°51'20" West, 115.42 feet along said North right of way to its intersection with the East right of way of Oak Street; thence North 0°52'00" East, 125.00 feet, and, North 1°02'00" East, 45.26 feet, and, North 0°54'10" East, 17.16 feet, all along said East right of way to the southwest corner of Tract 6 as described in Phelps County Deed Records at Document No. 9300269; thence South 89°55'00" East, 104.82 feet along the South line of said Tract 6 and its extension to the West line of the aforesaid Document No. 2016-6654 parcel; thence North 0°20'40" East, 62.59 feet along said West line to the true point of beginning. Above described tract contains 0.92 acre, more or less, per plat of survey J-4581F, dated October 12, 2022, by CM Archer Group, P.C.

Final Plat of CAMPUS FELLOWSHIP ADDITION

Being a Planned Urban Development in Fractional Part of Block 97, BISHOP'S THIRD ADDITION, Rolla, Missouri

CERTIFICATE OF OWNERSHIP AND DEDICATION

Christian Campus Ministry, a nonprofit corporation of the State of Missouri, hereby certifies that it is the owner of the property described and shown hereon, which property is located within the subdivision regulation jurisdiction of the City of Rolla, that it has caused this property to be platted as shown hereon and that said property shall be known and designated as "CAMPUS FELLOWSHIP ADDITION." Christian Campus Ministry hereby freely adopts this plan of subdivision and dedicates to public use forever all easements shown upon this plat.

Dedicator does further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, natural gas and fiber optic lines within and along those places which are designated as utility easements on this plat.

DATED: _____, 2022 CHRISTIAN CAMPUS MINISTRY
By: _____
Jeremy Jamison, President
"DEDICATOR"

STATE OF MISSOURI)
COUNTY OF PHELPS) SS.

On this ____ day of _____, 2022 before me appeared Jeremy Jamison, to me personally known, who, being by me duly sworn did say: That he is President of Christian Campus Ministry, a nonprofit corporation of the State of Missouri, and that said instrument was signed in behalf of said nonprofit corporation by authority of its Board of Directors, and said Jeremy Jamison acknowledged said instrument to be the free act and deed of said nonprofit corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this ____ day of _____, 2022.

My Commission Expires: _____

NOTARY PUBLIC

IMPROVEMENT ACCEPTANCE

Approved subject to construction of improvements in accordance with development plans on file with the City of Rolla. This plat meets current subdivision codes of the City of Rolla.

Steve Hargis, PE
Director of Public Works
Date _____

Rodney Bourne, PE
General Manager
Rolla Municipal Utilities
Date _____

Floyd Jernigan
Parks Director
Date _____

PLANNING & ZONING APPROVAL

Approved this ____ day of _____, 2022.

Don Brown, Chairman
Planning & Zoning Commission

Steve Flowers
Community Development Director

ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL

This is to acknowledge that the City Council of the City of Rolla, Missouri has, by ordinance duly adopted, approved this plat and has authorized the same to be filed for record in the Office of the Recorder of Deeds, Phelps County, Missouri.

Louis J. Magdits IV
Mayor, City of Rolla
Date _____

Attest:
Lorri Thurman
City Clerk
Date _____

COUNTY & CITY TAX RELEASE

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2021 and all prior years.

Faith Ann Barnes
Collector of Revenue
Phelps County, Missouri
Date _____

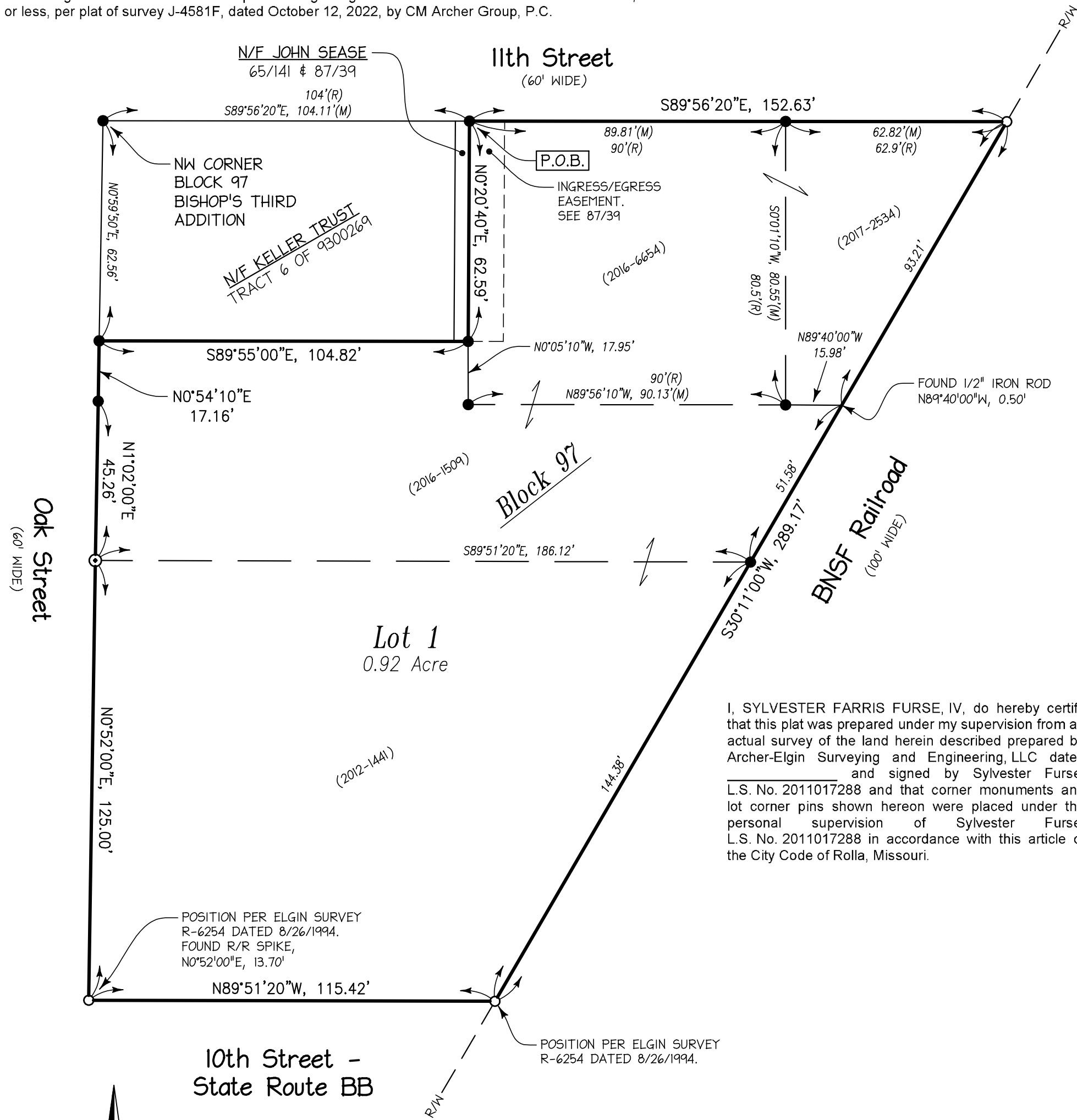
RECORDER'S CERTIFICATE

This plat was filed for record in my office on this ____ day of _____, 2022. Plat filed at Cabinet _____, Number _____.

Robin Kordes
Recorder of Deeds
Phelps County, Missouri
Date _____

NOTES:

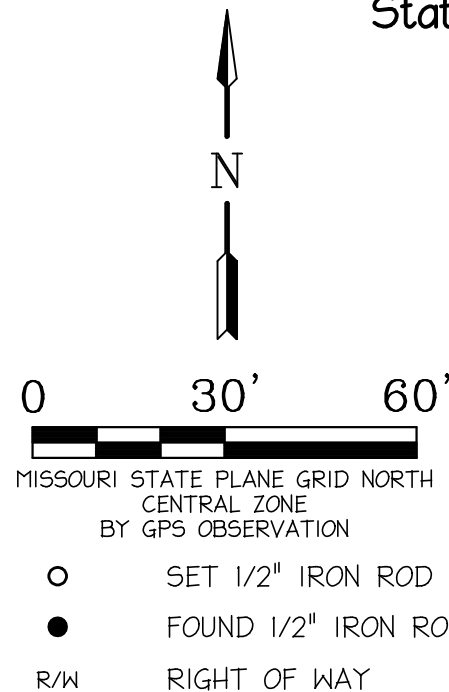
1. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts which an accurate and current title search may disclose.
2. I declare that to the best of my professional knowledge and belief, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16).
3. Tract is classified Urban (20 CSR 2030-16.040).
4. Date of field work: June 14, 2022
5. Plat represents a survey of lands described at 2012-1441, 2016-1509, 2016-6654 and 2017-2534.
6. Dimensions shown are measured. For record dimensions, see document(s) noted.
7. Only the record documents noted hereon were provided to or discovered by surveyor. No abstract, current title commitment nor other record title documentation was provided surveyor.
8. Upon the approval and recording of this plat, the lands described hereon would be zoned PUD.



I, SYLVESTER FARRIS FURSE, IV, do hereby certify that this plat was prepared under my supervision from an actual survey of the land herein described prepared by Archer-Elgin Surveying and Engineering, LLC dated _____ and signed by Sylvester Furse, L.S. No. 2011017288 and that corner monuments and lot corner pins shown hereon were placed under the personal supervision of Sylvester Furse, L.S. No. 2011017288 in accordance with this article of the City Code of Rolla, Missouri.

SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

The undersigned owners of the tract of land herein platted do hereby impose upon said property and do hereby make the following restrictive covenant: No construction may be commenced upon the above described property until all necessary building and construction permits have been issued by the City of Rolla, Missouri and that it is understood by the undersigned that no such permits shall be issued for any lots herein platted until the completion of all public improvements appertaining to such lots or until a cash bond equal to the reasonable costs of completing such public improvements has been received and approved by the City of Rolla, Missouri. The above mentioned public improvements shall be completed pursuant to the agreement between the undersigned and the City of Rolla, Missouri for the completion of such improvements as required by this article of the City Code of Rolla, Missouri.



CM Archer Group, P.C. dba: **ARCHER-ELGIN**
engineering surveying architecture
310 East 6th Street
Rolla, Missouri 65401
Phone: 573-364-6362
Fax: 573-364-4782
www.archer-elgin.com

Corporate Authority:
CM Archer Group, P.C.: E: 2003023612-D, LS: 2004017577-D, A-2016017179
Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, LS: 2011025471, A-2012014618

REVISIONS		Final Plat of CAMPUS FELLOWSHIP ADDITION Rolla, Missouri	
		Christian Campus Ministry 112 East 12th Street; Rolla, Missouri 65401	
DRAWN BY	MEP	SCALE	1" = 30'
CHECKED	SFF	DATE	Oct. 12, 2022
			SURVEY NO. J4581F

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance Final Reading

ITEM/SUBJECT: Work Release Program with the South Central Correctional Center

BUDGET APPROPRIATION

DATE: 12/05/22

COMMENTARY:

Attached is an ordinance authorizing the Mayor to enter into a Supervised Institutional Work Release Program Agreement with the Missouri Department of Corrections, Division of Adult Institutions, South Central Correctional Center.

The Agreement will allow us to utilize an eight-member work release crew to perform grass mowing and tree trimming type activities along City of Rolla Rights of way and Park property. Some of our focus areas will be keeping our drainage ways clear of brush and debris, trimming trees encroaching into the travel way of streets and sidewalks and mowing on city owned property and parks.

We have been utilizing workers from the South Central since 2005 and the program has been very successful. Staff recommends approval of the Ordinance.

ITEM NO. _____ VC1 _____

ORDINANCE NO. _____

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 MISSOURI DEPARTMENT OF CORRECTIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a Supervised Work Release Program Agreement between the City of Rolla, Missouri and Missouri Department of Corrections, a copy of said agreement being attached hereto and marked Exhibit "A".

Section 2: This ordinance will be full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 5th DAY OF DECEMBER 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

EXHIBIT A



STATE OF MISSOURI
MISSOURI DEPARTMENT OF CORRECTIONS
CONTRACT AMENDMENT

RETURN AMENDMENT NO LATER THAN DECEMBER 5, 2022 TO:

Priscilla Courtney, Procurement Specialist
Priscilla.Courtney@doc.mo.gov
 (573) 526-6590 - (573) 522-1562 (Fax)
 FMU/PURCHASING SECTION
 P.O. BOX 236
 JEFFERSON CITY, MISSOURI 65102

DATE	VENDOR IDENTIFICATION	CONTRACT NUMBER	CONTRACT DESCRIPTION
11/09/2022	Attn: Louis J. Magdits, IV - Mayor City of Rolla 901 N. Elm St. Rolla, Mo 65401	Amendment 002 W21708281	Supervised Work Release Program Agreement for South Central Correctional Center

CONTRACT W21708281 IS HEREBY AMENDED AS FOLLOWS:

Pursuant to paragraph 2.1 on page 1, the Missouri Department of Corrections desires to renew the above-referenced contract for the period of March 1, 2022 through February 28, 2023.

All other terms, conditions, and provisions of the previous contract period, including compensation rates, shall remain and apply hereto.

If in agreement, the contractor shall complete, sign, and return this document as acceptance on or before the date indicated above.

IN WITNESS THEREOF, THE PARTIES HERETO EXECUTE THIS AGREEMENT.

Company Name: _____

Mailing Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

MissouriBUYS SYSTEM ID: _____

Email: _____

Authorized Signer's Printed Name and Title: _____

Authorized Signature: _____ Date: _____

THIS AMENDMENT IS ACCEPTED BY THE MISSOURI DEPARTMENT OF CORRECTIONS AS FOLLOWS: In its entirety.

Michele Buckner, Warden, South Central Correctional Center **Date**

EXHIBIT A

Project # 21708281

W21708281



South Central Correctional Center
Supervised Work Release Program Agreement
Between

The Missouri Department of Corrections
Division of Adult Institutions
2729 Plaza Drive
Jefferson City, MO 65102

And

City of Rolla
901 N. Elm St.
3rd Floor City Hall
Rolla, Missouri 65401

Introduction

1. The Missouri Department of Corrections, Division of Adult Institutions, South Central Correctional Center (SCCC) and the City of Rolla ("Contractor") desire to enter into a Supervised Work Release Program Agreement, for the sole purpose of providing an offender the opportunity to gain work skills. The requirements outlined herein, as agreed to by the parties, are intended to enhance the individual offender's work skills and knowledge of productive habits prior to his release from institutional confinement. In addition to the terms and conditions set forth and agreed to herein, the ACC Warden under the jurisdiction of the Division of Adult Institutions shall develop standard operating procedures. Accordingly, the parties agree that any exceptions, additions and/or deletions to the General Terms and Conditions of this agreement shall be signed, attached and made part of this agreement, subject to final approval by the Director, Department of Corrections and/or designee.
 - 1.1 While work release programs are beneficial to the involved offenders, such programs shall not adversely affect any statewide economic growth or industry. Further, work release programs are neither intended to result in the displacement of employed civilian workers, nor to utilize offender labor to perform work in skilled employment positions which would require certification or licensing.

General Terms and Conditions

2. In consideration of the mutual agreements contained herein, the parties agree to establish a Supervised Work Release Agreement under the following terms and conditions. Accordingly, it is understood that:
 - 2.1 Effective March 1, 2021 through February 28, 2022 a binding agreement shall exist, wherein SCCC agrees to furnish laborers ("an offender work crew") to the Contractor. This agreement shall not extend beyond the termination date unless amended in a manner that conveys the intent of both parties to continue such services. Therefore, the parties agree that renewal or any change to this agreement as a result of statute, rule, regulation or court order adopted after the effective date of this agreement shall be accomplished by written and signed amendment between the parties. Upon the mutual agreement of both parties, this agreement may be renewed for two (2) additional one-year periods, or any portion thereof.
 - 2.2 This agreement is not intended to create any rights, liberty interest nor entitlements in favor of any incarcerated offender. The agreement is intended only to set forth the rights and responsibilities of the parties hereto. It is the express intention of the parties hereto that any entity, other than the parties hereto, receiving services or benefits under this agreement shall be deemed an incidental beneficiary only.

