

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
Monday, June 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, VICTORIA STEEN, AND TINA BALCH

PLEDGE OF ALLEGIANCE
Councilman Rob Kessinger

I. CONSENT AGENDA

- A. Consider Approval of the City Council Minutes of:
 - 1. City Council Meeting – May 1, 2023
 - 2. Closed Session Minutes – May 1, 2023
 - 3. City Council Meeting – May 15th, 2023
 - 4. Closed Session Minutes – May 15th, 2023
- B. **Motion** to accept a Sewer Easement from Neil Investments LLC for 904 Oak Lane Drive. (PW Director Darin Pryor)

II. PUBLIC HEARINGS –

- A. **Public Hearing** for the Re-adoption and revision to Chapter 42 (Planning and Zoning of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning districts; and Amendments to sections pertaining to land use and zoning in Chapters 15, 20,28, 29, 39, 40, and 41 of the City of Rolla Ordinances. (City Planner Tom Coots) **Public Hearing**

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

- a. Environmental Services Department Monthly Report – April 2023
- b. Building Codes monthly report – April 2023
- c. Police Department Monthly Report – April 2023
- d. Animal Control Division Report – April 2023
- e. RMU Financial Statistics for April 2023
- f. The Centre Income Statement ending April 2023
- g. Municipal Court Summary Reporting for March 2023
- h. P&Z Commission Minutes for April 11th, 2023
- i. City of Rolla Financial Report ending April, 2023

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

V. **OLD BUSINESS** –

- A. **Ordinance** to approve an agreement with Brownwood Estates Homeowners Association for the lease of a containment pond for recreational use. (PW Director Darin Pryor) **Final Reading**
- B. **Ordinance** to approve vacation of easement at 1906/1908 N Bishop Ave. (City Planner Tom Coots) **Final Reading**
- C. **Ordinance** to approve the vacation of the rights-of-way of Park Street between 2nd Street and the railroad. (City Planner Tom Coots) **Final Reading**
- D. **Ordinance** to approve the rezoning of the SW corner of Richard Dr. and Curtis Dr. from the C-1, Neighborhood Commercial to R-3, Multi-family. (City Planner Tom Coots) **Final Reading**

VI. **NEW BUSINESS** –

- A. **Resolution** to approve the purchase of a 2023 Rescue Pumper from Pierce/Macqueen dealership for \$952,000 utilizing the HGAC program. (Fire Chief Jeff Breen)
- B. **Resolution** to select General Code to provide codification services. (City Administrator John Butz)
- C. **Motion** authorizing City Administrator John Butz to sign the Sovereign Immunity Preservation Rider. (City Administrator John Butz)
- D. **Ordinance** to amend Section 41-2 of the City Code – Concealed Weapons. (Police Chief Sean Fagan)

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

VIII. **CITIZEN COMMUNICATION**

IX. **MAYOR/CITY COUNCIL COMMENTS**

- A. Discussion on July 3rd/4th Council Meeting-consider cancelling? (City Administrator John Butz)
- B. Motion to approve the appointment of Kevin Greven to the vacant Ward 5 Council position for the unfulfilled term currently ending April 2024

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

XI. **CLOSED SESSION** –

Closed Session per RSMo 610.021- (2) Real Estate

XII. **ADJOURNMENT** -

ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, May 1st, 2023; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET

Presiding: Mayor Pro-Tem Lister Florence

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

Council Members Absent: None

Council Ward Vacancy: Ward 5 - Carrolyn Bolin

Department Directors and Other City Officials in Physical Attendance: PW Director Darin Pryor, Police Captain Doug James, Fire Chief Jeff Breen, Community Development Director Steve Flowers, Finance Director Steffanie Rogers, Centre Recreation Director Marci Fairbanks, City Planner Tom Coots, City Counselor Lance Thurman.

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

I. CONSENT AGENDA

A. Consider Approval of the City Council Minutes of:

1. City Council Meeting – April 3rd, 2023
2. Closed Session Minutes – April 3rd, 2023
3. City Council Meeting – April 17th, 2023
4. Closed Session Minutes – April 17th, 2023

A motion was made by Chirban and seconded by Balch. A voice vote showed 11 Ayes, zero Nays, and none Absent.

