

Please Note: The Council Meeting will be conducted at Rolla City Hall. 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
Tuesday, September 5th, 2023; 6:30 P.M.
City Hall Council Chambers
901 North Elm Street

PRESIDING: Mayor Louis J. Magdits IV

COUNCIL ROLL: JOSHUA VROMAN, TERRY HIGGINS, MEGAN JOHNSON, NATHAN CHIRBAN, LISTER B. FLORENCE, JR., MATTHEW FRIDLEY, JAIED HALL, ROBERT KESSINGER, STANLEY MAYBERRY, KEVIN GREVEN, VICTORIA STEEN, AND TINA BALCH

PLEDGE OF ALLEGIANCE
Councilwoman Higgins

I. CONSENT AGENDA

- A. Consider Approval of the City Council Minutes of:
 1. City Council Minutes – August 7th 2023
 2. Closed Session City Council Minutes – August 7th, 2023
 3. City Council Minutes – August 21st, 2023
 4. Closed Session City Council Minutes – August 21st, 2023

II. PUBLIC HEARINGS – Public Hearing and Ordinance approving the FY 2024 Budget and 2024 Sewer Fees. (City Administrator John Butz) Public Hearing and First Reading

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

- a. Environmental Services Department Monthly Report – July 2023
- b. Police Department Monthly Report – July 2023
- c. Animal Control Division Report – July 2023
- d. RMU Board of Public Works Minutes for July 6, 2023
- e. The Centre Income Statement ending July 2023
- f. Park Advisory Commission Minutes – July 26th, 2023
- g. P&Z Commission Minutes for July 11th & August 14, 2023
- h. City of Rolla Financial Report ending May 2023

IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

V. **OLD BUSINESS** –

- A. **Discussion/Resolution** on RSMo 573 pertaining to Pornography and Related Offenses. (City Administrator John Butz)
- B. **Ordinance** to approve Service Agreement between the City of Rolla and the Phelps County Landfill Board. (Finance Director Steffanie Rogers) **Final Reading**
- C. **Ordinance** to approve an Archer-Elgin professional services agreement Task Order #2. (PW Director Darin Pryor) **Final Reading**
- D. **Ordinance** to approve an Archer-Elgin professional services agreement Task Order #3. (PW Director Darin Pryor) **Final Reading**
- E. **Ordinance** approving the rezoning from C-1 Neighborhood Commercial district to the C-3, Highway Commercial district at 708 N. Main Street. (City Planner Tom Coots) **Final Reading** **Request to postpone**

VI. **NEW BUSINESS** –

- A. **Ordinance** to approve the increase in sewer rates for FY 2023-2024. (PW Director Darin Pryor) **First Reading.**
- B. **Motion** to approve the street closing for the October 31st Boo Palooza. (PW Director Darin Pryor)
- C. **Ordinance** to amend the Rolla City Code to remove the southerly direction only parking designation on Elm Street between 12th and 14th Street. (PW Director Darin Pryor) **First Reading**
- D. **Motion** to approve street closings for the 44th Annual Arts and Crafts Festival, Saturday, October 7th, 2023

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

- A. **Award** of bid and **Ordinance** authorizing the contract with Independent Steel and Machine LLC for Airport Door Repairs. (PW Director Darin Pryor) **First Reading.**
- B. **Motion** to approve change order to obtain 3rd Automated trash truck. (Env Services Int. Director Roger Pankey)

VIII. **CITIZEN COMMUNICATION**

- A. Travis Watkins: in support of the LGBTQ group.
- B. Mark Murphey: in support of LGBTQ+ Rolla

IX. **MAYOR/CITY COUNCIL COMMENTS**

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

XI. **CLOSED SESSION** –

- A. Closed Session per RSMo 610.021- (2) Real Estate (1) Legal

XII. **ADJOURNMENT** -

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, AUGUST 7TH, 2023; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Louis J. Magdits IV

Council Members in Physical Attendance: Joshua Vroman, Megan Johnson, Nathan Chirban, Lister Florence, Matt Fridley, Jaired Hall, Rob Kessinger, Kevin Greven, Stanley Mayberry, Victoria Steen, Tina Balch,

Council Members Absent: Terry Higgins

Department Directors and Other City Officials in Physical Attendance: Police Chief Sean Fagan, Fire Chief Jeff Breen, Community Development Director Steve Flowers, City Planner Tom Coots, Finance Director Steffanie Rogers, Park's Director Floyd Jernigan, Interim Environmental Services Director Roger Pankey, Public Works Director Darin Pryor, and City Counselor Carolyn Buschjost.

Mayor Louis J. Magdits called the meeting to order at approximately 6:30 p.m. and asked Councilwoman Tina Balch to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A. Consider Approval of the City Council Minutes of:

1. City Council Workshop – July 10th, 2023
2. City Council Meeting – July 17th, 2023

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

II. PUBLIC HEARINGS – None

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

- a. Environmental Services Department Monthly Report – June 2023
- b. Building Codes monthly report – July 2023
- c. Police Department Monthly Report – June 2023
- d. Animal Control Division Report – June 2023
- e. RMU Board of Public Works Minutes for June 1, 2023 & Financial Statistics June 2023
- f. The Centre Income Statement ending June 2023
- g. Municipal Court Summary Reporting for July 2023
- h. BOA Minutes for April 6th, 2023
- i. Park Advisory Commission Minutes – May 25th, 2023

August 7th, 2023

- j. P&Z Commission Minutes for June 13th, 2023
- k. City of Rolla Financial Report ending May 2023

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

V. **OLD BUSINESS** –

- A. **Ordinance** to subdivide one residential lot into two lots at 514 Keeton Rd. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4746: AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF OZARK TERRACE, 3RD ADDITION. A motion was made by Chirban and seconded by Johnson to approve the subdivision. A roll call vote showed the following: Ayes: Johnson, Fridley, Steen, Vroman, Chirban, Balch, Greven, Kessinger, Florence, and Mayberry. Nay: none. Absent: Higgins and Hall.
- B. **Ordinance** approving the rezoning of a portion of 514 Keeton Rd from R-1, Single-family district to the R-2, Two-family district. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4747: AN ORDINANCE TO APPROVE THE RE-ZONING OF A PORTION OF A PROPERTY ADDRESSED AS 514 KEETON RD FROM THE R-1, SINGLE-FAMILY DISTRICT TO THE R-2, TWO-FAMILY DISTRICT. A motion was made by Geven and seconded by Kessinger. A roll call vote showed the following: Ayes: Mayberry, Chirban, Greven, Vroman, Steen, Kessinger, Balch, Johnson, Fridley, and Florence. Nays: none. Absent: Higgins and Hall.
- C. **Ordinance** approving text amendment to Chapter 42, Sections 42.141 definitions and 52.233.01-42.233.03, pertaining to zoning regulations of Marijuana businesses. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4748: AN ORDINANCE AMENDING CHAPTER 42, ARTICLE III OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI REGARDING MARIJUANA USES. A motion was made by Vroman and seconded by Johnson to approve the ordinance. A roll call vote showed the following: Ayes: Vroman, Florence, Steen, Greven, Chirban, Fridley, Johnson, Kessinger, Mayberry, and Balch. Nays: none. Absent: Higgins and Hall.
- D. **Ordinance** amending current marijuana ordinance to match Missouri State Law. (Chief Fagan) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4749: AN ORDINANCE AMENDING SECTION 30-16 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO MARIJUANA POSSESSION. A motion was made by Vroman and seconded by Chirban to approve the ordinance. A roll call vote showed the following: Fridley, Kessinger, Greven, Vroman, Steen, Mayberry, Chirban, Balch, Johnson, and Florence. Nays: none. Absent: Higgins and Hall.

E. **Ordinance** adopting final version of proposed Chapter 42 – Planning and Zoning. (City Planner Tom Coots) City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE AMENDING CHAPTER 42, OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE PLANNING AND ZONING CODE, BY REPEALING THE CHAPTER IN ITS ENTIRETY, AND ENACTING IN LIEU THEREOF A NEW CHAPTER, ZONING AND SUBDIVISION REGULATIONS; AND REPEALING IN ITS ENTIRETY CHAPTER 29, EXPLICIT SEXUAL MATERIALS DISPLAY, SEXUALLY ORIENTED BUSINESS; AND REPEALING IN ITS ENTIRETY CHAPTER 39, TRAILERS AND MOBILE HOMES; AND REPEALING IN ITS ENTIRETY CHAPTER 40, URBAN RENEWAL; AND AMENDING CHAPTER 15, STORM WATER AND FLOOD CONTROL; AND AMENDING CHAPTER 20, HOUSING; AND AMENDING CHAPTER 28, NUISANCES; AND AMENDING CHAPTER 41, WEAPONS; AND RE-ADOPTING THE OFFICIAL ZONING MAP.

F. **Discussion** on Obscenity – State Law Review.

(Note: Councilman Hall joined at approximately 7:24)

City Counselor Carolyn Buschjost explained to council that Legal Work Product was a discussion allowed under closed session. Regarding council’s desire to define obscenity, Counselor Buschjost stated that council was not in a position to redefine terms of art. There was discussion about whether an ordinance could be made to define sexually oriented performances. Counselor Buschjost stated this wasn’t allowed by Municipalities. Sexual performance is part of the state statute and cannot be redefined.

A motion was made by Johnson and seconded by Steen to take the Chesterfield ordinance to the next meeting as a first reading. A roll call vote showed the following: Ayes: Steen, Balch, Johnson, Kessinger. Nays: Greven, Fridley, Mayberry, Chirban, Florence, Hall, and Vroman. Absent: Higgins.

After further discussion, a motion was made by Fridley and seconded by Florence to recreate a resolution recognizing state statute chapter 573 as being meaningful and important to follow and to address what happened in June as being lewd and obscene. A roll call vote showed the following: Ayes: Balch, Mayberry, Chirban, Greven, Vroman, Florence, Kessinger, Hall, Johnson, Fridley, and Steen. Nays: None. Absent: Higgins.

After even further discussion, a motion was made by Chirban and seconded by Johnson to investigate state statute chapter 573 as being adopted as a city ordinance. A roll call vote showed the following: Ayes: Kessinger, Steen, Vroman, Chirban, Balch, Johnson, Florence, Hall, and Greven. Nays: Fridley and Mayberry. Absent: Higgins.

VI. NEW BUSINESS –

- A. **Ordinance** to remove parking on Lions Club Drive from Route 63 to Ramsey Place. PW Director Darin Pryor recommended that parking be removed from the bike lane in this area. City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, RELATING TO PARKING.
- B. **Ordinance** to add a stop condition on State Street at the 10th Street intersection. PW Director Darin Pryor explained that the traffic signal at that intersection was at the end of its life and the traffic volumes at that intersection did not meet warrants for a traffic signal. City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE AMENDING SECTION 27-89 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, AND ENACTING AN AMENDED SECTION 27-89 RELATING TO STOP INTERSECTIONS AT STATE STREET.
- C. **Ordinance** to remove the one-way traffic designation on Elm Street from 14th Street to 12th Street. PW Director Darin Pryor explained that this would remove the one way traffic designation on Elm Street from 14th to 12th Street. The street had recently been widened to allow for two way traffic. City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: AN ORDINANCE AMENDING SECTION 27-2 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI RELATING TO ONE WAY TRAFFIC.
- D. **Resolution** to authorize the Mayor to sign the Chymiak Family Foundation matching donation pertaining to new pickleball courts. Parks Director Floyd Jernigan explained to Council that the agreement would provide \$250,000 with a city match of \$250,000. If approved, the courts must be complete by October 31, 2024. Randy and Laura Stoll spoke on the rising popularity of pickleball across the United States and how the new courts will meet requirements to host regional tournaments. City Counselor Carolyn Buschjost read the resolution for one reading, by title: RESOLUTION 2024: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE CHYMIK FAMILY FOUNDATION REGARDING A MATCHING GIFT AGREEMENT. A motion was made by Kessinger and seconded by Greven to approve the agreement. A voice vote showed 11 Ayes, zero Nays, and 1 Absent (Higgins).

VII. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Motion** to award bid for the purchase of a 2023 Chrysler Pacifica to Taylor Dodge on behalf of the Phelps County Emergency Service Board (PCESB). (Chief Fagan) A motion was made by Johnson and seconded by Vroman to allow the purchase of the 2023 Chrysler Pacifica from Taylor Dodge for \$44,698, to be paid for by the Phelps County Emergency Services Board. A voice vote showed 11 Ayes, zero Nays, and 1 Absent (Higgins).

VIII. CITIZEN COMMUNICATION

- A. Pastor David Dukes spoke regarding drugs, the homeless, and encouraged everyone to work together as a community.
- B. Max Pfeifer in support of LGBTQ+ Rolla and Drag in the Rolla community and shared how the Pride event and drag show made him feel celebrated and supported
- C. Bethany Louise commented on bringing objective opinions regarding the state law and facts that govern what can and cannot be done by city council.
- D. Pastor Terrance Cates spoke on protecting children and how state law did not protect the children at the drag event last June. He made mention of a petition but one was not submitted to the City Clerk.
- E. Gerome Beck spoke on the missed opportunity to bring the community together in love.
- F. Pastor Ron stated the Pride event wasn't the issue it was things that happened at the drag event.
- G. Melissa Jones Youth Pastor – Talked about respecting boundaries without hate and suggested evaluating the permit process on events.
- H. Christopher Cates – Talked about opinions vs fact and stated that just because a law wasn't broken doesn't mean there isn't case for concern.
- I. Pastor Adam Block – Spoke on the Diffusion of Innovations Theory and urged Council to take whatever time they needed find a solution to protect children.
- J. Pastor Darin Facin responded regarding statements made by Council during the meeting and stated no matter how long it takes to come up with a solution, it's worth it to protect children. He suggested evaluating the vetting system on events.
- K. Nicoya Benton City resident and social worker – Spoke on obscenity being subjective. She encouraged Council to listen to Legal Counsel regarding the state laws that are proven to protect citizen rights.

IX. MAYOR/CITY COUNCIL COMMENTS

- A. Councilman Chirban stated he was happy to see the Ransdall building razed.
- B. Fire Chief Breen shared with Council that the transmitter for the storm sirens has been repaired and is now working again. He encouraged citizens to sign-up on for the Everbridge notification system.
- C. Councilwoman Johnson congratulated Caleb Pelc on being awarded his Eagle Scout award.
- D. Councilman Kessinger thanked the citizens for coming and participating in the meeting.
- E. Councilman Florence congratulated Councilwoman Johnson on earning her certification as Certified Municipal Official.

X. COMMENTS FOR THE GOOD OF THE ORDER

XI. CLOSED SESSION –

A. Closed Session per RSMo 610.021- (12) Contract Negotiations, (2) Real Estate, (1) Legal Work Product

At 9:49 pm a motion was made by Johnson and seconded by Chirban to go into closed session. A roll call vote showed the following: Ayes: Fridley, Kessinger, Greven, Vroman, Steen, Mayberry, Chirban, Balch, Johnson, Hall, and Florence. Nays: none. Absent: Higgins

At approximately 10:50 pm, Council returned from Closed session where issues of Contract Negotiations, Real Estate, and Legal Work Product were discussed with no final action.

XII. ADJOURNMENT -

Having no further business, the meeting adjourned at approximately 10:50 p.m.
Minutes respectfully submitted by City Clerk Lorri Powell.

CITY CLERK

MAYOR

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, AUGUST 21st, 2023; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET**

Presiding: Mayor Louis J. Magdits IV

Council Members in Physical Attendance: Joshua Vroman, Terry Higgins, Megan Johnson, Nathan Chirban, Lister Florence, Matt Fridley, Jaired Hall, Rob Kessinger, Kevin Greven, Stanley Mayberry, Victoria Steen, Tina Balch,

Council Members Absent: None

Department Directors and Other City Officials in Physical Attendance: Police Chief Sean Fagan, Fire Chief Jeff Breen, Community Development Director Steve Flowers, Finance Director Steffanie Rogers, Park's Director Floyd Jernigan, Interim Environmental Services Director Roger Pankey, Public Works Director Darin Pryor, Centre Recreation Director Marci Fairbanks and City Counselor Carolyn Buschjost.

Mayor Louis J. Magdits called the meeting to order at approximately 5:30 p.m. and asked Councilman Joshua Vroman to lead in the Pledge of Allegiance.

I. **(5:30) CLOSED SESSION** – Closed Session RSMo 610-021 Subsection (1) Legal Actions, litigation and Atty/Client communications and work product.

At 5:36 a motion was made by Johnson and seconded by Higgins enter into closed session. A roll call vote showed the following: Ayes: Johnson, Chirban, Fridley, Vroman, Steen, Higgins, Hall, Balch, Greven, Kessinger. Nays: zero. Absent: Florence and Mayberry.

Note: Councilman Florence entered the meeting at 5:37 pm and at 6:26 pm Councilman Mayberry entered.

At 6:33 Counsel returned from closed session where legal issues, including contracts, litigation, Atty/Client Communications and legal work product were discussed, no final action taken. There was one final action taken regarding legal counsel. It was announced that earlier today (August 21, 2023), the law firm appointed as counselors for the City of Rolla, did hand deliver a letter of resignation to the City Administrator and the Mayor, with effective date of December 31, 2023.

August 21st, 2023

II. PUBLIC HEARINGS –

- A. **Public Hearing and Ordinance** to consider Setting 2023 Tax Rate. (Finance Director Steffanie Rogers) The public hearing was opened at 6:41 pm. There were none that spoke regarding the issue and the hearing was closed at 6:41 pm. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: ORDINANCE 4750: AN ORDINANCE FIXING THE TAX LEVY FOR GENERAL REVENUE, LIBRARY AND PARK BY THE CITY OF ROLLA, MISSOURI, FOR THE YEAR 2023. A motion was made by Vroman and seconded by Johnson to suspend the rules for a final reading. A voice vote showed 12 Ayes, zero Nays, and none Absent. City Counselor Carolyn Buschjost read the ordinance for its final reading. A motion was made by Higgins and seconded by Chirban to approve the tax rates. A roll call vote showed the following: Ayes: Hall, Mayberry, Chirban, Greven, Vroman, Steen, Kessinger, Higgins, Balch, Johnson, Fridley, Florence. Nays: zero. Absent none.
- B. **Public Hearing and Ordinance** to rezone 708 N Main Street from C-1, Neighborhood Commercial district to the C-3, Highway Commercial district. (Comm Dev Director Steve Flowers) The applicant seeks to rezone the property in order to allow for the applicant to pursue a request for a conditional use permit for an overnight shelter use. This was voted against by P&Z 0-5. The public hearing was opened for comment at 6:48 pm.
- Dale Wands (city resident) spoke against the downtown shelter and asked that Council accept the denial by P&Z.
- Joanne Stiritz (County Resident) spoke against the homeless shelter in commercial areas and downtown district and asked that council vote as P&Z did.
- Bryce Crowley, legal counsel for the Mission stated that this request was due to the letter provided by Council in order to attempt an amicable understanding. He asked that Council follow through and pass the request.
- David Duke (310 Becca) Spoke in favor of the Mission and urged council to love first.
- Melissa Jones, youth pastor at the Church of the Nazarene asked Council to consider where the patrons of the Mission will go if they were to close their doors.
- Gerome Beck (county resident) spoke on the need for partnerships and innovation to improve the homeless issue.
- Lonna Sowers (city resident) spoke on how giving of a community Rolla is and how it is the damages and the expense involved that has the downtown businesses concerned. Wayne Langston, local generational business owner, spoke on how the Mission does not meet the requirement for C-3 zoning.
- Dale Wands reminded everyone that you can still help the homeless regardless of the location of the Mission.
- Felicia Richards, Mission board member, stated that 42% of the Rolla community is under 200% poverty level and stated 2% of the patrons have been veterans, 6% domestic abuse victims, and 36% living in unlivable housing conditions. She asked where these people were to go if the Mission closed their doors. She also pointed out that the Mission has attempted to purchase other properties in Rolla, only to be denied by council.

Pastor Richard Krenning, stated that the ordinance seems direct and clear that the Mission doesn't fit and asked council to uphold the P&Z vote.

Josh Ratliff, local business owner, stated the local businesses are unfairly demonized and to find a compromise.

At 7:30 pm with no further speaker, the public hearing was closed. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF PROPERTY ADDRESSED AS 708 N MAIN STREET FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-3, HIGHWAY COMMERCIAL DISTRICT.

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

- A. Celebration of Nations – Jeff Sandquist; Motion to approve street closings September 23rd for the parade. (PW Director Darin Pryor) Jeff Sandquist talked to council about the Celebration of Nation and explained the new parade route which will take place on September 23rd. PW Director Darin Pryor further explained the needed street closings. A motion was made by Johnson and seconded by Balch. A voice vote showed 12 Ayes, zero Nays, and none absent.
- B. RMU General Manager Rodney Bourne reviewed the 3rd Quarter Financial Report. Council was updated on current and upcoming water, electric, and fiber projects. Total net loss year-to-date through the 3rd quarter of 2023 is (\$45,432), a loss largely due to an increase in wholesale cost and an increased in MWh purchased.

IV. OLD BUSINESS –

- A. **Ordinance** adopting final version of proposed Chapter 42 – Planning and Zoning. (Comm Dev Director Steve Flowers) A motion was made by Vroman and seconded by Balch to postpone the final reading until December 18th. After further discussion Balch withdrew her motion and Vroman amended his motion to postpone the final reading until October 2nd. Motion seconded by Steen. A roll call vote showed the following: Ayes: Chirban, Balch, Vroman, Steen, Kessinger, Higgins, Hall, and Johnson. Nays: Mayberry, Greven, Fridley. Abstain: Florence. Absent: none.
- B. **Discussion/Resolution** on RSMo 573 pertaining to Pornography and Related Offenses. (City Administrator John Butz) Fridley asked that the proposed resolution be reworded to not emphasize the actions of law enforcement. Counselor Buschjost talked about removing “provocative” from the resolution as it is not defined in chapter 573. Including a term that is not specifically defined in state statute allows for an open-ended interpretation and is not advised by counsel. Counselor Buschjost asked to be allowed to attempt a rewrite of the proposed resolution after looking more closely at chapter 573 and the Chesterfield ordinance. The expressed intent by Council regarding the resolution was stated that anyone who uses public property within the community, follow the law. Chief Fagan stated that he had been reading RSMo Chapter 573, and remains of the opinion that nothing that he observed at the June Pride/drag event, broke the law and outside of a direct violation of conduct, it will be difficult to

determine what is obscene as opinions vary greatly. Hall recommended a whereas statement stating the community and council both view the over sexualization of children as being inappropriate. Counselor Buschjost will bring a resolution revision to the September 5th Council meeting.

- C. **Ordinance** to remove parking on Lions Club Drive from Route 63 to Ramsey Place. (PW Director Darin Pryor) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4751: AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, RELATING TO PARKING. A motion was made by Chirban and seconded by Johnson to approve the ordinance. A roll call vote showed: Ayes: Balch, Mayberry, Chirban, Greven, Vroman, Florence, Kesisnger, Higgins, Hall, Johnson, Fridley, and Steen. Nays: none. Absent: none.

- D. **Ordinance** to add a stop condition on State Street at the 10th Street intersection. (PW Director Darin Pryor) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4752: AN ORDINANCE AMENDING SECTION 27-89 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, AND ENACTING AN AMENDED SECTION 27-89 RELATING TO STOP INTERSECTIONS AT STATE STREET. A motion was made by Johnson and seconded by Vroman to approve the ordinance. A roll call vote showed the following: Ayes: Kessinger, Fridley, Steen, Vroman, Mayberry, Chirban, Balch, Johnson, Florence, Higgins, Hall, and Greven. Nays: None. Absent: none.

- E. **Ordinance** to remove the one-way traffic designation on Elm Street from 14th Street to 12th Street. (PW Director Darin Pryor) City Counselor Carolyn Buschjost read the ordinance for its final reading, by title: ORDINANCE 4753: AN ORDINANCE AMENDING SECTION 27-89 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, AND ENACTING AN AMENDED SECTION 27-89 RELATING TO STOP INTERSECTIONS AT STATE STREET. A motion was made by Kessinger and seconded by Higgins to approve the ordinance. A roll call vote showed the following: Ayes: Florence, Johnson, Chirban, Fridley, Vroman, Steen, Mayberry, Higgins, hall, Balch, Greven, and Kessinger. Nays: none. Absent: none.

V. **NEW BUSINESS** –

- A. **Ordinance** to approve Service Agreement between the City of Rolla and the Phelps County Landfill Board. (Finance Director Steffanie Rogers) This contract will continue the 25+ year working relationship for fiscal and management services between the City of Rolla and the Phelps County Landfill Board, to expire September 30, 2026. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A TECHNICAL ASSISTANCE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE PHELPS COUNTY LANDFILL BOARD.

- B. **Resolution** to authorize the application for TAP Grant funding for the construction of approximately 77 ADA compliant curb ramps. (PW Director Darin Pryor) City Counselor Carolyn Buschjost read the resolution for one reading by title: RESOLUTION 2025: A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR THE 2023 TRANSPORTATION ALTERNATIVES PROGRAM. A motion was made by Johnson and seconded by Vroman to approve the resolution. A voice vote showed 12 Ayes, zero Nays, none absent.
- C. **Ordinance** to approve an Archer-Elgin professional services agreement Task Order #2. (PW Director Darin Pryor) This agreement provides professional services in the design, bidding, and construction engineering of a redundant sewer force main serving the HyPoint industrial park.. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CM ARCHER GROUP, P.C., DBA ARCHER-ELGIN FOR HYPOINT FORCE MAIN IMPROVEMENTS – TASK ORDER #2.
- D. **Ordinance** to approve an Archer-Elgin professional services agreement Task Order #3. (PW Director Darin Pryor) This agreement provides professional services to prepare an engineering report to explore the alternatives to serve existing and future development east of the current wastewater service area. An MOU with funding partners is being prepared for Council consideration. City Counselor Carolyn Buschjost read the ordinance for its first reading by title: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CM ARCHER GROUP, P.C., DBA ARCHER-ELGIN FOR HIGHWAY V EAST FACILITY PLAN – TASK ORDER #3.

VI. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Motion** to award bid for the purchase of a 2023 zero turning mower. (Parks Director Floyd Jernigan) A motion was made by Vroman and seconded by Greven to approve the purchase of a 2023 zero turning radius diesel mower from Wayde’s Equipment for \$18,564.27. A voice vote showed 12 Ayes, zero Nays, none absent.
- B. **Motion** to award health insurance excess coverage. (Finance Director Steffanie Rogers) A motion was made by Greven and seconded by Johnson to renew Health Insurance Excess Coverage to Sunlife and to maintain the current deductible of \$75,000. A voice vote showed 12 Ayes, zero Nays, none Absent.

- C. **Motion** to allow the unbudgeted purchase of a 2019 Crafcro Sealer from United Rental. (PW Director Darin Pryor) With the buy-out of ChaseCo by United Rentals, the crack sealer previously rented by the city from ChaseCo is being surplused and has been offered to the City of Rolla for \$40,000. A motion was made by Vroman and seconded by Higgins to approve the purchase. A voice vote showed 12 Ayes, zero Nays, none Absent.