- 2.3 All the Contractor's employees, and other individuals acting under either party's control, shall at all times observe and comply with all applicable state statutes, state agency rules, regulations, guidelines, internal management policy and procedures, and general orders of either party that are applicable, current, or hereafter adopted, regarding operations and activities in and about all state property. Personnel shall assist with enforcement of Inmate Rules by reporting violations to the SCCC Warden/designee and not obstructing the Missouri Department of Corrections or any of its designated officials from performing their duties in response to court orders or in the maintenance of a secure and safe correctional environment. Both parties agree that they may develop communication procedures, which will facilitate the routine operation of the work detail as well as ensure adequate response to unforeseen or emergency events.
- a. All Contractor employees who will supervise the offenders must be 21 years of age or older and submit to and pass a background investigation conducted by the Missouri Department of Corrections or its designee. The contractor and its employees understand and agree that the Department shall complete criminal background records checks every year for those employees that have the potential to have contact offenders.
 - b. No individual employed by the Contractor having direct contact with offenders (work crews) shall currently or within the past two years have been released and/or under the supervision of any federal, state or local authority for a criminal offense. Expenses incurred for background investigations shall be the responsibility of the Missouri Department of Corrections.
 - c. The Contractor shall cooperate with the SCCC regarding mandatory Department Orientation and Training of all assigned offender work crew supervisors prior to actually assuming job assignments, tasks, and duties outlined herein.
- 2.4 The Department has a zero tolerance policy for any form of sexual misconduct to include staff/contractor/volunteer on offender or offender on offender sexual harassment, sexual assault, sexual abuse and consensual sex.
- a. Any contractor or contractor's employee who witnesses any form of sexual misconduct must immediately report it to the SCCC Warden or Work Release Coordinator. If a contractor or contractor's employee fails to report, or knowingly condones sexual harassment or sexual contact with or between offenders the Department may cancel the agreement, or, at the Department's sole discretion, require the contractor to remove the employee from supervising offenders under the agreement.
 - b. Any contractor, or its employee, who engages in sexual abuse shall be reported to law enforcement agencies and licensing bodies, as appropriate.
- 2.5 Regarding all property assigned and/or belonging to the Contractor, the Missouri Department of Corrections shall not be liable in the event of loss, shrinkage or damage of any materials, equipment, supplies or items of value.
- 2.6 All records deemed necessary and appropriate by the Missouri Department of Corrections within customary legal limits shall be provided by the Contractor as mutually agreeable. Such records shall also be made available for audit by the Missouri Department of Corrections' Internal Auditor and/or the Missouri State Auditor.

- 2.7 The SCCC Work Release Coordinator and/or designee of the SCCC Warden shall coordinate and monitor the progress and activities of the program, and coordinate all oversight activities, as well as attend meetings relating to the program as deemed necessary.
- 2.8 As may be applicable, the placement of offenders, their assignment, transfer, movement and/or dismissal from any segment of the program shall be at the sole discretion of the SCCC Warden and/or designee. Accordingly, targeted offenders (offender work crew participants) shall be received, accepted and assigned under the following conditions:
- a. Classification and assignment of offenders shall be under the control of the SCCC.
 - b. On an annual basis and as mutually agreeable, employees who supervise offender workers shall be provided training and orientation deemed appropriate, based on the service to be provided pursuant to this agreement.
 - c. The Contractor, working in concert with the SCCC, agrees to provide continuous surveillance and monitoring of all offender work crew activity while on work assignment. Immediate notification of any unusual events or behavior observed by designated supervising employees and/or its designees, which may indicate a threat to public safety or continued operation of the work detail shall be directed to the SCCC Warden, SCCC Chief of Custody, SCCC Work Release Coordinator, and/or their designees. The parties herein agree that guidelines set forth in section 217.360 RSMo shall be communicated to their agency staff, and that any suspicion or feedback of a possible infraction shall be documented and copied immediately to the SCCC Warden and/or designee.
 - d. A staffing ratio of at least one (1) supervising staff person to ten (10) offenders, or less, shall be maintained at all times while on work detail.
 - e. If required and/or deemed necessary, SCCC shall provide individual radios to the escorting correctional staff in an effort to assist in maintaining adequate surveillance and improve communications throughout the work shift. All communication equipment must be maintained in operable condition throughout the work shift.
 - f. The parties agree that work locations for offenders shall be limited to the buildings and/or grounds comprising a work site and restricted to those areas associated with the subject program and services. Any and all offender absences from authorized and assigned work locations must be reported to the SCCC Control Center immediately.
 - g. While on work detail assignment, all offenders, their work location, the vehicles utilized for transportation of offender work crews, and all areas accessible by offenders shall be subject to search by an appropriate correctional authority.
 - h. Offenders assigned to work crews shall not be involved with the burning of any materials whatsoever. In addition, offenders are not to be involved with use or handling of any explosive.
 - i. Offenders assigned to work crews shall not operate trucks, automobiles or any other motor vehicle requiring a Missouri Driver's License. Offenders shall not be allowed to ride in the bed of any truck during transportation.
 - j. The parties agree to conduct themselves in accordance with Missouri Department of Corrections Policy D2-11.10 (See Attachment 1- Staff Conduct) regarding all work

activities, professional conduct and supervisory relationship involving work crew offenders.

- k. Offender contact with members of the general public must be kept to a minimum. The designated supervisor must strictly monitor any direct or indirect contact with the public at all times.
- l. Work crew numbers ("detail size") shall be as outlined herein and assigned dependent on volume of work, productivity and security requirements. The Contractor shall provide 48 hours prior notification regarding any required change in the detail size. SCCC agrees to make every effort to accommodate the needs of the Contractor; however, the SCCC Warden and/or designee shall maintain the right to adjust work crew size for safety and security reasons. This decision shall be final and without recourse.
- m. All offenders must be in possession of a current Missouri Department of Corrections offender identification card.
- n. The SCCC Warden and/or designee shall provide work crew participants appropriate state issued clothing to include t-shirts, boxer underwear, gray shirts, gray trousers, socks, boots. For offenders performing duties outdoors during winter months, the SCCC Warden and/or designee should provide work crew participants with winter gear including gloves, a coat and a stocking cap. Any additional gear deemed necessary by work crew supervisors shall be provided by the contractor and must be approved in advance by the Department of Corrections.
- o. Incidents involving offender workers requiring medical attention shall be reported to the SCCC Warden and/or designee immediately. Routine and non-emergency medical needs shall be managed by correctional staff and referred to the on-site SCCC Medical Administrator and/or designee. Emergency medical needs shall be managed utilizing either on-site SCCC Medical Services or community resources, whichever is determined to be prudent under the circumstances or in lieu of prevailing health care practices. In either instance, the Contractor staff shall accompany/assist, maintain, watch over and/or supervise offender workers until relieved by SCCC correctional staff. In all instances, the SCCC Warden and/or designee and the SCCC Medical Administrator must be notified immediately when the health and welfare of any offender worker is questionable. Accident reports shall be submitted to the SCCC Safety Manager within 24 hours of any incident.
- p. The SCCC Warden and/or designee shall direct that on-site meals are prepared within SCCC and provided at the work site, including a beverage, for the offender workers. No unauthorized food or drink, including intoxicants and/or substances of abuse shall be provided to offender work crew members. All serving utensils provided by either agency shall be monitored, inventoried, retrieved and secured following individual meals.
- q. The SCCC Warden agrees to replace workers upon receipt of notice from the Contractor supervisors. Replacement workers will be dependent upon availability of eligible candidates. Offenders absent for limited periods will not be replaced.
- r. The Contractor shall provide all equipment and supplies required by its staff and offender work crewmembers under supervision for the provision of all services outlined herein. Equipment and supplies shall include, but may not necessarily be limited to, all materials, cleaning supplies, tools and machine parts, repair of equipment and/or

replacement, insect repellent and/or replenishment of supplies necessary to perform the assigned task.

- s. The Contractor will provide safe working conditions. The Contractor will provide all needed repair and maintenance for all tools, equipment or machinery used by offender workers. The Contractor shall provide training, instruction and supervision for all offender workers in the safe and appropriate use and handling of all materials, supplies, tools, equipment, machinery and facilities used to perform all worker assignments. Retraining and additional supervision shall be provided as necessary to insure the safety of workers and the public. The Contractor shall provide documentation of all training to the SCCC Warden and/or designee within five (5) working days following completion of any training program (class) or retraining.

Specific Terms and Conditions

- 3. The parties herein agree that services shall be provided on an as needed, if needed basis, with the exception of designated state holidays, and other times as may be deemed in the best interest of either party.
 - 3.1 SCCC will provide up to eight (8) offenders for the work agreement. However, the number of offenders assigned at any given time shall be dependent on the availability of qualified offenders and shall be at the discretion of the SCCC Warden.
 - 3.2 Offenders will be assigned to the following shifts:
 - Monday through Thursday, 7:00 a.m. – 3:30 p.m., with a thirty (30) minute lunch break.
 - 3.3 Services provided may be interrupted when security or emergency situations occur within the institution or the State of Missouri. The SCCC Warden shall have the sole discretion as to whether these situations require the interruption of offender work release.
 - 3.4 Offenders assigned to the Contractor work agreement will engage primarily in various duties to include:
 - Ground Maintenance:
 - Landscaping, mowing, weed trimming, tree trimming, and brush clearing
 - Litter pickup
 - Sidewalk clearing to include snow and ice removal
 - Janitorial:
 - Cleaning and maintaining restrooms in city owned buildings to include:
 - City Parks
 - City Fire Stations
 - City Sewer Treatment Plants
 - Maintenance Sheds
 - Building Maintenance:
 - Painting and minor repair

- Machinery Repair:
 - Maintain, lubricate, and re-fuel weed trimmers, lawnmowers, and chainsaws
 - Other:
 - Wash and detail city vehicles
 - Assist with minor construction projects
- 3.5 Offenders will be assigned to work at various locations within the City of Rolla to include city parks and city owned properties.
- 3.6 The Contractor agrees to transport offender work crew participants to and from the worksite on a daily basis, exclusive of state and/or federal holidays, except in those times where emergencies preclude the availability of workers.
- 3.7 The Contractor shall notify SCCC Control Center at least twenty-four (24) hours in advance of any shift cancellation.
- 3.8 Transportation staff shall sign a daily out count showing the number of offender workers received in the morning and the number of offender workers returned to SCCC in the evening. A copy of the out count shall be retained by SCCC.
- The Contractor will count offenders and report back to SCCC Control Center between the hours of 10:30 a.m. and 11:00 a.m.

Payment & Invoice

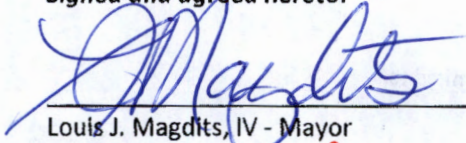
4. Payment and Invoice processing shall be subject to the following:
- 4.1 Payment of taxes, FICA, and any statutorily required employee benefits shall be the responsibility of the Contractor.
- 4.2 Neither agency shall be responsible for additional displacement expenses of the other as a result of this cooperative effort. Displacement expenses are defined as those expenses associated with travel, meals, lodging, communications and/or other expenses resulting from work requirements and/or attendance at one or more training events.
- 4.3 The Contractor agrees to pay the Missouri Department of Corrections in accordance with the following schedule:
- The Contractor will compensate offender workers \$9.38 per eight (8) hour shift. Offenders shall be compensated \$9.38 for any shift under four (4) hours in duration, including the cancellation of a shift once offenders have been delivered to a work site. No shift shall exceed eight (8) hours.
- 4.4 The Contractor shall submit time cards by the second business day of every month to the SCCC.
- 4.5 Upon receipt of the invoice sent from the Department, the Contractor shall pay the invoice within thirty (30) calendar days. In the event the Contractor is a Missouri state government

agency, SAM II vendor number E931422700-0 shall be utilized for payment processing. Payments shall be sent to the Missouri Department of Corrections, Offender Finance Office, P.O. Box 1609, Jefferson City, Missouri, 65102.

Renewals, Amendments and Termination

5. This agreement contains the entire agreement and understanding between the parties and supersedes any other agreement concerning the subject matter of this transaction, whether oral or written. No modification, amendment, renewal, extension or other alteration of this agreement shall be effective unless mutually agreed upon in writing by the parties. No breach of any term, provision or clause of this agreement shall be deemed waived or excused unless such waiver of consent shall be in writing and signed by the party claimed to have waived or consented. Any consent by any party to, or waiver of, a breach of other, whether express or implied, shall not constitute consent to, waiver of, or excuse for any other different or subsequent breach. The Missouri Department of Corrections shall have the right, at its sole option, to renew the agreement. Unless otherwise amended in writing and approved by both parties, it is agreed to by the parties that this agreement shall terminate on the part of all parties in any of the following events:
- a. At 11:59 p.m. on February 28, 2022.
 - b. By failure of the Contractor and/or its staff to abide by all Missouri Department of Corrections rules and regulations.
 - c. Upon thirty (30) days written notice of intent to cancel by either party, without cause.

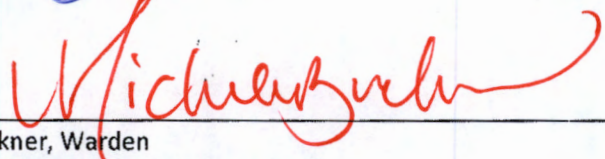
Signed and agreed hereto:



Louis J. Magdits, IV - Mayor
City of Rolla

3/19/21

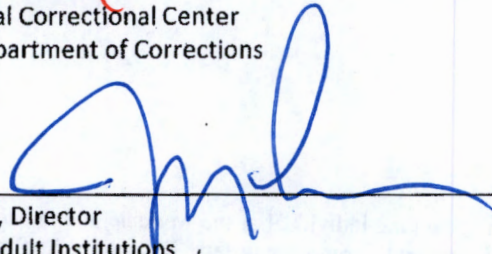
Date



Michele Buckner, Warden
South Central Correctional Center
Missouri Department of Corrections

3-24-21

Date



Jeff Norman, Director
Division of Adult Institutions
Missouri Department of Corrections

4/4/21

Date

ATTACHMENT 1

MISSOURI DEPARTMENT OF CORRECTIONS
DEPARTMENT
PROCEDURE MANUAL

D2-11.10 Staff Member Conduct

Effective Date: July 24, 2016

Signature on File

George A. Lombardi, Department Director

I. PURPOSE: This procedure has been developed to provide staff members with a guideline of professionalism and appropriate conduct.

A. AUTHORITY: Sections 217.040 and 217.175 RSMo

B. APPLICABILITY: All staff members of the department.

II. DEFINITIONS:

A. Avoidable Contact: Any contact with an offender, or ex-offender, or the significant other or family member of an offender that is not authorized as a responsibility of the staff member's position. Avoidable contact includes, but is not limited to:

1. unauthorized oral or written communication,
2. business or social interaction, and
3. other overly familiar act with an offender that includes, but is not limited to,
 - a. giving unauthorized gifts of any nature,
 - b. name calling,
 - c. teasing,
 - d. horseplay,
 - e. joking,
 - f. carrying messages, or
 - g. sharing personal information.

B. Chief Administrative Officer (CAO): The highest ranking individual at the worksite and in accordance with the CAO reference document available in the department's computer system. Exception: Staff members at the worksite who do not report to the worksite CAO will be accountable to the deputy or assistant division directors or central office section heads who are in their chain of command.