II. PUBLIC HEARINGS – NONE

May 1st, 2023

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

- a. Environmental Services Department Monthly Report – March 2023
- b. Building Codes monthly report – March 2023
- c. Police Department Monthly Report – January 2023
- d. Animal Control Division Report – January 2023
- e. RMU Financial Statistics for March 2023
- f. The Centre Income Statement ending March 2023
- g. Municipal Court Summary Reporting for March 2023
- h. P&Z Commission Minutes for March 14th, 2023
- i. City of Rolla Financial Report ending February 28th, 2023
- j. Board of Adjustment Minutes for February 16th, 2023
- k. Development Review Committee Minutes for April 18th, 2023
- l. Bicycle Pedestrian Advisory Minutes for March 7, 2023
- m. Park Advisory Commission Minutes for March 22, 2023

IV. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS –

- A. Joel Doepker – East Central College: Rolla Campus Plans: Jon Bauer-President of ECC shared with Council the current degrees and programs that are available in the Rolla branch of ECC, including the Phelps Law Enforcement Academy which begin in August of 2023. ECC hopes to have a new comprehensive facility open in Rolla by January of 2027. They are currently looking for 10-15 acres for the project location.
- B. Amanda Wiggins – Kean, Wiggins, and Co.: Ms. Amanda Wiggins, CPA with Kean, Wiggins & Company, Certified Public Accountants, Rolla, Missouri, provided an overview of the Rolla Area Chamber of Commerce’s Tourism Fund Audit for fiscal year 2022. She reported no adverse findings were noted during the course of the audit. Note: Page 17 was missing from the audit report but was made available the following day.

Note: Councilwoman Steen left council chambers at 7:00 pm and returned at 7:02 pm.

- C. Stevie Kearse Executive Director RACC presented the 2023 1st Qtr. Tourism Report with emphasis on tourism activities and marketing efforts. The public was encouraged to submit every event they have to the Chamber calendar and to utilize the calendar when planning an event to avoid multiple similar events on the same day.
- D. Steffanie Rogers – Finance Director: Presentation of FY 2022 Independent Audit. Michael Keenan of Cochran, Head, Vick & Co. presented the FY 2022 Independent Audit via Zoom. The Audit will be submitted on May 15th for approval.

V. OLD BUSINESS – None

VI. NEW BUSINESS –

- A. **Motion** to approve street closings for Rolla’s Route 66 Summerfest on June 2nd and 3rd. (PW Director Darin Pryor) A motion was made by Kessinger and seconded by Fridley to approve the street closings. A voice vote showed 11 Ayes, zero Nays, and zero absent.
- B. **Motion** to approve street closings for LGBTQ+ Pride Event on June 10th. (PW Director Darin Pryor) A representative of the event, Chasta Johnson, was present and stated the event was a free event and available to all. Councilman Kessinger and Chirban both stated that they do not agree with having the event for moral and religious reasons but would not block the use of the parking lot. Councilwoman Balch reminded Council it was the approval of the parking lot closure that was being asked, not of the event itself. A motion was made by Higgins and seconded by Chirban to approve the parking lot closure. A voice vote showed 10 Ayes, zero Nays, 1 Abstention (Steen).

VII. CLAIMS and/or FISCAL TRANSACTIONS –

- A. **Bid Award** to Capital Paving & Construction for FY 2023 Asphalt Improvement Project 564 and **Ordinance** to enter into contract with same. (PW Director Darin Pryor) A motion was made by Fridley and seconded by Vroman to award the bid to Capital Paving & Construction for \$364,179. A voice vote showed 11 Ayes, zero Nays, none Absent. City Counselor Lance Thurman read the ordinance for its first reading: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CAPITAL PAVING AND CONSTRUCTION, LLC.