VII. **CITIZEN COMMUNICATION**

- A. Karen Harris encouraged council to adopt an ordinance banning minors from drag shows.
- B. Jonathan Kimball spoke about following state laws regarding obscenity, the rights of the people on public property and the protected first amendment right.
- C. Reginald Brigham regarding civil rights and the issue behind, “just doing something” and “the way things were before”.
- D. Melissa Jones requested an across the board ordinance to protect mental health of children regardless of sexual orientation.
- E. David Dukes asked where people would go if the Mission were to close and addressed the myth about the homeless and crime.
- F. Pastor Ron Sluder reminded everyone of the petition that had been given to Council expressing a desire for a call to action. He also repeated that he has no issue with the Pride Event, other than the drag event with children present.
- G. Jerome Beck talked about accusations of child abuse.
- H. Adam Balk encouraged council to continue reading RSMo 573 and having discussions regarding protecting the children.
- I. Lyndsey Bagnall spoke on having respectful conversations with the leadership of the LGBTQ organization.

VIII. **MAYOR/CITY COUNCIL COMMENTS**

- A. **Motion** to appoint Josh Vroman as Council Representative to the Airport Committee for a 2 year term expiring August 2025. A motion was made by Kessinger and seconded by Chirban to approve the appointment. A voice vote showed 12 Ayes, zero Nays, and none absent.
- B. **Discussion** on 2008 Resolution adoption guidelines of conduct for Council Meetings. Councilwoman Johnson made a motion that was seconded by Chirban to amend Resolution 1670 to include all elected officials. A voice vote revealed approximately 2 Ayes, and 10 Nays with the Nays as majority. None were absent.

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

- A. City Administrator Butz shared with Council Missouri Good Neighbor Week September 28th – October 4th.
- B. Councilwoman Johnson announced that August 21st was National Fentanyl Awareness day.
- C. Councilman Kessinger reminded all that school starts August 22nd.
- D. Councilman Florence thanked citizens for their participation in the meeting.

X. CLOSED SESSION –

A. Closed Session per RSMo 610.021- (1) Legal Work Product

At 10:10 a motion was made by Vroman and seconded by Higgins to go into closed session. A roll call vote showed the following: Ayes: Florence, Johnson, Chirban, Vroman, Steen, Mayberry, Higgins, Hall, Balch, Greven, an Kessinger. Nays: none. Absent: Fridley

At 11:28 pm council returned from closed session where matters of legal work product/litigation and negotiations were discussed with no final action taken.

XI. ADJOURNMENT -

Having no further business, the meeting adjourned at approximately 11:29 p.m.
Minutes respectfully submitted by City Clerk Lorri Powell.

CITY CLERK

MAYOR

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: John Butz, City Administrator

ACTION REQUESTED: Public Hearing & First Reading

ITEM/SUBJECT: Ordinance to approve the FY 2024 Budget

BUDGET APPROPRIATION: \$37,915,446

DATE: September 5, 20232

COMMENTARY:

In compliance with RSMo 64.020 the FY 2024 budget is submitted for Council consideration. The spending plan of \$37,915,446 is offset with projected revenues of \$35,905,885 plus retained earnings from previous years. In this case the total deficit of \$2,009,561 is covered from revenues received in prior years from TDD funds for the Pine Street project, Round 3 of ARPA funds (revenues received in FY 2022), Animal Shelter Ph. 2 and Rec Centre support.

The budget includes the enabling ordinance, budget letter, budget summary and details of the City's 9 funds (General, Sewer, Environmental Services, Airport, Cemetery Trust, Street/Capital Improvement, Rec Center, Parks and Parkland Reserve). Full copies of the budget are on the City's website and available in the City Clerk's Office for review.

The budget does include an 8% increase in sewer fees to cover debt service on the treatment plant renovations and a \$2 increase in monthly residential trash collection fees and a 12% increase in commercial services due to a 38% increase in transfer station/landfill costs. A public hearing is required for the FY 2024 user fee increases.

Recommendation: Public hearing and first reading

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2023 AND APPROPRIATING FUNDS PURSUANT THERETO.

WHEREAS, the City Administrator as Budget Officer has presented to the City Council an annual budget for the fiscal year beginning on October 1, 2023, and

WHEREAS, a public meeting on the budget was conducted on August 28, 2023, and the required public hearing scheduled on September 5, 2023, at which hearing citizens were given an opportunity to be heard:

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

Section 1: The annual budget for the City of Rolla, Missouri, for the fiscal year beginning October 1, 2023, a copy of which is attached hereto and made a part thereof as if fully set forth herein, having been heretofore submitted by the City Administrator, is hereby adopted.

Section 2: Funds are hereby appropriated for the objects and purposes of expenditure set forth in said budget.

Section 3: This Ordinance shall be in full force and 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 18th DAY OF SEPTEMBER 2023.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR



September 5, 2023

Honorable Louis J. Magdits, IV
and Members of City Council
City of Rolla
Rolla, MO 65402

Dear Mayor and Council:

Pursuant to the requirements of Section 67.020 of the Revised Statutes of Missouri, the Fiscal Year 2024 Budget is hereby submitted (October 1, 2023 – September 30, 2024). This Budget has been prepared in conjunction with the Mayor, Council and Department Directors who have anticipated the needs of their departments realistically in relation to both available money and department demands.

In every respect the 2023-24 Budget meets the legal requirement that expenditures not exceed anticipated revenues plus any unencumbered fund balance from the previous year. The budget represents a total yearly spending program of \$37,915,446 offset by anticipated revenues of \$33,905,885 – a net deficit of \$2,009,561 (due to the spend-down of the last MRTDD project, Pine St. North, ARPA funds, Animal Shelter Ph. 2, and Centre support). The budget includes an average pay adjustment of 6% (COLA and merit) for qualifying full-time City employees. The Budget includes fee increases for the Sewer Fund and the Environmental Service Fund due to significantly higher landfill disposal costs. The City has received \$4.1 M in federal ARPA funds in 2022 with a series of possible expenditures of \$1,162,000 in FY 2024/25.

The Fiscal Year 2024 Budget is submitted with the belief that it represents a worthy effort to obtain a balanced program for the ensuing year. The Budget expresses on paper and in dollars the never-ending struggle to provide Rolla citizens the most service possible for each tax dollar spent.

Sincerely,

A handwritten signature in black ink, appearing to read "John Butz", is written over a faint, larger version of the same signature.

John Butz
City Administrator

FY 2024 BUDGET SUMMARY (8.31.2023)

Following is a summary of the Fiscal Year 2024 budget. The effort is the culmination of months of planning, debate and compromise. The Budget attempts to balance the services desired by the Community, City Council and City Departments with available (but limited) resources.

Total Budget Proposal (All 9 Funds): *Rev \$35,905,885
 **Exp \$37,915,446
 (-\$2,009,561)***

(* Total Sales Tax of \$13,465,000; Total Property Tax of \$1,399,300)

(** Includes PCESB 911: \$1,476,605; Library: \$431,300)

(*** ARPA spend of \$1.16M; Env Ser – new trucks; Pine St. north; Centre; An Shelter)

Ending Total (ALL) Fund Balance: \$15.6 M (restricted and unrestricted)

Funds by Size (Total Operating Expenditures of \$26M)

General Fund	39%	Rec Center	1%
Sewer Fund	15%	Parks	7%
Street Fund	24%	Airport	2%
Env Services	12%		

Personnel

Total Personnel-related Costs – All Funds: \$16.5M (64% of operating budget)

Full-Time Employees	\$11.4M
Part-time Emp	\$.96M
Health Insurance	\$2.25M
LAGERS retirement	\$1.06M
FICA	\$.88M

180 Full-time City employees (approx. 50 part-time employees)

General Employees: budgeted COLA increase of 3%; 3% ave merit consideration

Public Safety Compensation – COLA + 3% merit consideration

New positions proposed:

Fire Inspector; .5 IT RPD/Dispatch; Asst City Administrator; Records Clerk

General Fund

Revenues	\$13,941,835
Expenditures (13 Divisions)	-\$14,509,396
Operating Transfers	+ \$510,100
	- \$57,461

(Includes \$250,000 Animal Shelter Ph II and \$250,000 transfer to Rec Center)

Operating Reserve Goal of \$2.7 M; Unrestricted Reserve \$2.3 M

Notable: ARPA Funding (technology/cyber security; Comp Plan; animal shelter)
 Net Sales tax growth: 4% (Kohl's & WMP TIF redirect)
 Use Tax for Public Safety: \$1,007,035 (\$880,895 in PS compensation)
 LAGERS rate decrease from 9.4% to 8.3% (% of full-time salaries)
 Health Insurance: 7% increase (354 enrollees: self-insured)
 Average cost is \$6,000/life

Risk Management: \$485,720 renewal; [\$1.06M total]
 Pass Thru budgets: Library (\$431,300); 911 Dispatch (\$1,476,605)
 Police – 37 Certified Officers funded
 Fire – 28 Certified Firefighters (includes Fire Marshal/Inspector)

Critical Funded Requests:	Asst City Administrator (1/2 yr)	\$56,000
	Police Vehicles (8)	\$432,000
	Records Clerk/.5 IT	\$80,000
	RFD Station renovation	\$40,000
	Fire Inspector position	\$100,000
	Animal Shelter Building Ph II	\$25,000
	Police Body Cameras (annual)	\$38,000

Sewer Fund

Completion of the \$28 M Treatment Plant Upgrades (Debt Service of \$1.6M)
 Solid Reserves of \$1.78 M
 No change in Service Availability Fee Inc (\$12/mo)
8% increase in user rate (total \$6.75/1,000 gal)

Environmental Services

Good Reserves of \$1.7 M
 Recycling market has declined (\$200,000 proj rev)
Trash fee increase of \$2/mo (eliminated curbside recycling in 2022)
 Trash fee increase of 12% for commercial
Landfill/Disposal Rate – 38% increase on Feb 2024; Unchanged for last 10 years
 Automated Trash Truck No. 2 and/or 3 (\$412,000) – 4 month delivery
 Internal Financing of Vehicle Maintenance Facility 11/18 years (bal of \$380k)

Airport Fund

Minimal Reserves (projected \$3,293)
 Transferred to Street/Cap Imp Fund from Gen Fund in 2020
 Taxiway Design Project - \$100,000 (grant covered)
 Fuel Sales have rebounded nicely (\$545k)
 Ag Lease/Ground Leases all updated
 Replace 8 hangar doors – tornado damage (some insurance) - \$80k
 Star Loan (MoDOT) for 5% Runway grant match (\$34,000 year 4 of 5)

Cemetery Fund

Fiduciary/Trust projected balance of \$363,144
 Increase in burial service fees in FY 2022
 FY 2023 projects include old tombstone repair and potter’s field monuments

Street Fund

Solid Unrestricted Reserve projected \$3.8 M
Cap Imp/Transportation Sales Tax – 4% net growth
Transferred Engineering Division from GF to Street/Cap Imp Fund in FY 22
Last MRTDD Project of \$1.6 M for Pine St. (TDD Reimbursement received)
Completed construction of Street Shop FY 2022 (\$3.6 M)
Primary City Projects: Pine St. north lighting/reconstruction; Hwy E sidewalk grant
\$600,000 in thin overlay/micropave (7 miles)
ARPA grant for storm water project (10th & Poole to Hwy 63)

Rec Center Fund

Contracted management/operations with Power Wellness Nov 2020
ARPA loss revenue reimbursement of \$475,000 for 2023
General Fund transfer of \$357,000 in FY 2023; Projected at \$250,000 in FY 2024
Projection for break-even FY 2027
Reviewing all major components/equipment for any major expenses in next 2 – 5 years

Park Fund

Good Reserve Fund Balance of \$299,972
Property Tax and Sales Tax (4% with redirect of TIF)
Prop P (1/16th sales tax renewed in 2023- \$385k for park improvements)
Capital Expenses of \$250,000 for Pickleball Complex; Barnitz Park playground
SplashZone operations – budget includes a pool manager (FTE); \$209,000 in operating loss
– seriously need to consider replacing facility (possibly with a large splashpad?)
ARPA grant of \$495,000 for BerJuan Park improvements
Demolition of Holloway House \$50k est.

Park Land Reserve Fund

Balance in Escrow - \$50,919 (from land sales & residential subdivision development)
Requires 2/3 Council Vote with timely spend down
\$25,000 towards Barnitz Park playground

Debt Position

FY 2024 debt/lease payments (expense) - \$3.4 M
Total City debt and obligations outstanding - \$28 M:
Including Sewer Revolving Fund Debt of \$25 M (voter approval Nov 2018)
No new debt in FY 2024
Constitutional Debt Authority (20% Assessed Valuation) - \$50,230,000
Rolla's General Obligation Debt: \$0

ARPA Consideration

City will receive approximately \$4,142,000

First deposit of \$2,061,340 was received in August 2021; 2nd deposit 9/2022

Council authorized Round 1 funding 1/18/2022:

1) Finance/Admin tracking - (\$10,000 for 4 yrs)	\$40,000
2) Municipal Court Impact -	\$100,000
3) Franchise Fees -	\$180,000
4) Animal Control Impact -	\$10,000
5) Community Development Impact -	\$35,000
6) Rec Center Impact – (2020 - 2022)	\$850,000
7) Park Impact - (Splashzone 2020/21 Seasons)	\$45,000
8) Citizen Communications - Website/Codification	\$25,000
9) Telecommunication Upgrade	
10) Internet/Broadband Upgrades	
11) Public Safety Communication (MOSWIN)	\$1,050,000

Round 1 Estimate: \$2,335,000

Round 2 2023:


1) Update City Comprehensive Plan	\$125,000
2) Cyber Security/IT Services/Web	\$100,000
3) Animal Shelter Ph 2	\$100,000
4) Parade Safety barriers	\$50,000
5) Police building façade renovation	\$45,000
6) Fire Station 1 bay doors	\$40,000
7) Rec Centre operations	\$475,000
8) Sewer improvements (Hy Point/lining match)	\$475,000

Round 2 Estimate: \$1,410,000

2024 Remaining Balance: \$400,000

Round 3 2024:

1) Rec Center Operations	\$250,000
2) City Hall Roof (2025)	\$150,000



CITY OF CROLLA BUDGET

II.A.8

FISCAL YEAR 2023-2024

The Mission of the City of Rolla is to promote the enhanced quality of life for citizens of all ages and abilities. We do so by pursuing strong public safety services, a quality infrastructure network based on properly planned growth, and a diverse and vibrant economy. Through effective leadership in cooperation with our citizens, businesses and community organizations we can ensure the desired balance between our urban development with the charm of our rural history through open and participative communication with our customers and citizens.

(City Council Retreat, 2000)

CITY OF ROLLA
2023-2024 Budget Summary
The Funding of City Services

The City of Rolla is a large service organization. Our customers range from general citizens desiring the basic services of health, public safety, and welfare to churches, schools, and neighborhoods to businesses, tourists, and prospective residents. The City's mission is to protect and enhance the quality of life of all customers. And like any business the City provides roads, utilities, sanitation, public safety, parks and recreation, leadership, planning and economic opportunity based on the value customers are willing to pay to support these endeavors. As such it is helpful to understand where the money goes (services provided) and where the money comes from.

What is Budgeting?

Legally, budgeting is the balancing of revenues and retained earnings (reserves) with planned expenditures – a work plan with accountability. The City of Rolla's budget is organized in a series of funds, each of which is considered a set of self-balancing accounts, to record and maintain the assets, liabilities, fund equity, revenues, and expenditures for each primary activity. The City of Rolla operates with the following ten (10) funds: General Fund, Sewer Fund, Airport Fund, Solid Waste Fund, Cemetery Trust Fund, Street/Capital Improvement Fund, Recreation Center Fund, Park Fund, Park Land Reserve Fund and Health Insurance Internal Service Fund (not budgeted). Rolla Municipal Utilities (RMU) derives its authority to operate the electric and water system directly from the City Council. RMU is a part of the City with a separate budget under the Board of Public Works that works closely with the City in addressing the many needs of the community.

Main Purposes of Budgeting: A means of balancing revenues and expenditures (legal requirement)

- a) Budgeting as a “**semi-judicial process**” where departments and divisions come to the City Council to plead their case;
- b) Budgeting is “**accountability**” where the people hold the City Council accountable through the electoral process;
- c) Budgeting is “**control**” whereas appropriations are the first line of Defense against overspending;
- d) Budgeting is “**public relations**” where we attempt to respond to the public’s needs and requests by establishing public policy;
- e) Budgeting is an “**instrument**” of good management;
- f) Budgeting is a “**work plan**” with a dollar sign attached;
- g) Budgeting is an instrument for “**planning**” which requires project costs and program levels at least several years ahead.

Source “Public Budgeting in America”

DRAFT

FUND ACCOUNTING

Accounts of the City organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures, or expenses, as appropriate.

Governmental Funds:

General Fund – the general operating fund of the City. It is used to account for all financial resources except those requiring separate accounting. (General Fund and Airport Fund)

Special Revenue Funds – used to account for the proceeds of specific revenue sources that are legally restricted. (Parks Fund, Recreation Fund and Park Land Reserve Fund)

Capital Projects Funds – used to account for financial resources to be used for the acquisition or construction of major capital facilities. (Street Fund)

Proprietary Funds:

Enterprise Funds – used to account for operations that are financed and operated in a manner similar to private business enterprises. (Sewer Fund and Environmental Services Fund)

Fiduciary funds:

Trust & Agency Funds – used to account for assets held by the city in a trustee capacity. (Cemetery Fund)

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE

ALL FUNDS

City of Rolla

Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024	% of Budget
REVENUES					
Sales/Property Tax	16,436,163	17,847,430	18,799,850	19,463,900	54%
Licenses & Permits	166,356	205,903	208,500	188,450	1%
Intergovernmental	1,444,802	2,735,118	1,482,000	930,000	3%
Charges for Service	9,912,326	11,450,390	11,555,848	12,195,885	34%
Fines & Forfeitures	155,167	166,392	153,400	163,500	0%
Misc. Income	11,662,908	3,742,173	2,540,062	2,964,150	8%
Bond Proceeds	13,728,830	6,014,200	1,896,584	0	0%
Total Revenues	\$ 53,506,552	\$ 42,161,606	\$ 36,636,244	\$ 35,905,885	100%
EXPENDITURES					
Personnel	13,680,327	13,867,642	14,544,707	15,808,950	42%
Supplies & Bldg. Mtn.	809,741	898,616	920,076	942,576	2%
Services	5,664,365	4,750,651	4,849,566	5,025,300	13%
Maintenance & Imp.	3,132,530	3,420,125	3,167,017	3,739,150	10%
Capital Exp.	25,956,131	23,704,088	10,346,472	11,392,435	30%
Use Tax Exp.	374,219	469,186	960,950	1,007,035	3%
Total Expenditures	\$ 49,617,314	\$ 47,110,307	\$ 34,788,788	\$ 37,915,446	100%
EXCESS REVENUES OVER EXPENDITURES	\$ 3,889,239	\$ (4,948,701)	\$ 1,847,456	\$ (2,009,561)	
FUND TRANSFERS	\$ -	\$ -	\$ (20,500)	\$ -	
TOTAL REVENUES OVER EXPENDITURES	\$ 3,889,239	\$ (4,948,701)	\$ 1,826,956	\$ (2,009,561)	
BEGINNING FUND BALANCE (10/1)	\$ 10,846,012	\$ 15,191,350	\$ 15,803,217	\$ 17,630,173	
ENDING FUND BALANCE - ALL FUNDS (9/30)	\$ 14,735,250	\$ 10,242,649	\$ 17,630,173	\$ 15,620,612	
FOOTNOTES:					
RESTRICTED CASH	\$ 4,497,166	\$ 6,158,543	\$ 7,233,503	\$ 7,072,547	
UNRESTRICTED UNRESTRICTED CASH	\$ 10,238,084	\$ 4,084,106	\$ 10,396,669	\$ 8,548,064	

CITY OF ROLLA REVENUE TOTALS FY 2023 - 2024

Fund	2020-2021 ACTUAL	2021-2022 ACTUAL	2022-2023 ESTIMATED	2023-2024 PROPOSED	% OF BUDGET
General Fund	12,752,210	13,249,839	14,475,792	13,941,835	38.83%
Sewer Fund	18,099,118	10,642,054	5,962,584	5,457,000	15.20%
Environmental Services Fund	3,976,914	4,047,589	3,997,400	4,326,500	12.05%
ARPA Fund	97	2,325,555	453,000	3,000	0.01%
Park Fund	1,801,997	2,005,887	1,991,466	2,564,100	7.14%
Park Land Reserve Fund	562	1,343	680	650	0.00%
Airport Fund	672,256	740,576	725,400	779,900	2.17%
Cemetery Fund	23,219	20,946	18,414	21,000	0.06%
Street Fund	16,023,154	13,926,551	10,030,200	8,561,300	23.84%
Recreation Fund	157,024	851,553	481,308	250,600	0.70%
REVENUE TOTAL	53,506,552	47,811,893	38,136,244	35,905,885	100%

CITY OF ROLLA EXPENDITURE TOTALS FY 2023 - 2024

Department	2020-2021 ACTUAL	2021-2022 ACTUAL	2022-2023 ADOPTED	2022-2023 ESTIMATED	2023-2024 PROPOSED	% OF BUDGET
Administration	628,017	764,297	709,485	753,553	769,610	2.03%
City Administration	319,347	290,452	308,055	292,745	352,225	0.93%
Library	294,607	328,043	318,850	366,265	431,300	1.14%
Finance	627,248	667,509	729,200	741,359	778,195	2.05%
Legal	65,170	75,394	70,750	64,980	117,940	0.31%
Court	89,081	96,217	133,450	132,530	147,895	0.39%
911/Telecommunications	1,216,058	1,227,904	1,498,835	1,344,665	1,476,605	3.89%
Animal Control	195,781	682,561	335,740	275,385	490,155	1.29%
Police	4,033,226	4,650,903	4,993,225	5,505,654	5,264,010	13.88%
Fire	3,216,676	3,254,400	4,655,462	4,661,311	3,945,211	10.41%
Building Services	105,992	85,971	105,715	118,818	118,175	0.31%
Engineering	763,443	0	0	0	0	0.00%
Community Development	436,669	449,828	518,500	559,145	556,050	1.47%
Economic Development	33,989	52,927	57,075	73,025	62,025	0.16%
GENERAL FUND TOTAL	12,025,305	12,626,406	14,434,342	14,889,435	14,509,396	38.27%
Sewer	18,134,355	11,155,404	5,874,432	6,223,610	5,047,650	13.31%
Recycling	582,273	522,801	428,375	506,653	474,805	1.25%
Sanitation	2,974,854	2,789,037	3,072,950	2,879,952	3,354,525	8.85%
Vehicle Maintenance	465,948	492,478	496,230	490,754	519,385	1.37%
ARPA	0	2,543,572	1,635,000	655,000	1,165,000	3.07%
Parks	1,596,974	1,809,833	1,812,250	1,893,507	2,557,030	6.74%
Cemetery	80,331	6,381	10,000	4,000	8,000	0.02%
Park Land Reserve	50,000	35,000	0	0	25,000	0.07%
Airport	830,123	907,701	794,560	878,050	1,084,575	2.86%
Street	11,788,027	12,736,157	7,103,085	4,747,967	7,540,500	19.89%
Engineering	0	804,208	927,650	820,300	1,142,275	3.01%
Recreation Center	1,089,124	683,659	459,025	799,560	487,305	1.29%
OTHER FUNDS TOTAL	37,592,009	34,486,230	22,613,557	19,899,353	23,406,050	61.73%
EXPENDITURE TOTAL	49,617,314	47,112,635	37,047,899	34,788,788	37,915,446	100%₁₂

8/25/2023

**STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
GENERAL FUND
City of Rolla
Fiscal Year 2023-2024**

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Taxes	9,447,627	10,198,543	10,604,000	10,905,500
Licenses & Permits	166,356	205,903	208,500	188,450
Intergovernmental Revenue	1,260,444	360,701	457,000	305,000
Charges for Services	1,595,651	1,683,895	1,776,792	2,015,085
Fines and Forfeitures	155,167	166,392	153,400	163,500
Miscellaneous	126,965	634,404	301,100	364,300
Lease Proceeds	0	0	975,000	0
Total Revenues	12,752,210	12,249,839	14,475,792	13,941,835
EXPENDITURES				
Administrative	628,017	764,297	753,553	769,610
City Administration	319,347	290,452	292,745	352,225
Library	294,607	328,043	366,265	431,300
Finance	627,248	667,509	741,359	778,195
Legal Service	65,170	75,394	64,980	117,940
City Court	89,081	96,217	132,530	147,895
911/Communications	1,216,058	1,227,904	1,344,665	1,476,605
Animal Control	195,781	682,561	275,385	490,155
Police	4,033,226	4,650,903	5,505,654	5,264,010
Fire	3,216,676	3,254,400	4,661,311	3,945,211
Buildings	105,992	85,971	118,818	118,175
Engineering	763,443	0	0	0
Community Development	436,669	449,828	559,145	556,050
Economic Development	33,989	52,927	73,025	62,025
Total Expenditures	12,025,305	12,626,406	14,889,435	14,509,396
EXCESS OF REVENUES OVER EXPENDITURES	726,905	623,434	(413,643)	(567,561)
FUND TRANSFERS				
From Street Fund	516,500	307,000	193,000	234,500
From Park Fund	80,700	107,000	89,000	93,100
From Airport Fund	0	35,000	35,000	47,400
From Sewer Fund	456,100	205,000	209,000	169,300
From Env Svs Fund	173,500	231,000	200,000	215,800
From Recreation Fund & Other Transfer (ARPA)	0	0	(357,000)	(250,000)
TOTAL REVENUES OVER EXPENDITURES	1,953,705	1,508,434	(44,643)	(57,461)
BEGINNING FUND BALANCE (10/1)	2,098,820	4,052,525	5,560,959	5,516,315
ENDING FUND BALANCE (9/30)	4,052,525	5,560,959	5,516,315	5,458,854
FOOTNOTES:				
RESTRICTED CASH	2,557,652	3,745,724	3,294,591	3,141,485
UNRESTRICTED UNRESERVED CASH	1,494,873	1,815,235	2,221,725	2,317,370

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
SANITARY SEWER FUND
City of Rolla
Fiscal Year 2023 - 2024

	<u>Audit 2021</u>	<u>Audit 2022</u>	<u>Estimated 2023</u>	<u>Proposed 2024</u>
REVENUES				
Charges for Services	4,169,364	4,579,785	5,014,000	5,312,000
Grants	6,514	0	0	80,000
Other Income	209,836	115,987	27,000	65,000
Bond Proceeds	13,713,404	5,946,281	921,584	0
Total Revenues	18,099,118	10,642,054	5,962,584	5,457,000
EXPENDITURES				
Personnel	1,035,591	1,087,854	1,147,775	1,210,750
Supplies & Bldg. Mntc.	294,110	344,264	361,600	373,000
Services	1,465,444	843,693	605,135	561,400
Maintenance & Imp.	519,319	785,295	641,800	676,000
Capital Expenditures	14,819,892	8,094,298	3,567,300	2,226,500
Total Expenditures	18,134,355	11,155,404	6,223,610	5,047,650
EXCESS OF REVENUES OVER EXPENDITURES	(35,237)	(513,350)	(261,026)	409,350
FUND TRANSFERS				
To General Fund	(456,100)	(205,000)	(209,000)	(169,300)
To Street Fund	0	(292,391)	(232,200)	(285,569)
TOTAL REVENUES OVER EXPENDITURES	(35,237)	(805,741)	(493,226)	123,781
BEGINNING CASH BALANCE (10/1)	2,992,289	2,957,052	2,151,311	1,658,085
ENDING CASH BALANCE (9/30)	2,957,052	2,151,311	1,658,085	1,781,866
FOOTNOTES:				
RESTRICTED CASH	1,499,603	502,500	508,500	510,000
PROJECTED UNRESTRICTED CASH	1,457,449	1,648,811	1,149,585	1,271,866

NOTE: Depreciation expense is not included in the FY23 & FY24 8/25/2023 budget. This will be factored into the audit.