C. Discrimination: Unfair treatment of a staff member based on a protected characteristic such as race, color, ancestry, national origin, sex (including sex-specific conditions such as pregnancy and childbirth and treatment based on non-conformance with sex-stereotypes), age (40 and above), religion, disability, genetic information, sexual orientation, political affiliation, labor organization membership or veteran status.

D. Ex-Offender: An offender who has been released from all supervision of any division of the department.

- E. Family:** For the purpose of this procedure, family shall include:
- a. spouse,
 - b. parents or step-parents and their spouses,
 - c. siblings and their spouses,
 - d. children or step-children and their spouses,
 - e. grandparents or step-grandparents and their spouses,
 - f. grandchildren or step-grandchildren,
 - g. aunt,
 - h. uncle,
 - i. niece,
 - j. nephew, and
 - k. cousin.
- F. Harassment:** Unwelcome verbal, nonverbal, or physical conduct that offends, denigrates, or shows hostility toward an individual or group based on race, color, ancestry, national origin, sex (including sex-specific conditions such as pregnancy and childbirth and treatment based on non-conformance with gender-stereotypes), age (40 and above), religion, disability, genetic information, sexual orientation, political affiliation, labor organization membership or veteran status.
- G. Immediate Family:** For the purpose of this procedure, immediate family shall include:
1. spouse,
 2. parents or step-parents and their spouses,
 3. siblings or step-siblings and their spouses, and
 4. children or step-children and their spouses.
- H. Offender:** Any individual under the custody or supervision of any division of the department, including any person confined in a community supervision center.
- I. Significant Other:** A person who is in a romantic relationship with the offender such as a boyfriend, girlfriend or fiancé.
- J. Staff Member:** Any person who is:
1. Employed by the department on a classified or unclassified basis (permanent, temporary, part-time, hourly, per diem) and are paid by the State of Missouri's payroll system;
 2. contracted to perform services on a recurring basis within a department facility (i.e., medical services, mental health services, education services, substance abuse services, etc.) pursuant to a contractual agreement and has been issued a permanent department identification card;

3. a volunteer in corrections;
4. a student intern;
5. issued a permanent department identification card or special access in accordance with the department procedure regarding staff member identification.

K. Working Days: Monday through Friday except holidays.

III. PROCEDURES:

A. PROFESSIONAL PRINCIPLES OF CONDUCT

1. In order to pursue organizational excellence staff members are expected to adhere to the following professional principles of conduct:
 - a. strive toward excellence in the day to day work activities;
 - b. treat all persons respectfully, fairly, honestly and with dignity;
 - c. perform duties responsibly;
 - d. empower and assist other staff members to perform their jobs in a responsible manner;
 - e. accept and respect the differences in people;
 - f. work as a team member;
 - g. make ethical decisions and act in an ethical manner;
 - h. hold themselves and all other staff members accountable for their actions;
 - i. abide by the laws;
 - j. be truthful in reports, interviews, during investigations or inquiries and in other dealings with the public and staff members;
 - k. be familiar with and adhere to:
 - (1) the respective job components and job expectations established through the performance appraisal system;
 - (2) the policies and procedures relating to job functions;
 - (3) the employee handbook;
 - (4) the department procedure regarding employee standards;
 - l. to represent to the public the highest moral, ethical, and professional standards and must accept as a condition of employment a code of personal conduct beyond that of a staff member in the private sector or some other public sector positions;
 - m. to create by attitude, dress, language and general demeanor a working environment free from actual or implied discrimination or harassment; and

D2-11.10 Staff Member Conduct
Effective Date: July 24, 2016

- n. report inappropriate or retaliatory actions, misconduct, offender or resident abuse, and sexual contact by staff members and offenders or residents to appropriate personnel.
2. All staff have the expectation to protect our citizens, provide property supervision and management of offenders, and to use state resources efficiently and effectively.
3. Supervisors have a higher responsibility as a leader in our department to acknowledge each employee as an individual and to treat them with courtesy, understanding, and respect.

B. UNAUTHORIZED CONTACT WITH OFFENDERS AND EX-OFFENDERS

1. Any of the requirements of this procedure concerning an ex-offender will be effective for one year from the date the offender leaves supervision.
2. Staff members must maintain professional relationships with offenders.
3. Staff members must not knowingly have avoidable contact with:
 - a. an offender,
 - b. an offender's family,
 - c. an offender's legal guardian and spouse,
 - d. an offender's significant other, or
 - e. an ex-offender (this does not include staff members who are ex-offenders).
4. A staff member must provide written notification to the CAO the next day he¹ reports to duty with copies to all supervisors in the chain of command when he:
 - a. discovers that a family member is an offender,
 - b. discovers that a person with whom he has a pre-existing personal relationship becomes an offender,
 - c. discovers that a person with whom he has a personal relationship is an offender or ex-offender, or the immediate family, significant other, legal guardian, or spouse of an offender or ex-offender,
 - d. knowingly has unauthorized contact with an offender, ex-offender, or the immediate family, or significant other, legal guardian, or spouse of an offender, whether at work or outside the worksite; for example, when an offender calls a staff member at home, and
 - e. holds a second job or performs volunteer work which brings him into contact with offenders or ex-offenders, the offender's immediate family, legal guardian, or spouse in accordance with the department procedure regarding secondary employment or volunteer work.
 - f. The CAO will ensure that a copy of this written notification is placed in the employee's working file and official file.
5. Staff members must avoid disclosing any personal information about themselves or other staff to offenders or ex-offenders.

¹ All references in this procedure to the male gender are used for convenience only and shall be construed to include both female and male genders.

6. Staff members must not give his or a fellow staff member's home or personal cellular telephone number or address to an:
 - a. offender, ex-offender or their
 - (1) immediate family,
 - (2) significant other,
 - (3) legal guardian, or
 - (4) spouse.
7. Staff members must not, except as authorized in the normal course of duty, receive from or give anything to:
 - a. an offender, ex-offender or their
 - (1) immediate family,
 - (2) significant other,
 - (3) legal guardian, or
 - (4) spouse.
8. Staff members shall not remove from, or bring into, any area under jurisdiction of the department any property, message, or any other item for an offender without proper authorization of the division director or designee.
9. The division director or designee may, upon request of a staff member, allow contact between the staff member and an offender, ex-offender or his family, significant other, legal guardian or spouse of an offender, if such contact does not conflict with, compromise, or threaten the operations and mission of the department or the confidentiality of information maintained by the department.
 - a. The division director or designee will provide the staff member with written directions concerning such contact. This will include any reasonable limits or restrictions on any contact approved and with the requirement that if the staff member becomes aware the offender is violating his probation, parole, or conditional release conditions, he will immediately report it to the CAO. If the CAO is not available immediately, the report must be made no later than 24 hours of awareness.
 - (1) Any staff member who fails to follow the limitations or restrictions may be subject to disciplinary action.

C. REPORTING CRIMINAL MISCONDUCT

1. Staff members who are arrested or charged with a criminal offense must immediately notify the CAO or highest ranking staff member available. In this context, immediately means as soon as possible, but no later than the beginning of the next shift worked by the staff member.
2. Staff members are required to report arrests and charges for any felony or misdemeanor, including city or county ordinances, except for minor traffic violations. The written report must be submitted before the end of the next shift worked.

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- a. Alcohol or drug related charges and driving while suspended or revoked are not minor traffic violations and must be reported.
 - b. Staff members must report a citation or arrest for a traffic violation that occurs while operating a state vehicle.
 - c. Custody staff members must report the suspension, revocation, or expiration of his motor vehicle operators or chauffeurs license.
 - d. Noncustody staff members whose job requires operating a vehicle, must report the suspension, revocation or expiration of the motor vehicle license that is required.
3. Staff members who are on leave at the time of an incident (or soon thereafter) must provide the written notification as soon as possible, but no later than 3 working days after the event.
- a. The CAO will determine whether the staff member will be required to report to the worksite.
 - b. A staff member who is on leave, other than administrative leave, will be compensated for the time spent at the worksite required to prepare the written account.
4. Upon request, staff members must provide written authorization to the CAO to obtain copies of law enforcement reports and other documents concerning the incident. Failure to do so will be considered the same as failure to cooperate with an investigation.
5. Staff members must notify the CAO in writing about court appearances related to the charge in advance of the court appearance, whenever possible. If advance notification is not possible, staff members must report it as soon as possible, but no later than 3 working days after the court appearance.
- a. The staff member must notify the CAO in writing of the outcome of each court appearance, (i.e. dismissal of charge, change of charge, inclusion of additional charges, findings and disposition, continuance and date of next appearance).
 - b. The staff member must provide the CAO with a written account of the final disposition of the charge; including any plea that results in a suspended imposition or execution of sentence. The staff member must submit this account before the close of the next working day.
 - c. Upon receipt of a report that a staff member has been arrested or charged, the CAO will promptly notify the division director or designee. The CAO will provide updates as needed to the division director or designee as he receives updates.

D. REPORTING MISCONDUCT

1. Staff members having knowledge of any instances of offender or resident abuse or sexual contact with an offender or resident shall immediately report such to the inspector general in accordance with the department procedures regarding offender physical abuse and offender sexual abuse and harassment.
2. Staff members must immediately report any misconduct through the appropriate chain of command. If there is reason to believe that any staff member in the chain of command may be involved in the alleged misconduct, the staff member should report the matter to the next highest level of management in the department.
3. Staff members shall report actual or attempted theft of department property or the property of others.
4. Staff members shall report any unauthorized possession of state property, loss or damage to state property or the property of others, or endangering state property or the property of others through carelessness.

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5. Staff members shall report any neglect of job responsibility by staff members which may jeopardize the safety and security of the work place.

E. REPORTING MISMANAGEMENT

1. A copy of Section 105.055 RSMo will be posted in locations where it can reasonably be expected to come to the attention of all staff members of the department.

F. ADMINISTRATIVE ACTION ON PENDING FELONY VIOLATIONS

1. Upon arrest for a felony charge, the staff member may be placed on administrative leave in accordance with the department procedure regarding administrative leave.
2. If formal felony charges are filed, the staff member may be placed on suspension pending disposition of the charges in accordance with the department procedure regarding suspension.

IV. REFERENCES:

A.	Section 105.055 RSMo
B. 931-3469	Administrative Proceedings Warning
C. D1-8.6	Offender Physical Abuse
D. D1-8.13	Offender Sexual Abuse and Harassment
E. D2-9.2	Suspension
F. D2-11	Employee Standards
G. D2-11.1	Secondary Employment or Volunteer Work

V. HISTORY:

A. Original Effective Date:	05/08/89
B. Revised Effective Date:	04/23/90
C. Revised Effective Date:	09/15/93
D. Revised Effective Date:	04/20/99
E. Revised Effective Date:	05/15/00
F. Revised Effective Date:	04/06/08
G. Revised Effective Date:	05/23/09
H. Revised Effective Date:	12/17/09
I. Revised Effective Date:	10/05/13
J. Revised Effective Date:	07/24/16

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance Final Reading

ITEM/SUBJECT: MoDOT Municipal Agreement

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 12/05/22

COMMENTARY:

MoDOT has a project with a bid opening in May 2023 to complete some ADA improvements. In Rolla, MoDOT is proposing curb ramp improvements on city street right of way. MoDOT is proposing to improve the curb ramps on the northwest and northeast corners at the intersection of Route O with Lions Club Drive. In order to perform this work, MoDOT will need a Municipal Agreement with the City of Rolla for the work on city street right of way (yellow highlighted areas in Exhibit A). Attached is the draft of the agreement.

Staff recommends approval.

ITEM NO. VD1

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN MUNICIPAL AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PROJECT J5P3490.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri, Municipal Agreement between the City of Rolla, Missouri and Missouri Highways and Transportation Commission for project J5P3490 a copy of said agreement being attached hereto and marked Exhibit "A".

Section 2: This ordinance will be full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 5th DAY OF DECEMBER 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

EXHIBIT A

CCO Form: DE11
Approved: 04/93 (CEH)
Revised: 12/21 (BDG)
Modified:

Municipal Agreement
Route: O
County: Phelps
Job No.: J5P3490

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Rolla, Missouri, a municipal corporation (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) IMPROVEMENT DESIGNATION: The public improvement designated as Route O, Phelps County, Job No. J5P3490 shall consist of ADA Improvements.

(2) IMPROVEMENT WITHIN CITY: The improvement within the City is located as follows:

At the intersection of Route O with Lions Club Drive, Route O centerline Station 10036+13.52 in Section 18 and Section 13, Township 37 North, Range 7 West, improvements to the sidewalk in the northeast and northwest quadrants of the intersection. Total length of improvement on City street right of way approximately 60 feet.

(3) EXTENT OF AGREEMENT: This Agreement shall apply only to the portion of the improvement lying within the city limits as they exist on the date this Agreement is executed by the City.

(4) LOCATION: The general location of the public improvement is shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated route and project.

(5) PURPOSE: It is the intent of this Agreement to outline the parties' responsibilities with respect to the construction and maintenance of those improvements to the State Highway System located within the City limits described in paragraphs (1) and (2) above and designated as Commission Job No. J5P3490.

(6) RIGHT-OF-WAY USE: The City grants the right to use the right-of-way of public roads, streets, alleys and any other property owned by the City as necessary for

construction and maintenance of said public improvement.

(7) CLOSE AND VACATE: The City shall temporarily close and vacate all streets or roads, or parts thereof, which may be necessary to permit the construction of the project in accordance with the detailed plans.

(8) RIGHT-OF-WAY ACQUISITION:

(A) Upon approval of all agreements, plans and specifications by the Commission and the Federal Highway Administration (FHWA), the Commission will file copies of the plans with the city clerk of the City and the county clerk of the county and proceed to acquire at its expense, at no cost or expense to the City, any necessary right-of-way required for the construction of the improvement.

(B) The portion of state highway covered by this Agreement shall be normal access highway and rights of access between the highway and abutting property shall be procured and the cost classified as right-of-way cost and paid for by the Commission in the same manner as other right-of-way costs. Only such rights of ingress and egress shall be allowed as indicated on the plans approved by the Commission and FHWA.

(9) UTILITY RELOCATION:

(A) The Commission and the City shall cooperate to secure the temporary or permanent removal, relocation, or adjustment of public utilities or private lines, poles, wires, conduits, and pipes located on the right-of-way of existing public ways as necessary for construction of the improvement and the cost shall be borne by such public utilities or the owners of the facilities except where the City is by existing franchise or agreement obligated to pay all or a portion of such cost, in which case the City will pay its obligated portion of the cost.

(B) The Commission shall secure the removal, relocation, or adjustment of any public or private utilities located upon private easements and shall pay any costs incurred therein.

(C) It is understood and agreed by the parties to this Agreement that no city-owned utility facilities will require relocation or adjustment in connection with this improvement, but that should utility facilities be discovered at any time during development or construction of this improvement, relocation or adjustment of the same will be done and performed under a supplemental agreement covering the subject, and in accordance with Commission policy then in effect on division of costs for adjustment of utility facilities.

(D) In cases of public utilities owned by the City which must be moved, adjusted, or altered to accommodate construction of this improvement, and such city-owned utilities, poles, wires, conduits, and pipes are located within the present city limits

and located on an existing city street, not state highway right-of-way, but being taken over by the Commission as a part of its highway right-of-way, the City will perform the necessary removal, adjustment, alterations and relocation, and the Commission will reimburse the City except as otherwise provided. The City shall perform the removal, adjustment, alterations and relocation in accordance with the detail plans, estimates of costs and bills of materials prepared by the City in accordance with Federal Aid Policy Guide, Title 23 CFR Subchapter G, Part 645, Subpart A (FAPG 23 CFR 645A), dated December 9, 1991 and any revision of it, and approved by the Commission's District Engineer, and shall perform all work and keep the records of the costs in accordance with FAPG 23 CFR 645A and its revisions. Upon the completion of any such work and on receipt by the Commission of the original and four copies of a bill for the actual costs incurred by the City in making any such removal, adjustment, alteration and relocation, the Commission shall reimburse the City for the actual cost necessitated by construction of this public improvement. The Commission's obligation toward the cost of any such removal, adjustment, alteration and relocation shall extend only to those costs incurred in accordance with FAPG 23 CFR 645A and its revisions.