VIII. CITIZEN COMMUNICATION - None

IX. MAYOR/CITY COUNCIL COMMENTS

- A. Mayor Pro-tem Lister Florence read a Proclamation for Local Government Week (May 7-13th)
- B. Mayor Pro-tem Lister Florence read a Proclamation to declare May Building Safety Month.
- C. Appointment of Council Representative for P&Z Commission – 1 year term (exp. Apr.-2024) A motion was made by Kessinger and seconded by Chirban to approve the appointment. A voice vote showed 11 Ayes, zero Nays, zero Absent.
- D. Reappointment of Nick Barrack for the Board of Public Works – 4 yr term (Aug 2026) A motion was made by Fridley and seconded by Johnson to approve the reappointment. A voice vote showed 11 Ayes, zero Nays, zero Absent.
- E. Reappointment of Steve Jung for the Rolla Regional Economic Committee-RREC (Dec 2024) A motion was made by Johnson and seconded by Higgins to approve the reappointment. A voice vote showed 11 Ayes, zero Nays, and zero Absent.
- F. Reappointment of Bill Jenks for the Rolla Regional Economic Committee-RREC (Dec 2025) A motion was made by Fridley and seconded by Johnson to approve the reappointment. A voice vote showed 11 Ayes, zero Nays, and zero absent.
- G. Appointment of Dale Martin for the Industrial Development Authority-IDA to serve the unfinished term of Elizabeth Smith (Sept 2026) A motion was made by Fridley and seconded by Kessinger to approve the appointment. A voice vote showed 11 Ayes, zero Nays, and zero absent.

H. Councilwoman Steen – Discussion regarding the UTV Ordinance. Councilman Steen stated that a constituent has reached out to her regarding revisiting the proposed UTV ordinance that had previously failed at the March 22, 2022 Council meeting. After some discussion it was decided that since no new information was provided to warrant revisiting the topic, Council will wait to see if the public expresses further interest/support and presents new information.

X. COMMENTS FOR THE GOOD OF THE ORDER

- A. Councilman Chirban: Reminder of National Day of Prayer event on Thursday, May 4th, 2023.
- B. Councilman Fridley: May 8th-12th Teacher Appreciation Week. Councilman Fridley stressed the obligation as a community to represent causes and community in a positive and truthful way.
- C. Councilman Florence: Recognized Councilman Fridley for National Principal Day.
- D. Councilwoman Johnson: Asked for an update from a February 21st request to have Chief Fagan and Administration speak with the Phelps County Sheriff to develop a proactive solution regarding homeless encampments. City Administration will follow-up with an update.
- E. Councilwoman Balch: Reminder of Food Distribution on Wednesday, May 3rd at the Phelps County Dream Center.

XI. CLOSED SESSION –

At 8:23 p.m. a motion was made by Johnson and seconded by Fridley to go into closed session. A roll call vote showed: Ayes: Steen, Vroman, Mayberry, Kessinger, Johnson, Higgins, Balch, Hall, Florence, Chirban, and Fridley. Nays: none. Absent: None

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

At 9:11 p.m. Council returned from closed session where a matter of Real Estate and Legal were discussed with no final action taken.

XII. ADJOURNMENT -

Having no further business, the meeting adjourned at approximately 9:11 p.m.
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

**ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, MAY 15TH, 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, Stanley Mayberry, Victoria Steen, Tina Balch

Council Members Absent: Jaired Hall and Rob Kessinger

Council Ward Vacancy: Ward 5 - Carolyn Bolin

Department Directors and Other City Officials in Physical Attendance: PW Director Darin Pryor, Police Chief Sean Fagan, Fire Chief Jeff Breen, Community Development Director Steve Flowers, Finance Director Steffanie Rogers, Parks Director Floyd Jernigan, RMU GM Rodney Bourne, City Planner Tom Coots, Interim Env. Services Director Roger Pankey, Police Captain Hank Harper, Parks Director Floyd Jernigan, and City Counselor Carolyn Buschjost.

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

I. PUBLIC HEARINGS –

- A. **Public hearing and Ordinance** to approve the vacation of the rights-of-way of Park Street between 2nd Street and the railroad. (City Planner Tom Coots) The applicants seek to vacate 200 feet of the rights-of-way of Park Street adjacent to their properties. At 6:33, Mayor Magdits opened the public hearing. There were none that spoke for or against the vacation and the public hearing was closed at 6:34. City Counselor Carolyn Buschjost read the ordinance for its first reading: AN ORDINANCE APPROVING THE VACATION OF PARK STREET BETWEEN 2ND STREET AND THE RAILROAD RIGHTS-OF-WAY.