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE

City of Rolla ENVIRONMENTAL SERVICES FUND Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Charges for Services	3,162,718	3,203,382	3,350,900	3,620,000
Recyclable Sales	341,825	406,002	165,000	200,000
Grant Revenue	11,778	2,904	16,000	5,000
Misc. Income (Veh. Mntc.)	309,552	347,765	330,000	335,000
Lease Purchase Rev	0	0	0	0
Other Income	151,040	87,536	135,500	166,500
Total Revenues	3,976,914	4,047,589	3,997,400	4,326,500
EXPENDITURES				
Recycling Division	582,278	522,801	506,653	474,805
Sanitation Division	2,974,854	2,789,037	2,879,952	3,354,525
Vehicle Maintenance Division	465,948	492,478	490,754	519,385
Total Expenditures	4,023,074	3,804,315	3,877,359	4,348,715
EXCESS OF REVENUES OVER EXPENDITURES	(46,160)	243,274	120,041	(22,215)
FUND TRANSFERS				
To General Fund	(173,500)	(231,000)	(200,000)	(215,800)
TOTAL REVENUES OVER EXPENDITURES	(219,660)	12,274	(79,959)	(238,015)
BEGINNING CASH BALANCE (10/1)	2,224,692	2,005,032	2,017,306	1,937,347
ENDING CASH BALANCE (9/30)	2,005,032	2,017,306	1,937,347	1,699,332
EXPENDITURES BY CATEGORY				
Personnel	1,685,703	1,627,668	1,665,532	1,792,725
Supplies & Bldg. Mntc.	34,603	36,008	33,825	36,340
Services	981,632	970,198	927,470	1,114,000
Maintenance & Imp.	538,537	683,491	700,920	654,650
Capital Expenditures	782,599	486,950	549,612	751,000
8/25/2023 Total Expenditures	4,023,074	3,804,315	3,877,359	4,348,715

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
AIRPORT FUND
City of Rolla
Fiscal Year 2023 - 2024

	<u>Audit 2021</u>	<u>Audit 2022</u>	<u>Estimated 2023</u>	<u>Proposed 2024</u>
REVENUES				
Charges for Services	335,447	485,250	525,000	545,000
Other Income	163,556	139,467	125,400	134,900
Grants	157,828	47,940	75,000	100,000
Lease Proceeds	15,426	67,918	0	0
Total Revenues	672,256	740,576	725,400	779,900
EXPENDITURES				
Personnel	166,765	177,424	198,000	207,150
Supplies & Bldg. Maintenance	17,031	19,629	17,450	18,600
Services	320,398	468,245	509,700	619,825
Maintenance & Improvements	35,281	46,680	40,400	39,500
Capital Expenditures	290,648	195,722	112,500	199,500
Total Expenditures	830,123	907,701	878,050	1,084,575
EXCESS OF REVENUES OVER EXPENDITURES	(157,867)	(167,125)	(152,650)	(304,675)
FUND TRANSFERS				
From Street Fund	175,000	326,000	230,000	300,000
From General Fund	0	(35,000)	(35,000)	(47,400)
TOTAL REVENUES OVER EXPENDITURES	17,133	123,875	42,350	(52,075)
BEGINNING FUND BALANCE (10/1)	(127,991)	(110,858)	13,018	55,368
ENDING FUND BALANCE (9/30)	(110,858)	13,018	55,368	3,293

6/23/2023

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
CEMETERY TRUST FUND
 City of Rolla
 Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Eternal Care	22,160	10,000	14,000	16,000
Other Income	1,059	10,946	4,414	5,000
Total Revenues	23,219	20,946	18,414	21,000
EXPENDITURES				
Miscellaneous	0	0	0	0
Capital Improvements	80,331	6,381	4,000	8,000
Total Expenditures	80,331	6,381	4,000	8,000
EXCESS OF REVENUES OVER EXPENDITURES	(57,112)	14,565	14,414	13,000
FUND TRANSFERS				
From General Fund	0	0	0	0
To General Fund	0	0	0	0
TOTAL REVENUES OVER EXPENDITURES	(57,112)	14,565	14,414	13,000
BEGINNING FUND BALANCE (10/1)	378,277	321,165	335,730	350,144
ENDING FUND BALANCE (9/30)	321,165	335,730	350,144	363,144

**STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
STREET/CAPITAL IMPROVEMENT FUND**

City of Rolla
Fiscal Year 2023 ~~2024~~

	<u>Audit 2021</u>	<u>Audit 2022</u>	<u>Estimated 2023</u>	<u>Proposed 2024</u>
REVENUES				
Taxes	5,437,529	6,046,224	6,439,000	6,741,000
Grants	8,239	0	500,000	440,000
Other Income	3,196,108	2,144,586	1,591,200	1,380,300
Bond Proceeds	0	5,650,287	1,500,000	0
TDD Reimbursements	7,381,278	85,454	0	0
Total Revenues	16,023,154	13,926,551	10,030,200	8,561,300
EXPENDITURES				
Personnel	1,279,687	2,028,084	2,040,899	2,375,800
Supplies & Bldg. Maintenance	22,318	47,192	52,267	58,600
Services	522,150	220,049	411,601	329,875
Maintenance & Improvements	1,362,669	1,099,454	1,050,000	1,554,300
Capital Expenditures	1,825,342	6,025,677	2,013,500	4,364,200
TDD Expenditures	6,775,862	4,119,909	0	0
Total Expenditures	11,788,027	13,540,365	5,568,267	8,682,775
EXCESS OF REVENUES OVER EXPENDITURES	4,235,127	386,185	4,461,933	(121,475)
FUND TRANSFERS				
To Airport Fund	(175,000)	(326,000)	(230,000)	(300,000)
From Sewer Fund	0	292,391	232,200	285,569
To General Fund	(516,500)	(307,000)	(193,000)	(234,500)
TOTAL REVENUES OVER EXPENDITURES	3,543,627	(246,815)	4,038,933	(655,975)
BEGINNING FUND BALANCE (10/1)	152,144	3,695,770	3,448,956	7,487,889
ENDING FUND BALANCE (9/30)	3,695,770	3,448,956	7,487,889	6,831,914
FOOTNOTES: RESTRICTED CASH	10,500	1,500,000	3,000,000	3,000,000
PROJECTED UNRESTRICTED CASH	3,685,270	1,948,956	4,487,889	3,831,914

8/25/2023

**STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
RECREATION (CENTRE) FUND**

City of Rolla
Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Taxes	231	0	350	100
Charges for Services	71,620	851,341	480,240	250,000
Other Income	85,173	212	718	500
Total Revenues	157,024	851,553	481,308	250,600
EXPENDITURES				
Personnel	0	10,209	6,725	7,030
Supplies & Bldg. Mntc.	0	186	135	125
Services	964,109	621,216	732,000	422,250
Maintenance & Imp.	0	2,649	700	800
Capital Expenditures	125,015	49,399	60,000	57,100
Total Expenditures	1,089,124	683,659	799,560	487,305
EXCESS OF REVENUES OVER EXPENDITURES	(932,099)	167,895	(318,252)	(236,705)
FUND TRANSFERS				
From General Fund	0	0	357,000	250,000
To General Fund	0	0	0	0
TOTAL REVENUES OVER EXPENDITURES	(932,099)	167,895	38,748	13,295
BEGINNING FUND BALANCE (10/1)	724,700	(207,400)	(39,505)	(757)
ENDING FUND BALANCE (9/30)	(207,400)	(39,505)	(757)	12,538

8/29/2023

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE

PARKS FUND

City of Rolla

Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Taxes	1,550,776	1,602,663	1,756,500	1,817,300
Charges for Services	213,540	230,735	229,916	237,800
Other Income	37,681	172,490	5,050	509,000
Total Revenues	1,801,997	2,005,887	1,991,466	2,564,100
EXPENDITURES				
Administration Division	216,197	229,682	231,561	246,955
Parks Division	991,368	1,137,278	1,231,220	1,813,990
Splashzone Division	213,557	265,507	263,706	313,650
Outdoor Recreation Division	175,852	177,366	167,020	182,435
Total Expenditures	1,596,974	1,809,833	1,893,507	2,557,030
EXCESS OF REVENUES OVER EXPENDITURES				
	205,023	196,055	97,959	7,070
FUND TRANSFERS				
To General Fund	(80,700)	(107,000)	(109,500)	(93,100)
From General Fund	0	0	0	0
TOTAL REVENUES OVER EXPENDITURES				
	124,323	89,055	(11,541)	(86,030)
BEGINNING FUND BALANCE (10/1)				
	184,165	308,488	397,543	386,002
ENDING FUND BALANCE (9/30)				
	308,488	397,543	386,002	299,972
EXPENDITURES BY CATEGORY				
Personnel	901,352	969,840	1,028,094	1,078,055
Supplies & Bldg. Mntc.	122,743	139,183	129,815	130,200
Services	137,001	142,174	155,513	165,575
Maintenance & Imp.	151,413	196,611	170,450	205,500
Capital Expenditures	284,465	361,949	409,635	977,700
Total Expenditures	1,596,974	1,809,758	1,893,507	2,557,030

8/25/2023

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE
PARK LAND RESERVE FUND
City of Rolla
Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Other Income	562	1,343	680	650
Total Revenues	562	1,343	680	650
EXPENDITURES				
Miscellaneous	0	0	0	0
Capital Improvements	50,000	35,000	0	25,000
Total Expenditures	50,000	35,000	0	25,000
EXCESS OF REVENUES OVER EXPENDITURES	(49,438)	(33,657)	680	(24,350)
FUND TRANSFERS				
To General Fund	0	0	0	0
TOTAL REVENUES OVER EXPENDITURES	(49,438)	(33,657)	680	(24,350)
BEGINNING FUND BALANCE (10/1)	157,684	108,246	74,589	75,269
ENDING FUND BALANCE (9/30)	108,246	74,589	75,269	50,919

STATEMENT OF REVENUES, EXPENDITURES AND FUND BALANCE

ARPA FUND

City of Rolla

Fiscal Year 2023 - 2024

	Audit 2021	Audit 2022	Estimated 2023	Proposed 2024
REVENUES				
Grant Revenue	0	2,323,572	434,000	0
Other Income	97	1,982	19,000	3,000
Total Revenues	97	2,325,555	453,000	3,000
EXPENDITURES				
Admin Expenses	0	3,574	20,000	300,000
Court Expenses	0	100,000	0	0
Finance Expenses	0	440,000	30,000	0
Telecommunications Expenses	0	11,071	0	0
Animal Control Expenses	0	44,454	0	100,000
Police Expenses	0	668,237	80,000	0
Fire Expenses	0	346,236	0	40,000
Community Development Expenses	0	35,000	0	0
Sewer Expenses	0	0	0	475,000
Street Expenses	0	0	50,000	0
Recreation Expenses	0	850,000	475,000	250,000
Parks Expenses	0	45,000	0	0
Total Expenditures	0	2,543,572	655,000	1,165,000
EXCESS OF REVENUES OVER EXPENDITURES	97	(218,018)	(202,000)	(1,162,000)
FUND TRANSFERS				
From General Fund	0	0	0	0
To General Fund	0	0	0	0
TOTAL REVENUES OVER EXPENDITURES	97	(218,018)	(202,000)	(1,162,000)
BEGINNING FUND BALANCE (10/1)	2,061,232	2,061,330	1,843,312	1,641,312
ENDING FUND BALANCE (9/30)	2,061,330	1,843,312	1,641,312	479,312
EXPENDITURES BY CATEGORY				
Loss of Revenue	0	1,480,000	475,000	400,000
Equipment Expenditures	0	1,063,572	5,000	0
Building & Grounds Expenditures	0	0	80,000	615,000
Prof/Cont Expenditures	0	0	45,000	150,000
Total Expenditures	0	2,543,572	605,000	1,165,000

8/25/2023

**CITY OF ROLLA
DEBT SERVICE SCHEDULE**

<u>DEPARTMENT / EQUIPMENT</u>	<u>FISCAL YEARS</u>					<u>BALANCE</u>
	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026 - FORWARD</u>		
FIRE						
FIRE TRUCK (LADDER) - 2018	\$ 129,583.43	\$ 129,583.43	\$ 129,583.43	\$ 647,917.15	2026-2030	\$ 907,084.01
FIRE TRUCK (LADDER) - 2023	\$ -	\$ 125,000.00	\$ 125,000.00	\$ 1,250,000.00	2026-2036	\$ 1,500,000.00
	\$ 129,583.43	\$ 254,583.43	\$ 254,583.43	\$ 1,897,917.15		\$ 2,407,084.01
PUBLIC WORKS						
2000A WASTEWATER REV BOND	\$ -	\$ -	\$ -	\$ -		\$ -
2006B WASTEWATER REV BOND	\$ -	\$ -	\$ -	\$ -		\$ -
2020B WASTEWATER REV BOND (INCLUDED IN 2021B)	\$ 1,295,610.00	\$ 1,306,760.00	\$ 1,339,801.00	\$ 12,667,507.00	2026-2036	\$ 15,314,068.00
2021B WASTEWATER REV BOND	\$ -	\$ 543,061.70	\$ 702,800.00	\$ 4,839,188.30	2026-2033	\$ 6,085,050.00
2012B COP BOND (SEWER)	\$ 94,627.00	\$ 273,827.00	\$ 272,677.00	\$ 1,875,936.00	2026-2036	\$ 2,422,440.00
2015 COP (STREET)	\$ 564,740.00	\$ 566,480.00	\$ 566,500.00	\$ -		\$ 1,132,980.00
2012A DNR ENERGY EFFICIENCY/AIRPORT	\$ 97,794.00	\$ 94,191.00	\$ 90,200.00	\$ -		\$ 184,391.00
	\$ 2,052,771.00	\$ 2,784,319.70	\$ 2,971,978.00	\$ 19,382,631.30		\$ 25,138,929.00
ADMINISTRATION						
CITY HALL	\$ 187,621.00	\$ 187,621.00	\$ 94,355.00	\$ -		\$ 281,976.00
2012A DNR ENERGY EFFICIENCY/CENTRE (EXCLUDE SEWER)	\$ 124,966.00	\$ 124,908.00	\$ 114,800.00	\$ -		\$ 239,708.00
FOREST SERVICE LAND	\$ 25,550.00	\$ 25,550.00	\$ 25,550.00	\$ 51,100.00	2026-2027	\$ 102,200.00
	\$ 338,137.00	\$ 338,079.00	\$ 234,705.00	\$ 51,100.00		\$ 623,884.00
POLICE						
ZUECHER SOFTWARE	\$ 41,430.23	\$ -	\$ -	\$ -		\$ -
	\$ 41,430.23	\$ -	\$ -	\$ -		\$ -
AIRPORT						
	\$ -	\$ -	\$ -	\$ -		\$ -
	\$ -	\$ -	\$ -	\$ -		\$ -
PARKS						
BACKHOE - 2022	\$ 26,479.56	\$ 26,479.56	\$ 26,479.56	\$ 26,479.56		\$ 79,438.68
	\$ 26,479.56	\$ 26,479.56	\$ 26,479.56	\$ 26,479.56		\$ 79,438.68
CENTRE						
IT EQUIPMENT	\$ 20,637.33	\$ 20,637.33	\$ -	\$ -		\$ 20,637.33
	\$ 20,637.33	\$ 20,637.33	\$ -	\$ -		\$ 20,637.33
COMBINED DEBT SERVICE PAYMENTS	\$ 2,567,608.32	\$ 3,424,099.02	\$ 3,487,745.99	\$ 21,358,128.01		\$ 28,269,973.02
BUDGET FROM 2024 FORWARD						\$ 25,702,364.70

**JULY MATERIALS COLLECTED & SHIPPED
FROM RECYCLING CENTER**

(Based on Calendar Year)

Material	Jul 2023	Jun 2023	Jul 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Cardboard	128.0 ton	107.0 ton	96.5 ton	849.2 ton	912.4 ton	1,481.9 ton
Newspaper	33.0 ton	33.5 ton	32.3 ton	230.7 ton	278.0 ton	455.6 ton
High Grade Paper	0.0 ton	0.0 ton	0.0 ton	20.0 ton	42.0 ton	63.5 ton
Aluminum	0.0 ton	2.3 ton	2.1 ton	7.3 ton	11.1 ton	16.1 ton
Steel Cans/Scrap Metal	3.5 ton	3.5 ton	2.3 ton	33.4 ton	37.1 ton	69.7 ton
Plastic	9.3 ton	10.0 ton	0.0 ton	57.5 ton	51.9 ton	98.2 ton
Glass	25.6 ton	22.8 ton	21.7 ton	152.4 ton	156.7 ton	201.7 ton
Batteries	0.8 ton	0.0 ton	0.0 ton	1.6 ton	0.8 ton	2.1 ton
Electronic Waste	6.6 ton	3.3 ton	1.2 ton	20.9 ton	22.4 ton	39.3 ton
Household HW	1.2 ton	0.0 ton	0.0 ton	3.7 ton	0.0 ton	0.0 ton
TOTAL	207.9 ton	182.4 ton	156.2 ton	1,376.8 ton	1,512.3 ton	2,428.1 ton

SERVICES PROVIDED

Type of Service	Jul 2023	Jun 2023	Jul 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Special Pick-ups	50	54	45	295	385	639
Paper Shredding	3.8 hours	5.5 hours	3.0 hours	34.3 hours	37.0 hours	59.5 hours
Reported Trash Nuisances	0	0	0	0	0	0
Households Dropping Off Hazardous Waste	70	93	88	521	573	953

DISPOSAL TONNAGE

(Sanitation Division)

Material	Jul 2023	Jun 2023	Jul 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Refuse	1,481.9 ton	1,571.0 ton	1,269.3 ton	9,816.3 ton	9,770.3 ton	16,383.3 ton

Rolla Police Department Monthly Report

YTD 2023

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 initial 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	2022 YTD	% Increase
Abandoned/Recovered Property	11	13	17	19	21	31	18						130	136	-4.41%
Abandoned Vehicle	26	15	16	14	22	27	35						155	127	22.05%
Accident - Fatality	0	0	0	0	0	0	0						0	0	#DIV/0!
Accident - Injury	11	17	15	19	18	16	9						105	123	-14.63%
Accident - Leave The Scene	5	16	23	6	14	9	17						90	97	-7.22%
Accident - No Injury	40	41	34	39	26	40	21						241	305	-20.98%
Accident - Private Property	22	16	13	20	26	24	25						146	163	-10.43%
Accident - Road Blocked	7	2	10	9	3	8	2						41	37	10.81%
Adult Abuse	1	0	0	0	0	0	0						1	1	0.00%
Alarm LE	68	63	68	79	65	60	74						477	482	-1.04%
Animal Bite/Attack	2	0	1	4	3	2	3						15	27	-44.44%
Animal Control	93	75	86	120	135	145	134						788	812	-2.96%
Arson	0	0	0	0	0	0	0						0	0	#DIV/0!
Assault	14	8	6	8	15	12	10						73	103	-29.13%
Assist Agency Non-LEA	81	64	74	61	60	71	72						483	510	-5.29%
Assist Citizen	6	7	6	2	5	13	5						44	52	-15.38%
Assist LEA	10	13	11	13	9	16	18						90	114	-21.05%
Assist Motorist	25	18	26	18	23	40	24						174	187	-6.95%
Bomb Threat	0	0	0	0	0	0	0						0	3	-100.00%
Building Lockout	1	0	0	1	2	1	4						9	2	350.00%
Burglary	11	9	7	15	14	11	11						78	107	-27.10%
Business/Building Check	205	227	202	161	180	167	164						1,306	1,932	-32.40%
Call for Police	61	60	62	44	52	53	55						387	488	-20.70%
Check Well Being	97	96	107	129	133	122	133						817	842	-2.97%
Child Abuse	1	2	3	2	4	1	0						13	13	0.00%
Child Exploitation/Pornography	2	0	0	0	0	0	0						2	0	#DIV/0!
Confidential Investigation	0	0	0	0	0	0	0						0	2	-100.00%
Conservation Violation	0	0	0	1	0	0	0						1	1	0.00%
Court	10	10	6	11	11	5	2						55	63	-12.70%
Crossing Guard (Officer coverage)	5	3	2	5	3	0	0						18	47	-61.70%
CWB 911 Hangup	209	228	269	315	402	474	294						2,191	1,395	57.06%
Death	1	0	0	0	1	0	0						2	10	-80.00%
Destruction of Property	15	18	16	19	13	18	27						126	131	-3.82%
Disturbance-Fireworks	0	0	0	0	1	8	27						36	31	16.13%
Disturbance-Liquor	2	0	0	0	1	0	0						3	5	-40.00%
Disturbance-Other	71	57	77	67	65	62	63						462	481	-3.95%
Domestic Violence	25	33	32	48	35	41	42						256	305	-16.07%
Driving While Intoxicated	6	10	9	7	11	12	9						64	70	-8.57%
Drown/Water Rescue	0	0	0	0	0	0	0						0	1	-100.00%
Drug Paraphernalia	6	11	10	8	6	15	12						68	70	-2.86%
Escort - Bank	0	1	0	0	0	0	0						1	1	0.00%
Escort - Courtesy	12	9	5	5	9	6	5						51	35	45.71%
Escort - Funeral	12	4	11	4	6	10	9						56	45	24.44%
Exparte Violation	14	3	13	5	9	5	4						53	47	12.77%
Field Interview	49	35	24	42	55	62	88						355	397	-10.58%
Fight	5	1	3	2	5	6	5						27	39	-30.77%
Fingerprints	0	4	3	5	10	5	5						32	44	-27.27%
Follow-up	117	128	164	119	150	108	144						930	860	8.14%
Foot Patrol	0	1	1	1	0	0	0						3	6	-50.00%
Forgery-Counterfeiting	1	0	1	6	2	6	7						23	7	228.57%
Found Body	0	1	1	1	0	0	0						3	1	200.00%
Fraud - Checks/Credit Card	14	19	27	17	25	24	19						145	142	2.11%
Harassment	30	19	19	22	24	33	20						167	157	6.37%
Identity Theft	3	3	5	6	0	3	0						20	9	122.22%
Information Request	331	322	360	281	307	361	346						2,308	1,858	24.22%
Intoxicated Person	6	5	11	5	6	7	7						47	76	-38.16%
Jail Incident	0	0	0	0	0	0	0						0	0	#DIV/0!
Juvenile Complaint	9	20	17	13	19	10	10						98	90	8.89%
Keep the Peace/Standby	9	8	12	15	11	11	7						73	96	-23.96%
Kidnapping	2	0	0	0	0	1	0						3	2	50.00%

Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2022 YTD	% Increase
Leave without Pay	0	2	0	0	0	0	0						2	5	-60.00%
Liquor Violation	0	1	0	0	0	0	0						1	2	-50.00%
Littering/Dumping	4	0	3	0	0	6	7						20	35	-42.86%
Loitering	2	2	1	2	8	4	5						24	64	-62.50%
Lost or Stolen Property	7	11	10	4	8	9	7						56	39	43.59%
Loud Noise Complaint	24	17	33	32	29	21	6						162	191	-15.18%
Malicious Mischief	1	1	4	3	5	1	3						18	9	100.00%
Mental Health	28	15	16	22	28	24	24						157	215	-26.98%
Missing Person	4	4	7	9	7	8	6						45	56	-19.64%
Murder	0	1	0	0	0	0	0						1	0	#DIV/0!
Narcotics Violation	14	21	14	14	15	18	29						125	169	-26.04%
Negotiation Callout	0	0	0	0	0	0	0						0	2	-100.00%
No Business License	0	0	1	0	0	0	0						1	1	0.00%
Open Door	7	4	3	3	10	5	7						39	52	-25.00%
Overdose	8	6	5	2	9	10	6						46	69	-33.33%
Paper Service	14	22	32	24	19	16	18						145	188	-22.87%
Prisoner Transport	8	0	4	1	0	0	0						13	13	0.00%
Property Damage-Non Criminal	1	1	0	3	3	1	1						10	10	0.00%
Prostitution	0	0	0	1	0	0	0						1	2	-50.00%
Prowler	1	1	6	0	2	7	4						21	25	-16.00%
Public Indecency	0	2	2	4	3	2	4						17	7	142.86%
Public Relations	3	4	11	7	9	5	8						47	55	-14.55%
Pursuit	0	0	1	1	0	1	0						3	2	50.00%
Rape/Sexual Assault	2	0	1	1	1	1	2						8	8	0.00%
Robbery	2	0	0	0	0	0	0						2	2	0.00%
Runaway	7	3	6	8	10	9	17						60	53	13.21%
Search Warrant	2	1	1	2	0	1	0						7	3	133.33%
Vacation/Security Check	18	2	11	11	22	43	43						150	167	-10.18%
Selective Enforcement	0	0	0	0	0	0	0						0	1	-100.00%
Sewer Alarm	0	0	1	0	1	0	1						3	3	0.00%
Sex Offenses	3	2	6	1	5	4	0						21	40	-47.50%
Shots Fired	0	3	3	6	3	1	3						19	14	35.71%
Soliciting	2	4	1	2	1	1	3						14	12	16.67%
Stabbing	0	0	0	0	0	0	0						0	0	#DIV/0!
Stabbing or Shooting with Injury	2	0	0	0	0	0	1						3	3	0.00%
Stalking	3	0	2	0	1	0	1						7	2	250.00%
Stealing	61	58	107	75	93	60	64						518	532	-2.63%
Stolen Vehicle	9	9	14	12	5	8	12						69	59	16.95%
Suicide	0	0	0	1	0	0	0						1	1	0.00%
Suspicious Activity	100	81	61	80	86	88	89						585	662	-11.63%
Suspicious Package/Item	1	0	0	2	1	0	1						5	3	66.67%
SWAT Callout	0	0	0	1	0	0	0						1	3	-66.67%
Tampering	4	2	5	4	5	1	5						26	45	-42.22%
Telephone Harassment	6	11	19	14	18	8	11						87	57	52.63%
Tow Sticker Expired	17	14	12	5	12	13	22						95	118	-19.49%
Traffic Complaint	109	130	130	125	129	128	167						918	1,042	-11.90%
Traffic Stop	401	350	282	349	219	290	240						2,131	2,590	-17.72%
Trespassing	56	42	36	45	65	46	54						344	390	-11.79%
Try to Contact	6	14	9	20	18	14	13						94	101	-6.93%
Vehicle Identification	35	38	25	49	39	31	41						258	364	-29.12%
Vehicle Lockout	2	3	1	1	0	0	3						10	13	-23.08%
Vehicle Repossession	8	8	2	7	2	7	4						38	33	15.15%
Veterinary Call	3	3	1	5	6	2	0						20	41	-51.22%
Weapons Violation	3	5	4	3	7	5	6						33	35	-5.71%
Totals	2,752	2,613	2,778	2,774	2,921	3,061	2,924	0	0	0	0	0	19,823	20,795	-4.67%

Rolla Police Department Monthly Report
YTD 2023

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>
July	0	2	0	4	5	42	10	1	64	
YTD 2023	0	5	3	24	46	304	35	3	420	
2022	0	7	6	93	118	526	45	4	799	-1.48%
2021	0	15	9	68	119	564	35	1	811	-23.20%
2020	1	12	1	99	172	711	59	1	1056	13.92%
2019	0	16	6	87	164	604	46	4	927	14.59%
2018	0	30	7	84	102	547	34	5	809	-5.49%

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>
July	6	1	0
YTD 2023	55	24	5
2022	132	42	11

ANIMAL CONTROL MONTHLY TOTALS

July 2023

ANIMALS IMPOUNDED

	Canine	Feline	Other	Wildlife	Monthly	2023	2022
	Domestic				Total	YTD Total	YTD Total
City of Rolla	12	7	0	39	58	260	270
Rolla Area	2	1	0	0	3	17	8
City of Newburg	0	0	0	0	0	0	0
Newburg Area	0	0	0	0	0	0	0
Edgar Springs Area	0	0	0	0	0	0	1
Other Agencies	0	0	0	0	0	0	0
St. James Area	0	0	0	0	0	0	7
Ft. Leonard Wood	0	0	0	0	0	0	0
Monthly Total	14	8	0	39	61		
2023 YTD Total	112	43	0	122		277	
2022 YTD Total	152	43	0	91			286
Total Phelps County	2	1	0	0	3	17	13

ANIMAL DISPOSITION

	Canine	Feline	Other	Wildlife	Monthly	2023	2022
	Domestic				Total	YTD Total	YTD Total
Animals Adopted ①	7	6	0	0	13	54	78
Animals Claimed	7	0	0	0	7	59	49
Euthanized(Ill/Injured)	0	0	0	2	2	9	6
Euthanized(Dangerous)	1	0	0	0	1	19	24
Euthanized(Un-Placed)②	0	0	0	0	0	0	0
Deceased on Arrival	0	2	0	0	2	62	52
Transferred to Rescue ③	0	0	0	0	0	0	7
Wildlife Relocated	0	0	0	33	33	63	25
Other	0	0	0	0	0	0	1
Monthly Total	15	8	0	35	58		
2023 YTD Total	108	35	0	124		266	
2022 YTD Total	131	45	0	66			242

ADDITIONAL STATISTICS

	Monthly	2023	2022
	Total	YTD Total	YTD Total
Adoption Rate (① + ③) ÷ (① + ② + ③)	100.00%	100.00%	100.00%
PR Programs	0	4	8
Calls for Service	150	881	761
Written Warnings	0	0	0
Citations	0	4	15
Total Incinerator Hours	0	0	144

REGULAR SESSION – July 6, 2023

~ 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 4:33 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 (by teleconference)
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

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

* * * * *

I. APPROVAL OF MINUTES

Read made a motion, seconded by Crump, the minutes of the June 1, 2023 Board meeting Regular session be approved as presented. Motion passed unanimously.