(E) Should it be necessary to alter, relocate or adjust any city-owned utility facilities outside the present city limits on public right-of-way or on state highway right-of-way within or outside the city limits or within the right-of-way of a public way other than a city street or alley, the alteration, relocation, or adjustment shall be made by the City at its cost.

(F) The City agrees that any installation, removal, relocation, maintenance, or repair of public or private utilities involving work within highway right-of-way included in this project shall be done only in accordance with the general rules and regulations of the Commission and after a permit for the particular work has been obtained from the Commission's District Engineer or his authorized representative. Similarly, the City will allow no work on the highway right-of-way involving excavation or alteration in any manner of the highway as constructed, including but not limited to driveway connections, except in accordance with the rules and regulations of the Commission and only after a permit for the specific work has been obtained from the Commission's District Engineer or his authorized representative. The City shall take whatever actions that are necessary to assure compliance with this Subsection.

(10) LIGHTING: The installation, operation, and maintenance by the Commission of any lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect at the time of any such installation and only to the extent the Commission then deems warranted. No street lighting system shall be installed or maintained by or for the City on the improvement without approval of the Commission.

(11) TRAFFIC CONTROL DEVICES: The installation, operation and maintenance of all traffic signals, pavement markings, signs, and devices on the improvement, including those between the highway and intersecting streets shall be under the exclusive jurisdiction and at the cost of the Commission. The City shall not

install, operate, or maintain any traffic signals, signs or other traffic control devices on the highway or on streets and highways at any point where they intersect this highway without approval of the Commission.

(12) DRAINAGE: The Commission will construct drainage facilities along the improvement and may use any existing storm and surface water drainage facilities now in existence in the area. The City shall be responsible for receiving and disposing of storm and surface water discharged from those drainage facilities which the Commission constructs within the limits of highway right-of-way to the extent of the City's authority and control of the storm sewer facilities or natural drainage involved.

(13) PERMITS: The Commission shall secure any necessary approvals or permits from the Surface Transportation Board, the Public Service Commission of Missouri, or any other state or federal regulating authority required to permit the construction and maintenance of the highway.

(14) COMMENCEMENT OF WORK: After acquisition of the necessary right-of-way, the Commission shall construct the highway in accordance with final detailed plans approved by the Federal Highway Administration (or as they may be changed from time to time by the Commission with the approval of the FHWA) at such time as federal and state funds are allocated to the public improvement in an amount sufficient to pay for the federal and state government's proportionate share of construction and right-of-way costs. The obligation of the Commission toward the actual construction of the public improvement shall be dependent upon the completion of plans in time to obligate federal funds for such construction, upon approval of the plans by the FHWA, upon the award by the Commission of the contract for the construction, and upon the approval of the award by the FHWA.

(15) MAINTENANCE:

(A) Except as provided in this Agreement, upon completion of the public improvement, the Commission will maintain all portions of the improvement within the Commission owned right-of-way. Maintenance by the Commission shall not in any case include maintenance or repair of sidewalks whether new or used in place, water supply lines, sanitary or storm sewers (except those storm sewers constructed by the Commission to drain the highway), city-owned utilities within the right-of-way or the removal of snow other than the machine or chemical removal from the traveled portion of the highway.

(B) When it is necessary to revise or adjust city streets, the right-of-way acquired for these adjustments and connections will be deeded to the City.

(C) The City shall inspect and maintain the sidewalks on City right of way constructed by this project in a condition reasonably safe to the public and, to the extent allowed by law, shall indemnify and hold the Commission harmless from any claims arising from the construction and maintenance of said sidewalks.

(16) ACCEPTED WITHIN HIGHWAY SYSTEM: Effective upon execution of this Agreement, the Commission temporarily accepts the portion of the City street system described in this Agreement as part of the State Highway System for the purposes of this project. However, during the construction period contemplated in this Agreement:

(A) The Commission will assume no police or traffic control functions not obligatory upon Commission immediately prior to the execution of this Agreement, and

(B) The City shall perform or cause to be performed normal maintenance on the project site.

(17) CITY TO MAINTAIN: Upon completion of construction of this improvement, the City shall accept control and maintenance of the improved City street and sidewalk that was temporarily accepted as part of the State Highway System for the purposes of this project pursuant to paragraph (16) above and shall thereafter keep, control, and maintain the same as, and for all purposes, a part of the City street system at its own cost and expense and at no cost and expense whatsoever to the Commission. All obligations of the Commission with respect to the City street system under this Agreement shall cease upon completion of the improvement.

(18) POLICE POWERS: It is the intent of the parties to this Agreement that the City shall retain its police powers with respect to the regulation of traffic upon the improvement contemplated. However, the City will enact, keep in force, and enforce only such ordinances relating to traffic movement and parking restrictions as may be approved by the Commission and as are not in conflict with any regulations for federal aid. The Commission shall not arbitrarily withhold approval of reasonable traffic regulations, signs, and markings which will permit the movement of traffic in accordance with accepted traffic regulation practices.

(19) RESTRICTION OF PARKING: Since the improvement is being designed and constructed to accommodate a maximum amount of traffic with a minimum amount of right-of-way, the City shall take whatever actions that are necessary to prevent parking upon the highway or any part of the area of the highway right-of-way within the limits of the improvement.

(20) OUTDOOR ADVERTISING: No billboards or other advertising signs or devices or vending or sale of merchandise will be permitted within the right-of-way limits of the project and the City shall take whatever actions that are necessary to enforce this Section.

(21) WITHHOLDING OF FUNDS: In the event that the City fails, neglects, or refuses to enact, keep in force or enforce ordinances specified or enacts ordinances contrary to the provisions in this Agreement, or in any other manner fails, neglects or refuses to perform any of the obligations assumed by it under this Agreement, the Commission may, after serving written request upon the City for compliance and the City's

failure to comply, withhold the expenditure of further funds for maintenance, improvement, construction, or reconstruction of the state highway system in the City.

(22) FEDERAL HIGHWAY ADMINISTRATION: This Agreement is entered into subject to approval by the Federal Highway Administration and is further subject to the availability of federal and state funds for this construction.

(23) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's District Engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's District Engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,500,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(24) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment approved and signed by representatives of the City and Commission, respectively, each of whom being duly authorized to execute the contract amendment on behalf of the City and Commission, respectively.

(25) COMMISSION REPRESENTATIVE: The Commission's Central District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may

designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(26) CITY REPRESENTATIVE: The City's Mayor is designated as the City's representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

(27) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

- (A) To the City:
City of Rolla
Attn: Lou Magdits, Mayor
P.O. Box 979
901 N. Elm St.
Rolla, MO 65402
Phone: (573) 426-6948
Facsimile No_573) 426-6947
limgdits@rollacity.org

- (B) To the Commission:
MoDOT Central District
Attn: Machelles Watkins, District Engineer
1511 Missouri Boulevard
P.O. Box 718
Jefferson City, MO 65102
Facsimile No: (573) 751-8267

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(28) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(29) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.

(30) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(31) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(32) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(33) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____(Date).

Executed by the Commission on _____(Date).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF ROLLA

By: _____

By: _____

Title: _____

Title: _____

ATTEST:

ATTEST:

Secretary to the Commission

By: _____

Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Commission Counsel

By: _____

Title: _____

Ordinance Number _____



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: First Reading

SUBJECT: Vacation of an easement at 700 Aldi Dr

(VAC22-05)

MEETING DATE: December 5, 2022

Application and Notice:

Applicant/Owner - Aldi Inc. c/o Alex Duprey
Public Notice - <https://www.rollacity.org/agenda.shtml>

Background: The applicant seeks to vacate an easement which crosses the subject property, running through the existing building. The easement was assumed to have been previously vacated when the property was platted. However, it does not appear that the easement was formally vacated or indicated to be vacated by the plat.

The property is under contract to be sold. The easement was discovered during due diligence after an ALTA survey was prepared. Their title company suggested that the easement may be a cloud on the title and that it should be vacated.

The area to be vacated does not have any utilities and is not needed.

Property Details:

Land area - Approximately 12,000 sq. ft. to be vacated.

Public Facilities/Improvements:

Utilities - No utilities are located in the easement to be vacated.

Discussion: The easement was assumed to have been vacated when the lot was platted. The easement is not needed. Staff recommends the easement be vacated.

Prepared by: Tom Coots, City Planner

Attachments: Exhibit; Ordinance

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE VACATION OF A PORTION OF AN EASEMENT LOCATED ON 700 ALDI DRIVE

(VAC22-05)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: The location of the easement to be vacated is shown on the attached exhibit.

SECTION 2: The said area to be vacated is more particularly described as follows:

A fractional part of Railroad Lot 83 lying in NW1/2 of Section 14, Township 37 North, Range 8 West, an assessment 50 foot in width lying 25 feet on each side of the following described centerline. Beginning at the intersection of the North line of Railroad Lot No. 83, NW1/2, Sec. 14, T37N, R8W and the West ROW of US Highway 63, thence West along the North line of said Railroad Lot No. 83, 375.3 feet, thence S. 7° 54' W 30.3 feet to the South ROW of a County road and the point of beginning of this description: thence S. 7° 54' W 208.5 feet.

This vacation of the above Easement granted to the City of Rolla, Missouri, and recorded May 11, 1971, in Book 222, Page 129, Phelps County, Missouri Records is intended to vacate solely the portion of such Easement located on the Aldi Parcel described below:

ALL OF LOT ONE (1) OF ALDI SUBDIVISION, THE RESUBDIVISION OF A FRACTIONAL PART OF LOTS 82 AND 83 OF RAILROAD ADDITION TO THE CITY OF ROLLA, PHELPS COUNTY, MISSOURI.

SECTION 3: That this Ordinance shall be in full force and effect after the its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 19TH DAY OF DECEMBER, 2022.

APPROVED:

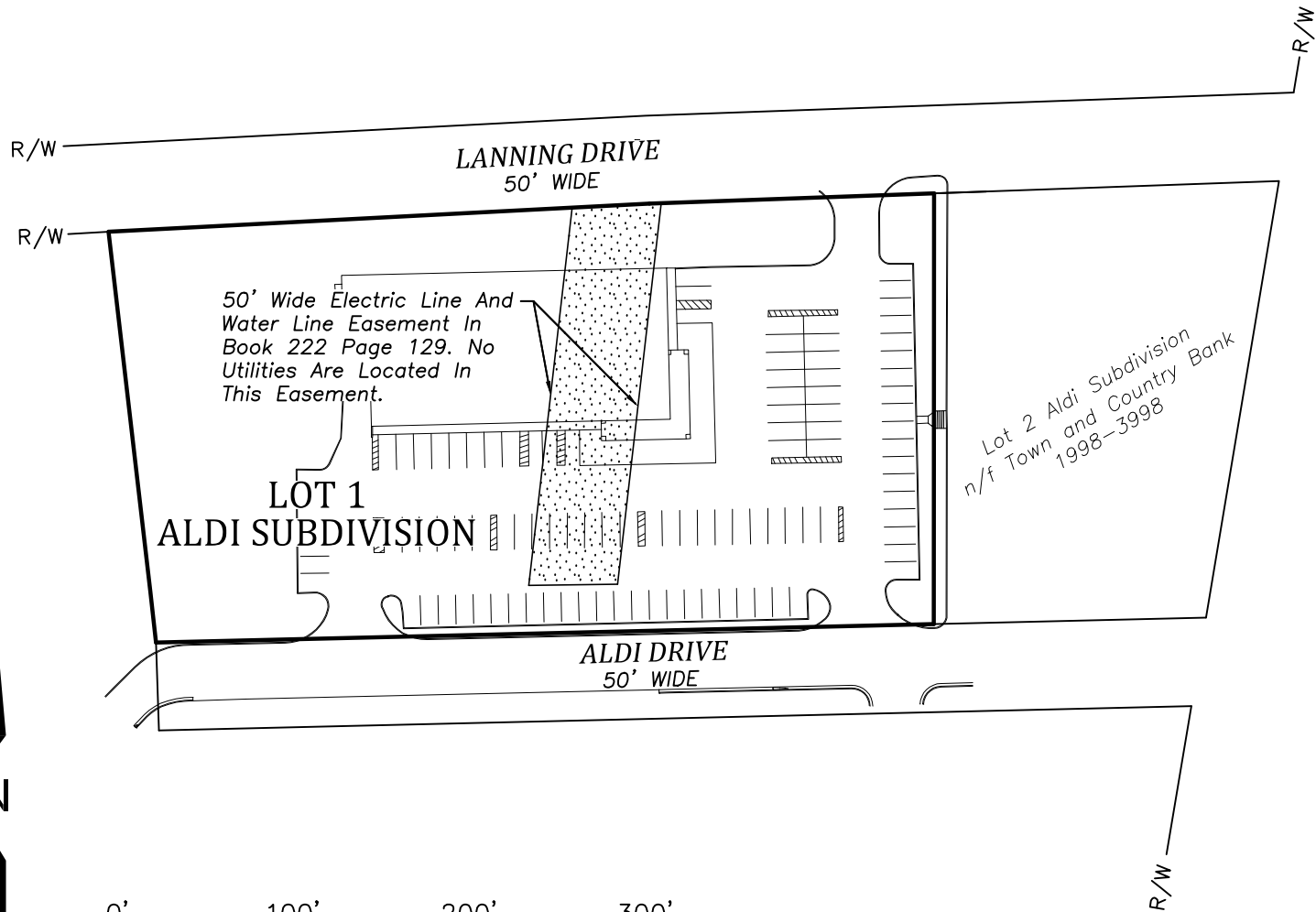
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

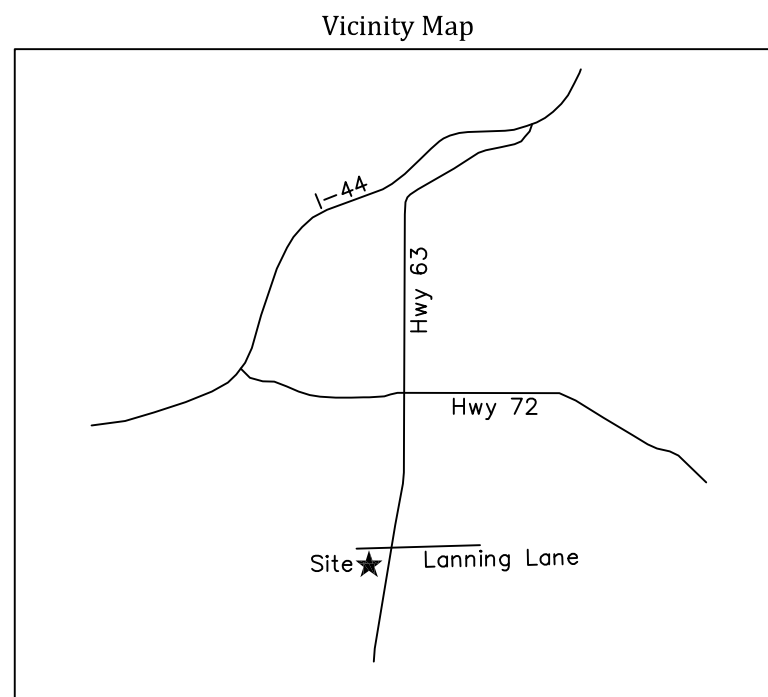


DESCRIPTION

A FRACTIONAL PART OF LOTS EIGHTY-TWO (82) AND EIGHTY-THREE (83), RAILROAD ADDITION TO ROLLA, AND A FRACTIONAL PART OF THE SOUTH HALF (S1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION FOURTEEN (14), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE EIGHT (8) WEST OF THE 5TH PRIME MERIDIAN, CITY OF ROLLA, PHELPS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN OLD IRON PIPE MARKING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LANNING LANE, 50 FEET WIDE, AND THE WEST RIGHT-OF-WAY LINE OF UNITED STATES HIGHWAY 63, THENCE WESTERLY ALONG THE SOUTH RIGHT-OF-WAY OF LANNING LANE SOUTH 88 DEGREES 28 MINUTES 30 SECONDS WEST, 98.00 FEET; SOUTH 70 DEGREES 08 MINUTES 30 WEST, 37.99 FEET AND SOUTH 89 DEGREES 04 MINUTES 30 SECONDS WEST, 64.96 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 11 MINUTES 42 SECONDS EAST, 245.00 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 30 SECONDS WEST, 442.00 FEET; THENCE NORTH 05 DEGREES 32 MINUTES 46 SECONDS WEST 235.00 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF LANNING LANE, 50 FEET WIDE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 88 DEGREES 06 MINUTES 30 SECONDS EAST, 308.06 FEET AND NORTH 89 DEGREES 04 MINUTES 30 SECONDS EAST, 161.95 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.5170 ACRES.