- B. **Public hearing and Ordinance** to approve the rezoning of the SW corner of Richard Dr. and Curtis Dr. from the C-1, Neighborhood Commercial to R-3, Multi-family. (City Planner Tom Coots) The applicant wishes to rezone the subject property to allow for multi-family uses. At 6:37, Mayor Magdits opened the public hearing.
Debbie Castle -16,800 St. Rt. O: spoke in favor of the rezoning. Her family developed the Scottsvale area, owns multiple properties in the area, as well as being the applicant for this rezoning. There were no other citizens that spoke for or against the rezoning and the public hearing was closed at 6:39. City Counselor Carolyn Buschjost read the ordinance for its first reading: AN ORDINANCE TO APPROVE THE RE-ZONING OF CERTAIN PROPERTY LOCATED AT THE SOUTHWEST

May 15th, 2023

CORNER OF RICHARD DRIVE AND CURTIS DRIVE FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE R-3 MULTI-FAMILY DISTRICT.

II. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** –

- A. Missouri Police Chief’s Association Bob Shockey presented a plaque to Police Chief Sean Fagan and Captain Hank Harper, in recognition of successfully completing the Accreditation process. Accreditation benefits the Department by reviewing and adopting polices that are up to State standards which helps in training officers, dealing with the public, and the overall professionalism of the Department.
- B. RMU GM Rodney Bourne reviewed the 2nd Quarterly Financial Report. An operating loss of \$854,251 was shown, a decrease of over \$975,878 from the 2nd Quarter of 2022 and a net income loss of \$250,628 largely due to an increase in wholesale cost and in MWh purchased. Council was updated on current projects, including the upgrading of new utility software. Mr. Bourne also advised citizens of things to consider when looking into solar power projects for the home. Mr. Bourne shared that they purchased a new line truck (#6) for \$460K with a delivery date in mid-2026. The Annual Rate Comparison Survey as required per City Ordinance, rated RMU in the top 10% for lowest cost per kwh and middle of the range for water fees per gallon.
- C. Mayor Magdits presented Chief Fagan with a proclamation for National Police Week.

III. **OLD BUSINESS** –

- A. **Ordinance** to enter into agreement with Capital Paving & Construction for FY 2023 Asphalt Improvement Project 564. (PW Director Darin Pryor) A motion was made by Fridley and seconded by Johnson to approve the agreement. City Counselor Carolyn Buschjost read the ordinance for its final reading: by title: **ORDINANCE 4737: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CAPITAL PAVING & CONSTRUCTION, LLC.** A motion was made by Fridley and seconded by Johnson to approve the agreement. A roll call vote showed: Steen, Vroman, Mayberry, Johnson, Higgins, Balch, Fridley, Florence, and Chirban. Nays: zero. Absent: Hall and Kessinger.

IV. **NEW BUSINESS** –

- A. **Ordinance** to approve an agreement with Brownwood Estates Homeowners Association for the lease of a containment pond for recreational use. (PW Director Darin Pryor) This lease is for the eastern most containment area to the Brownwood Estates Homeowners Association for exclusive use as a recreational feature. This will be offered as a 5 year lease with a mutual option for an additional 5 years. City Counselor Carolyn Buschjost read the ordinance for its first reading: **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LAND LEASE AGREEMENT WITH THE BROWNWOOD ESTATES HOMEOWNERS ASSOCIATION.**
- B. **Motion** to approve independent audit for fiscal year 2022 - Finance Director Steffanie Rogers presented the final audit results for the fiscal year ending September 30, 2022. A motion was made by Vroman and seconded by Balch to accept the audit results. A voice vote showed 9 Ayes, zero Nays, 2 Absent (Kessinger and Hall).

- C. **Ordinance** to approve vacation of easement at 1906/1908 N Bishop Ave. (City Planner Tom Coots) The applicant has recently purchased the Budget Deluxe Motel and wishes to vacate a waterline easement that crosses through the existing motel building. The city has no record of the easement nor or there any utilities in that area. City Counselor Carolyn Buschjost read the ordinance for its first reading: AN ORDINANCE APPROVING THE VACATION OF A PORTION OF AN EASEMENT LOCATED AT 1906/1908 N BISHOP AVE.
- D. **Discussion** concerning a new fire truck purchase. (City Administrator John Butz) Pierce has a pumper truck model they use for demonstrations that meets the specifications that Rolla FD are needing in a new pumper truck. They are now willing to sell this model and are holding the truck for Rolla FD to gain approval at the next council meeting on June 5th. \$900,000 is budgeted for the replacement of a pumper truck in FY 2023 but manufacturers have indicated there could be a 3 year wait on production. Houston Galveston Buying Group will broker the sale if Council approves.