II. CITIZEN COMMUNICATION

A. Public Hearing for proposed FY2024 Budget & Rates

- Bourne reported that the Water Department should finish FY2023 with positive cash flow. The Electric Department is not doing as well due to higher power supply, capital costs and increasing operating expenses. Moving forward into FY2024, the Water Department margins are shrinking, and the Electric Department will continue to erode reserves without any rate adjustments.

For FY2024, Bourne recommends the following revisions or changes to the budget plan:

- Modifying the Minimum Cash Reserve Statement to include a Rate Stabilization Fund. This is a FERC recommended accounting fund. In essence, 80% of our current reserve account will continue to be "normal" reserves with 20% being allocated to the Rate Stabilization Fund. If approved as a component of the budget, this will show up on the Financial Statements in October. It should be noted that the Electric Rate Stabilization Fund will be at \$0 due to the use of reserves to cover power supply expenses after Winter Storm Uri. An expense account related to the Rate Stabilization Fund has been added to inject money to return the fund to its full balance over a five-year period.
 - Higher interest revenue on our account balances reflect the change of banking institutions.
 - Power supply projections are higher from FY22, but steady. Natural gas pricing, plant outages or extreme temperature events can quickly affect this line item.
 - Capital budget reflects increasing material costs.
 - We still plan a water project in the Nagogami area in conjunction with the MS&T Protoplex expansion
 - And finally, we have added a page to recognize equipment or materials where we have issued purchase orders, but items will not arrive for several years.
- Bourne reported that RMU has been able to keep rates low for the past decade or so, and we have some of the lowest rates in the area. The proposed rate increases for both water and electric can be implemented in a series of slight step increases over a period of four years and could be paused or modified on an annual basis. Bourne noted the importance of notifying customers of a long-term plan which maintains our financial stability. If completely implemented, our retail residential electric energy rate will increase to \$0.091 after four years assuming no other changes, essentially bringing us back to a similar rate which was in existence ten years ago.
 - The public hearing was opened for any questions or public comments. For the record, Barrack stated no public was in attendance and closed the public hearing.

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 May 2023 (FY23).

Cresswell reviewed May reports (FY23):

Month-to-Date comparison of May 2023 to May 2022

- May shows operating income of \$2,187,000 which is about \$53,000 less than the previous May. Our operating income for the year is \$20,580,000 which is relatively even when compared to this time last year.
 - Purchased power expenses for the month of May were \$1,391,000 which is down over \$62,000 from May 2022. Year-to-date purchased power is \$14,561,000. We are still showing an overall increase of \$422,000 for purchased power expense over last year. We have purchased about 2.2 million more kWh this year compared to last year and our average cost per MWH is up about \$3.60/MWH.
 - Total operating expenses for May were \$2,589,000 which includes purchased power. This is up \$54,000 from May 2022 and up \$722,000 year-to-date. A large portion of this year-to-date increase is purchased power.
 - This gives us a total operating loss for the month of \$401,207 and an operating loss of \$740,513 for the year. Our Electric department is showing an operating loss of \$870,001 for the year and the Water department is showing an operating gain of \$131,332.
 - Overall net loss for the month was \$347,623 and \$34,970 for the year.
2. Cresswell presented RMU's Financial Statement, Statistics report, and the Disbursement Summary for May 2023.

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

3. RMU Service Center Expansion

Cresswell announced that the committee met with the architect to receive preliminary drawings and prices. Unfortunately, the initial price came in higher than what RMU wants to spend. The architect has made some changes and another committee meeting will be scheduled to review the updates.

4. GBS Annual Report

Cresswell mentioned receiving the annual report from RMU's health insurance company, GBS. As of the end of June, we are running at a 79% loss ratio and our current reserve balance is down to \$9,500. Cresswell noted that rate adjustments for the next year may be needed.

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

1. Utility Assistance Programs

Grunloh reported that the Low-Income Household Water Assistance Program (LIHWAP) was closed out by the state on June 30th. At this time, LIHWAP will not be brought back in the future. The federally funded program accounted for 38 pledges for RMU customers. While LIHWAP has ended, LIHEAP (Low-Income Household Energy Assistance Program) is still ongoing. Missouri Ozarks Community Action (MOCA) out of Richland, Missouri administers LIHEAP in our area, and during this fiscal year, which began October 1st, RMU customers have received 437 pledges for assistance.

We continue to work with GRACE and the Salvation Army. Aside from administering RMU's Helping Hands program, GRACE assists customers with their applications for MOCA. The Salvation Army is very helpful to customers who fall short of funds after receiving a MOCA pledge. We assist our customers with these programs, helping them submit their application by email or fax. This fiscal year, we have received over \$376,000 in pledged funds from these different programs and are grateful for the assistance they offer our customers.

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

1. Updates on:

- a. Development Review Committee Meetings (DRC).

Davis reviewed one item on the agenda item from the DRC meeting on June 21, 2023. A complete summary and details of the DRC meeting was included in Board packets.

- ZON23-05: Rezoning of the property at 514 Keeton Road from R-1 Single Family Residential to R-2 Two-Family Residential.
- SUB23-02: Minor subdivision to subdivide 514 Keeton Road into two residential lots.

RMU has the following comments relative to this agenda item:

- Any new electric service to the newly created lot will be provided by RMU
- Any new water service to the newly created lot will be provided by RMU
- No electric or water service will be provided by way of Keeton Road

- b. Current RMU projects

Davis highlighted work projects listed on the Operation Manager's Report. A complete list with details of all electric and water projects was included in the Board packet.

- Missouri S&T East Substation – RMU metering has been installed. Extension of overhead 34.5 kV system is pending work by university contractor.
- The alley west of Rolla Street between 8th & 9th Streets – RMU has removed all our overhead lines.

Currently waiting on other communication providers to relocate their attachments before removing poles.

- 550 Cottonwood Drive -- Single family residential housing start that required approximately 500-foot extension of underground distribution.
- Generators -- Removed at least one baffle in units to improve air flow. Installed louvers over openings in containers to better retain heat in the units when not in operation. Completed testing and preventative maintenance reviews.
- Davis reported that RMU's pole audit is still in progress. Each pole owned by RMU and others to which RMU is attached is reviewed for its current condition. At this point, of the 6700 poles in the GIS system, approximately 2950 have been audited. RMU has 232 poles so far that have been identified as needing immediate attention. Repairs to poles include anchoring, crossarms, insulators or replacement of the entire pole system if necessary. Some work has been on an emergency basis while others will take place over time depending upon the severity of the problem.
- Davis reported fiber service to the new MO S&T General Services Building has been installed.
- Davis noted Well #7 on Williams Road has converted SCADA connectivity from radio to fiber.
- Davis highlighted water projects from the Operation Manager's Report. The replacement of old water main on Holloway Street from Arkansas Avenue to 18th Street has been completed. Work of putting in new water main has begun on 18th Street from Maxwell Street to Farrar Drive. We have received the results from MO DNR on Hypoint Well 3. That well will be placed into operation in mid-July.
- Aesthetic changes that have been completed include removing multiple spans of overhead electric and attachments south of Monterey Court, San Fernando, Malibu and Carmel Courts. Removal of multiple poles no longer needed at 10th Street and Bishop has been completed.

Davis highlighted other recent events include a 35-45 minute city-wide power outage on July 1st. This outage was caused by a tree falling into Ameren transmission lines east of Rolla which caused a loss of transmission service to RMU. Ameren also acknowledged there was incorrect relay setting on equipment that had been installed last year causing both sides of Alfermann Substation to lose power. Ameren has fixed the programming error to avoid future issues. Fortunately, RMU was able to restore power quickly and Ameren has worked quickly to fix the error.

RMU ran power generation during the significant weather events and peaks last Thursday and Friday (June 29-30) during the quarterly testing. MoPEP is having those in the power pool test during these peak periods to help energy costs stay in at a reasonable rate. That is the only generation RMU was called on for.

Davis announced that Springfield, Illinois issued a request for mutual aid on Monday, July 3rd. RMU sent a crew of five (Eric Lonning, Dave Gorrell, Justin Casto, Jeremy Brown, Jeremy Arthur) to assist with restoration of power after a severe weather event came through that area leaving behind significant damage. The crew departed on July 3rd and is anticipated to return over the weekend or early the following week at the latest.

2. Nagogami Pressure Zone -- Planning Update

Davis reported on the potential development area of northwest Rolla in the vicinity of White Columns Drive, Collegiate Drive, Fraternity Drive and Spruce Drive has highlighted the need to review the fire flows available to new facilities. The Rolla Board of Public Works approved an agreement with Cochran to undertake a planning study for this area, which has been titled the Nagogami Pressure Zone. To increase pressure in that area and provide additional flow for fire conditions, Cochran's preliminary analysis includes the construction of a new elevated storage tank or using pump stations. The concepts were reviewed in consideration of water supply source, redundancy, costs, and operation control of the improvements. The two primary options that have been considered are an elevated storage option, which would have a higher cost (approximately \$6 million) than the second option of pumping which has an estimated capital cost of \$4.4 million. Davis noted the most practical option will be development of the pumping option. While the elevated tank option is generally preferred, the consensus is that the added cost is not necessary, and the pumping option is the best alternative. RMU, MO S&T, consultants for the university, and our consultants are finalizing details and logistics for the project while possible cost sharing with the university and other long-term financial aspects of the project are under review. The next steps to expect are refining the preliminary design as well as any cost sharing structure, design and construction, development of impact fee schedule, and acquisition of financing if needed to cover construction costs. Bourne noted the importance of meeting with the university to make sure the final solution will meet the needs for that area of development.

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

1. MPUA/MoPEP Update

Bourne gave highlights from the most recent meeting noting that the projects are available and operational for the summer season. As reported last month, for both MISO and SPP, energy output of wind generation during periods of high demand is a key factor in determining whether there are sufficient electric resources available to meet the region's needs. Bourne reported that MoPEP continues to explore the opportunity to convert the MoPEP 51MW Plum Point PPA into an ownership position. This could result in up to \$30M in savings through 2040 depending on financing options along with obtaining an additional 20MW of capacity to meet growing requirements and meet SPP capacity requirements.

2. APPA National Conference

Bourne reported on the conference which was held over three days in Seattle, WA. There were several keynote speakers and 45 different breakout sessions to choose from. Bourne gave a few highlights from the conference:

- During the financial session, they discussed doing an Age of System calculation to determine how old your assets are. RMU's electric system is 65% which indicates our system is older than average. RMU water assets are 51.5% which reflects positively the water main replacement improvements we have been doing in Rolla over the last few decades. They recommend having a clear policy of what actions to take if reserves drop and need to be replenished. This is reflected in the upcoming budget year. Additionally, Time of Use Rates continue to be implemented by many utilities and become the standard for billing.
- Another presentation Bourne attended was given by the National Energy Foundation. They highlighted a survey they give to high school seniors across the country to gauge their knowledge on energy topics. Unfortunately, the results show a decline. Bourne noted the survey had some great material that can help us develop a program for educating students in our public schools.
- Bourne highlighted a presentation by a key-note speaker who was the former Head of Counterterrorism Operation for National Security Agency. She discussed the motivation for criminals or "hacktivists" to break into government agency systems. Ransomware attacks continue to increase are very sophisticated and dangerous. She noted that 60-75% of all new online bank accounts are fraudulent. In addition to our current and increasing number of protocols, the speaker encouraged performing active backups, routine testing of backup systems, and having unique/complicated passwords or utilize a password manager. The overall theme of the presentation was hackers are getting more sophisticated in their attacks and their motives.

V. UNFINISHED BUSINESS (none)

VI. NEW BUSINESS

A. FY2024 Proposed Budget & Rates (Discussion only)

Bourne referenced the proposed FY2024 Budget and Rates. Bourne invited discussion and comments from the Board prior to a final vote taking place at the July Board meeting, which will be held on August 1st at 4:30 p.m. Bourne would then present the approved budget at the second City Council meeting during August which is required by City ordinance.

B. Peak Alert Participation Drawing

Bourne presented results from the previous week's Peak times noting the flattening of the curve during peak hours when RMU asks customers with conservation efforts. This resulted in a major peak reduction. Currently, there are 486 people signed up to receive Peak Alerts via text. Management would like to have a Peak Alert Participation drawing on Friday, July 7th as a thank you to customers participating in the program. Four participants chosen at random will receive a voucher of \$200 towards their utility bill. The goal is to highlight the Peak Alert program and incentivize other customers to sign up for the alerts.

VII. CLOSED SESSION (none)

VIII. ADJOURNMENT

With no further business to discuss, Read made a motion, seconded by Showalter to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 5:20 p.m.

Nicholas Barrack, President

Dr. Wm. Eric Showalter, Secretary

The Board's next meeting is scheduled for Tuesday, August 1, 2023 at 4:30 p.m.



**FINANCIAL STATEMENT
JUNE 2023**

RECEIPTS:	
Electric, Water, Tax, Sewer and Refuse Charge	\$3,123,276.73
Accounts Receivable - Miscellaneous	\$75,227.90
Customers Deposits - Refundable	\$57,760.56
Misc Non-Operating Revenue	<u>\$2,251.06</u>
Total Receipts	\$3,258,536.25
Southern Bank Electronic Payment Account Interest (May 31, 2023)	\$12.22
Southern Bank General Fund Account Interest (May 31, 2023)	\$3.66
Southern Bank Payroll Account Interest (May 31, 2023)	-\$59.18
FSCB ICS Sweep Account Interest (May 31, 2023)	\$7,312.90
FSCB Super-Now Account Interest (May 31, 2023)	\$5,218.39
FSCB Electronic Payment Account Interest (May 31, 2023)	\$2,194.48
PCB Super-Now Account Interest (May 31, 2023)	\$0.23
Miscellaneous Interest	\$0.00
Public Utility Cash In Bank (May 31, 2023)	<u>\$31,638,772.86</u>
Total Receipts and Cash In Bank	<u>\$35,111,891.81</u>
DISBURSEMENTS:	
Power Purchased	\$1,362,361.19
Operating Expenses	\$181,378.10
Administrative and General Expenses	\$173,594.89
Payroll	\$216,015.10
Capital Expenditures	\$231,145.00
Construction in Progress	\$233,430.87
Stock Purchases (Inventory)	\$118,083.66
Balance of Customer's Deposits after Finals	\$68,887.33
Medical, Dental, Vision and Life Insurance Paid by Employees	\$16,471.28
Support Payments	\$1,351.69
457 Plan Employee Contributions	\$11,049.24
Flexible Spending Account Contributions	\$1,133.28
U.S. Withholding Tax	\$28,358.79
Missouri Dept. of Revenue (Sales Tax)	\$33,507.35
Missouri Dept. of Revenue (Income Tax)	\$11,421.00
First State Community Bank (Social Security)	\$43,368.66
Sewer Service Charge	\$385,407.38
Refuse Service Charge	\$218,563.79
PILOT to City of Rolla	\$134,101.24
Standpipes Lease/Purchase	\$0.00
Utility Incentives	\$0.00
Unclaimed Deposits to State	\$0.00
Primacy Fees	\$0.00
Void General Fund Check:	\$0.00
Void Working Fund Check: Southern Bank WF reissued at FSCB	-\$1,931.62
	<u>\$3,467,897.89</u>
Cash in Bank (June 30, 2023)	<u>\$31,654,293.92</u>
Total Disbursements and Cash In Bank	<u>\$35,111,891.81</u>
BALANCE OF OTHER FUNDS:	
PUBLIC UTILITY ACCOUNTS:	
Citizens Bank of Newburg, Ck#1288 for \$112.43	\$2,000.00
First State Comm Bk-Electronic Payment Account, Ck#1081 for \$1,879,383.66	\$229,074.01
First State Comm Bk-General Fund, Cks #36717-36852 for \$3,898,437.01	\$2,885,194.74
First State Comm Bk-ICS Sweep Account and Certificates of Deposit	\$819,089.55
Southern Bank-General Fund, Ck#38055 for \$414.07	\$3.66
Southern Bank-Electronic Payment Account, Ck #1260 for \$1,935.85	\$212.22
Southern Bank-Payroll Account	\$0.00
PCB-Super Now, Ck #26370 for \$28,592.17	\$19,091.25
Town & Country Bank, Ck#1277 for \$1,570.99	<u>\$4,045.49</u>
Total Public Utility Accounts	\$3,758,710.92
ELECTRIC RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$10,195,683.00 FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Electric Reserves	\$10,195,683.00
RESTRICTED ELECTRIC RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$14,151,791.00 FY21 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Electric Reserves	\$14,151,791.00
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>\$27,695,583.00</u>
TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:	<u>\$31,654,293.92</u>



STATISTICS

June 2023

PRODUCTION

Date of Demand	06/29/2023
Time of Demand	04:00 PM
Scada Demand	60.0 MWH
kWh Purchased	25,742,200
Total Cost	\$1,834,063.70 *
Cost per kWh	0.071247 *
Load Factor	60.3%

ELECTRIC SALES

Residential - Single Phase kWh	6,358,238
Residential - Three Phase kWh	96,586
Commercial - Single Phase kWh	1,244,973
Commercial - Three Phase kWh	3,064,532
Power Service kWh	6,396,500
Industrial kWh	5,594,280
Area Lighting kWh	39,532
Street Lighting kWh	25,316
Rental Lights kWh	78,141
Total kWh Sold	22,898,098
Demand kW	27,381
Revenue	\$2,068,882.45
Monthly Loss	11.05%
Fiscal Year to Date Loss	5.32%

Pumped #2 Well	0
Pumped #3 Well	0
Pumped #4 Well	4,687,000
Pumped #5 Well	3,144,000
Pumped #6 Well	3,455,000
Pumped #7 Well	2,617,000
Pumped #8 Well	3,067,000
Pumped #9 Well	5,653,000
Pumped #10 Well	3,526,000
Pumped #11 Well	5,371,000
Pumped #12 Well	3,554,000
Pumped #13 Well	7,465,000
Pumped #14 Well	8,855,000
Pumped #15 Well	2,505,000
Pumped #16 Well	4,446,000
Pumped #17 Well	6,404,000
Pumped # 1 Ind Park Well	5,619,000
Pumped # 2 Ind Park Well	4,470,000
Pumped # 3 Ind Park Well	0
Total Gallons	<u>74,838,000</u>

WATER SALES

Residential - Single Phase Gallons	28,008,000
Residential - Three Phase Gallons	199,000
Commercial - Single Phase Gallons	7,513,000
Commercial - Three Phase Gallons	5,449,000
Power Service Gallons	12,595,000
Industrial Gallons	3,589,000
Missouri S&T Gallons	2,833,000
PWSD #2 Gallons	1,726,000
Total Gallons Sold	61,892,000
Revenue	\$315,598.66
Pumping Cost, Electric	\$36,817.93
Monthly Unidentified Loss	18.47% **
Fiscal Year to Date Unidentified Loss	9.36% ***

METERS IN SERVICE

	Electric	Water
Residential - Single Phase	8,024	6,388
Residential - Three Phase	22	20
Commercial - Single Phase	930	515
Commercial - Three Phase	492	312
Power Service	104	90
Industrial	6	2
Area Lighting	16	7
Street Lighting	27	1
Missouri S&T		5
PWSD #2		592
Total	9,621	7,930

PILOT

Sewer Service Charge	\$118,533.91
Refuse Service Charge	\$446,436.33
	\$219,726.09

Gross Payroll \$306,725.57

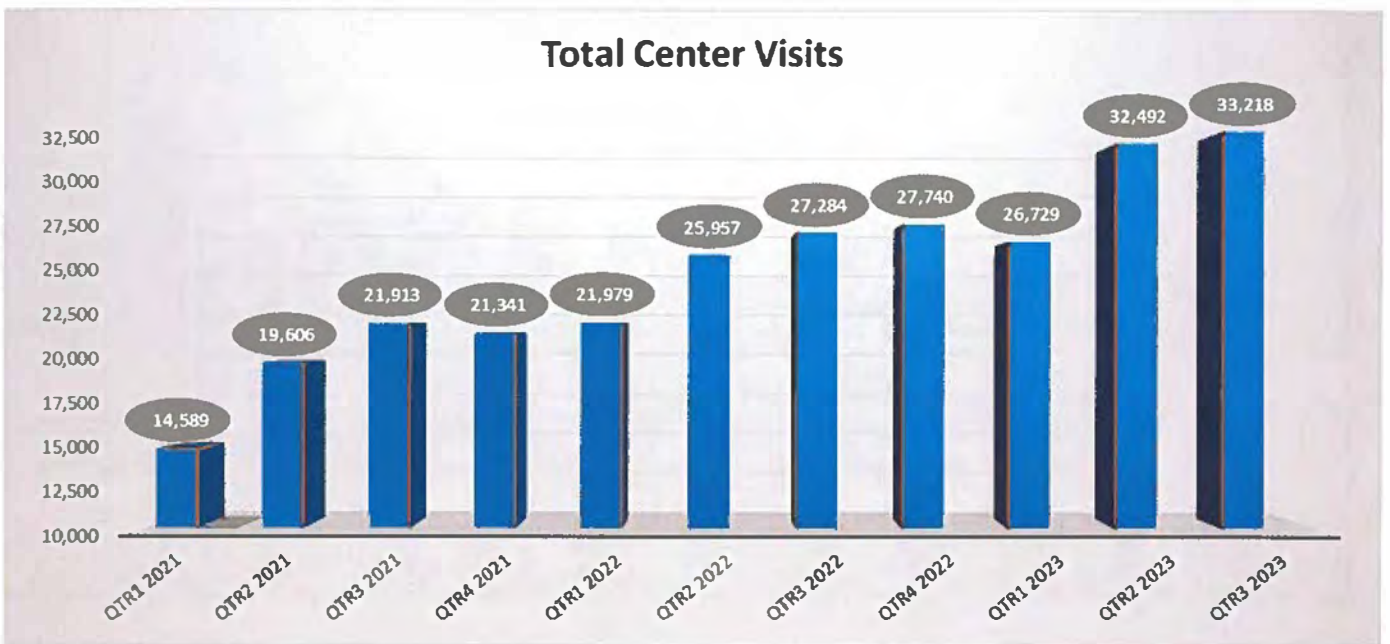
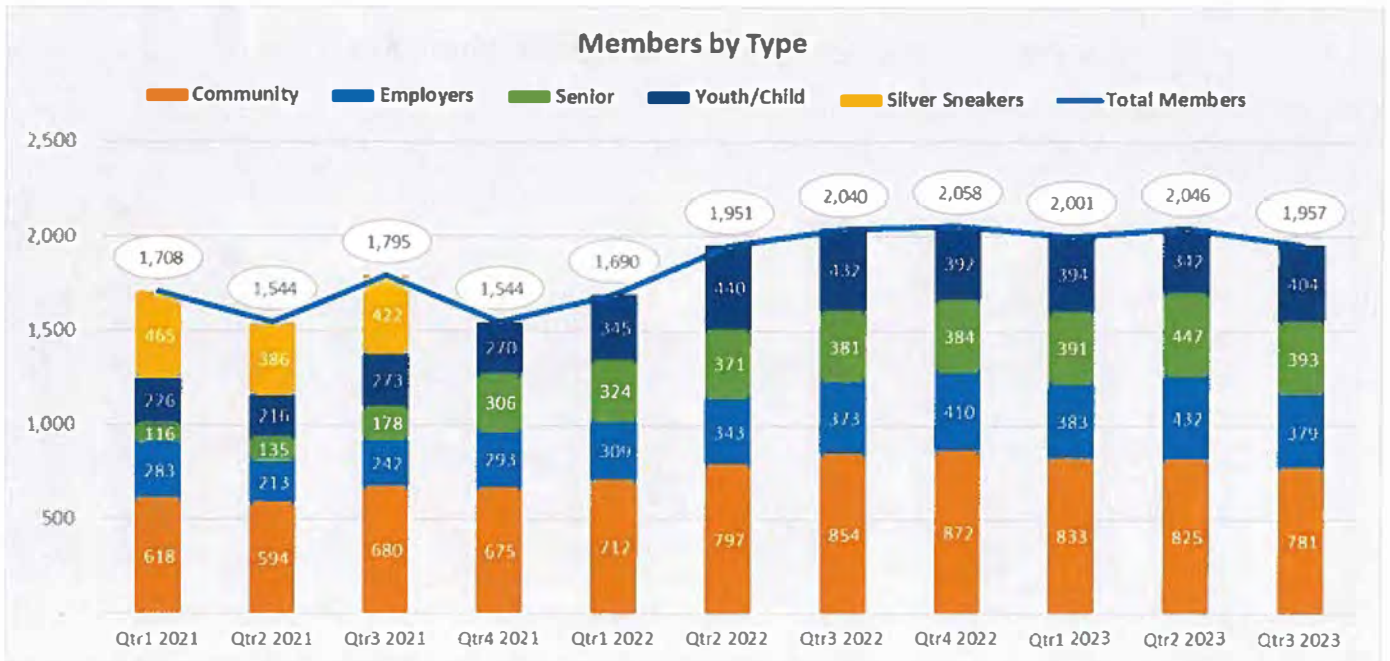
* Energy losses are not included in this statistic and are estimated at an additional 12%.