ALSO DESCRIBED AS: ALL OF LOT ONE (1) OF ALDI SUBDIVISION, THE RESUBDIVISION OF A FRACTIONAL PART OF LOTS 82 AND 83 OF RAILROAD ADDITION TO THE CITY OF ROLLA, PHELPS COUNTY, MISSOURI.

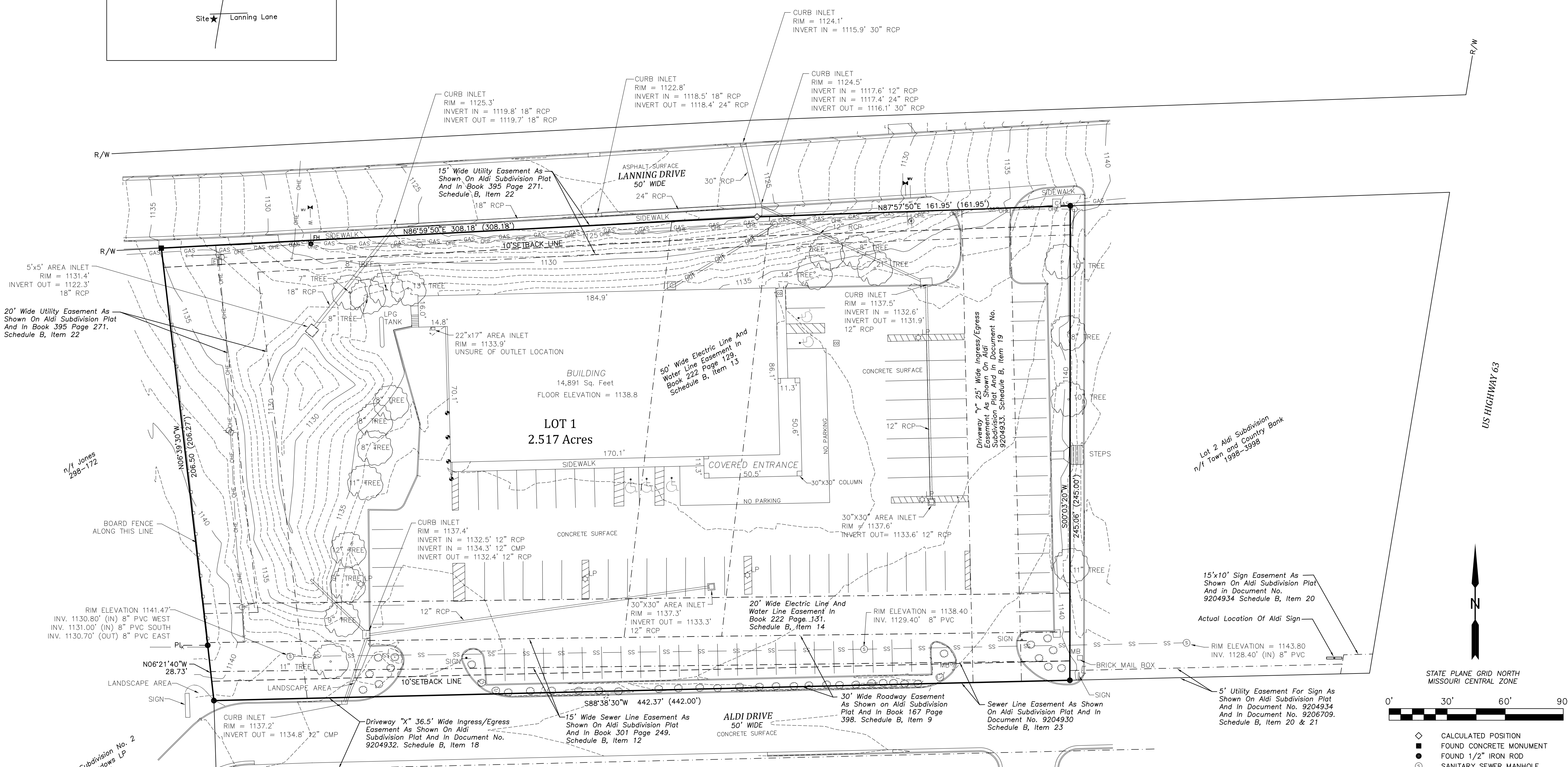
In the deed the 5th Principal Meridian is referenced as the Prime Meridian. The course South 01°11'42" East, 245.00 feet should be South 01°11'42" West. The semicolon after 98.00 feet should be removed. The word and should be inserted in its place.



ALTA/NSPS LAND TITLE SURVEY

General Notes

- 1. The accompanying survey was made on the ground and correctly shows the location of any visible improvements situated on the above premises; that there are no liable encroachments upon adjacent and abutting said property except as shown hereon.
2. The address of the surveyed property is 700 Aldi Drive, Rolla, MO 65401.
3. This ALTA/NSPS Land Title Survey was executed for File No. NCS-1143714-COL as issued by First American Title Insurance Company.
5. By graphics plotting only, this property is located in Zone "X" as shown on the FEMA FIRM Map No. 23161C0242D with an effective date of February 20, 2008.
6. Utilities located per Missouri One Call Ticket No. 222801760.
7. Vertical relief was determined by a ground survey. Contours shown are at 1 foot intervals. The datum utilized is NAVD88. Elevation was brought to the site with MODOT VRS.
8. Schedule B, Item 8: Restrictions and Restrictive Covenants recorded in Document No. 9204931 did pertain to the surveyed property and the property to the east and south. This document was to be enforced for a period of 21 years. This document appears to have expired on July 31, 2013.
9. Schedule B, Item 9: Building Set Back Lines and Easements as per plat recorded in Plat Cabinet C, Slide 109 and Document No. 9207930 and the Dedication filed in Plat Cabinet C, Slide 112 and as Document No. 1993-1283, Phelps County Missouri Records are shown hereon.
10. Schedule B, Item 10: Building Set Back Lines and Easements as per plat of Railroad Addition to Rolla, recorded in Plat Cabinet B, Slides 78, 265 and 301, Phelps County Missouri Records. There are not any set back requirements or any easements mentioned or shown on plat of Railroad Addition to Rolla.
11. Schedule B, Item 11: Building Set Back Lines and Easements as per surveys recorded in Phelps County Surveyor's Records Book G, Page S-3210 and in Phelps County Surveyor's Records Book G, Page S-3761, Phelps County Missouri Records. There are not any set back requirements or any easements mentioned or shown on either of these documents.
12. Schedule B, Item 12: Sanitary Sewer Easements to City of Rolla, Missouri and recorded in Book 301, Page 249 and in Book 343, Page 77, Phelps County, Missouri Records. The Easement in Book 301, Page 249 is shown hereon. The Easement in Book 343, Page 77 does not touch or affect the surveyed property.
13. Schedule B, Item 13: Easement to City of Rolla, Missouri and recorded in Book 222, Page 129, Phelps County, Missouri Records. This easement does affect the surveyed property and is shown hereon.
14. Schedule B, Item 14: Easement to City of Rolla, Missouri and recorded in Book 222, Page 131, Phelps County Missouri Records. This easement does affect the surveyed property and is shown hereon.
15. Schedule B, Item 15: Cross Easement Agreement recorded in Book 319, Page 173, Phelps County, Missouri Records does not affect the surveyed property and is not shown.
16. Schedule B, Item 16: Conveyance for State Highway Purposes to State of Missouri and recorded in Book 110, Page 339, Phelps County, Missouri Records does not affect the surveyed property and is not shown.
17. Schedule B, Item 17: Easement to City of Rolla, and recorded in Book 263, Page 145, Phelps County, Missouri Records does not affect the surveyed property and is not shown.
18. Schedule B, Item 18: Driveway X Easement as recorded in Document No. 9204932, Phelps County, Missouri Records does affect the surveyed property and is shown hereon.
19. Schedule B, Item 19: Driveway Y Easement as recorded in Document No. 9204933, Phelps County, Missouri Records does affect the surveyed property and is shown hereon.
20. Schedule B, Item 20: Sign Easement as recorded in Document No. 9204934, Phelps County, Missouri Records does affect the surveyed property and is shown hereon. The existing sign does not lie within this easement.
21. Schedule B, Item 21: Utility Easement as recorded in Document No. 9206709, Phelps County, Missouri Records does affect the surveyed property and is shown hereon.
22. Schedule B, Item 22: Utility Easement as recorded in Book 395, Page 271 and as Document No. 9103527, Phelps County, Missouri Records does affect the surveyed property and is shown hereon.
23. Schedule B, Item 23: Non-exclusive easement for sanitary sewer line as Document No. 9204930, Phelps County, Missouri Records does affect the surveyed property and is shown hereon.



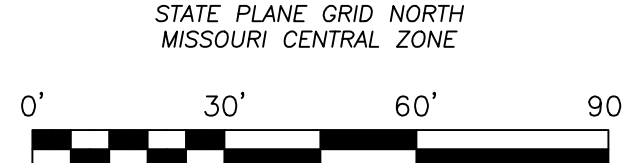
PROPERTY IS ZONED C-3 HIGHWAY COMMERCIAL DISTRICT BY THE CITY OF ROLLA.
BUILDING SETBACKS ARE AS FOLLOWS:
FRONT YARD = 10 FEET
SIDE YARD = 0 FEET
REAR YARD = 10 FEET
BUILDINGS MAY OCCUPY UP TO 40% OF THE LOT. LOT IS 109,332 SQ. FEET.
MAXIMUM BUILDING HEIGHT IS LISTED AS FOUR STORIES AND 64 FEET.
ONE PARKING SPACE IS REQUIRED PER EVERY 150 SQ. FEET OF BUILDING. 100 PARKING SPACES WOULD BE REQUIRED. PROPERTY HAS 103 PARKING SPACES. 98 REGULAR PARKING SPACES AND 5 PARKING SPACES FOR THE DISABLED.
INFORMATION OBTAINED FROM THE CITY OF ROLLA WEBSITE. MUNICIPAL ORDINANCES, CHAPTER 42.



Surveyor's Certification
To: Grady CRE, LLC (and/or assigns)
Carrollton Bank
700 Aldi Dr, LLC
First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6a, 6b, 7a, 7b1, 8, 9, 10, 11a, 11b, 13 and 18 of Table A thereof. The field work was completed on October 14, 2022.

Ernest Jason Lortz, MO, PLS 2012000096
November 1, 2022



- Legend for symbols used in the survey:
CALCULATED POSITION
FOUND CONCRETE MONUMENT
FOUND 1/2" IRON ROD
SANITARY SEWER MANHOLE
SEWER CLEANOUT
SIGN
MAIL BOX
COMMUNICATIONS PULL BOX
TELEPHONE PEDESTAL
FIRE HYDRANT
WATER VALVE
WATER METER
LIGHT POLE
UTILITY POLE
ELECTRIC TRANSFORMER
BUSH
10" BOLLARD
BOARD FENCE
VINYL FENCE
GAS LINE
WATER LINE
UGT UNDERGROUND TELEPHONE
OHE OVERHEAD ELECTRIC LINE
SS SEWER LINE
ST STORM SEWER

LORTZ SURVEYING
211 W. Commercial Street, Lebanon, Missouri 65536
Phone 417-991-8115 • www.lortzsurveying.com • Land Surveyor Corp. 2012028494
Survey of Lot 1 Aldi Subdivision Rolla, Missouri
Grady Commercial Saint Louis, Missouri
Ernest Jason Lortz, MO, PLS 2012000096
Scale: 1" = 30'
Date: 11/1/2022
Survey No. L-1671

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: John Butz City Administrator

ACTION REQUESTED: Discussion/First Reading

ITEM/SUBJECT: Ordinance to Consider April 2023 Prop P (Parks) Sales Tax Reauthorization

BUDGET APPROPRIATION: \$350,000 +/- DATE: December 5, 2022

COMMENTARY:

In 2015 the Rolla voters approved Prop P (for local parks and recreation) - a ¼ cent sales tax – by a margin of 68%. The successful tax initiative established a 3/18th cent tax for parks maintenance in perpetuity and included 1/16th cent tax for eight years “unless reauthorized by Rolla voters for capital improvements in the park system”. That portion of the Park sales tax will cease on September 2023 unless reauthorized.

Prop P has been vital in maintaining the park system for the last eight years but has also provided critical capital improvements such as new (replaced) playgrounds, permanent public restrooms, parks maintenance equipment, parking lot repairs and paving, ballfield repairs, Pickleball courts, Splashzone pool repairs, etc. Capital improvements have cost an average of \$300,000 per year for the last 8 years.

If the 1/16th sales tax is reauthorized (8 or 10 years?) public input will be sought for the next round of improvements which could include such projects as additional Pickleball courts. Tennis courts, ballfield and soccer field improvements, additional playground replacements, trail system upgrades, Splashzone improvements and/or a splash pad, skate park improvements, etc.

The City would need to call for the April election with the ordinance calling for an April election by January, 2023. Discussion needed.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING SUBMISSION TO THE VOTERS OF THE CITY OF ROLLA, MISSOURI, AT THE NEXT ELECTION DAY, APRIL 4, 2023, "PROPOSITION P" IMPOSING A MUNICIPAL SALES TAX OF ONE-SIXTEENTH OF ONE PERCENT BEGINNING OCTOBER 1, 2023, FOR TEN YEARS FOR THE PURPOSE OF PROVIDING FUNDING FOR LOCAL PARKS AND RECREATION, INCLUDING, CONSTRUCTION, OPERATION AND MAINTENANCE OF PARKS.

Recitals:

A. Section 644.032 RSMo, authorizes the City to impose, by ordinance or order, a sales tax not to exceed one-half of one percent sales tax on all retail sales made in the City, which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo, for the purpose of providing funding for local parks.

B. Section 644.032, RSMo, further provides that the authorized tax shall be in addition to any and all other sales taxes allowed by law; but that no ordinance imposing a sales tax and no other provisions of the enabling section shall be effective unless the City submits to its voters at a municipal or state general, primary or special election, a proposal to authorize the City to impose such tax.

C. The City has determined it is proper for it to promote and provide for the common good, health and recreation of its citizens and that these purposes can be served by construction, operation and maintenance of local parks.

D. The 1998 park sales tax that expired in 2013 funded the construction and operations of the Centre and SplashZone. Operations at the Centre will continue to be separate from Park Funding and not receive any funds from Proposition P for Parks.