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

- A. **Ordinance** to accept award of ARPA federal funding through the Department of Economic Development for Community Revitalization for parks improvements. This grant is part of the American Rescue Plan Act for the maximum of \$500,000 with a minimum 50% match. Reimbursements will be issued for costs incurred and paid after the award date and before September 30th, 2023. City funding will primarily come from parks projects completed during this time frame and approximately \$75,000 from Park funds. Grant agreement documents must be submitted by May 31st. City Counselor Carolyn Buschjost read the ordinance for its first reading, by title: ORDINANCE 4738: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN COMMUNITY REVITALIZATION AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND THE DEPARTMENT OF ECONOMIC DEVELOPMENT FOR PARK IMPROVEMENTS. A motion was made by Johnson and seconded by Vroman to suspend the rules for the final reading. A voice vote showed 9 Ayes, zero Nays, and 3 Absent. City Counselor Carolyn Buschjost read the ordinance for its final reading. A motion was made by Johnson and seconded by Higgins. A roll call vote showed: Ayes: Chirban, Vroman, Fridley, Johnson, Higgins, Hall, Steen, Florence, Mayberry, and Blach. Nays: zero. Absent: Hall and Kessinger.
- B. **Motion** to award Playground to Athco with the poured in place safety surface for \$54,755. (Parks Director Floyd Jernigan) Bids were received to replace the arson damaged playground at Ridgeview Park. Due to the long term cost of having to replace the rubber nugget safety surface multiple times and it being prone to vandalism and arson, it is recommended to replace the surface with a poured in place surface, an option currently being used at the newer playgrounds. An estimated \$30,000 of this project will come from insurance reimbursement with the rest coming from Prop P funds. A motion was made by Johnson and seconded by Higgins to award the bid to Athco. A voice vote showed 9 Ayes, zero Nays, 2 Absent.

VI. **CITIZEN COMMUNICATION**

- A. Sara Effner – Shared the history of a Chinese meditation practice of Falun Dafa and the upcoming free World Falun Dafa Day event being offered on May 20th and 27th located at the band shell lawn.

VII. MAYOR/CITY COUNCIL COMMENTS

- A. Appointment of Robert Haselwander to the Rolla Library Board for 1st 3 year term (exp May 2026). A motion was made by Fridley and seconded by Johnson to approve the appointment. A voice vote showed 9 Ayes, zero Nays, and 2 Absent (Kessinger and Hall).
- B. Appointment of Lister Florence to the Finance Committee for a 1 year term. A motion was made by Vroman and seconded by Chirban to approve the appointment. A voice vote showed 9 Ayes, zero Nays, and 2 Absent (Kessinger and Hall).
- C. Appointment of Robert Kessinger to the Finance Committee for a 1 year term. A motion was made by Balch and seconded by Higgins to approve the appointment. A voice vote showed 9 Ayes, zero Nays, and 2 Absent (Kessinger and Hall)
- D. Re-appointment of Matt Fridley to Finance Committee for a 1 year term. A motion was made by Fridley and seconded by Johnson to approve the re-appointment. A voice vote showed 9 Ayes, zero Nays, and 2 Absent (Kessinger and Hall)

VIII. COMMENTS FOR THE GOOD OF THE ORDER

- A. Bike Week May 14th-20th. – PW Director Darin Pryor shared activities for Bike Week May 14th-20th.

IX. CLOSED SESSION –

Closed Session per RSMo 610.021- (3)Personnel and (1) Legal

At 8:09 pm a motion was made by Johnson and seconded by Chirban to go into closed session. A roll call vote showed: Ayes: Vroman, Higgins, Johnson, Chirban, Fridley, Florence, Mayberry, Steen, and Balch. Nays: none. Absent: Hall and Kessinger.

At 8:39 Council returned from closed session where Council discussed and approved a personnel matter in which public notice will be available within 72 hours. Also discussed was a legal matter that, while not a final action, Council had generally approved the Mission receive a temporary stay from certain enforcement, with an opportunity to come into compliance (with code) if certain terms were met within a certain timeframe, which such approval was recently extended in writing.