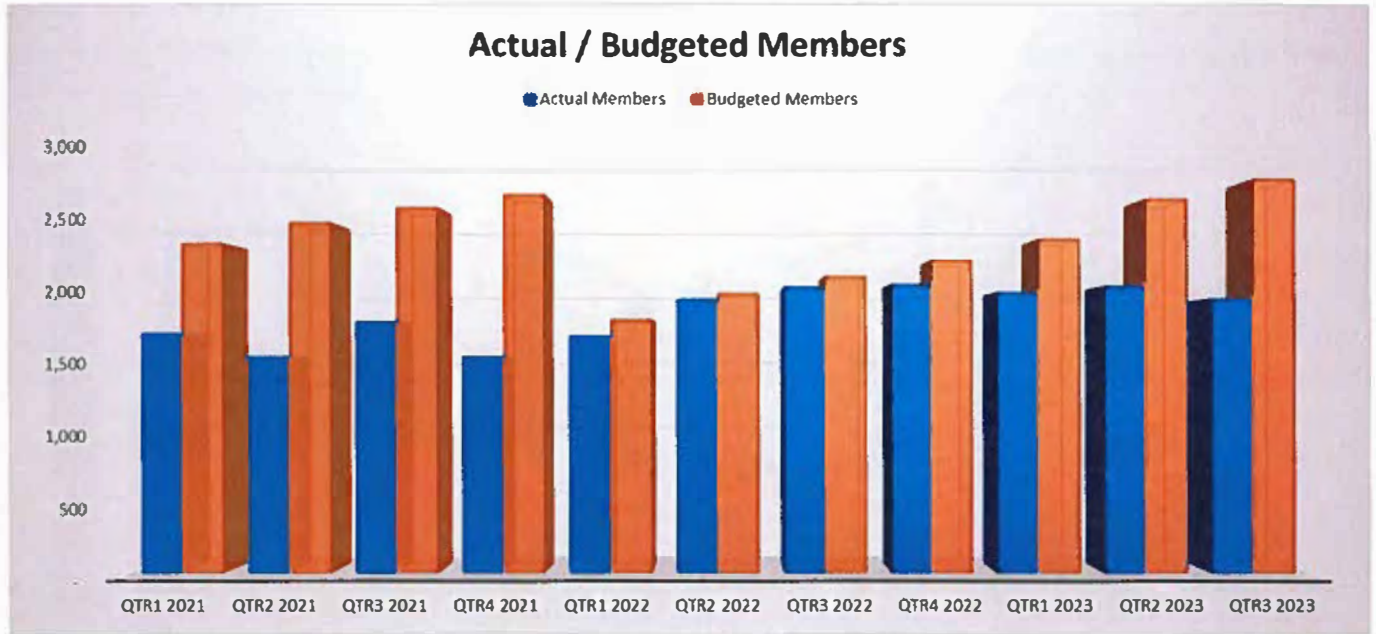
** Loss includes 3,197,000 gallons per water main flushing records.

*** FY loss includes 27,901,400 gallons per water main flushing records.

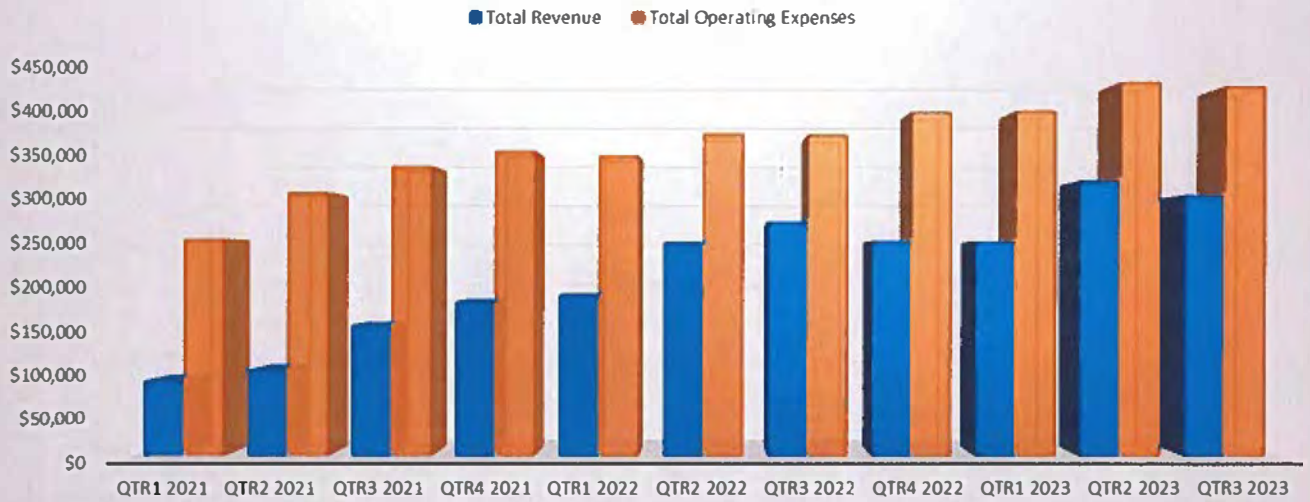
*The Centre Rolla's Health & Recreation Complex
Income Statement
For the 10 Months Ending
July 31, 2023*

	<i>Period To Date</i>	<i>PTD Budget</i>	<i>Variance</i>	<i>Last Year</i>	<i>Year To Date</i>	<i>YTD Budget</i>	<i>Variance</i>	<i>Last Year</i>
Members:								
New	117	108	8%	161	1,221	1,455	-16%	1,496
Net New & Reactivated Bridge/Freezes	(8)			(50)	(135)			(145)
Cancelled	118	78	-51%	84	1,196	766	-56%	828
Net	(9)	30	-130%	27	(110)	689	-116%	523
Total Members	1,948	2,839	-31%	2,067	1,948	2,839	-31%	2,067
Revenues								
Rental & Other								
Conference Room & Other Rental	\$20	\$300	(\$280)	\$360	\$6,793	\$3,000	\$3,793	\$2,645
	20	300	(280)	360	6,793	3,000	3,793	2,645
Member Services								
Membership Dues	56,935	84,028	(27,093)	49,138	573,484	736,230	(162,746)	460,923
Guest Fees	7,254	8,000	(746)	6,824	77,296	80,000	(2,704)	75,166
Special Programs	0	350	(350)	0	0	3,500	(3,500)	1,990
Locker Rent	160	75	85	25	1,108	750	358	872
	64,349	92,453	(28,104)	55,987	651,888	820,480	(168,592)	538,951
Fitness								
Enrollment Fees/Health Assessments	1,408	2,700	(1,292)	1,125	10,328	36,375	(26,047)	8,911
Special Programs	2,684	410	2,274	174	7,202	4,100	3,102	4,008
	4,092	3,110	982	1,299	17,530	40,475	(22,945)	12,919
Ancillary								
Swim Programs	8,385	11,000	(2,615)	8,404	94,151	110,000	(15,849)	101,592
General Medical Integration	647	2,148	(1,501)	198	5,061	14,323	(9,262)	1,786
Recreation	9,109	10,000	(891)	7,625	83,193	76,000	7,193	75,872
Café	1,539	350	1,189	437	12,083	3,500	8,583	3,627
Pro Shop	188	400	(212)	192	1,272	4,000	(2,728)	944
Personal Training/Pilates	5,465	7,098	(1,633)	4,263	73,464	64,761	8,703	40,275
Children's Area	2,887	1,500	1,387	2,034	30,136	15,000	15,136	16,036
	28,221	32,496	(4,275)	23,152	299,360	287,584	11,776	240,131
Total Revenue	96,682	128,359	(31,677)	80,798	975,571	1,151,539	(175,968)	794,647
Expenses								
Salaries & Burden	97,689	97,664	(25)	97,386	970,781	957,323	(13,458)	867,028
Other Employee Expenses	1,939	2,000	61	5,905	22,508	20,000	(2,508)	26,900
General Supplies & Services	649	442	(207)	650	8,137	4,420	(3,717)	3,770
Program Supplies	0	200	200	0	719	2,000	1,281	1,491
Environmental Supplies	4,583	1,500	(3,083)	0	26,629	15,000	(11,629)	12,310
Cost of Goods Sold	728	280	(448)	108	6,643	2,800	(3,843)	581
Minor Equipment	666	817	151	127	19,532	8,170	(11,362)	9,212
Repairs & Maintenance/Service Contracts	15,776	6,129	(9,647)	5,374	108,001	61,290	(46,711)	70,593
Marketing & Collateral	4,648	5,950	1,302	5,476	52,904	59,500	6,596	51,785
Utilities	14,479	15,125	646	14,818	149,958	151,250	1,292	156,083
Bank Fees & Miscellaneous	2,914	2,851	(63)	2,265	31,436	28,510	(2,926)	21,044
CAM, Taxes & Fees	1,982	2,665	683	2,244	26,289	26,650	361	21,269
Total Expenses	146,053	135,623	(10,430)	134,353	1,423,538	1,336,913	(86,625)	1,242,065
Net Operating Income	(49,370)	(7,264)	(42,106)	(53,555)	(47,967)	(185,374)	(262,593)	(447,419)
Management Fees	8,000	10,000	2,000	8,000	80,000	100,000	20,000	85,000
Net Income (Loss)	(\$57,370)	(\$17,264)	(\$40,106)	(\$61,555)	(\$527,967)	(\$285,374)	(\$242,593)	(\$532,419)
Ancillary Services Net Income (Loss)								
Swim Programs (Net)	\$3,325	\$6,600	(\$3,275)	\$2,620	\$45,946	\$66,000	(\$20,054)	\$58,511
Recreation (Net)	\$2,164	\$5,800	(\$3,636)	\$3,328	\$52,408	\$43,600	\$8,808	\$44,078
Café (Net)	\$921	\$350	\$571	\$437	\$6,299	\$3,500	\$2,799	\$3,627
Pro Shop (Net)	\$79	\$120	(\$41)	\$84	\$413	\$1,200	(\$787)	\$363
Personal Training/Pilates (Net)	\$288	\$2,130	(\$1,842)	(\$274)	\$24,207	\$19,430	\$4,777	\$9,297
Children's Area (Net)	\$800	(\$101)	\$901	(\$864)	\$5,063	(\$1,010)	\$6,073	\$226
Total Ancillary Services Net Income (Loss)	\$7,577	\$14,899	(\$7,322)	\$5,330	\$134,335	\$132,720	\$1,615	\$116,102





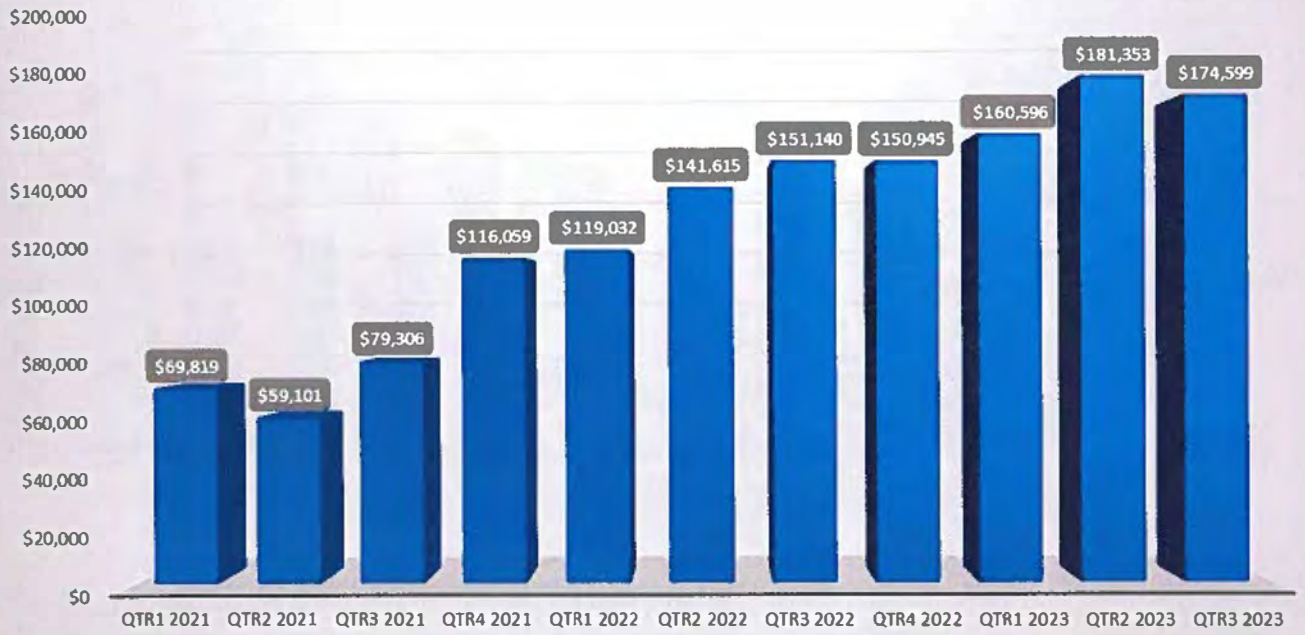
Revenues vs Operating Expenses



Average Dues per Billable Member



Membership Dues Revenue



Park Advisory Commission

Meeting Minutes

July 26, 2023 – 5:00 p.m.

Rolla City Hall

Members Present: Susan Wrasmann, Andrew Meggitt, and Mike Fleishhauer

Absent: Ken Kwantes and Larry Thomas

Others Present: Floyd Jernigan and Julie Quackenbush

1. Call to Order

- Andrew Meggitt called the meeting to order at 5:08 p.m.

2. Approval of Minutes

- Susan Wrasmann made a motion to approve the May 24, 2023, minutes. Mike Fleishhauer seconded approval. All approved with no opposition.

3. Presentations

- Mark Calvert and Rolla Knights attended to discuss a possible partnership with Rolla Parks for usage of the field adjacent to Larry Wilson Memorial Field.

Mark Calvert told the group the soccer community is pretty close knit. He said we have about 1,000 kids playing in the Rolla area. Rolla Knights and RAYSL teams practice and play at Lions Club Soccer Park. For about five weeks in the spring and in the fall, it gets pretty difficult to find soccer fields for practice. Mr. Calvert said we need more space for soccer in Rolla. Not only are soccer teams taking up practice space, but soccer competes with other sports, as well. In the spring, he said they also compete with youth football and baseball/softball. Mr. Calvert is here to propose an agreement between Rolla Knights and Rolla Parks Department, regarding the open area next to Larry Wilson Field. He asked if the Knights organization helps pay for seed and does some of the maintenance on this field, would they be able to use this area as a soccer field? Mr. Calvert said they might have two soccer goals at the Lion's Club Soccer Complex that they could move to this field. There was also discussion that they might purchase two goals for this field because the goals need to be portable.

Mr. Jernigan said he and Mr. Calvert would need to do a MOU that would detail what Rolla Knights would provide for the field. The MOU would also specify designated times in the spring and fall when it would be available to Knights. Mr. Jernigan said he will come back with the MOU for Park Board approval. He clarified that Parks property is paid for by tax dollars, so the fields would be open the rest of the year to other teams to use for practice. Mr. Jernigan asked the group if they saw an issue with this proposal. The group responded unanimously that they did not see an issue and they are all in favor of Mr. Calvert's proposal.

Susan Wrasmann made a motion to approve creation of an MOU proposing an agreement between Rolla Knights Soccer Club and Rolla Parks Department. Mike Fleishhauer seconded

the motion. The MOU will provide Rolla Knights with priority scheduling for practice times to be determined between Knights and Rolla Parks. Knights has offered to provide two soccer goals for the field and provide assistance in care and maintenance of the field, as well as purchase of grass seed.

Mr. Jernigan spoke briefly on the LWCF Grant to update Mark Calvert since this grant would be of interest to the soccer community. He reported that we are one step closer to grant approval for the LWCF. The big project for this grant is to convert one of the soccer fields to turf. There are a few steps to complete. The Cherokee Nation is asking for a cultural survey. A cultural survey was done by DNR in 1983 and the Osage Nation did one in 2022. We do not know at this time if they will accept either of those.

Mark Calvert said the club would like to do a tournament here in Rolla, using turf fields. The more turfed fields we have in Rolla, the closer we get to being able to run tournaments.

- American Legion Post 270 requests to have food trucks at Veterans Memorial Park for the Everyday Heroes fundraiser event.

Christopher Johnson, Barry Dunnigan, and Rachel Guth attended as members of the American Legion Post 270 to ask the Park Board for permission to conduct a fundraiser for Veterans Park in May 2024. Rachel Guth said the event was moved to November 2020 due to COVID, but they want to move it back to May. Christopher Johnson submitted a Special Use Permit that includes a request to have food trucks at the Everyday Heroes event as a fundraiser for Veterans Memorial Park. Christopher Johnson said the money they would be making would be shared with SCRVG, the community, and kids.

Mr. Jernigan said there has never been an issue in veterans using the park. Part of the issue is that our agreement with SCRVG is expiring. Veterans Park projects are pretty much done, so there is not a specific project needing a fundraising event. The group said the money they raise would be for veterans markers, park activities, and functions, so the city wouldn't have to pay for them. Mr. Jernigan said the group would need to show an accounting of the money raised and what is to be done with the money, along with what percentage the group was getting from the proceeds taken in by the food vendors. These pieces would mirror the language that's in the current MOU with the SCRVG.

The other concern is that existing City Ordinance does not allow a for-profit business, such as food vendors, doing business in a city park. We would need to get approval from city administration. Mr. Jernigan said he does not believe there would be a problem with approval, since it involves a fundraiser to give money back for the park. Mr. Jernigan said we would also need an approved food vendor list.

Andrew Meggitt suggested that the group put in writing that a certain percentage of the revenue raised would go back to Parks to be able to satisfy the intent of the ordinance. This request is for 2024, so there is time to get details lined out and finalize details of the event and formal review..

Susan Wrasmann made a motion to tentatively approve the plan. Mike Fleishhauer seconded the motion.

4. Financials

Mr. Jernigan noted a couple points of interest from the spreadsheet. Our personnel expenses are higher. We had to raise our Parks Maintenance Staff pay to \$16/hr. Mr. Jernigan added that it absolutely helped. Park Maintenance has been at full staff throughout the year. It has helped in other Park areas, as well. We are able to be competitive for Lifeguard pay this year. On the revenue side, we had the insurance payment for Ridgeview Park.

Sales tax revenue has been tracking well. City wide has been at about 8%. Likely, part of this increase has been due to inflationary pressures, which also impact the expense side as well with higher costs and delivery delays of parts and materials.

Parks Capital Expense for 2023 has not had much activity. We haven't done much this year; The unbudgeted emergency funds to replace the Morgan Field lights took a toll on projects we were planning to do.

We put in a bid request for a new diesel mower at \$17,000. We purchase diesel mowers because they last longer and have a better fuel utilization per area.

We are replacing the fencing at Town and Country Playground. Currently, there is just fencing on each end of the basketball court. We will replace the existing fabric and add a third leg of fencing along the side of the court, to connect the two fences on each end. This will help curtail basketballs winding up in the bushes and creek.

We will also put a fence behind the soccer goal at Coventry Park at the back end of the field for the same reason. Both of these projects are under \$10,000.

We still have the upgrade bill on Ridgeview Park. We will do PIP surfacing for the play structure instead of nuggets due to the vandalism. We are painting the stegosaurus. The swings have been painted. We are still working on the slide. We have had some issues with the concrete. The PIP will be last. It should be done next month.

We have a PO for the big slide at SplashZone for under \$10,000 in repairs.

Mr. Jernigan reported that we have gotten approval for the pickleball grant. It is for six new courts at Green Acres Park with post-tension concrete surface. It will be \$500,000 to do the courts. It is a 50/50 match. The grant will involve redoing the three existing courts we have in Green Acres Park and add three more courts, with a buffer for wind. We will bid this out.

There are four companies who should be able to provide a bid. We will have a pre-bid meeting.

5. Director's Narrative

Open House went well. There were 40 people who attended.

The cricket group came in to speak with Mr. Jernigan. They're looking for a permanent home. They need a runway. We have been working with them on the batting cages to modify them a little so they can practice bowling.

The AARPA Grant is the first one we're going to be working on. They require a lot of extra details from us. Bayless lighting is the big ticket item. We are working with them to review and sign off on it. We will have a pre-bid meeting for this. We hope to get it done by this calendar year, hopefully by November, with work to start weather dependent.

Mike Fleishhauer made a motion for approval for the pickleball court MOU which the city has collaborated on with the grant provider, the Chymiak Family Foundation. Susan Wrasmann seconded the motion.

6. New business – budget review

Mr. Jernigan presented a budget summary showing major capital requests for the coming year and detailing areas in each of the three budgets under the parks umbrella – parks & recreation, parkland reserve, and the cemetery fund.

With the parkland reserve fund, this is triggered by new developments in which either suitable land is donated or a fee is collected in lieu of. The rationale for this is that if you increase the population capacity of an area, you increase pressure on city services, including parks and park amenities and programs.

There has been discussion on revising the zoning codes and potentially the fee-in-lieu collected through land development. The new zoning code changes do not reflect any changes in the current parkland portion of the ordinance, which was just redone in 2018.

But we will continue to use this fund. It is because of the money collected through this fund, that will allow \$25,000 to go to replacing the outdated Barnitz Park playground.

As to other parks capital projects, we are asking to replace a 2009 truck and purchase two additional new mowers that would replace 2015 and 016 models.

The cemetery fund includes dollars for continued work on pre 1900s stones.

Questions were asked about other budget areas, including the Centre. The City Council held a workshop on the Centre. At the workshop, Council was informed that Power Wellness has pushed back their Aug. 2022 estimate they gave of break even of Oct. 1, 2023 four more years. They are asking for more funding for the rest of this year through this four-year period, from both ARPA funds and the city's general fund, including additional dollars to create a weight area in what is currently the gym and to purchase more cardio equipment. Council will review this and all of these areas in the upcoming budget workshop and then in subsequent scheduled City Council meetings to finalize the budget.

Susan Wrasmann made a motion to approve the 2023-24 parks and recreation budget. Mike Fleishhauer seconded the motion.

7. Adjournment

The meeting adjourned at 6:45 p.m.

**MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, JULY 11, 2023**

Presiding: Russell Schmidt, Chairperson

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

Commission Members Absent: Monte Shields, Steve Davis

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, June 13, 2023. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

1. **ZON23-04:** Rezoning of 71 Rose Ct from the R-1, Single-family district to the R-2, Two-family district

III. NEW BUSINESS:

1. **SUB23-02:** Final Plat of Ozark Terrace, 3rd Addition, a minor subdivision to subdivide one residential lot into two lots at 514 Keeton Rd

Coots presents the staff report.

A motion was made by Monty Jordan, seconded by Bob Anderson, to recommend approval to City Council to subdivide one residential lot into two lots at 514 Keeton Road. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Jordan, and Martin. Nays: None. The motion passes unanimously.

IV. PUBLIC HEARING:

1. **ZON23-05:** Rezoning of a portion of 514 Keeton Rd from the R-1, Single-family district to the R-2, Two-family district

Coots presents the staff report.

Schmidt asks if a sidewalk will be required. **Coots** states that a sidewalk might be required, but it has not yet been decided if it is needed at this location.

Jordan asks if all the lots on that street have permitted egress off Lions Club Drive. **Coots** confirms that there is no restriction for access in this area, like in other areas of Lions Club Rd.

Chirban asks if on street parking will be allowed since there is no signage and an existing bike lane. **Coots** says he will have to verify with the Public Works Department to make sure. **Martin** comments that there is currently on street parking further up the road. This causes traffic congestion and creates a hazard because cyclists’ views are obstructed.

Schmidt opens the public hearing. Seeing no questions from the audience, he closes the public hearing.

A motion was made by Janece Martin, seconded by Monty Jordan, to recommend approval to City Council to rezone a portion of 514 Keeton Road from the R-1, Single-family district to the R-2, Two-family district. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Jordan, and Martin. Nays: None. The motion passes unanimously.

V. OLD BUSINESS:

- 1. **TXT23-01:** Amendment to Chapter 42, Sections 42.141 Definitions and 42.233.01-42.233.03, pertaining to zoning regulations of Marijuana businesses

Coots presents the presentation with maps showing the potential separation distances.

Chirban asks for clarification on how the measurement between facilities is measured. **Coots** verifies that the Code is measuring the distance between the closest building corners of each location as a person could legally walk to figure the separation distance.

Crider comments that 1,000 feet separation regulation would not impact any existing businesses. **Coots** confirms this since those facilities are grandfathered in. **Martin** mentions those locations already meet the 1,000 feet requirement.

A motion was made by Monty Jordan, seconded by Nathan Chirban, to recommend approval to City Council to change the City Code to the amended 1,000 feet separation distance between Marijuana facilities and churches, daycares, and playgrounds. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Jordan, and Martin. Nays: None. The motion passes unanimously.

VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF: NONE

VII. CITIZEN COMMENTS: NONE

**Meeting adjourned: 5:57 p.m.
Minutes prepared by: Sarah West**

NEXT MEETING: Tuesday, August 15, 2023

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, AUGUST 15, 2023

Presiding: **Russell Schmidt, Chairperson**

Commission Members Present: **Monty Jordan, Janece Martin, Kevin Crider, Nathan Chirban, Steve Davis**

Commission Members Absent: **Monte Shields, Robert Anderson**

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, July 11, 2023. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

1. **SUB23-02:** Final Plat of Ozark Terrace, 3rd Addition, a minor subdivision to subdivide one residential lot into two lots at 514 Keeton Rd
2. **ZON23-05:** Rezoning of a portion of 514 Keeton Rd from the R-1, Single-family district to the R-2, Two-family district
3. **TXT23-01:** Amendment to Chapter 42, Sections 42.141 Definitions and 42.233.01-42.233.03, pertaining to zoning regulations of Marijuana businesses

III. NEW BUSINESS: **NONE**

IV. PUBLIC HEARING:

1. **ZON23-06:** Rezoning from the C-1, Neighborhood Commercial district to the C-3, Highway Commercial district at 708 N Main Street

Coots presents the staff report. He reminds the Commission this case is only to rezone the property and the applicant should not be considered.

Chirban asks why the C-3 property to the south was approved. Coots states since it borders 6th Street, which is a heavily traveled street, this rezoning was probably not inappropriate.

Schmidt asks if anyone representing the applicant would be willing to speak.

Bryce Crowley, located at 901 North Pine Street, suite 110, is legal counsel for the Rolla Mission. He approaches the Commission with an agreement letter with the Mission from the City. **Crowley** mentions there is a preexisting business on the property that is desiring to be rezoned to the C-3 district as it is a multi-use building. The Rolla Mission is located here, and does offer a case management program to help patrons gain employment. This function is a commercial use within the business structure.

He states the current ordinance allows for the C-3 district to have a Conditional Use Permit (CUP), while the R-3 district does not. The applicant chose to rezone to the C-3 District to eventually obtain a CUP to keep the City and the Mission from needless litigation. He presents the agreement letter with the City provided to the Mission. He mentions this request is the Mission acting in good faith to uphold this agreement.

Schmidt mentions that with the proposed zoning code, the C-3 district may not exist. **Crowley** states he understands this, as the C-3 district could be absorbed into the C-2 district, as well as the CUP being removed from all Commercial districts. However, the current code does allow the C-3 district to have a CUP. He states the proposed code has no bearing on this request, and the current code allows for this.

Schmidt comments that this request would need to pass through the City Council as well. In the meantime, the C-3 district may be eliminated before this rezoning could be approved. **Crowley** states he understands that, but the applicant is trying for an amicable solution to avoid litigation. Since the property is a current non-conforming use, the applicant understands this rezoning will not fix that use, and that issue would be resolved by the City Council.

Chirban comments that the applicant is requesting the C-3 zoning instead of the R-3, because the R-3 district does not allow for a CUP. **Crowley** confirms this. **Chirban** asks for clarification as he believes this to be incorrect. **Coots** states that both the current and proposed zoning code have conditional uses for overnight shelters in the R-3 district. **Crowley** states that the case management use in the Mission is a commercial use not fit for the R-3 district, as well as the parcel being adjacent to other C-3 zoned lots.

Schmidt mentions that the property does not abut a major thoroughfare, which is a requirement for the C-3 district. **Crowley** states if the proposed zoning code passes, the lot will be rezoned to the C-2 district, which does not have the major roadway restriction. **Schmidt** comments that if the request is approved, and both the church and the Mission relocated elsewhere, there is a property zoned highway commercial that is not adjacent to an arterial road. **Crowley** states that while the lot is zoned C-3 now, it may be changed to C-2, which does not have such requirements and restrictions.

Schmidt asks if a representative is present to those opposing.

Joann Stiritz, PO Box 242 in Rolla, expresses concern about issues about homeless shelters being pushed through. She comments the commercial zone being requested is for retail and the applicant is asking to rezone to a district that will be combined into the C-2 district if the proposed code passes. She questions why the zoning issue is being dealt with before other issues have been addressed.

Schmidt opens the public hearing.

Stewart Baur, resides at 925 Murry Lane in Rolla, and is also a representative from the Hope Lutheran Church at 612 North State Street. He asks why this rezoning request is being brought forward now, if the desired district is proposed to be eliminated. He also expresses concern about the long-term effects this may have on the area. He implores the Commission to table the case until the zoning code has passed.

Dale Wands, residing at 606 Penny Lane, asks the reasoning behind this rezoning. **Schmidt** states that an applicant has applied for a rezoning. **Wands** expresses concern about considering a rezoning request with no reasoning or correlation. He states there needs to be a purpose to rezone. **Schmidt** mentions the Commission has seen similar cases before. **Wands** states he would be opposed to a rezoning if he had no indication what the applicant plans to develop it for. He worries what use could go into the lot if it was zoned C-3.

Davis states the City will be granting a stay for the Mission to be operating as is, with the stipulation that the Mission rezone from C-1 to C-3 or R-3. **Wands** asks why the City would grant them a stay. **Davis** suggests it is because changes are still being made to the zoning code, and this agreement allows them to operate while this process continues. **Wands** comments that with this agreement letter, the City is stating the Mission does not meet code. **Schmidt** states these are legal issues the Commission cannot comment on at this time.

Schmidt closes the public hearing.

Schmidt states the Commission is at an impasse because the board does not know what the zoning will be if the code passes. The current C-3 regulations state the property needs to be on an arterial road and this lot does not meet that. **Martin** asks if the Commission can make a recommendation based upon what the future code may be. **Coots** states the Commission can only make a decision based upon the current code as it is written. **Jordan** asks if the new code passes and is in effect, will the City Council base their opinion on a recommendation presented to them under the old code. **Coots** states if the new code is in effect, the question would then be if the request is appropriate under the C-2 district, since the C-3 district would no longer exist.

Chirban states it is frequent that an applicant will apply to rezone and develop a property and then no changes happen. There is no guarantee that the entity that files for the application may be the one who develops the property. **Coots** states the office receives speculative rezoning requests often. **Chirban** comments the Commission should consider what zone best fits the property, not what entity intends to develop there. **Coots** confirms this. He also states that the C-3 district does not require a property to be next to an arterial road. This could be a reason to deny, but the Commission does not have to deny based solely upon this restriction.

Schmidt asks if there are R-3 functions that would not be compatible with the nearby uses, such as the existing daycare. **Coots** states that daycares are allowed in the R-3 district, so any use in this district would be compatible. **Martin** asks if this is the same for the C-3 district. **Coots** states a daycare center is a commercial use also allowed in the C-3 district. **Martin** asks if a C-3 development next to churches and other government buildings would cause traffic, safety and pedestrian issues. **Coots** mentions since a daycare could be allowed in the C-3 district, it is difficult to prohibit a use based solely upon traffic issues. He mentions there are some uses that have distance requirements from daycares, but any use that does not have this restriction, would be compatible.

Chirban asks at what level is it determined if a use allowed in the C-3 district, but had a distance limitation, could be approved in that lot. **Coots** states this would be enforced at a staff level, when applying for a building permit or business license. **Schmidt** asks how the distance requirement is enforced with preexisting buildings. **Coots** comments that any C-3 use that had a buffer requirement imposed upon it could not be allowed in the property simply because it is zoned C-3.

Martin comments that under the present code, the request is not appropriate, as the parcel is not on arterial roadway. She mentions she would not recommend approval for the R-3 district either. Her opinion is to deny or table the case to a later date. **Crider** suggests the Commission vote on the C-3 zoning, which the applicant requested. **Martin** comments the request borders on spot zoning. **Schmidt** mentions that similar cases have been approved, and those properties have caused issues. He did not understand the need for the C-3 district, as the property is currently zoned C-1, for their commercial use. **Jordan** expresses concern that the only reason for this rezoning is to gain access to a CUP.

A motion was made by Monty Jordan, seconded by Kevin Crider, to recommend the City Council deny the rezoning request from C-1 to C-3 due to the subject property not being adjacent to an arterial roadway, the concern that future uses of a C-3 development may not be appropriate in the neighborhood, and the request appears to be spot zoning. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Davis, Jordan, and Martin. Nays: None. The motion passes unanimously.

V. OLD BUSINESS: NONE

VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF: NONE

VII. CITIZEN COMMENTS: NONE

Meeting adjourned: 6:41 p.m.
Minutes prepared by: Sarah West

NEXT MEETING: Tuesday, September 12, 2023

**CITY OF ROLLA
CASH ANALYSIS REPORT
July 31, 2023**

GENERAL FUND

CASH IN BANK	\$	326,374.40
NIB GENERAL FUND	\$	30,182.87
CASH - BAIL BONDS	\$	-
ROLLA MUNICIPAL COURT	\$	1,411.50
ASI FLEX 125	\$	13,547.15
CASH - HEALTH ACCOUNT	\$	-
TIF ACCOUNT - EATS	\$	82,350.92
TIF ACCOUNT - PILOT	\$	34.14
CASH - PAID UNDER PROTEST	\$	-
INVESTMENTS - GENERAL FUND	\$	1,642,977.86
USE TAX MMA	\$	1,170,395.74
MMA - GENERAL FUND RESERVE REBUILD	\$	1,570,601.72
POLICE EVIDENCE FUNDS	\$	19,749.12
CITY SEIZURES & FORFEITURES	\$	9,815.48
TASKFORCE SEIZURES & FORFEITURES	\$	56,550.55
ANIMAL CONTROL SHELTER COMM PARTNER	\$	136,291.27
ANIMAL CONTROL SHELTER RESERVE	\$	245,316.33
PROPERTY FIRE DAMAGE ACCOUNT	\$	15.04
DISASTER RESPONSE	\$	-
GENERAL FUND CREDIT CARD ACCOUNT	\$	202,884.49
US BANK ESCROW	\$	-
INVESTMENT CLEARING ACCOUNT	\$	15.07
INVESTMENTS - CDS	\$	-
EAC ACCOUNT	\$	-
GENERAL FUND TOTALS	\$	5,508,513.65

SEWER FUND

CASH IN BANK	\$	23,554.70
NIB GENERAL FUND	\$	74.00
SEWER FUND MMA	\$	181,391.78
SEWER FUND DEPREC & RESERVE	\$	509,493.12
INVESTMENTS - GENERAL FUND	\$	7,924.69
GENERAL FUND CREDIT CARD ACCOUNT	\$	185.00
US BANK ESCROW	\$	-
INVESTMENT - CDS	\$	-
SEWER FUND TOTALS	\$	722,623.29

ENVIRONMENTAL SERVICES FUND

CASH IN BANK	\$	425,164.19
NIB ENV SVS FUND	\$	-
INVESTMENTS - GENERAL FUND	\$	-
GENERAL FUND CREDIT CARD ACCOUNT	\$	812.37
MMA PCB	\$	1,802,265.43
ENV SVS CC	\$	116,331.05
INVESTMENT - CDS	\$	-
ENV SVS FUND TOTALS	\$	2,344,573.04

ARPA FUNDING

CASH IN BANK	\$	-
ARPA FUNDING MMA	\$	1,401,122.22
AIRPORT FUND TOTALS	\$	1,401,122.22

**CITY OF ROLLA
CASH ANALYSIS REPORT
July 31, 2023**

<u>AIRPORT FUND</u>	
CASH IN BANK	\$ 303.08
NIB GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ -
INVESTMENTS - MMA	\$ 14,646.55
INVESTMENTS - MMA (BREWER LEASE AGREE)	\$ 30,446.00
AIRPORT FUND TOTALS	\$ 45,395.63
<u>CEMETERY FUND</u>	
CASH IN BANK	\$ -
CASH - MMA	\$ 342,969.95
INVESTMENTS - RESTRICTED	\$ -
CEMETERY FUND TOTALS	\$ 342,969.95
<u>STREET FUND</u>	
CASH IN BANK	\$ 428,109.99
NIB GENERAL FUND	\$ -
TDD PROPERTY RENTAL	\$ 31,048.30
GENERAL FUND MMA	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 1,525.00
CASH - MMA	\$ 2,855,600.04
MODOT RESERVE	\$ 2,026,950.65
INVESTMENT - CDS	\$ -
STREET FUND TOTALS	\$ 5,343,233.98
<u>RECREATION FUND</u>	
CASH IN BANK	\$ (325,601.13)
INVESTMENTS - GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ -
DEPR RES & EQUIP - MMA	\$ -
RECREATION FUND TOTALS	\$ (325,601.13)
<u>HEALTH INSURANCE FUND</u>	
HEALTH INSURANCE RESERVE	\$ 507,307.61
CASH - HEALTH ACCOUNT	\$ 334,704.79
GENERAL FUND CREDIT CARD ACCOUNT	\$ 3,922.64
HEALTH FUND TOTALS	\$ 845,935.04
<u>PARK FUND</u>	
CASH IN BANK	\$ 54,204.81
NIB GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ -
INVESTMENTS - PARK SALES TAX	\$ 274,733.20
PARKS CC	\$ 59,368.78
PARK FUND TOTALS	\$ 388,306.79
<u>PARK LAND RESERVE FUND</u>	
CASH IN BANK	\$ 5,185.68
PARK LAND RESERVE ACCOUNT	\$ 9,547.35
PARK LAND RESERVE FUND TOTALS	\$ 14,733.03
GRAND TOTAL ALL FUNDS	\$ 15,230,683.27

ANY AND ALL FINANCIAL RECORDS ARE OPEN TO THE PUBLIC

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
July 31, 2023
83% of Year

	<u>CURRENT</u> <u>BUDGET</u>	<u>YTD</u> <u>ACTUALS</u>	<u>BUDGET</u> <u>BALANCE</u>	<u>% OF</u> <u>BUDGET</u>
<u>GENERAL FUND</u>				
REVENUES	\$ 14,938,885.00	\$ 12,398,695.47	\$ 2,540,189.53	83.0%
EXPENDITURES				
GENERAL ADMINISTRATIVE	\$ 709,485.00	\$ 590,610.17	\$ 118,874.83	83.2%
ADMINISTRATION	\$ 308,055.00	\$ 233,246.12	\$ 74,808.88	75.7%
LIBRARY	\$ 318,850.00	\$ 316,095.97		99.1%
FINANCE	\$ 729,200.00	\$ 615,507.89	\$ 113,692.11	84.4%
LEGAL	\$ 70,700.00	\$ 51,982.63	\$ 18,717.37	73.5%
COURT	\$ 133,450.00	\$ 104,048.72	\$ 29,401.28	78.0%
TELECOMMUNICATIONS	\$ 1,498,835.00	\$ 1,047,744.34	\$ 451,090.66	69.9%
ANIMAL CONTROL	\$ 335,740.00	\$ 183,000.20	\$ 152,739.80	54.5%
POLICE	\$ 4,993,225.00	\$ 4,612,484.62	\$ 380,740.38	92.4%
FIRE	\$ 4,655,462.00	\$ 3,679,879.38	\$ 975,582.62	79.0%
ROLLA RURAL FIRE	\$ -	\$ 492,235.14	\$ (492,235.14)	#DIV/0!
BUILDING SERVICES	\$ 105,715.00	\$ 92,339.55	\$ 13,375.45	87.3%
COMMUNITY DEVELOPMENT	\$ 518,500.00	\$ 461,707.63	\$ 56,792.37	89.0%
ECONOMIC DEVELOPMENT	\$ 57,075.00	\$ 73,146.00	\$ (16,071.00)	128.2%
TOTAL EXPENDITURES	<u>\$ 14,434,292.00</u>	<u>\$ 12,554,028.36</u>	<u>\$ 1,877,509.61</u>	87.0%
REVENUES OVER/UNDER EXPENDITURES	\$ 504,593.00	\$ (155,332.89)	\$ 662,679.92	
<u>SEWER FUND</u>				
REVENUES	\$ 5,451,717.00	\$ 4,458,550.37	\$ 993,166.63	81.8%
EXPENDITURES	<u>\$ 5,874,432.00</u>	<u>\$ 5,189,544.67</u>	<u>\$ 684,887.33</u>	88.3%
REVENUES OVER/UNDER EXPENDITURES	\$ (422,715.00)	\$ (730,994.30)	\$ 308,279.30	
<u>ENVIRONMENTAL SERVICES FUND</u>				
REVENUES	\$ 4,091,200.00	\$ 2,960,112.84	\$ 1,131,087.16	72.4%
EXPENDITURES				
RECYCLING	\$ 428,375.00	\$ 379,122.41	\$ 49,252.59	88.5%
SANITATION	\$ 3,072,950.00	\$ 1,992,829.26	\$ 1,080,120.74	64.9%
VEHICLE MAINTENANCE	\$ 496,230.00	\$ 394,370.84	\$ 101,859.16	79.5%
TOTAL EXPENDITURES	<u>\$ 3,997,555.00</u>	<u>\$ 2,766,322.51</u>	<u>\$ 1,231,232.49</u>	69.2%
REVENUES OVER/UNDER EXPENDITURES	\$ 93,645.00	\$ 193,790.33	\$ (100,145.33)	
<u>ARPA FUNDING</u>				
REVENUES	\$ 750.00	\$ 451,334.29	\$ (450,584.29)	60177.9%
EXPENDITURES	<u>\$ 1,635,000.00</u>	<u>\$ 464,129.94</u>	<u>\$ 1,170,870.06</u>	28.4%
REVENUES OVER/UNDER EXPENDITURES	\$ (1,634,250.00)	\$ (12,795.65)	\$ (1,621,454.35)	

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
July 31, 2023
83% of Year

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<u>AIRPORT FUND</u>				
REVENUES	\$ 800,728.00	\$ 778,956.39	\$ 21,771.61	97.3%
EXPENDITURES	\$ 794,560.00	\$ 720,500.34	\$ 74,059.66	90.7%
REVENUES OVER/UNDER EXPENDITURES	\$ 6,168.00	\$ 58,456.05	\$ (52,288.05)	
<u>CEMETERY FUND</u>				
REVENUES	\$ 10,500.00	\$ 13,744.28	\$ (3,244.28)	130.9%
EXPENDITURES	\$ 10,000.00	\$ 1,550.00	\$ 8,450.00	15.5%
REVENUES OVER/UNDER EXPENDITURES	\$ 500.00	\$ 12,194.28	\$ (11,694.28)	
<u>STREET FUND</u>				
REVENUES	\$ 6,719,200.00	\$ 7,286,233.27	\$ (567,033.27)	108.4%
EXPENDITURES				
STREET	\$ 5,443,085.00	\$ 3,516,337.72	\$ 1,926,747.28	64.6%
TDD	\$ 1,660,000.00	\$ 206,676.52	\$ 1,453,323.48	12.5%
ENGINEERING	\$ 926,750.00	\$ 586,311.11	\$ 340,438.89	63.3%
TOTAL EXPENDITURES	\$ 8,029,835.00	\$ 4,309,325.35	\$ 3,720,509.65	
REVENUES OVER/UNDER EXPENDITURES	\$ (1,310,635.00)	\$ 2,976,907.92	\$ (4,287,542.92)	
<u>RECREATION FUND</u>				
REVENUES	\$ 450,000.00	\$ 576,239.77	\$ (126,239.77)	128.1%
EXPENDITURES				
AQUATICS	\$ -	\$ 2,297.70	\$ (2,297.70)	#DIV/0!
ADMINISTRATION	\$ 459,025.00	\$ 678,189.62	\$ (219,164.62)	147.7%
MAINTENANCE	\$ -	\$ 24,814.68	\$ (24,814.68)	#DIV/0!
TOTAL EXPENDITURES	\$ 459,025.00	\$ 705,302.00	\$ (246,277.00)	153.7%
REVENUES OVER/UNDER EXPENDITURES	\$ (9,025.00)	\$ (129,062.23)	\$ 120,037.23	
<u>PARK FUND</u>				
REVENUES	\$ 1,884,900.00	\$ 1,608,573.64	\$ 276,326.36	85.3%
EXPENDITURES				
ADMINISTRATION	\$ 238,075.00	\$ 190,116.22	\$ 47,958.78	79.9%
PARKS	\$ 1,135,145.00	\$ 973,799.31	\$ 161,345.69	85.8%
SPLASHZONE	\$ 254,420.00	\$ 230,992.65	\$ 23,427.35	90.8%
OUTDOOR RECREATION	\$ 184,410.00	\$ 132,074.09	\$ 52,335.91	71.6%
TOTAL EXPENDITURES	\$ 1,812,050.00	\$ 1,526,982.27	\$ 285,067.73	84.3%
REVENUES OVER/UNDER EXPENDITURES	\$ 72,850.00	\$ 81,591.37	\$ (8,741.37)	

CITY OF ROLLA
 REVENUE/EXPENDITURE REPORT - UNAUDITED
 July 31, 2023
 83% 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	\$ 144.17	\$ (104.17)	360.4%
EXPENDITURES	\$ 25,000.00	\$ 25,000.00	\$ -	100.0%
REVENUES OVER/UNDER EXPENDITURES	\$ (24,960.00)	\$ (24,855.83)	\$ (104.17)	

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: City Administrator John Butz

ACTION REQUESTED: Resolution Enforcing Pornography/Obscenity Laws in Rolla

ITEM/SUBJECT: Obscenity Regulations

TOTAL BUDGET APPROPRIATION: NA DATE: September 5th, 2023

COMMENTARY:

On June 19th (and since) City Council has heard considerable feedback from community representatives expressing both support and objection to the drag queen performances at the June 10th Pride Event held at the public Bandshell including the presence of children at same. City Council asked Staff to review the 2006 Chesterfield ordinance and other similar ordinances, to thoroughly review RSMo Ch. 573 (MO's laws) pertaining to pornography and obscenity, and to draft a local resolution affirming local standards.

RSMO Chapter 573 lays out Missouri's laws pertaining to pornography and obscenity and includes some specific references to prohibition on the public exposure to minors. There does not appear to be restrictions in Missouri law, or in Chesterfield's ordinance for that matter, that would prohibit minors from participating in "drag shows" generically. However the content of what could take place at such public venues could be a violation of state law. Rolla has adopted regulations regulating "sexually oriented businesses" but does not per se have an "obscenity ordinance". Instead any violation of pornography/obscenity would pursue State law where penalty violations are generally more significant than municipal infractions or ordinance violations.

Legal Counsel will elaborate further on this matter for Council discussion.

Recommendation: Motion to affirm the attached Resolution.

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AFFIRMING ITS SUPPORT FOR FULL ENFORCEMENT OF ANY VIOLATIONS REGARDING OBSCENE OR PORNOGRAPHIC MATERIALS, PERFORMANCES AND OTHER RELATED OFFENSES AS DEFINED IN THE REVISED STATUTES OF THE STATE OF MISSOURI (RSMo 573).

WHEREAS, there is a need to prevent minor children from the exposure to pornographic, or similarly defined photographs, audio/video, performances, written, printed and published materials that depict obscene materials; and

WHEREAS, it is in the best interest of the health, welfare, and safety of the citizens of this City and State, and especially of minors within the City and State, that dissemination of such obscene or pornographic photographs, audio, video, performances, written, printed, or published materials may be deemed harmful to minors and should be restricted to persons at least 18 years of age and older; and if any such material involving semi nude, nudity or other materials involving sexual conduct, that are not deemed a violation of Chapter 573 as defined therein, and are available to minors under the age of 18 years, that the availability of such materials be restricted to sources within established and recognized schools, religious institutions, museums, medical clinics and physicians, hospitals, public libraries, the minor’s home, or government sponsored organizations as permitted within Chapter 573; and

WHEREAS, the Missouri General Assembly has passed comprehensive legislation to protect the citizens of Missouri from the harmful effects or impact of pornography and pornographic materials that have been defined as “obscene” in both legislation and by the Courts; and

WHEREAS, The City of Rolla Police Department is charged with enforcing all of the provisions of Rolla City Code and RSMo 573 and related laws pertaining to pornography and other similarly defined sexual-related offenses.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rolla hereby requests the City of Rolla Police Department undergo ongoing education and training on RSMo 573 and related legislation pertaining to sexual related offenses and to diligently enforce all provisions thereto. that the City Council of the City of Rolla hereby supports the rigorous legal enforcement of any violation of said provisions under Chapter 573 RSMo., and requests all citizens and organizations utilizing public facilities and spaces ensure that such laws are considered in the planning and execution of any event or use when the general public, including minors, may be present.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS ____ DAY OF AUGUST 2023.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AFFIRMING ITS SUPPORT FOR FULL ENFORCEMENT OF ANY VIOLATIONS REGARDING OBSCENE OR PORNOGRAPHIC MATERIALS, PERFORMANCES AND OTHER RELATED OFFENSES AS DEFINED IN THE REVISED STATUTES OF THE STATE OF MISSOURI (RSMo 573).

WHEREAS, there is a need to prevent minor children from the exposure to pornographic, or similarly defined photographs, audio/video, performances, written, printed and published materials that depict obscene materials; and

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WHEREAS, the Missouri General Assembly has passed comprehensive legislation to protect the citizens of Missouri from the harmful effects or impact of pornography and pornographic materials that have been defined as “obscene” in both legislation and by the Courts; and

WHEREAS, The City of Rolla Police Department is charged with enforcing all of the provisions of Rolla City Code and RSMo 573 and related laws pertaining to pornography and other similarly defined sexual-related offenses.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rolla hereby supports the rigorous legal enforcement of any violation of said provisions under Chapter 573 RSMo., and requests all citizens and organizations utilizing public facilities and spaces ensure that such laws are considered in the planning and execution of any event or use when the general public, including minors, may be present.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS ____ DAY OF AUGUST 2023.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A TECHNICAL ASSISTANCE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE PHELPS COUNTY LANDFILL BOARD.

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 Technical Assistance Contract between the City of Rolla, Missouri and the Phelps County Landfill Board, a copy of said agreement being attached hereto and marked Exhibit A.

Section 2: That 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 SEPTEMBER 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

TECHNICAL ASSISTANCE CONTRACT
By and between
THE PHELPS COUNTY LANDFILL BOARD
And
THE CITY OF ROLLA

This Agreement is made and entered into on the 9th day of August 2023, by and between Phelps County Landfill Board, Rolla, Missouri, hereinafter referred to as "Board" and the City of Rolla, hereinafter referred to as "City".