E. On April 7, 2015 by a vote of 1,594 for and 744 against the Rolla voters approved a one-quarter cent sales tax to support the Parks Fund. While 3/16th cent of the Parks sales tax remains in perpetuity for traditional park maintenance (including the Rolla Cemetery) 1/16th cent would sunset unless reauthorized after eight years for park system capital improvements.

F. In order to provide additional funding for local parks, the City desires to submit to the qualified voters a proposition that, if approved, will implement a sales tax under Section 644.032 RSMo. for ten (10) years from October 1, 2023, unless reauthorized by Rolla voters for additional capital improvements in the park system.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: At the next general Election Day scheduled for April 4, 2023, there shall be submitted to the qualified voters of said City the following Proposition, to-wit:

SALES TAX "PROPOSITION P" FOR LOCAL PARKS

Shall the municipality of Rolla, Missouri impose a sales tax of one-sixteenth of one percent, for ten years, beginning October 1, 2023 for the purpose of providing capital funding for local parks?

The City will use this sales tax solely for local parks, in order to maintain, improve and manage parks, trails, playgrounds, parking lots, bathrooms, pool, cemetery and natural lands for recreational purposes. These funds are prohibited for support of The Centre.

Ordinance No. _____

YES ~ ≡

NO ~ ≡

Instructions to voters: To vote, complete the arrow(s) pointing to your choice(s) like this ~---≡. Use marking device provided. If you are in FAVOR of the proposition or question, complete the arrow next to the word YES. If you are OPPOSED to the proposition or question, complete the arrow next to the word NO.

Section 2: The City Clerk shall provide the County Clerk of Phelps County, Missouri, (County Clerk), as election authority for Phelps County, Missouri, with a copy of this Ordinance and shall provide such notice of the aforesaid election as may be by law required. The ballots to be used at said election shall contain the information in substantially the form set forth above, subject to such revisions and modifications as to form, but not content, as may be required for use of the voting system selected by the County Clerk. The qualified voters of the City residing in the election precincts located within the City shall vote at such polling places at such times as are otherwise established in connection with the general Election Day scheduled for April 4, 2023.

Section 3: The County Clerk shall conduct the election herein provided for and shall perform the duties required as the election authority for said election under the provisions of Chapter 115, RSMo.

Section 4: The County Clerk, as election authority for the election herein provided for, shall give the notice of said election required by law, shall appoint the election judges for the polling places at which said election is to be held, and shall apply all voting equipment, ballot boxes, ballots, tally sheets, precinct registers, and other supplies necessary for the conduct of said election.

Section 5: All ordinances or parts of ordinances in conflict with this Ordinance shall be and the same are repealed hereby insofar as they may so conflict. This ordinance shall be in force and take effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 3rd DAY OF JANUARY 2023.

APPROVED:

LOUIS J. MAGDITS, IV, MAYOR

ATTEST:

LORRI THURMAN, CITY CLERK

APPROVED AS TO FORM:

LANCE THURMAN, CITY COUNSELOR

COPY

ORDINANCE NO. 4183

AN ORDINANCE AUTHORIZING SUBMISSION TO THE VOTERS OF THE CITY OF ROLLA, MISSOURI, AT THE NEXT ELECTION DAY, APRIL 7, 2015, "PROPOSITION P" IMPOSING A MUNICIPAL SALES TAX OF ONE-QUARTER OF ONE PERCENT BEGINNING OCTOBER 1, 2015, FOR EIGHT YEARS, REDUCED TO THREE-SIXTEENTHS OF ONE PERCENT BEGINNING OCTOBER 1, 2023, FOR THE PURPOSE OF PROVIDING FUNDING FOR LOCAL PARKS AND RECREATION, INCLUDING, CONSTRUCTION, OPERATION AND MAINTENANCE OF PARKS.

Recitals:

A. Section 644.032, RSMo., authorizes the City to impose, by ordinance or order, a sales tax not to exceed one-half of one percent sales tax on all retail sales made in the City, which are subject to taxation under the provisions of Sections 144.010 to 144.525, RSMo., for the purpose of providing funding for local parks.

B. Section 644.032, RSMo., further provides that the authorized tax shall be in addition to any and all other sales taxes allowed by law; but that no ordinance imposing a sales tax and no other provisions of the enabling section shall be effective unless the City submits to its voters at a municipal or state general, primary or special election, a proposal to authorize the City to impose such tax.

C. The City has determined it is proper for it to promote and provide for the common good, health and recreation of its citizens and that these purposes can be served by construction, operation and maintenance of local parks.

D. The 1998 park sales tax that expired in 2013 funded the construction and operations of the Centre and SplashZone. During its existence, the City of Rolla did not subsidize or transfer any additional funds to support the Centre. Operations at the Centre will continue to be separate and not receive funds from the General Fund.

E. The General Fund has annually subsidized the Parks Fund. A parks only sales tax will provide savings to the General Fund which will provide additional resources for public safety and employee compensation.

F. In order to provide additional funding for local parks and recreation in general, the City desires to submit to the qualified voters a proposition that, if approved, will implement a sales tax under Section 644.032 RSMo. for eight (8) years from October 1, 2015, which tax shall automatically be reduced to three-sixteenths (3/16) of one percent from and after October 1, 2023 unless reauthorized by Rolla voters for additional capital improvements in the park system.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: At the next general Election Day scheduled for April 7, 2015, there shall be submitted to the qualified voters of said City the following Proposition, to-wit:

SALES TAX "PROPOSITION P" FOR LOCAL PARKS

Shall the municipality of Rolla, Missouri impose a sales tax of one-quarter of one percent, for eight years, then reduced to three-sixteenths of one percent beginning October 1, 2023 for the purpose of providing funding for local parks?

The City will use this sales tax solely for local parks, in order to maintain, improve and manage parks, trails, playgrounds, parking lots, bathrooms, pool, cemetery and natural lands for recreational purposes. These funds are prohibited for support of The Centre.

4183

VIB4

COPY

Ordinance No. 4183
Page 2

YES ≈ ≡

NO ≈ ≡

Instructions to voters: To vote, complete the arrow(s) pointing to your choice(s) like this ≈---≡. Use marking device provided. If you are in FAVOR of the proposition or question, complete the arrow next to the word YES. If you are OPPOSED to the proposition or question, complete the arrow next to the word NO.

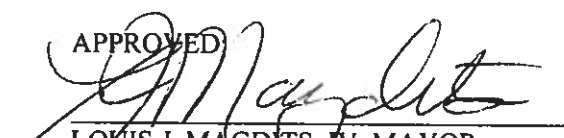
Section 2: The City Clerk shall provide the County Clerk of Phelps County, Missouri, (County Clerk), as election authority for Phelps County, Missouri, with a copy of this Ordinance and shall provide such notice of the aforesaid election as may be by law required. The ballots to be used at said election shall contain the information in substantially the form set forth above, subject to such revisions and modifications as to form, but not content, as may be required for use of the voting system selected by the County Clerk. The qualified voters of the City residing in the election precincts located within the City shall vote at such polling places at such times as are otherwise established in connection with the general Election Day scheduled for April 7, 2015.

Section 3: The County Clerk shall conduct the election herein provided for and shall perform the duties required as the election authority for said election under the provisions of Chapter 115, RSMo.

Section 4: The County Clerk, as election authority for the election herein provided for, shall give the notice of said election required by law, shall appoint the election judges for the polling places at which said election is to be held, and shall apply all voting equipment, ballot boxes, ballots, tally sheets, precinct registers, and other supplies necessary for the conduct of said election.

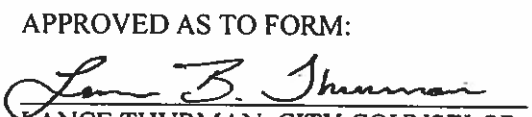
Section 5: All ordinances or parts of ordinances in conflict with this Ordinance shall be and the same are repealed hereby insofar as they may so conflict. This ordinance shall be in force and take effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5TH DAY OF JANUARY 2015.

APPROVED

LOUIS J. MAGDITS, IV, MAYOR

ATTEST:

CAROL L. DANIELS, CITY CLERK

APPROVED AS TO FORM:

LANCE THURMAN, CITY COUNSELOR

4183

Parks Capital Projects Prop P

Prop P 1/4 cent sales tax: approved April 2015 w 68% of vote

(1/16 cent sales tax for capital improvements to existing parks facilities through Sept. 30, 2023)

Playgrounds	Cost	Year
Playground improvements Breuer, GA, Schuman, Murry	\$ 24,778	2016-2019
Larry May Playground	\$ 90,771	2017
Green Acres playground	\$ 105,509	2018
Ridgeview playground	\$ 19,236	2019
Coventry Playground	\$ 90,000	2020
Inclusive Playground at Ber Juan	\$ 196,347	2021
Buehler Playground	\$ 125,168	2022
Infrastructure		
Ber Juan Lake storm sewer, aerators	\$ 28,453	2016
Eugene Northern Roof	\$ 12,500	2019
Frisco train engine, oil tender, passenger car renovation	\$ 15,008	2020
Pavilions, bk courts, trails, sidewalks, disc golf course	\$ 75,040	2019-2022
Cemetery		
New office/maintenance roof	\$ 10,525	2021
Asphalt overlay roads	\$ 74,600	2021
Splash Zone		
Boiler, water heater, pump	\$ 58,934	2016-2021
Shade, game area, lockers, showers	\$ 65,898	2016-2019
New drain grates	\$ 11,217	2020
Resurface	\$ 47,420	2020
Slide Restoration	\$ 40,198	2021
Glass bead filter media replacement	\$ 11,250	2022
Equipment Valves, chemtroller replacement	\$ 28,934	2020-2022
Funbrellas	\$ 19,968	2021-2022
Ballfields, courts		
Backboards, rims, nets, soccer goals, pitching mounds	\$ 18,740	2015-2021
Resurface tennis courts, rebounder, shelters	\$ 63,707	2017-2022
Bleachers for Schuman, Green Acres, batting cages	\$ 42,778	2017-2020
New scoreboards	\$ 30,071	2018-2021
Ballfied fencing	\$ 54,676	2018-2021
Lighting repairs, remote lights	\$ 19,010	2019
Concession building improvements	\$ 48,064	2020-2021
Pickleball nets, hardware, fencing, resurface 3 courts	\$ 21,395	2020-2021
Ballfield maintenance	\$ 33,788	2020-2021
Parks Bathrooms	\$ 179,736	2017-2020
Park signage	\$ 35,377	2018-2020
Parking Lots	\$ 189,322	2015-2021
Equipment & Vehicles	\$ 434,238	
TOTAL	\$ 2,322,657	



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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance 1st Reading

ITEM/SUBJECT: Revisions to Sec 27-66 Speed Limits

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 12/05/22

COMMENTARY:

Staff is proposing to amend Section 27-66 of the City of Rolla Code concerning speed limits. The proposed changes are due to the street name changes approved at the last council meeting. In the packet is a highlighted version of the changes. The proposed changes are highlighted in yellow and the current versions are highlighted in brown. Also in the packet is a map highlighting where the changes are being proposed.

Staff recommends approval.

ITEM NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTION 27-66 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI AND ENACTING A NEW SECTION 27-66 IN LIEU THEREOF PERTAINING TO REGULATION OF SPEED.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

Section 1: That Section 27-66 of the General Ordinances of the City of Rolla, Missouri, known as the Code of the City of Rolla, Missouri is hereby repealed and a new Section 27-66 is hereby enacted in lieu thereof as follows:

Sec. 27-66. Maximum limits established generally.

No vehicle shall be moved or propelled along, over or upon any street at a greater rate of speed than is reasonable, having regard to the traffic and use of such street or so as to endanger the life or limb of any person or the safety of any property, and shall in any event, while upon any such street, not be moved or propelled at a greater rate of speed than twenty-five miles per hour, except on the following streets or portions of streets and the speed limit shall not be greater than provided by the following: (Ord. 3903, §2).

Tenth Street. Between Fairgrounds Road and Bishop Avenue (U.S. Highway 63), thirty miles per hour; between Elm Street and Olive Street, thirty miles per hour; between Olive Street and Iowa Street, twenty miles per hour; between Iowa Street and Holloway Street, thirty miles per hour; between Holloway Street and Forum Drive, thirty five miles per hour.

Twelfth Street. Between Pine Street and Rolla Street, twenty miles per hour.

Eighteenth Street. Between Farrar Drive and Forum Drive, thirty miles per hour.

Bardsley Road. Between Twelfth and Eighteenth Street, thirty miles per hour.

Bridge School Road. On Bridge School Road from Highway 72, to west city limits, thirty-five miles per hour.

Fairgrounds Road. Between Kingshighway (U.S. Business Route 66) and Tenth Street, thirty miles per hour.

Forum Drive. Between Soest Road and Old St. James Road, thirty miles per hour.

Highway CC. (Lions Club Drive West) from US Highway 63 (Bishop Avenue) to west city limits, forty-five miles per hour.

Highway 72. Between Old Wire Outer Road and H-J Drive, thirty-five miles per hour; between the intersection with H-J Drive and Walker Avenue, forty miles per hour; between the intersection with Bishop Avenue (U.S. Highway 63) and a point located approximately 1,250 feet east of Route O, a.k.a. Lcoma Road, thirty-five miles per hour; between such point located approximately 1,250 feet east of Route

O, a.k.a. Lecoma Road and the south right of way line of Lions Club Drive,, forty-five miles per hour; between the south right of way line of Lions Club Drive to southeast city limits, fifty-five miles per hour.

Holmes Lane. Between Soest Road and Salem Avenue, twenty miles per hour.

Interstate 44. Within city limits, seventy miles per hour except between a point at the 183.1 mile to a point at the 186.9 mile when the speed limit is sixty miles per hour.

Kingshighway (U.S. Business Route 66). Between intersection with Bishop Avenue (U.S. 63) and intersection with Sixth Street, twenty-five miles per hour. Between intersection with Bishop Avenue (U.S. 63) and Highway 72, thirty-five miles per hour.

Lions Club Drive. Between Bishop Avenue (U.S. Highway 63) and Highway 72, thirty-five miles per hour.

Lovers Lane. Between Soest Road and Tenth Street, thirty miles per hour.

McCutchen Drive. Between Tenth Street and Old St. James Road, thirty miles per hour.

Martin Springs Drive (South Outer Road of Interstate 44). From Highway 72 to a point approximately 150 feet southwest of Blue's Lake Parkway, thirty-five miles per hour; from a point approximately 150 feet southwest of Blue's Lake Parkway to west city limits, forty-five miles per hour.

Old St. James Road. Between Eighteenth Street and McCutchen Drive, thirty miles per hour; between McCutchen Drive and east city limits, thirty-five miles per hour.

Old Wire Outer Road. Between the Highway 72 roundabout on the north side of Interstate 44 and Sally Road, thirty-five miles per hour; between Sally Road and west city limits, fifty-five miles per hour.

Pine Street. Between Sixth Street and Twelfth Street, twenty miles per hour; between Twelfth Street and Bishop Avenue (U.S. Highway 63), twenty-five miles per hour.

Pine Tree Road. Between Soest Road and Richard Drive, thirty miles per hour; between Richard Drive and Highway 72, thirty-five miles per hour.

Rolla Street. Between Twelfth Street and Sixth Street, twenty miles per hour.

Route BB (Tenth Street). Between Forum Drive and Independence Road, thirty-five miles per hour; between Independence Road and east city limits, forty miles per hour.

Route E (Nagogami Road/Tim Bradley Way). Between Bishop Avenue (U.S. Highway 63) and west city limits, thirty-five miles per hour.

Route "O" (Lecoma Road). From the south side of Sycamore Drive, north to the intersection of State Highway 72, thirty-five miles per hour. From the south side of Sycamore Drive, south to city limits, forty-five miles per hour.