X. ADJOURNMENT -

Having no further business, the meeting adjourned at approximately 8:39 p.m.
Minutes respectfully submitted by City Clerk Lorri Thurman.

CITY CLERK

MAYOR

May 15th, 2023

-
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Motion

ITEM/SUBJECT: Sewer Easement

BUDGET APPROPRIATION: \$

DATE: 6/5/23

COMMENTARY:

City staff is requesting a motion to accept the attached sanitary sewer easement from Neil Investments LLC. This is for a sanitary sewer main extension near 904 OakLane Drive.

ITEM NO. I.B.1

UTILITY EASEMENT

Date of Document: _____

Grantor: Neil Investments LLC

Grantee: City of Rolla

Mailing Address: 11750 Timberline Dr, Rolla, MO 65401-8134

Legal Description: Page 2

Reference Book and Page(s): _____

UTILITY EASEMENT

THIS INDENTURE, Made on the _____ day of _____, 2023, by and between _____, Grantor, and the City of Rolla, Missouri, Grantee:

WITNESSETH: That the said Grantor, in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the Grantee, the receipt of which is hereby acknowledged, do by these presents, remise, release and forever quit claim unto the Grantee, its successors and assigns, a permanent utility easement as follows:

20 FOOT UTILITY EASEMENT

A utility easement in a fractional part of Lot 62 of RAILROAD ADDITION, Rolla, Missouri, lying 20.0 feet measured perpendicular to, easterly of, parallel with and adjacent to the following described line: Commencing at the Southeast Corner of Lot 14 of WILLIAMS ADDITION, Rolla, Missouri; thence North 89°23'10" East, 103.44 feet, and, North 88°31'40" East, 80.08 feet, all along the North right of way of Oaklane Drive to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2013-4713; thence North 0°07'30" East, 200.00 feet, and, South 88°31'40" West, 80.08 feet, all along the easterly line of said Document No. 2013-4713 parcel to the point of beginning of the hereinafter described easement: Thence continuing along said easterly line, North 0°07'30" East, 259.55 feet to the South line of Lot B of WAL-MART SUPERCENTER PLAZA III, Rolla, Missouri, the ending point of said easement. Description derived from survey J-1312, revised December 23, 2014, by Archer-Elgin Surveying and Engineering, LLC.

TO HAVE AND TO HOLD the same with all rights, immunities, privileges and appurtenances thereto belonging, unto said Grantee, for the purpose of establishing, laying, constructing, maintaining, operating, repairing or removing utilities, through and across said land herein described forever, including the rights of the Grantee, its agents, servants, employees, or representatives to reasonable ingress and egress over and across the property of the Grantor for such purposes. This grant and easement shall at all times be deemed to be and shall be a continuing covenant running with the land and shall be binding upon the heirs, legal representatives and assigns of the Grantor(s) herein.

IN WITNESS WHEREOF, the Grantor(s) have set their hands this ____ day of _____, 2023.

Billy J. Neil
(Grantor)

(Grantor)

STATE OF MISSOURI)

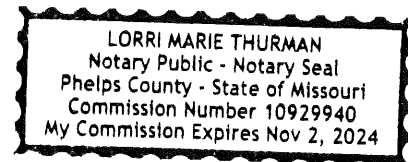
) SS.

COUNTY OF PHELPS)