Now, therefore, in consideration of each of the agreements contained herein, the parties agree as follows:

1) Services to the Phelps County Landfill Board. The City shall provide the service of one or more of its employees to the Board for the purpose of providing technical assistance in the administration of the PCLB. The purpose of the PCLB is to provide solid waste disposal opportunities for the residents of Phelps County including but not limited to the operation of transfer station(s) and composting facilities, and maintenance of closed landfills in Phelps County. The scope of services are as follows:

- A) Accounting Services: A qualified accountant and his/her assistants shall be provided to accomplish the following tasks:
 - 1) Prepare and maintain the necessary financial records of the Board, including appropriate journals and ledgers, using generally accepted accounting principles.
 - 2) Prepare financial statements (Balance Sheet and Statement of Revenues and Expenditures) and report to the Board on the status of its financial position on a semi-annual basis, or as requested.
 - 3) Prepare for submission the necessary reports required of not-for-profit boards and employers to the Internal Revenue Service if necessary.
 - 4) Provide consultation on fiscal affairs with the Board and its designated representatives.
 - 5) Provide direction and guidance in order to maintain the correct operating procedures.
 - 6) Maintenance and management of all necessary bank accounts.
 - 7) Assistance with and preparation of an annual budget.
 - 8) Prepare payroll, W-2 and 1099s and related responsibilities, including the monthly completion of Federal and FICA tax deposits and quarterly reporting, if needed.
- B) Oversight and Administrative Services: Qualified individuals shall be available at the request of the Board and/or its employee to accomplish the following tasks:
 - 1) Provide administrative assistance to the Board, its officers, committees and its employees as required and/or requested. This includes the day-to-day operation, including staff support, phone and fax support and necessary and ordinary supplies.

- 2) Coordinate meetings and assist the Board in the preparation of agendas and any other materials necessary or required for those meetings, including telephone verification of members attending.
- 3) Administer contracted operations on behalf of the PCLB (transfer station, land leases, etc.)
- 4) Supervise direct services offered by the Board (compost facility, closure/post-closure maintenance)
- 5) Record and keep on file all minutes of Board meetings and all other pertinent documents. Prepare and update bylaws and other documentation, as needed.
- 6) Keep an updated listing of all Board members.
- 7) Assure compliance with any and all MoDNR and other state regulations affecting solid waste disposal facilities. Provide information on legislative changes and/or mandates that may affect the members of the Board.
- 8) Preparation of correspondence and mailings.
- 9) Prepare pre-meeting notices and assist with compliance of Missouri's open meetings law.
- 10) Preparation and dissemination of news releases to the media, as directed.
- 11) Attend meetings as a representative of the Board, when requested.
- 12) Assist with the proper procurement of products and services, as needed.
- 13) Provide project follow-up as requested.
- 14) Prepare and distribute Requests for Proposals on behalf of the Board.

2) Board to Supply Information and Cover Cost of Employee. The PCLB agrees to supply City with all needed information in order for it to completely and thoroughly do its job. The Board will also supply fifty percent (50%) of the salary and benefits for one (1) full-time employee to be located at the landfill and transfer station site/compost facility whose employment will be consistent with the rights and privileges of all City employees. Compensation for this position will be in addition to the consideration provided for in Section 7 of this agreement.

3) Independent Contractor. Both the Board and City agree that City and its employees and representatives will act as independent contractors in the performance of its duties under this agreement. Neither City nor the Board shall have the authority to obligate or bind the other without the express written consent of the other party.

4) Confidential Information. City agrees that any information received by City and its employees and representatives during the term of this agreement, and at any time, thereafter, will be treated by City in full confidence when so determined by the Board and in accordance with the MO Sunshine Law.

5) The Board to Hold Harmless City. The Board will hold harmless City and the agents, employees, and representatives of City from all liability and claims of liability arising out of or incident to City's performance of its obligations under this agreement, excepting intentional misconduct or negligence of City. The Board further warrants and agrees that all data and information provided to City in conjunction with the City's performance of its obligations hereunder, is true and correct.

6) Time of Performance. The City will provide the services described in this agreement for the period commencing October 1, 2023 through September 30, 2026. The time and services of this contract may be extended or amended by Addendum hereto, containing the signatories of the parties and an identification of the extension period including any other amendments to the original contract document.

7) City Compensation for Services Rendered. PCLB shall pay an annual fixed cost of \$5,000, a portion to be billed monthly. An annual inflationary increase in City personnel costs will be made to match what is approved by the City Council during the City's budget process. This adjustment will take effect in January of each subsequent year of this agreement. In addition, PCLB will pay \$10,000 per year for oversight and administrative services provided by Environmental Services.

8) Termination of Agreement. This agreement will terminate September 30, 2026, unless extended by Addendum hereto as provided in Section 6. However, the City or the Board may terminate this contract without cause by giving the other party not less than ninety (90) days written notice thereof. In the event of termination prior to completion of the project, the Board shall pay the cost of services rendered by the City and expenses incurred in the performance of this agreement to the effective date of termination.

9) Equal Employment Opportunity. The City and Board agree that during the performance of this agreement, neither shall discriminate against any employee who is employed in the project covered by this agreement or discriminate against any applicant for employment due to race, color, religion, sex, age, handicap, or national origin.

10) Compliance with Applicable Law and Regulation. In the City's and Board's performance of this agreement each party shall comply with all applicable law and regulation, and each party hereto shall supply the other, where necessary or applicable, with information and data for compliance with such applicable law and regulation.

11) Conflict of Interest. No member of the governing Board or City, and no other officer, employee, or agent of same who exercises any functions or responsibilities in connection with the planning and carrying out of this agreement, shall have any personal financial interest, direct or indirect, in the project or this agreement.

12) Authority to Enter into Agreement – Binding Affect. Both City and the Board have been duly authorized to enter into this agreement by their respective governing body or board, as the case may be, and this agreement is a binding obligation on the parties hereto and may be enforced in accordance with its terms.

13) Enforcement – Costs of Collection. In the event the Board should default in the payment of any sum due hereunder or in the performance of any obligation on its part to be performed, and in the event City should retain or engage an attorney or attorneys to collect or enforce or protect its interest with respect to this agreement, the Board shall pay all costs and expenses of such collection, enforcement, or protection, including reasonable attorney's fees.

14) Governing Law. This agreement shall be governed by and constructed in accordance with the law of the State of Missouri, and where applicable, in accordance with federal law and regulation.

15) Notices. All notices, requests, demands or other communications provided for herein shall be in writing and shall be deemed to have been given when sent by registered or certified mail, with return receipt requested, addressed, as the case may be to City at City Hall, P.O. Box 979, Rolla, Missouri 65402; and to Board at the Phelps County Courthouse, 200 N. Main St., Rolla, MO 65402; or to such address as any party shall designate to the other from time to time manner.

16) Amendments. No amendment, modification, termination, or waiver of any provision hereof shall be effective unless the same shall be in writing and signed by the parties hereto.

17) Severability of Provisions. Any provision hereof which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions of this agreement of affecting the validity or enforceability of such provision in any other jurisdiction.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first written above.

PHELPS COUNTY LANDFILL BOARD

Chairman

Attest

CITY OF ROLLA, MO

Mayor Pro Tem

Attest

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 CM ARCHER GROUP, P.C., DBA ARCHER-ELGIN FOR HYPOINT FORCE MAIN IMPROVEMENTS – TASK ORDER #2.

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 an agreement between the City of Rolla, Missouri and CM Archer Group, P.C., dba Archer-Egin for Hy Point Force Main Improvements Task Order #2. 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 SEPTEMBER 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

EXHIBIT A

City of Rolla, Missouri

Hy Point Force Main Improvements

TASK ORDER NO. 2

This Task Order pertains to an Agreement by and between the City of Rolla, Missouri, (“OWNER”), and CM Archer Group, P.C., dba Archer-Elgin (“ENGINEER”), dated July 5, 2022, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. Upon execution, this Agreement as it pertains to the project described below.

PROJECT NAME: Hy Point Force Main Improvements

PART 1.0 PROJECT DESCRIPTION:

The project scope shall correspond to the improvements identified in the Engineering Report dated March 2023 that was submitted for Missouri ARPA funding. Generally, scope shall include the construction of a new force main along the north outer road approximately 3,500 lineal feet west from the existing I-44 bore. From that point, a new gravity sewer line will be designed to bore under I-44 and the railroad and connect to an existing gravity sewer main. Also, to serve property on the south side of I-44 at the Hwy V interchange, a new force main will be designed to extend east from the existing I-44 bore to the railroad bridge at Old St. James Road. The force main will be designed to attach to the bridge and terminate on the north side of the bridge for future connection.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

A. DESIGN PHASE

Upon authorization to proceed by OWNER, the ENGINEER will prepare plans and specifications showing the general scope, extent, and character of the improvements listed above. In addition, ENGINEER will furnish Instructions to Bidders, Contract Documents, and other forms and items of information necessary for seeking competitive Bids. Contract forms and bonds shall be submitted to OWNER’s legal counsel for review.

The plans and specifications will be submitted to all required regulatory agencies for their approval and such alterations made as they may require. The

plans and specifications will also be submitted to any other agency, which might be involved in the financing of the project.

The design phase will be completed within 180 calendar days from the date of authorization to proceed by OWNER, subject to increases due to delays beyond ENGINEER's control.

The ENGINEER will advise OWNER of the design progress at least monthly, advising OWNER of any adjustments to the opinion of probable construction costs.

B. BIDDING PHASE SERVICES

ENGINEER shall perform Bidding Phase Engineering as follows:

Provide assistance in obtaining bids, answering questions, and preparing addendums during the bid letting, hold pre-bid meeting and site tour, open, review and tabulate bids, consult OWNER as to the acceptability of subcontractors proposed by the prime contractor(s), evaluation of bids and recommendation of award, and assembling and awarding contracts.

C. CONSTRUCTION PHASE

ENGINEER shall perform Construction Phase Engineering as follows:

1. Construction Administration – ENGINEER shall: Draft and issue Notice of Award and Notice to Proceed documents, hold pre-construction conference, review Contractor submittals and shop drawings, provide contract document interpretation and response to requests for clarification, provide assistance to OWNER for equipment and materials procurement, hold monthly progress meetings, review contractor's schedule and work progress, review monthly pay applications, assist with grant reimbursements, observe and record construction startup and testing, review Contractor closeout documents, review final operations and maintenance manuals, and draft and execute project change orders.
2. Construction Observation – ENGINEER shall: conduct construction observations at least once per week for the duration of the construction contract.

D. SURVEY, EASEMENTS, & ADDITIONAL CONSTRUCTION SERVICES

ENGINEER shall provide any topographic surveying necessary to perform the design services.

Drawings Conforming to Construction Records - This includes the preparation of final drawings conforming to construction records and providing two sets to the OWNER after completion of the project.

Preparation of operation and maintenance manuals

The ENGINEER agrees to take steps to ensure that disadvantaged business enterprises (DBE's) are utilized when possible as sources of supplies, equipment, construction, and services as required by 2 CFR 200.321.

DELIVERABLES

1. Engineer Sealed Plans, Specifications, and Bidding Documents and all Change Orders for the above scope of improvements. (One stamped hard copy and one stamped electronic PDF copy are to be submitted to MDNR for approval)

PART 3.0 OWNER'S RESPONSIBILITIES:

OWNER shall do the following in a timely manner so as not to delay the services of the ENGINEER:

- A. Designate in writing a person to act as OWNER's representative with respect to the services to be rendered under this agreement.
- B. Provide all criteria and full information as to OWNER's requirements for the Project, including design and construction standards which OWNER will require to be included in the Drawings and Specifications.
- C. Assist ENGINEER by placing at ENGINEER's disposal all available information pertinent to the Project including previous reports and any other data relative to the design or construction of the project.
- D. Arrange for access for ENGINEER to enter upon public and private property as required for ENGINEER to perform services under this Agreement.
- E. OWNER agrees to indemnify, defend, and hold harmless ENGINEER and employees from and against all claims, losses, damages, cause of action, suits, liability, or every kind including all expenses of litigation, cost to cure, court costs, and attorney fees resulting from inaccurate or insufficient information, data, or instructions provided by the OWNER, employees, ENGINEER, or agents.

PART 4.0 PERIODS OF SERVICE:

Design to be complete and submitted to permitting authorities within 180 calendar days. Bidding Phase Services to be completed within 90 calendar days. Construction Phase Services to be completed within 270 calendar days.

PART 5.0 PAYMENTS TO ENGINEER:

A. BASIC SERVICES

The OWNER shall compensate the ENGINEER for the tasks specified on a lump sum basis plus reimbursable expenses in the amounts and in the manner stated below:

A - Design Phase	\$ 180,000.00
B – Bidding	\$ 20,000.00
C – Construction Phase Engineering	\$ 114,000.00
D – Operation & Maintenance Manuals	\$ 7,000.00
E – Drawings Conforming to Const Records	\$ 12,000.00
Total =	\$ 333,000.00

The above fees shall not be exceeded except by contract amendment.

B. PAYMENTS TO ENGINEER

Invoices will be submitted to OWNER by ENGINEER monthly based on a percent completion as determined by ENGINEER. Invoice will be due and payable upon receipt; the OWNER agrees to render all payments within thirty days of receipt of invoices. The OWNER shall make payment in accordance with section 8.960, RSMo.

PART 6.0 ADDITIONAL SERVICES:

In addition to the described basic services, the following services will be provided at additional cost, but ONLY UPON PRIOR WRITTEN APPROVAL OF THE OWNER.

- A. Specialized geotechnical, soils, hydraulic, or other additional engineering studies recommended by the ENGINEER.
- B. Preparation of environmental impact statements, Cultural Resource Assessments, or other documents not included under Basic Services.
- C. Services resulting from a significant change in the general scope, extent, or character of the Project or its design due to causes beyond ENGINEERS' control.
- D. Providing renderings or models for OWNER's use.

v.c.6

- E. Investigations and studies involving detailed consideration of operations, maintenance, and overhead expenses, providing value engineering during the course of design, or the preparation of rate schedules and appraisals, unless specifically included under Basic Services.
- F. Services resulting from the award of more separate prime contracts for construction, materials, or equipment for the Project than are contemplated under Basic Services.
- G. Providing property surveys, staking to enable Contractor(s) to proceed with their work, and other special field surveys, unless included under Basic Services.
- H. Preparation of operation and maintenance manuals unless included in Basic Services.
- I. Preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration, or other legal or administrative proceeding involving the Project.
- J. Extra cost for contract administration and resident project representation performed beyond the construction contract completion date specified in the construction contract documents.
- K. Additional services in connection with the Project not otherwise provided for in this Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this AUTHORIZATION as of this date indicated below.

This Agreement is executed this _____ day of _____, 2023

<u>City of Rolla, Missouri</u> "OWNER"	<u>CM Archer Group, P.C.</u> "ENGINEER"
BY: _____	BY: _____
NAME: <u>Lou Magdits</u>	NAME: <u>Jeff Medows, P.E.</u>
TITLE: <u>Mayor</u>	TITLE: <u>President</u>
ADDRESS: <u>901 North Elm Street</u> <u>Rolla, MO 65401</u>	ADDRESS: <u>310 E. 6th Street</u> <u>Rolla, MO 65401</u>

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance Final Reading

**ITEM/SUBJECT: ARCHER-ELGIN PROFESSIONAL SERVICES AGREEMENT
TASK ORDER #3**

BUDGET APPROPRIATION (IF APPLICABLE) DATE: 09/05/23

COMMENTARY:

This agreement provides professional services to prepare an engineering report to explore the alternatives to serve existing and future development east of the current wastewater service area. This will be funded with Legislative Priority Project ARPA funds and other local funds. We have received funding commitments from the following local partners:

- RMU
- RREC
- RCDC
- Intercounty Electric
- Phelps County

A Memorandum of Understanding is being drafted to formalize this commitment.

Staff recommends approval.

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 CM ARCHER GROUP, P.C., DBA ARCHER-ELGIN FOR HIGHWAY V EAST FACILITY PLAN – TASK ORDER #3.

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 an agreement between the City of Rolla, Missouri and CM Archer Group, P.C., dba Archer-Egin for Highway V East Wastewater Facility Plan - Task Order #3. 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 SEPTEMBER 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

City of Rolla, Missouri

Highway V East Wastewater Facility Plan

TASK ORDER NO. 3

This Task Order pertains to an Agreement by and between the City of Rolla, Missouri, (“OWNER”), and CM Archer Group, P.C., dba Archer-Elgin (“ENGINEER”), dated July 5, 2022, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. Upon execution, this Agreement as it pertains to the project described below.

PROJECT NAME: Highway V East Wastewater Facility Plan

PART 1.0 PROJECT SCOPE:

The City of Rolla proposes to prepare an engineering report that will explore alternatives to serve existing and future development east of their existing wastewater service area. The study will explore feasibility of regionalization of several existing WWTF’s that either are or will be struggling to meet permitted effluent limits, as well as other on-site systems. This wastewater flow would be conveyed by gravity and pressure sewers to be treated at the City’s recently upgraded Southeast WWTF. While accommodating the existing facilities, the study will further evaluate alternatives to serve future developable lands in this easterly direction.

The ENGINEER agrees to take steps to ensure that disadvantaged business enterprises (DBE’s) are utilized when possible as sources of supplies, equipment, construction, and services as required by 2 CFR 200.321.

DELIVERABLES

1. Engineer Sealed Facility Plan. (One stamped hard copy and one stamped electronic PDF copy are to be submitted to MDNR for approval)

PART 3.0 OWNER’S RESPONSIBILITIES:

OWNER shall do the following in a timely manner so as not to delay the services of the ENGINEER:

- A. Designate in writing a person to act as OWNER’s representative with respect to the services to be rendered under this agreement.
- B. Provide all criteria and full information as to OWNER’s requirements for the Project, including design and construction standards which OWNER will require to be included in the Drawings and Specifications.
- C. Assist ENGINEER by placing at ENGINEER’s disposal all available information pertinent to the Project including previous reports and any other data relative to the design or construction of the project.

- D. Arrange for access for ENGINEER to enter upon public and private property as required for ENGINEER to perform services under this Agreement.
- E. OWNER agrees to indemnify, defend, and hold harmless ENGINEER and employees from and against all claims, losses, damages, cause of action, suits, liability, or every kind including all expenses of litigation, cost to cure, court costs, and attorney fees resulting from inaccurate or insufficient information, data, or instructions provided by the OWNER, employees, ENGINEER, or agents.

PART 4.0 PERIODS OF SERVICE:

Facility Plan to be complete and submitted within 270 calendar days.

PART 5.0 PAYMENTS TO ENGINEER:

A. BASIC SERVICES

The OWNER shall compensate the ENGINEER for the tasks specified a lump sum of \$87,000.00 plus reimbursable expenses.

The above fees shall not be exceeded except by contract amendment.

B. PAYMENTS TO ENGINEER

Invoices will be submitted to OWNER by ENGINEER monthly based on a percent completion as determined by ENGINEER. Invoice will be due and payable upon receipt; the OWNER agrees to render all payments within thirty days of receipt of invoices. The OWNER shall make payment in accordance with section 8.960, RSMo.

PART 6.0 ADDITIONAL SERVICES:

In addition to the described basic services, the following services will be provided at additional cost, but ONLY UPON PRIOR WRITTEN APPROVAL OF THE OWNER.

- A. Specialized geotechnical, soils, hydraulic, or other additional engineering studies recommended by the ENGINEER.
- B. Preparation of environmental impact statements, Cultural Resource Assessments, or other documents not included under Basic Services.
- C. Services resulting from a significant change in the general scope, extent, or character of the Project or its design due to causes beyond ENGINEERS' control.
- D. Construction Documents, Bidding and Construction Administration Services.

- E. Investigations and studies involving detailed consideration of operations, maintenance, and overhead expenses, providing value engineering during the course of design, or the preparation of rate schedules and appraisals, unless specifically included under Basic Services.
- F. Services resulting from the award of more separate prime contracts for construction, materials, or equipment for the Project than are contemplated under Basic Services.
- G. Providing property surveys, staking to enable Contractor(s) to proceed with their work, and other special field surveys, unless included under Basic Services.
- H. Preparation of operation and maintenance manuals unless included in Basic Services.
- I. Preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration, or other legal or administrative proceeding involving the Project.
- J. Extra cost for contract administration and resident project representation performed beyond the construction contract completion date specified in the construction contract documents.
- K. Additional services in connection with the Project not otherwise provided for in this Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this AUTHORIZATION as of this date indicated below.

This Agreement is executed this _____ day of _____, 2023

<u>City of Rolla, Missouri</u> "OWNER"	<u>CM Archer Group, P.C.</u> "ENGINEER"
BY: _____	BY: _____
NAME: <u>Lou Magdits</u>	NAME: <u>Jeff Medows, P.E.</u>
TITLE: <u>Mayor</u>	TITLE: <u>President</u>
ADDRESS: <u>901 North Elm Street</u> <u>Rolla, MO 65401</u>	ADDRESS: <u>310 E. 6th Street</u> <u>Rolla, MO 65401</u>

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

SUBJECT: Map Amendment (rezoning): C-1, Neighborhood Commercial district to the C-3, Highway Commercial district at 708 N Main Street

(ZON23-06)

MEETING DATE: September 5, 2023

Application and Notice:

Applicant - Ashley Brooks of The Rolla Mission
Owner - Jacqui Timer of Vineyard Church
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 rezone the property in order to allow for the applicant to pursue a request for a Conditional Use Permit for an Overnight Shelter use. The applicant rents space from (or has an arrangement with) the Vineyard Church. The church uses most of the building for church uses. The applicant operates a non-profit organization, known as The Rolla Mission, which provides services such as laundry machines, meals, showers, case management/social assistance, phones, computer access, and storage to anyone in need of assistance, but generally homeless persons.

Most prominently, the organization also allows people to rest indoors during the day and allows people to sleep inside at night, in the winter and temporarily during the Covid-19 Pandemic. The City has not agreed that the overnight sleeping is permitted as a year-round activity.

The applicant has previously sought to move the organization to another property. At the time, the zoning ordinance did not include any provisions for homeless shelters or related uses. Although the other property deal ended up falling through, in 2022, the City Council did adopt amendments to the zoning ordinance to define the uses and clarify in which zoning districts the uses are allowed. Of note, "Overnight Shelters" were defined and permitted in the C-3, Highway Commercial; R-3, Multi-family; and M-1, Light Manufacturing districts with approval of a Conditional Use Permit.

The City Council has been reviewing a major update to the zoning ordinance. At the July 17, 2023 meeting, the City Council voted to change the proposed ordinance to no longer allow "Overnight Shelters" as a Conditional Use in the new C-2, General Commercial district (which would include the current C-2 and C-3 district), leaving the use as a Conditional Use in the R-3 and the new M, Manufacturing districts. The City Council held the first reading of the ordinance for the new zoning code on August 7. The second reading is planned for August 21.

The applicant submitted the application for a rezoning to the C-3 district on June 28, prior to the proposed changes to the zoning code to remove "Overnight Shelters" as a Conditional Use in the C-3 district. The applicant may amend their application to request the property be rezoned to the R-3 district.

Property Details:

Current zoning - C-1, Neighborhood Commercial; requested to be rezoned to C-3, Highway Commercial
Current use - Church/non-profit organization
Proposed use - Overnight Shelter
Land area - About 23,600 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on 7th Street, 8th Street, and Main Street, all local streets.
Sidewalks - Sidewalks are located adjacent to the property on all sides.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Semi Public/Church uses due to the existing church. The plan designates the east half of the block as being appropriate for Center City uses; the block to the south as Community Commercial uses; the block to the west as Neighborhood Commercial and Semi-Public/Church; and the block to the north as Semi-Public/Church.

Discussion:

Although the applicant for the rezoning is The Rolla Mission, the request should be reviewed purely based on the most proper use of the property. The applicant and the potential for their application for a Conditional Use Permit is not relevant. The applicant has requested review of a rezoning to the C-3, Highway Commercial district. The applicant may also accept rezoning to the R-3, Multi-family district if C-3 zoning is not found to be acceptable.

The property is located in the Rolla downtown, one block north of 6th Street, a major arterial road. While the property is currently used primarily as a church, it is possible that the building could be used for another use in the future. Commercial uses are located on adjacent properties. The building has constructed many years ago with a zero setback on 8th Street. The C-C, Center City district may be the most appropriate zoning district for the property, given the location and design of the building, however, the applicant has not requested C-C zoning.

The property is located just north of a block which is zoned C-3, Highway Commercial. However, the other property does have frontage on a major road, while the subject property does not. The C-3 district is most appropriate for commercial properties along major roads. C-3 zoning may not be an appropriate zoning for the property due to the location.

The exact location is surrounded on the other sides by other churches and governmental buildings, which are mostly zoned C-1, Neighborhood Commercial.

The Comprehensive Plan does not provide much guidance for the appropriate uses for the subject property if the church use were to cease. Since the property is located adjacent to the downtown and not adjacent to a major road, again the C-C, Center City zoning seems most appropriate. However, when other areas adjacent to the downtown are reviewed, another option becomes more apparent. On the north side of the downtown, the Comprehensive Plan indicates that Medium/High Density Residential uses are appropriate. If the subject property is not suitable for commercial uses, the R-3, Multi-family district may be another suitable option, compatible with the adopted Comprehensive Plan. Converting the church building into apartments is not only feasible, but such a use would be compatible and supplementary to the downtown.

Taken together and ranked from most appropriate to least, the C-C, Center City district is the most appropriate zoning for the property. Next, the R-3, Multi-family district is appropriate and still compatible with adopted plans. Next, retaining the C-1 may be considered, however, the setbacks in the C-1 district would not be compatible with the downtown. Downtowns are more urban, but C-1 development is more suburban. Finally, the requested C-3, Highway Commercial district would be the least appropriate option, given the location of the property. C-3 allows uses which are not compatible with the surrounding area.

Some concerns may be raised regarding "Spot Zoning." Spot Zoning is a term referring to the zoning of one property very differently than surrounding properties. Courts may ultimately decide if a decision is indeed Spot Zoning, however, the risk of a decision being determined to be Spot Zoning may be reduced or eliminated by adhering to the following:

1. Carefully and clearly explain the reasons for the decision.
2. Review the criteria for approval of a rezoning and ensure the request is not in conflict.
3. Review the Comprehensive Plan for consistency. In this case, the Comprehensive Plan does not provide direct guidance. The specific location of the property makes several uses and zoning district potentially appropriate.
4. Consider the size of the property requested to be rezoned. A single lot in the middle of a block must have clear reasons for approval. In this case, the location is ½ of a block, with an alley dividing the block. Rezoning a large portion of a block is unlikely to be considered to be Spot Zoning.

Rezoning the property will not grant any expansion of services. The applicant would still need to seek approval of a Conditional Use Permit.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on August 15, 2023 and voted 5-0 to recommend the City Council deny the request.

Prepared by: Tom Coots, City Planner
Attachments: Public Notice Letter; Ordinance

From: Bryce Crowley <bryce@sgclawfirm.com>
Sent: Thursday, August 31, 2023 4:02 PM
To: Tom Coots <tcoots@rollacity.org>
Cc: cbuschjost@teamlex.com <CBuschjost@teamlex.com>
Subject: Continuance Request

Tom:

Please take this as my formal request to continue The Rolla Mission's final reading of the ordinance concerning our request for a zoning change to the second city council meeting in September.