Route V. Between Interstate 44 and the west city limits, forty miles per hour.

Salem Avenue. Between Fifth Street and Highway 72, thirty miles per hour.

Sally Road. Between Old Wire Road and the north city limits, thirty-five miles per hour.

Soest Road. Between Salem Avenue and east city limits thirty miles per hour.

Stoltz Road. From BB Highway to the city limits line, thirty miles per hour.

U.S. Highway 63 (Bishop Avenue). Between north city limits and a point located 0.15 miles north of Interstate 44, forty-five miles per hour; between such point located 0.15 miles north of Interstate 44 to Tucker Lane, thirty-five miles per hour; and between Tucker Lane and south city limits, forty-five miles per hour.

Vichy Road. Between Bishop Avenue (U.S. Highway 63) and north city limits, thirty miles per hour.

Westside Drive. In its entirety, thirty-five miles per hour.

White Columns Drive. Between Route E and north city limits, thirty miles per hour.

Winchester Drive. From the intersection of Winchester Drive and Rolla Street to the intersection of Chestnut Drive and Winchester Drive to thirty miles per hour. (Ord. 3903, §2; Ord. 4445, §1)

Section 2: This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 19th DAY OF DECEMBER, 2022.

APPROVED

ATTEST:

Mayor

City Clerk

VIC4

Ordinance No. _____

Page 2

APPROVED AS TO FORM:

City Counselor

Sec. 27-66. Maximum limits established generally.

No vehicle shall be moved or propelled along, over or upon any street at a greater rate of speed than is reasonable, having regard to the traffic and use of such street or so as to endanger the life or limb of any person or the safety of any property, and shall in any event, while upon any such street, not be moved or propelled at a greater rate of speed than twenty-five miles per hour, except on the following streets or portions of streets and the speed limit shall not be greater than provided by the following: (Ord. 3903, §2).

Tenth Street. Between Fairgrounds Road and Bishop Avenue (U.S. Highway 63), thirty miles per hour; between Elm Street and Olive Street, thirty miles per hour; between Olive Street and Iowa Street, twenty miles per hour; between Iowa Street and Holloway Street, thirty miles per hour; between Holloway Street and Forum Drive, thirty five miles per hour.

Twelfth Street. Between Pine Street and Rolla Street, twenty miles per hour.

Eighteenth Street. Between Farrar Drive and Forum Drive, thirty miles per hour.

Bardsley Road. Between Twelfth and Eighteenth Street, thirty miles per hour.

Bridge School Road. On Bridge School Road from Highway 72, to west city limits, thirty-five miles per hour.

Bridge School Road. On Bridge School Road from Kingshighway to 2,500' south of Kingshighway, thirty miles per hour; from 2,500' south of Kingshighway to west city limits, thirty-five miles per hour.

Fairgrounds Road. Between Kingshighway (U.S. Business Route 66) and Tenth Street, thirty miles per hour.

Forum Drive. Between Soest Road and Old St. James Road, thirty miles per hour.

Highway CC. (Lions Club Drive West) from US Highway 63 (Bishop Avenue) to west city limits, forty-five miles per hour.

Highway 72. Between Old Wire Outer Road and H-J Drive, thirty-five miles per hour; between the intersection with H-J Drive and Walker Avenue, forty miles per hour; between the intersection with Bishop Avenue (U.S. Highway 63) and a point located approximately 1,250 feet east of Route O, a.k.a. Lcoma Road, thirty-five miles per hour; between such point located approximately 1,250 feet east of Route O, a.k.a. Lcoma Road and the south right of way line of Lions Club Drive,, forty-five miles per hour; between the south right of way line of Lions Club Drive to southeast city limits, fifty-five miles per hour.

Highway 72. Between the intersection with H-J Drive and Walker Avenue, forty miles per hour; between intersection with Bishop Avenue (U.S. Highway 63) and a point located approximately 1,250 feet east of Route O, a.k.a. Lcoma Road, thirty-five miles per hour; between such point located approximately 1,250 feet east of Route O, a.k.a. Lcoma Road and the south right of way line

of Lions Club Drive,, 45 miles per hour; between the south right of way line of Lions Club Drive to southeast city limits, fifty five miles per hour.

Holmes Lane. Between Soest Road and Salem Avenue, twenty miles per hour.

Interstate 44. Within city limits, seventy miles per hour except between a point at the 183.1 mile to a point at the 186.9 mile when the speed limit is sixty miles per hour.

Kingshighway (U.S. Business Route 66). Between intersection with Bishop Avenue (U.S. 63) and intersection with Sixth Street, twenty-five miles per hour. Between intersection with Bishop Avenue (U.S. 63) and Highway 72, thirty-five miles per hour.

Kingshighway (U.S. Business Route 66). Between intersection with Bishop Avenue (U.S. 63) and intersection with Sixth Street, 25 miles per hour. Between intersection with Bishop Avenue (U.S. 63) and Old Wire Outer Road, thirty-five miles per hour.

Lions Club Drive. Between Bishop Avenue (U.S. Highway 63) and Highway 72, thirty-five miles per hour.

Lovers Lane. Between Soest Road and Tenth Street, thirty miles per hour.

McCutchen Drive. Between Tenth Street and Old St. James Road, thirty miles per hour.

Martin Springs Drive (South Outer Road of Interstate 44). From Highway 72 to a point approximately 150 feet southwest of Blue's Lake Parkway, thirty-five miles per hour; from a point approximately 150 feet southwest of Blue's Lake Parkway to west city limits, forty-five miles per hour.

Martin Springs Drive (South Outer Road of I-44). From Kingshighway to a point approximately 150 feet southwest of Blue's Lake Parkway, thirty-five miles per hour; from a point approximately 150 feet southwest of Blue's Lake Parkway to west city limits, 45 miles per hour.

Old St. James Road. Between Eighteenth Street and McCutchen Drive, thirty miles per hour; between McCutchen Drive and east city limits, thirty-five miles per hour.

Old Wire Outer Road. Between the Highway 72 roundabout on the north side of Interstate 44 and Sally Road, thirty-five miles per hour; between Sally Road and west city limits, fifty-five miles per hour.

Old Wire Outer Road. Between Kingshighway and Sally Road, thirty-five miles per hour; between Sally Road and west city limits, 55 miles per hour.

Pine Street. Between Sixth Street and Twelfth Street, twenty miles per hour; between Twelfth Street and Bishop Avenue (U.S. Highway 63), twenty-five miles per hour.

Pine Tree Road. Between Soest Road and Richard Drive, thirty miles per hour; between Richard Drive and Highway 72, thirty-five miles per hour.

Rolla Street. Between Twelfth Street and Sixth Street, twenty miles per hour.

Route BB (Tenth Street). Between Forum Drive and Independence Road, thirty-five miles per hour; between Independence Road and east city limits, forty miles per hour.

Route E (Nagogami Road/Tim Bradley Way). Between Bishop Avenue (U.S. Highway 63) and west city limits, thirty-five miles per hour.

Route E (Nagogami Road/University Drive). Between Bishop Avenue (U.S. Highway 63) and west city limits, thirty-five miles per hour.

Route "O" (Lecoma Road). From the south side of Sycamore Drive, north to the intersection of State Highway 72, thirty-five miles per hour. From the south side of Sycamore Drive, south to city limits, forty-five miles per hour.

Route V. Between Interstate 44 and the west city limits, forty miles per hour.

Salem Avenue. Between Fifth Street and Highway 72, thirty miles per hour.

Sally Road. Between Old Wire Road and the north city limits, thirty-five miles per hour.

Soest Road. Between Salem Avenue and east city limits thirty miles per hour.

Stoltz Road. From BB Highway to the city limits line, thirty miles per hour.

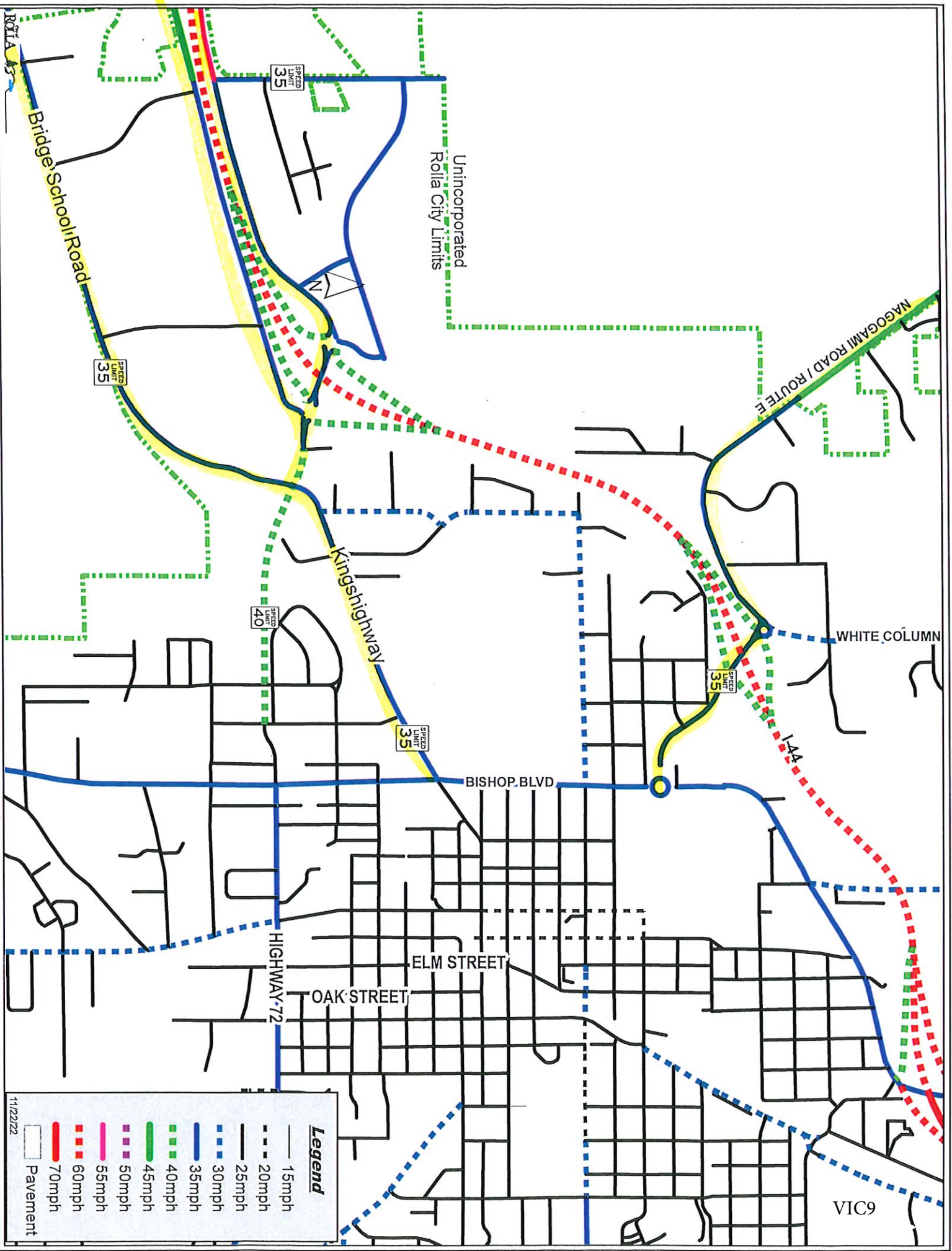
U.S. Highway 63 (Bishop Avenue). Between north city limits and a point located 0.15 miles north of Interstate 44, forty-five miles per hour; between such point located 0.15 miles north of Interstate 44 to Tucker Lane, thirty-five miles per hour; and between Tucker Lane and south city limits, forty-five miles per hour.

Vichy Road. Between Bishop Avenue (U.S. Highway 63) and north city limits, thirty miles per hour.

Westside Drive. In its entirety, thirty-five miles per hour.

White Columns Drive. Between Route E and north city limits, thirty miles per hour.

Winchester Drive. From the intersection of Winchester Drive and Rolla Street to the intersection of Chestnut Drive and Winchester Drive to thirty miles per hour. (Ord. 3903, §2; Ord. 4445, §1)



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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance 1st Reading

ITEM/SUBJECT: Kingshighway Excess ROW – Investments Realty

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 12/05/22

COMMENTARY:

In 2010 the City acquired right-of-way along Kingshighway and Bryant Drive for a multilane signalized intersection at the Kingshighway/Bryant intersection in anticipation of the 72 extension connecting at that intersection. The 72 extension ultimately did not connect at that location and all of the improvements to Kingshighway have been completed. The additional right-of-way acquired in 2010 from the MACO Management Co (now Investment Realty) was transferred without compensation. Staff is recommending to return the unneeded right-of-way to the Investments Realty group.

Staff is requesting the first reading of an ordinance authorizing the mayor execute a corporation warranty deed to transfer this property.

ITEM NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN CORPORATION WARRANTY DEED BETWEEN THE CITY OF ROLLA, MISSOURI AND INVESTMENTS REALTY LLC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a Corporation Warranty Deed between the City of Rolla, Missouri and Investments Realty LLC, a copy of said agreement being attached hereto and marked Exhibit "A".

Section 2: This ordinance will be full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 19th DAY OF DECEMBER 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

EXHIBIT A

Document Title: Corporation Warranty Deed
Document Date: November , 2022
Grantor's Name: City of Rolla
Grantees' Name(s): Investments Realty LLC
Address of Grantee(s):
Legal Description: See Exhibit "A" attached

CORPORATION WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that City of Rolla, a corporation organized and existing under the laws of the State of Missouri, Grantor, in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, to it paid by Investments Realty LLC, Grantee, receipt of which is hereby acknowledged, and by virtue and in pursuance of a resolution of the Board of Directors of said Grantor, does by these presents Grant, Bargain and Sell, Convey and Confirm, unto the said Grantee, and its successors and assigns, the following described lot, tract or parcel of land, lying, being and situate in the County of Phelps and State of Missouri, to-wit:

See Exhibit "A" attached

TO HAVE AND TO HOLD the same, with all and singular the rights, privileges, appurtenances and immunities thereto belonging, or in anywise appertaining, unto the said Grantee and its successors and assigns forever.

And the said Grantor hereby covenants that it will warrant and defend the title to the said premises unto the said Grantee and its successors and assigns, forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed by its Mayor and its corporate seal to be hereto affixed the day and year first above written.

City of Rolla

(CORPORATE SEAL)

By: _____
Louis J Magdits, IV, Mayor, President

STATE OF MISSOURI)
) SS.
COUNTY OF PHELPS)

On this ____ day of _____, 2022, before me appeared Louis J. Magdits, IV,, to me personally known, who, being by me duly sworn did say: That he is the Mayor of City of Rolla, a corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Louis J. Magdits, IV acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, the day and year first above written.