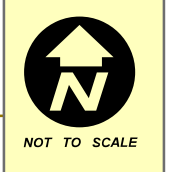
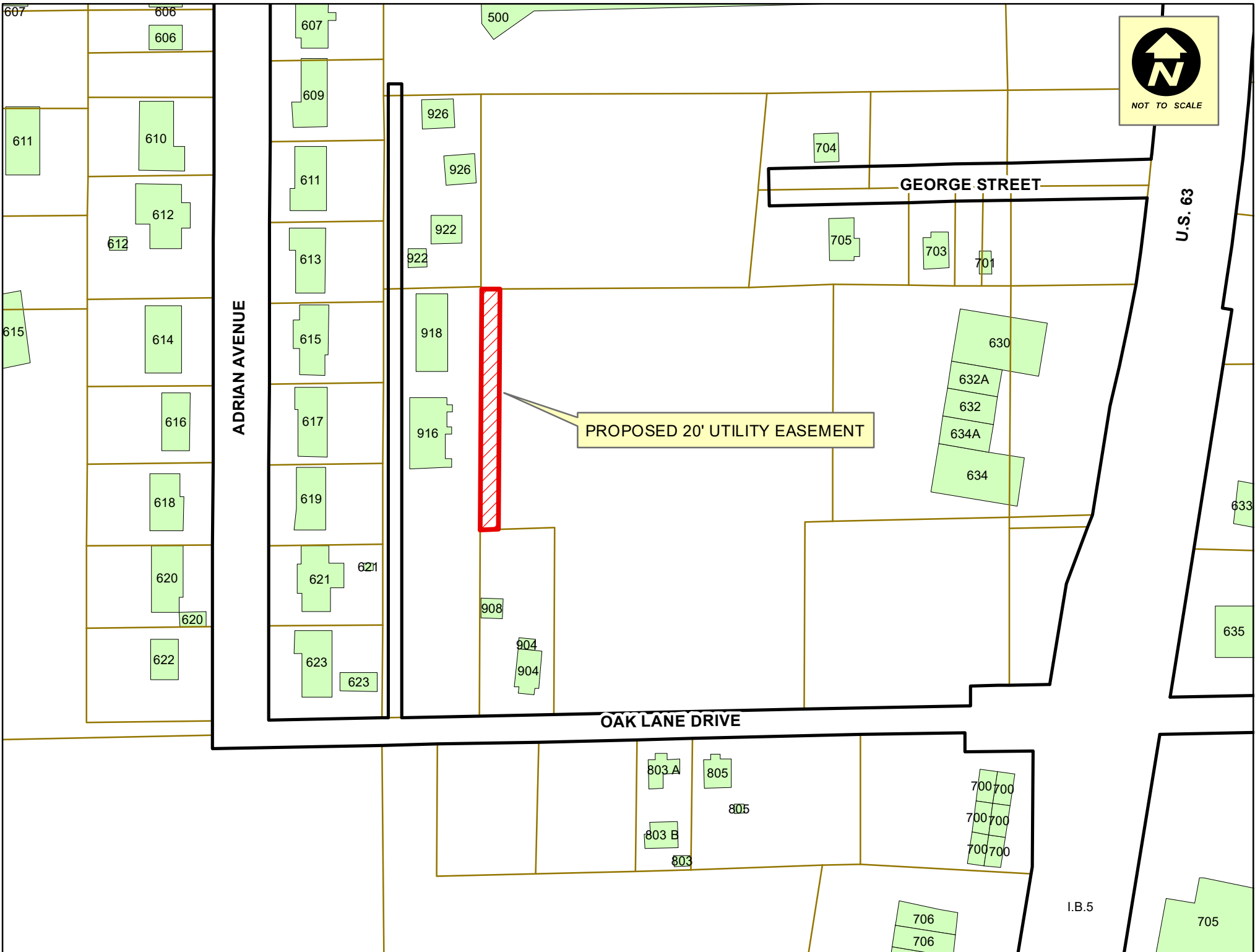
On this 30th day of May, 2023, before me personally appeared to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by official seal at my office in Rolla, Missouri, the day and year above written.

Lorri Marie Thurman
Notary Public



My Commission Expires: 11-2-2024



ADRIAN AVENUE

GEORGE STREET

U.S. 63

PROPOSED 20' UTILITY EASEMENT

OAK LANE DRIVE

I.B.5

607

606

607

500

611

610

609

926

926

704

612

612

611

922

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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing

SUBJECT: Re-adoption and revisions to Chapter 42 (Planning and Zoning) of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning districts; and Amendments to sections pertaining to land use and zoning in Chapters 15, 20, 28, 29, 39, 40, and 41 of the City of Rolla Ordinances

MEETING DATE: June 5, 2023

Application and Notice:

Applicant - City of Rolla

Public Notice - Legal ad in the Phelps County Focus; <https://www.rollacity.org/agenda.shtml>

Background:

The current zoning code was adopted in 1988. The 1988 code included much language from the previous code, which was adopted in 1978, which also included language from the first code, adopted in the 1940's. The first code included language that originated in the model codes that were adopted across the country and first written decades earlier.