Thanks,



**BRYCE C.
CROWLEY**
PARTNER
P: (573) 341.8336
F: (573) 341.8548
SGCLAWFIRM.COM
901 N. PINE ST. STE
110
ROLLA, MO 65401

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ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE RE-ZONING OF PROPERTY ADDRESSED AS 708 N MAIN STREET FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE C-3, HIGHWAY COMMERCIAL DISTRICT

(ZON23-06)

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 August 15, 2023 and recommended the City Council deny the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its August 21, 2023 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 C-1 (Neighborhood Commercial) to C-3 (Highway Commercial) Zoning described as follows:

Block 37, Lots 2, 3, 6, and 7, Bishops Addition to Rolla, Phelps County, Missouri

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 5th DAY OF SEPTEMBER, 2023.**

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor



Project Information:

Case No: ZON23-06
 Location: 708 N Main Street
 Applicant: Vineyard Church c/o The Rolla Mission
 Request:
 Rezoning from C-1, Neighborhood Commercial to C-3, Highway Commercial

Public Hearings:

Planning and Zoning Commission
 August 15, 2023
 5:30 PM
 City Hall: 1st Floor

 City Council
 August 21, 2023
 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

V.E.7



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 Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

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

Block 37, Lots 2, 3, 6, and 7, Bishops Addition to Rolla, Phelps County, Missouri



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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance 1st Reading

ITEM/SUBJECT: 2023-2024 Sewer Rates

BUDGET APPROPRIATION

DATE: 9/5/23

COMMENTARY:

The attached ordinance increases the basic user rate for metered user from \$6.25/1000 gal to \$6.75/1000. This will raise the average user base rate from \$25.00 to \$27.00 per month. The service availability fee remains \$12.00 per month. The total increase this budget year for the average user would then go from \$37.00 to \$39.00 per month (5.4% increase).

The non-metered user will go from \$444.00 per year to \$468.00 per year.

This increase was included in the proposed 2023-2024 Budget.

Staff recommends 1st reading of the Ordinance.

VI.A.1
ITEM NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 35 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO SEWERS AND WATER.

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

Section 1: That Sections 35-126 and 35-127 of Rolla, Missouri, known as the Code of the City of Rolla, Missouri, relating to Sewers and Water are hereby repealed;

Section 2: That new Sections 35-126 and 35-127 of Chapter 35, of the General Ordinances of the City of Rolla, Missouri, known as the Code of the City of Rolla, Missouri, relating to Sewers and Water are hereby enacted in lieu thereof follows:

Section 35-126. Basic user rate for metered users.

Each user shall pay for the services provided by the City based on his use of the treatment works as determined by water meters acceptable to the City.

User charges shall be based on water used during the current month. If a user has a consumptive use of water, or in some other manner uses water, which is not returned to the wastewater collection system, the user charge for that contributor may be based on separate water meters installed and maintained at the contributor's expense, and in a manner acceptable to the City.

On a monthly basis, each contributor shall pay a user charge rate for operation and maintenance including replacement for each 1,000 gallons of water use.

This rate per 1,000 gallons shall be as follows:

As of first billing after October 1, 2023 \$6.75/1000 gallons

In addition, a service availability fee will be assessed for all users. This fee will be assessed based on the cost of operation and maintenance of the collection system. Each user will be assessed based on the water meter size. The following table presents these costs:

Water Meter Size	Service Availability Fee
Up to 1"	\$12.00/month
1.5"	\$17.00/month
2.0"	\$25.00/month
3.0"	\$50.00/month
4.0"	\$75.00/month
6.0"	\$125.00/month

Page 3
Ordinance No. _____

APPROVED AS TO FORM:

City Counselor

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Motion

ITEM/SUBJECT: Downtown Boo-Palooza Pine Street Closure

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 9/5/2023

COMMENTARY:

The Rolla Downtown Business Association has requested that Pine Street be closed to Traffic from 6th Street to 12th Street for Boo Palooza. The event is planned for Tuesday October 31st from 5:00 pm to 7:00 pm. The request is to close Pine Street from 3:30 pm to 7:30 pm.

Staff Recommends approval.

ITEM NO. VI.B.1

BOO PALOOZA

Tuesday, October 31
Downtown Rolla
5 pm - 7 pm

Safe trick-or-treating, games,
music and more!



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance First Reading

ITEM/SUBJECT: Section 27-114 Manner of Parking on Certain Streets

BUDGET APPROPRIATION (IF APPLICABLE) - DATE: 9/5/2023

COMMENTARY:

Council approved the ordinance to remove the one-way traffic on Elm Street between 12th and 14th Streets on August 21st. With the removal of the one-way traffic section 27-114 of the City of Rolla Code needs amended to remove the southerly direction only parking designation.

Staff is requesting the first reading of an ordinance to make this change.

ITEM NO. VI.C.1 _____

AN ORDINANCE AMENDING SECTION 27-114 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI RELATING TO ONE WAY TRAFFIC.

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

Section 1: That Section 27-114 Manner of parking on certain streets is hereby repealed and a new Section 27-114 is enacted in lieu thereof as follows:

Sec. 27-114. Manner of parking on certain streets.

a. All motor vehicles, and all other vehicles, including bicycles, motorcycles, carts and wagons, shall be parked adjacent to and parallel to the curb on each side of the street, with such vehicle facing in a designated direction, on such designated streets as follows:

1. Elm Street, ~~between the intersection of Elm Street and Twelfth Street and the intersection of Elm Street and Fourteenth Street, in a southerly direction only and~~ between the intersection of Ninth Street and Tenth Street, in a southerly direction only. (Ord. 3942, §1; Ord. 3974, §1)
2. Fourth Street, between the intersection of Rolla Street and Pine Street, in an easterly direction only. (Ord. 3942, §1; Ord. 3974, §1)
3. Park Street, between the intersection of Park Street and Sixth Street and the intersection of Park Street and Ninth Street, in a northerly direction only. (Ord. 3942, §1; Ord. 3974, §1)
4. Pine Street, between the intersection of Pine Street and Sixth Street and the intersection of Pine Street and Twelfth Street, in a northerly direction only. (Ord. 3942, §1; Ord. 3974, §1)
5. Rolla Street, between the intersection of Rolla Street and Sixth Street and the intersection of Rolla Street and Twelfth Street, in a southerly direction only. (Ord. 3942, §1; Ord. 3974, §1)
6. State Street, between the intersection of State Street and Sixth Street and the intersection of State Street and Ninth Street, in a southerly direction only. (Ord. 3942, §1; Ord. 3974, §1)
7. Twelfth Street, between the intersection of Rolla Street and Pine Street, in a westerly direction only. (Ord. 3942, §1; Ord. 3974, §1)

Section 2: That 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 18th DAY OF SEPTEMBER 2023.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

VI.C.2

Section 27-114 Manner of Parking on Certain Streets
Delete: Elm Street between 12th Street and 14th Street



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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Motion

**ITEM/SUBJECT: 44th Annual Arts & Crafts Festival
Street Closure
October 7th, 2023**

BUDGET APPROPRIATION (IF APPLICABLE):

DATE: 09/05/23

COMMENTARY:

A request has been made from the Downtown Business Association to close the following streets for the 44th Annual Arts & Crafts Festival on Saturday, October 7th, 2023.

**Pine Street from 6th Street to 10th Street.
9th Street from Pine Street to Elm Street.**

The streets will be closed from 6:00 a.m. to 4:00 p.m.

ITEM NO. VI.D.1 _____

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Bid Award/Ordinance

Motion/1st Reading

ITEM/SUBJECT: Airport Doors Repair

BUDGET APPROPRIATION: \$

DATE: 09/05/23

COMMENTARY:

In April, 2023 the Rolla National Airport received high winds that damaged several buildings. The doors on 8 hangars were damaged beyond repair and require replacement.

City staff received bids for replacement of the doors. The bids were as follows:

Independent Steel & Machine, LLC PO Box 1975 Rolla, MO 65402	\$158,768.00
---	---------------------

Schweiss Door 72121 470th Street Hector, MN 55342	\$120,047.09
---	---------------------

ALTERNATE BID Independent Steel & Machine, LLC PO Box 1975 Rolla, MO 65402	\$134,121.84
---	---------------------

The bid from Schweiss Door did not include installation of the doors. The alternate bid from Independent Steel & Machine, LLC was for a barn style sliding door.

Staff anticipates receiving approximately \$116,000 from Travelers Insurance for repairs at the Rolla National Airport

Staff is recommending awarding the bid to Independent Steel & Machine, LLC for \$158,768.00 to install 8 bi-fold doors with openers.

Staff is also recommending the first reading of an ordinance authorizing the Mayor to enter into a contract with Independent Steel & Machine, LLC for \$158,768.00.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND INDEPENDENT STEEL AND MACHINE, 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 an agreement between Independent Steel & Machine, 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 18TH DAY OF SEPTEMBER 2023.

APPROVED:

MAYOR

ATTEST:

VII.A.2

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

INDEPENDENT STEEL & MACHINE LLC

"Where Quality Meets Service"

573-578-4605

P.O. Box 1975 • Rolla, Missouri 65402
sales@steelandmachine.com

Prepared For Estimate Date Estimate Number
Rolla City - Rolla National Airport 08/21/2023 00003042

Reference
Bi-Fold Doors

Description	Rate	Qty	Line Total
Custom Fabricate & Install (8) Bi-Fold Doors For Airport Hangers (Each door will be individually measured for a custom fit) Doors approx. 45' x 14' each - Custom Measure for Each Door - Custom Fabricate inner Steel Structure/Frame for Bi-Fold Doors - Each Bi-Fold Door will have (1) pedestrian door - Steel Structure will be painted black - Mount Exterior Metal Door Skin (White) on each Bi-Fold Door - Bi-Fold Doors will have Strap Lift Opening System (instead of cable) - Bi-Fold Doors will have custom, gearbox, and controllers - Walk-in Doors will have all hardware including locking doors knobs - Includes all hardware for Bi-Fold Doors - Deliver to Vichy Airport - Fabricate & install new frame on existing hangers to install bi-folds - Install Roller System to raise Bi-Fold Doors - Install Bi-Fold Doors in each Hanger Door Opening - Install all controllers & wiring for each hanger door opening - Install electrical system for openers - Install latching locks on each Bi-fold Door	\$19,846.00	8	\$158,768.00

Subtotal 158,768.00
Tax 0.00

Estimate Total (USD) \$158,768.00

Notes

Sales Tax Exempt - This is quoted as a turn-key project with all materials, labor (including prevailing wage per order provided), hardware, equipment and all installation.

If QTY ordered is less then 8 (qty 4 min), price per door/install is \$22,822/each

Terms

Pricing is good for 30 days and is subject to material availability.

VII.A.3

8-23-23
11:02 AM

QTY	TYPE OF DOOR	WIDTH ACTUAL CLEAR OPENING	HEIGHT ACTUAL CLEAR OPENING	WEDGE	TOTAL HEIGHT HEIGHT + WEDGE	WIDTH NEEDED DISTANCE YOU WILL NEED BETWEEN YOUR SIDE COLUMNS	HGT. NEEDED DISTANCE YOU WILL NEED UNDER YOUR HEADER	DOOR LIFTING SYSTEM STRAP LIFT OR CABLE LIFT	APPROX. OPENING TIME	ELECTRICAL TYPE	SWITCH LOCATION LI = LEFT INSIDE RI = RIGHT INSIDE	DOOR PRICE (EACH)	TRUSS TYPE INTERNAL EXTERNAL	DRIVE TYPE BD=BOTTOM TD=TOP	WEATHER SEAL KIT	SIDE LATCH SYSTEM	TOTALS
8	BI-FOLD	45' 0.00"	13' 0"	30"	15' 6.00"	45' 0.00"	13' 0.00"	Strap Lift	516.00	00:45	240-1PH	LI	12821.00	Int.	BD	Manual	106696.00

BUILDING TYPE	NEW / OLD CONSTRUCTION	BUILDING USAGE	DOOR PLACEMENT	SIDE COLUMN TYPE/SIZE	CUSTOM CUT CORNERS LEFT/RIGHT/BOTH SIDES
		Commercial			

BILL TO:		SHIP TO:	
Company:	City of Rolla		
Street Add:	901 North Elm Street		
City/St./Zip:	Rolla, MO 65401	Vichy, MO	65580
Phone1:	573-299-4498		
Fax:			
Contact:	Darrin Bacon		
Phone2:			
E-Mail:	airport@rollacity.org		

NOTES

sheeting and insulation is by others.

External Sheeting Type	External Sheeting Color	<input type="checkbox"/> External Sheeting	NOT INCLUDED
Wainscot Height From Floor	Wainscot Color	<input type="checkbox"/> Wainscot Sheeting	NOT INCLUDED
Insulation Type		<input type="checkbox"/> Insulation	NOT INCLUDED
Not Set-Up for Liner Sheeting		<input type="checkbox"/> Liner Flashing	NOT INCLUDED
Liner Sheeting Type	Liner Sheeting Color	<input type="checkbox"/> Liner Sheeting	NOT INCLUDED
1	8	539.00	Left - Outside
# Per Door	Qty Total	Cost Each	Window Placement
			Window Type
We are providing PRELIMINARY SPECS primarily for you to pass on to your Building Manufacturer / Engineer / Architect / Contractor for the overall size and hinge locations for these doors.			
The PRELIMINARY SPECS WEIGHTS and REACTIONS will change, therefore DO NOT design or manufacture the Doors Building Header and the Doors Building Side Columns using the Preliminary Spec Weights and Reactions			
TO ORDER YOUR DOORS SIGN AND RETURN THE FOLLOWING			
1. Schweiss Door Quote - "This Form"			
2. Send Door Deposit for \$30012.00			
AFTER DEPOSIT IS RECEIVED THE FOLLOWING WILL BE SENT TO YOU FOR FINAL APPROVAL			
FINAL SPEC WEIGHTS AND REACTIONS will be sent for you to sign and pass on to your Building Manufacturer / Engineer / Architect / Contractor. ONLY use the FINAL SPEC WEIGHTS AND REACTIONS to design and manufacture the Doors Building Header and the Doors Building Side Columns.			
3. Sign The Final Specs for your Doors			
How Many Days	Cost Per Day	Hotel Per Day	Travel / Ticket
Tax Exempt	Tax State MO	4.225%	
Tax Certificate	County Maries		
	City Vichy		
	District District		
			Estimated Tax Rate. Taxes will be assessed at time of purchase.
			<input checked="" type="checkbox"/> Sales Tax 4.225% 4690.09
			<input type="checkbox"/> Offloading NOT INCLUDED
			<input type="checkbox"/> Install Supervisor NOT INCLUDED
			<input checked="" type="checkbox"/> Freight 4349.00
			<input type="checkbox"/> Fuel Surcharge NOT INCLUDED
			<input type="checkbox"/> Yard Fee NOT INCLUDED

* Schweiss doors are provided with temporary electrical wiring that is only to be used for the initial setup.
 * Temporary wiring must be removed, hookups must be done by a licensed electrician. Schweiss is not responsible for the final hookup of your door. Failure to do this will void the warranty.
 * The customer is responsible for the bi-fold or hydraulic door building header & side columns.
 * The opening must be prepared with a built in header that is flush with the side columns. Your header, side columns & building must be strong enough to hold your bi-fold or hydraulic door.
 * The Contractor or Customer furnishes and installs all door sheeting and trim to cover the door.
 * The terms and conditions are included in the attached terms and conditions sheet are incorporated herein.
 * I have read through the Purchase Order, the Schweiss Terms and Conditions, reviewed A1, A2, A3, A4, A5, A6 and A7 Spec Sheets and agree to their contents.
 * FINAL SPECIFICATIONS will be provided prior to manufacturing that will need to be signed / approved and returned to Schweiss Doors prior to manufacturing.
 * Yard Fees may apply if customer is delaying shipping and door has been built according to customers provided timeframe - Rough Date Requested.
 * Doors Ordered that do not deliver within a reasonable timeframe (120 Days) may need to be repriced.
 * Freight and Fuel Surcharge may need to be adjusted if there is a load coming to your area and you do not take the door(s).
 * All doors are priced based on our standard door design. Any revisions will result in additional charges for engineering and production costs.

Brent Krzmarzick SALES PERSON		GRAND TOTAL OF CONTRACT US FUNDS ONLY PLEASE (Prices Good For 30 Days)	\$ 120,047.09
Terms - <u>25</u> % Deposit with the order			\$ 30,012.00
Balance Due when door is delivered			\$ 90,035.09
Final Payment By Required - Copy of Cashiers Check Prior to Shipping			Cashiers Check (Only Please)
Customer: _____			
SIGNATURE		DATE	APPROX. DELIVERY DATE REQUESTED



INDEPENDENT STEEL & MACHINE LLC

"Where Quality Meets Service"

573-578-4605

P.O. Box 1975 • Rolla, Missouri 65402
sales@steelandmachine.com

Prepared For
Rolla City - Rolla National Airport

Estimate Date
08/21/2023

Estimate Number
00003050

Reference
Alternative Bid - Barn
Doors

Description	Rate	Qty	Line Total
Custom Fabricate & Install (8) Barn Door Units For Airport Hangers (Each door will be individually measured for a custom fit) Each door opening will have 2 sliding doors and will be installed so that doors will slide open over neighboring sliding doors - Custom Measure for Each Door - Custom Fabricate inner Steel Structure/Frame for Barn Doors - Doors will be manual opening - Each hanger will have (1) pedestrian door in one of its' sliding doors - Steel Structure will be painted black - Mount Exterior Metal Door Skin (White) on each Barn Door - Walk-in Doors will have all hardware including locking doors knobs - Includes all hardware for Barn Doors - Deliver to Vichy Airport - Fabricate & install new frame on existing hangers to install doors - Install Roller System to roll doors open - Install 2 Barn Doors in each Hanger Door Opening - Install latching locks on each Barn Door Unit	\$16,765.23	8	\$134,121.84

Subtotal 134,121.84
Tax 0.00

Estimate Total (USD) \$134,121.84

Notes
Sales Tax Exempt

VII.A.5

Terms

EXHIBIT A

CONTRACT AGREEMENT

THIS AGREEMENT, made and entered into this _____ Day of _____ by and between the City of Rolla, Missouri, Party of the First Part and hereinafter called Owner, and Independent Steel & Machine, LLC Party of the second Part and hereinafter called the Contractor.

WITNESSETH:

THAT WHEREAS, the Owner has caused to be prepared, in accordance with law, specifications, plans, and other Contract Documents for the work herein described, and has approved and adopted said documents, and has caused to be published and advertised for and in connection with the construction of: **Airport Doors Replacement**, in complete accord with the Contract Documents and the said plans and specifications; and

WHEREAS, the said Contractor, in response to such advertisement, has submitted to the Owner, in the manner and at the time specified, a sealed proposal in accordance with the terms of said advertisement; and

WHEREAS, the Owner, in the manner prescribed by law, has publicly opened, examined and canvassed the proposals submitted in response to the published invitation therefore, and as a result of such canvass has determined and declared the aforesaid Contractor to be lowest and best bidder for the said work and has duly awarded to the said Contractor a contract therefore, for the sum or sums named in the Contractor's proposal, a copy thereof being attached to and made a part of this contract.

NOW THEREFORE, in consideration of the compensation to be paid to the Contractor and of the mutual agreement herein contained, the parties to these presents have agreed and hereby agree, the Owner for itself and its successors, and the Contractor for itself, himself, or themselves, or its, his or their successors and assigns, or its, his, or their executors and administrators, as follows:

ARTICLE I. That the Contractor shall (a) furnish all tools, equipment, supplies, superintendent, transportation, and other construction accessories, services and facilities; (b) furnish all materials, supplies, and equipment specified and required to be incorporated in, and form a permanent part of the completed work except the items specified to be furnished by the Owner; (c) provide and perform all necessary labor, and (d) in a good, substantial, and workmanlike manner, and in accordance with the provisions of the General Conditions and the Special Conditions of the Contract, which are attached hereto and made a part hereof, and in conformity with the Contract Plans and Specifications designated and identified therein, execute, construct, and complete all work included in, and covered by the Owner's official award of this Contract to the said Contractor, such award being based on the acceptance by the Owner of the Contractor's proposal, for the construction of **Airport Doors Replacement**.

It is further stipulated that not less than the prevailing hourly rate of wages as found by the Department of Labor and Industrial Relations of the State of Missouri, or determined by the Court of Appeal shall be paid to all workers performing work under this Contract.

ARTICLE II. Contractor acknowledges that Section 285.530, R.S.Mo, prohibits any business entity or employer from knowingly employing, hiring for employment, or continuing to employ an unauthorized alien to perform work within the State of Missouri. Contractor therefore covenants that it is not knowingly in violation of Subsection 1 of Section 285.530, R.S.Mo, and that it will not knowingly employ, hire for employment, or continue to employ any unauthorized aliens to perform work on the Project, and that its employees are lawfully eligible to work in the United States.

ARTICLE III. Occupational Safety and Health Administration (OSHA)

Safety Training:

- a. Contractor shall provide a ten (10) hour Occupational Safety and Health Administration (OSHA) construction safety program for all employees who will be on-site at the project. The construction safety program shall include a course in construction safety and health that is approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program as required by Section 292.675, R.S.Mo.
- b. Contractor shall require its on-site employees to complete a construction safety program within sixty (60) days after the date work on the project commences.
- c. Contractor acknowledges and agrees that any of Contractor's employees found on the project site without the documentation of the successful completion of a construction safety program shall be required to produce such documentation within twenty (20) days, or will be subject to removal from the project.
- d. Contractor shall require all of its subcontractors to comply with the requirements of this Section and Section 292.675, R.S.Mo.

Notice of Penalties for Failure to Provide Safety Training

- a. Pursuant to Section 292.675, R.S.Mo, Contractor shall forfeit to City as a penalty two thousand five hundred dollars (\$2,500.00), plus one hundred dollars (\$100.00) for each on-site employee employed by Contractor or its Subcontractor, for each calendar day, or portion thereof, such on-site employee is employed without the construction safety training required in Safety Training section of Article III above.
- b. The penalty described in above subsection A of this section shall not begin to accrue until the time periods described in Sections B and C Safety Training of Article III above have elapsed.
- c. Violations of Article III – Safety Training above and imposition of the penalty described in this Section shall be investigated and determined by the Missouri Department of Labor and Industrial Relations.

ARTICLE IV. That the Contractor shall construct and complete the work designated and described in the foregoing proposal and attached specifications in accordance with the Notice to Bidders, Instruction to Bidders, Proposal, Bond, General Conditions, Special Conditions, Technical Specifications, Drawings, Addenda, and other component parts of the Contract

Documents hereto attached, all of which documents from the Contract and are as fully a part hereto as if repeated verbatim herein.

ARTICLE V. That the Owner shall pay to the Contractor for the performance of the work described as follows: Complete construction of the improvements in accordance with plans and specifications; and the Contractor will accept as full compensation therefore, the sum (subject to adjustment as provided by the Contract) of \$158,768.00 for All work covered by and included in the contract award and designated in the foregoing Article I. Payment therefore shall be made in the manner provided in the General Conditions attached hereto.

ARTICLE VI. That the Contractor shall begin assembly of materials and equipment within ten (10) days after receipt from the Owner of executed copies of the Contract.

Liquidated Damages - Should the contractor fail to complete the work on or before the completion date specified the contractor will be charged liquidated damages in the amount of \$100.00 per calendar day for each full calendar day that the work is not fully completed. Liquidated damages will not be charged for weekends and holidays.

ARTICLE VII. Before the final payment can be made to the Contractor on the project, the Contractor must complete and return the Affidavit Compliance with the Prevailing Wage Law form furnished at the end of the Special Conditions section.

ARTICLE VIII. Before the final payment can be made on the project to the Contractor, the Contractor must complete and return the Contractor's Affidavit Regarding Settlement of Claims form furnished at the end of the Special Conditions section.

ARTICLE IX. This Contract will not be binding and effective until confirmed by the Owner.

IN WITNESS-WHEREOF: The parties have executed this Contract as of the day and year first above written.

CITY OF ROLLA, MISSOURI

CONTRACTOR

BY _____
Mayor, Owner, Party of the First Part

BY _____

Printed Name

Printed Name/Title

STATE OF MISSOURI)
SS)
County of Phelps)

On this _____ day of _____ before me appeared _____ ,
to me personally known, who, being by me duly sworn, did say that he is the Mayor of the City
of Rolla, Missouri, a municipal corporation, and the seal affixed to said instrument is the
corporate seal of said municipal corporation and that said instrument is the corporate seal of said
municipal corporation and that said instrument was signed under authority of the City Council of
of the City of Rolla, Missouri; and the said _____ Acknowledged
said instrument to be the free act and deed of said municipal corporation.

My commission expires: _____

Notary Public

STATE OF MISSOURI)
SS)
County of Phelps)

On this _____ day of _____ before me appeared _____ ,
to me personally known, who, being by me duly sworn, did say that (s)he is the _____
of _____
and that the seal affixed to said instrument is the corporate seal of said corporation by authority
of its board of directors; and the said _____ acknowledged said
instrument to be the free act and deed of said corporation.

My commission expires: _____

Notary Public

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CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Roger Pankey, Env Services Int Director ACTION: Motion

ITEM/SUBJECT: A Motion to Approve Change Order to Obtain 3rd Automated Trash Truck

BUDGET APPROPRIATION: \$412,592.40 DATE: September 5, 2023

.....
COMMENTARY:

Due to unforeseen circumstances the chassis vendor (Mack Truck) was not able to meet several orders for automated collection trucks including the last two trucks ordered for the City of Rolla. The City placed an order for our second automated collection truck in October 2021 for \$358,969.00 and our 3rd (and final) order in September 2022 for \$402,083. In keeping with plans to revamp the City's entire system/fleet this particular truck has proven successful in increasing speed and efficiency, reducing the risk of injury, and will ultimately reduce manpower needs.

This one-of-a-kind collection system is considered a single-source purchase available through only one dealer in the region (purchased through Sourcewell – a nationwide bid process). Armor Equipment of Arnold, Missouri along with Heil Environmental hold the Sourcewell contract for this equipment. The current price for this equipment is now \$412,592 utilizing a Battle chassis (meeting all specs).

Armor Equipment recently notified the City of the problems and delay in filling our last two orders. Switching to a 2023 Battle chassis the two trucks can now be made available and delivered in 3 – 4 months. The City Administrator authorized the emergency purchase of one of the trucks based on the current pricing. That will in essence satisfy the purchase and delivery of truck No. 3 (initially quoted at \$402,083 with a Mack chassis).

However, to complete the full conversion to the new automated trash pickup system the final truck is \$53,623 more than the truck authorized by City Council in October 2021. The City can formally cancel the order for truck NO. 2 and rebid but we would be dealing with the same vendor and the delay will put us back in the line waiting for a chassis (likely will take another 12 - 18 months for delivery and according to the vendor prices will increase). Armor Equipment has a third automated truck in inventory with a 2023 Battle chassis meeting our specifications and is offering the new truck at the current pricing of \$412,592 (delivery in 3 – 4 months).

Recommendation: Motion award the final truck to Armor Equipment for a Heil 20-yard, Half Pack Odyssey on a 2023 Battle chassis w/ Curotto Can for \$412.592.40

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