NOTARY PUBLIC

My Commission Expires:

Rubber Stamp Seal:

_____ OR

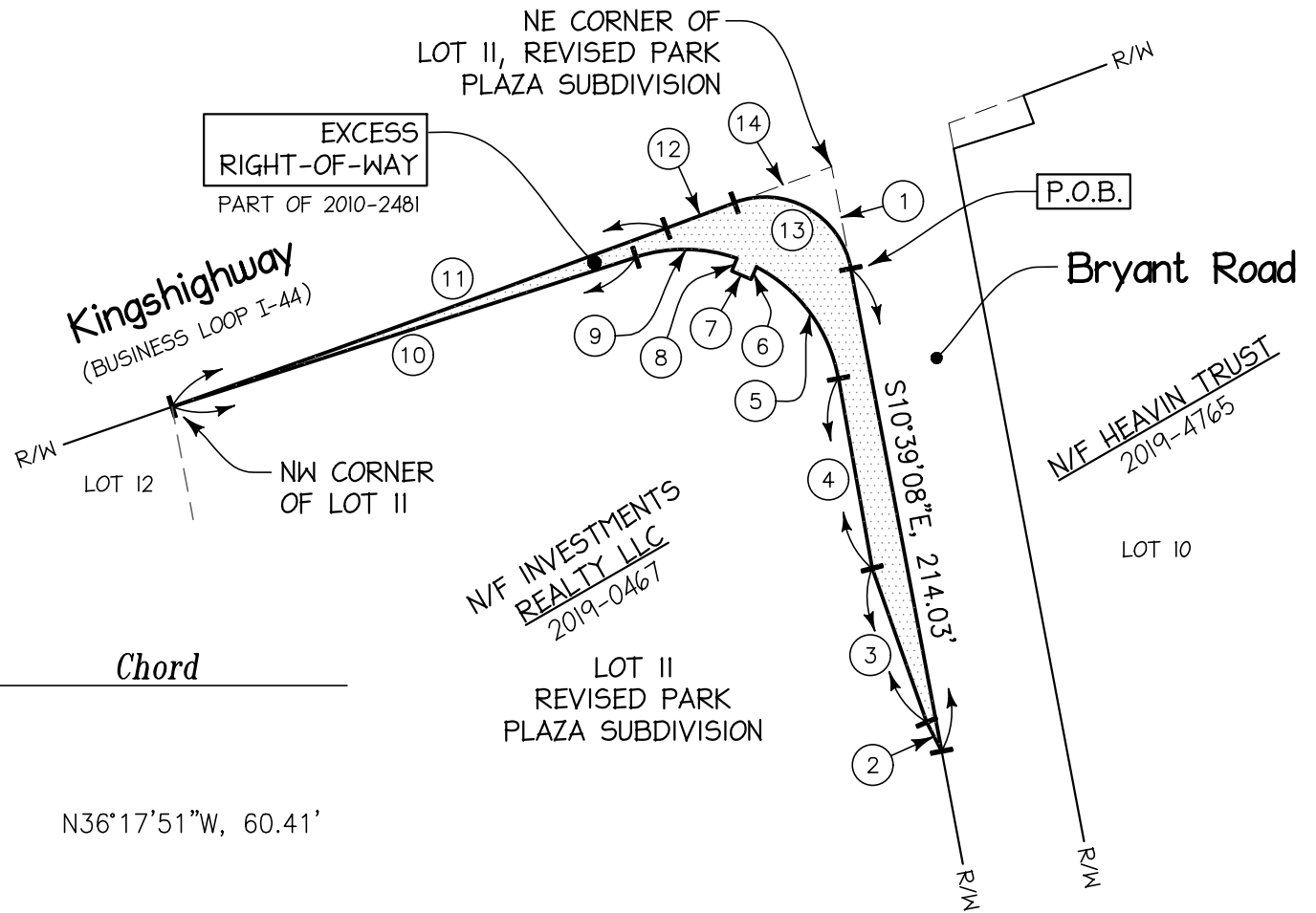
(NOTARY SEAL)

EXCESS RIGHT-OF-WAY
City of Rolla to Investments Realty LLC

A fractional part of Lot 11 of REVISED PARK PLAZA SUBDIVISION, Rolla, Missouri more particularly described as follows: Commencing at the Northeast Corner of Lot 11 of said REVISED PARK PLAZA SUBDIVISION; thence South 10°39'09" East, 45.10 feet along the West right of way of Bryant Drive to the true point of beginning of the hereinafter described tract: Thence continuing South 10°39'09" East, 214.03 feet along said West right of way; thence North 27°02'21" West, 14.21 feet; thence North 19°34'29" West, 71.12 feet; thence North 10°01'39" West, 84.00 feet; thence northerly, 62.58 feet along the arc of a curve, concave westerly with a radius of 68.24 feet, the chord of which is North 36°17'51" West, 60.41 feet; thence South 26°41'23" West, 5.90 feet; thence North 66°38'32" West, 9.18 feet; thence North 23°11'46" East, 5.91 feet; thence westerly, 44.83 feet along the arc of a curve, concave southerly with a radius of 68.00 feet, the chord of which is North 89°20'40" West, 44.02 feet; thence South 72°08'07" West, 212.34 feet to the northwest corner of the aforesaid Lot 11 of REVISED PARK PLAZA SUBDIVISION, also being the southerly right of way of Kingshighway; thence easterly, 228.91 feet along the arc of a curve, concave northerly with a radius of 11494.00 feet, the chord of which is North 70°09'01" East, 228.90 feet, and, North 69°34'47" East, 31.79 feet, all along said southerly right of way; thence southeasterly, 66.17 feet along the arc of a curve, concave southwesterly with a radius of 38.00 feet, the chord of which is South 60°32'10" East, 58.12 feet to the true point of beginning. Description derived from deed recorded in Phelps County Deed Records at Document No. 2010-2481.

EXHIBIT A

VID5

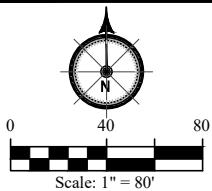


No.	Bearing/ Radius	Distance/ Arc	Chord
1	S10°39'09"E	45.10'	
2	N27°02'21"W	14.21'	
3	N19°34'29"W	71.12'	
4	N10°01'39"W	84.00'	
5	68.24'	62.58'	N36°17'51"W, 60.41'
6	S23°41'23"W	5.90'	
7	N66°38'32"W	9.18'	
8	N23°11'46"E	5.91'	
9	68.00'	44.83'	N89°20'40"W, 44.02'
10	S72°08'07"W	212.34'	
11	11494.00'	228.91'	N70°09'01"E, 228.90'
12	N69°34'47"E	31.79'	
13	38.00'	66.17'	S60°32'10"E, 58.12'
14	N69°34'47"E	45.10'	

DATE:
Aug. 25, 2022

DESIGNED BY:
SFF

DRAWN BY:
MEP



CM Archer Group, P.C. dba:

ARCHER-ELGIN

engineering surveying architecture

CM Archer Group, P.C.: E: 2003023612-D, LS: 2004017577-D, A-2016017179
 Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, LS: 2011025471, A-2012014618
 310 East 6th Street, Rolla, Missouri 65401 Phone: 573-364-6362 Fax: 573-364-4782 www.archer-elgin.com

City of Rolla
901 North Elm, Rolla, Missouri 65401

Investments Realty LLC
Excess Right of Way Map

PROJECT NO.
J4697

DRAWING NO.
2

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance 1st Reading

ITEM/SUBJECT: Kingshighway Excess ROW – MOI

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 12/05/22

COMMENTARY:

In 2010 the City acquired right-of-way along Kingshighway to install a five lane section west of Bryant Drive in anticipation of the 72 extension connecting at that Bryant/Kingshighway intersection. The 72 extension ultimately did not connect at that location and all of the improvements to Kingshighway have been completed. The additional right-of-way acquired in 2010 from former owners of Fairgrounds Chevrolet (now MOI Rolla Prop LLC) was transferred without compensation. Staff is recommending to return the unneeded right-of-way to the MOI Rolla Prop LLC group.

Staff is requesting the first reading of an ordinance authorizing the mayor execute a corporation warranty deed to transfer this property.

ITEM NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN CORPORATION WARRANTY DEED BETWEEN THE CITY OF ROLLA, MISSOURI AND MOI ROLLA PROP LLC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a Corporation Warranty Deed between the City of Rolla, Missouri and MOI Rolla Prop LLC, a copy of said agreement being attached hereto and marked Exhibit "A".

Section 2: This ordinance will be full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 19th DAY OF DECEMBER 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

VIE2

Document Title: Corporation Warranty Deed
Document Date: November , 2022
Grantor's Name: City of Rolla
Grantees' Name(s): MOI Rolla Prop LLC
Address of Grantee(s):
Legal Description: See Exhibit "A" attached

CORPORATION WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that City of Rolla, a corporation organized and existing under the laws of the State of Missouri, Grantor, in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, to it paid by MOI Rolla Prop LLC, Grantee, receipt of which is hereby acknowledged, and by virtue and in pursuance of a resolution of the Board of Directors of said Grantor, does by these presents Grant, Bargain and Sell, Convey and Confirm, unto the said Grantee, and its successors and assigns, the following described lot, tract or parcel of land, lying, being and situate in the County of Phelps and State of Missouri, to-wit:

See Exhibit "A" attached

TO HAVE AND TO HOLD the same, with all and singular the rights, privileges, appurtenances and immunities thereto belonging, or in anywise appertaining, unto the said Grantee and its successors and assigns forever.

And the said Grantor hereby covenants that it will warrant and defend the title to the said premises unto the said Grantee and its successors and assigns, forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed by its Mayor and its corporate seal to be hereto affixed the day and year first above written.

City of Rolla

(CORPORATE SEAL)

By: _____
Louis J Magdits, IV, Mayor, President

STATE OF MISSOURI)
) SS.
COUNTY OF PHELPS)

On this ____ day of _____, 2022, before me appeared Louis J. Magdits, IV,, to me personally known, who, being by me duly sworn did say: That he is the Mayor of City of Rolla, a corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Louis J. Magdits, IV acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, the day and year first above written.

NOTARY PUBLIC

My Commission Expires:

Rubber Stamp Seal:

_____ OR

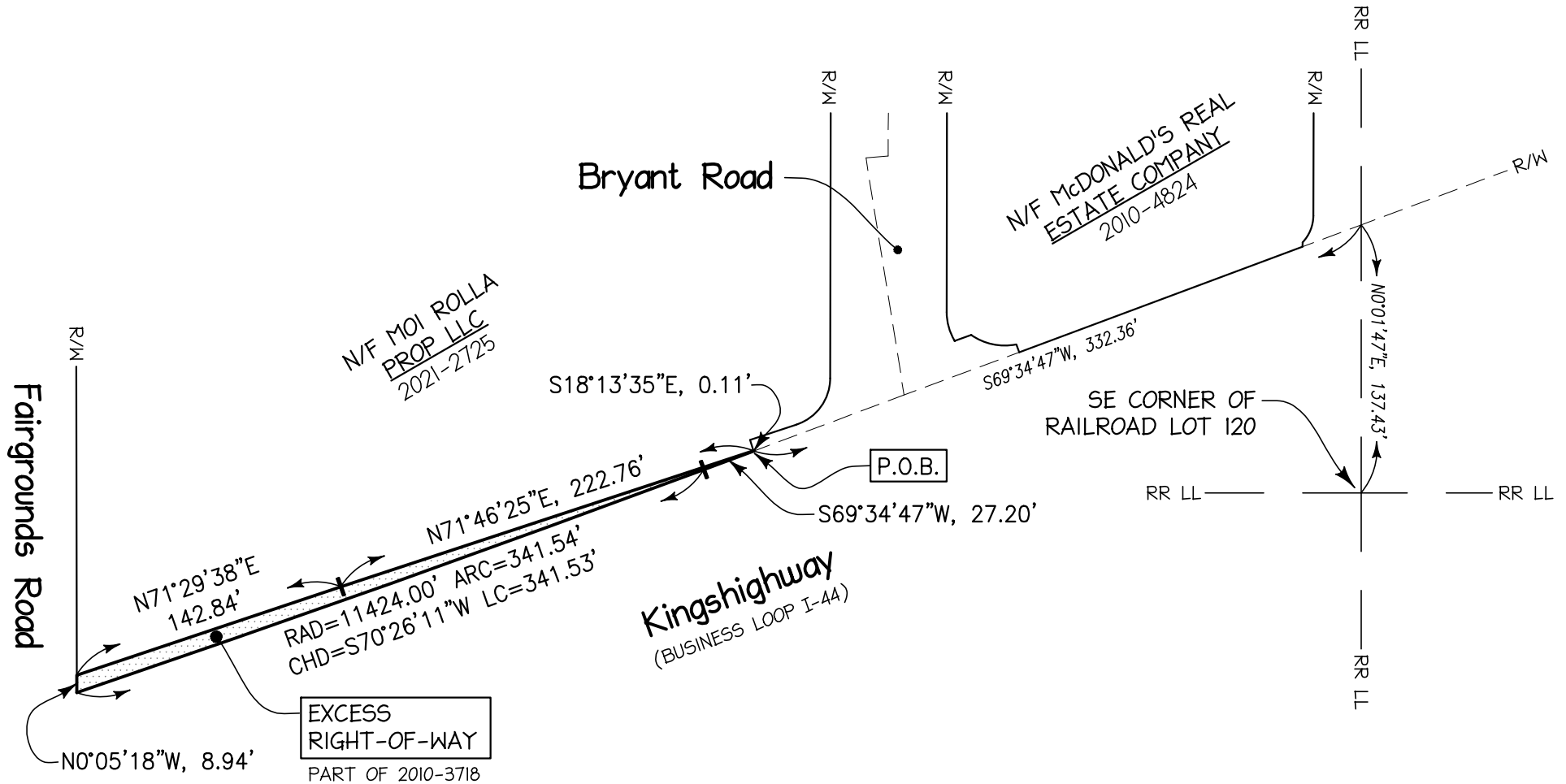
(NOTARY SEAL)

EXCESS RIGHT-OF-WAY
City of Rolla to MOI Rolla Prop LLC.

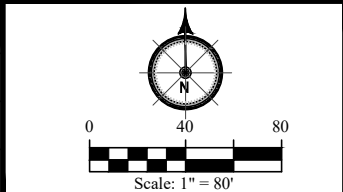
A fractional part of Lots 97 and 120 of RAILROAD ADDITION, Rolla, Missouri more particularly described as follows: Commencing at the Southeast Corner of Lot 120 of said RAILROAD ADDITION; thence North 0°01'47" East, 137.43 feet along the East line of said Lot 120 to the northerly right of way of Kingshighway; thence South 69°34'47" West, 332.36 feet along said northerly right of way to the true point of beginning of the hereinafter described tract: Thence continuing South 69°34'47" West, 27.20 feet, and, westerly, 341.54 feet along the arc of a curve, concave northerly with a radius of 11424.00 feet, the chord of which is South 70°26'11" West, 341.53 feet, all along said northerly right of way to its intersection with the East right of way of Fairgrounds Road; thence North 0°05'18" West, 8.94 feet along said East right of way; thence North 71°29'38" East, 142.84 feet; thence North 71°46'25" East, 222.76 feet; thence South 18°13'35" East, 0.11 feet to the true point of beginning. Description derived from deed recorded in Phelps County Deed Records at Document No. 2010-3718.

EXHIBIT A

VIE5



DATE: Aug. 25, 2022
DESIGNED BY: SFF
DRAWN BY: MEP



CM Archer Group, P.C. dba:

ARCHER-ELGIN

engineering
surveying
architecture

Corporate Authority:
 CM Archer Group, P.C.: E: 2003023612-D, LS: 2004017577-D, A-2016017179
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 310 East 6th Street, Rolla, Missouri 65401 Phone: 573-364-6362 Fax: 573-364-4782 www.archer-elgin.com

City of Rolla 901 North Elm, Rolla, Missouri 65401
Ed Morse Chevrolet Excess Right of Way Map

PROJECT NO. J4697
DRAWING NO. 1

**CITY OF ROLLA
CANDIDATE FILING INFORMATION
FOR THE APRIL 4, 2023, GENERAL MUNICIPAL ELECTION**

Public notice is hereby given that the first day of candidate filing for the April 4, 2023, General Municipal Election is 8 a.m., Tuesday, December 6, 2022 and the last day of candidate filing is 5 p.m., Tuesday, December 27th, 2022 in the City Clerk's Office, 901 North Elm Street, for the purpose of electing the following City officials:

Council Representatives: Wards I, II, III, IV, V, and VI. One to be elected to each Ward for two-year terms.

Given under my hand and the Seal of said City this 14th day of November, 2022.



Lorri M. Thurman

Lorri M. Thurman
Rolla City Clerk

City Seal