Since the 1988 code was adopted, there have been many revisions and additions, including a major overhaul in 2000. However, the revisions and additions have created issues with organization, duplication, and conflict with other areas of the code. Some provisions have become unenforceable or are no longer enforced. The current code lacks provisions for flexibility in cases when flexibility would be beneficial.

The City Council established the Zoning Code Ad-hoc Committee in February 2022 to review the zoning codes, subdivision codes, and any other land use regulations to make recommendations for changes to the city codes. The ad-hoc committee included members of the Planning and Zoning Commission, Board of Adjustment, City Council, citizen representatives, and city administration. The ad-hoc committee met for 16 meetings over the course of just over a year.

In addition to the assistance from the ad-hoc committee, public input was sought in a number of ways, beyond the legal requirements for posting in the local newspaper:

- The proposed changes to the zoning code have been reviewed by the Planning and Zoning Commission at 7 meetings since September 2022. The Commission held 4 public hearings for input.

- Open Houses were held on January 25/26, 2023. The January 25 date had to be officially cancelled due to weather, although staff was on hand for those who came. Between the dates, about 40 citizens came to the open house.
- A neighborhood meeting was held on February 1 for the area near Ber Juan Park regarding the proposed U-R zoning district. About 10 citizens attended the meeting.
- A webpage was created on the city website to provide easy access to the most up-to-date drafts of the proposed zoning codes and zoning map. In addition, the webpage contains guides to help explain the proposed changes.
- Direct letters were sent to about 1,000 property owners who are impacted by the proposed rezoning for the zoning map re-adoption.
- Additional input was received by phone, email, and in person. Approximately 100-200 citizens reached out directly for clarification or to provide input.

The proposed zoning codes and zoning map had been revised many times from the original draft based on the input from citizens and guidance from the ad-hoc committee.

The text of the proposed Zoning and Subdivision Regulations is attached. Also included is the “markup” version with strikethrough and underlining to more easily compare the proposed text with the existing text. The attached proposed zoning map shows how the city is proposed to be zoned, based on the new and eliminated zoning districts.

Planning and Zoning Commission:

The Planning and Zoning Commission held a public hearings on December 13, 2022, January 10, 2023, March 14, 2023, and April 11, 2023. The Commission heard input from several citizens. At the May 9, 2023 meeting the Commission voted 6-0 to find the proposed changes to the zoning code and zoning map are necessary and recommend the City Council approve the proposed zoning code and map.

Discussion:

The Zoning and Subdivision Code should periodically be reviewed and revised. Since the current ordinance was adopted more than 30 years ago, with a major review over 20 years ago, another major review and update is long overdue.

Most of the revisions are housekeeping/administrative corrections. Some proposed changes, especially to the zoning district regulations themselves, are more visible. The effort to revise the zoning and subdivision regulations (and any other ordinances related to land use and zoning) is intended to:

- Bring more order to the ordinance
- Correct errors, typos, conflicts, and unnecessary requirements
- Address issues which have caused the need for repeated variances or unnecessary approvals
- Ease the processes for gaining approvals
- Achieve/ensure compliance with state laws
- Address deficiencies in the ordinance which have caused issues in the community

Each section of the proposed zoning code is summarized below:

Section 100 – Administration

This section details some of the basic foundations of the code, including the rules for the Planning and Zoning Commission and Board of Adjustment, types of applications and related processes for review and approval, how to handle pre-existing uses, and how to enforce the ordinance.

Of note, some application types are clarified to indicate what is required to be submitted for a complete application, some application processes which were not in the code are added to clarify the process, and the fee schedule for applications has been updated with fees for all application types and based on an estimated 50% recapture rate of the cost to process the applications.

Section 200 – Zoning Districts

This section details how land uses are categorized and defined and how uses are separated into zoning districts. The way land uses are categorized is proposed to be administered in a novel way. Rather than trying to define each land use, a general definition for commercial and industrial uses is proposed. Most commercial and industrial uses conducted within a building are regulated by the scale and zoning, rather than having to differentiate between particular uses which may be allowed in one district, but not another. Particular land uses are still defined and regulated. In addition, flexibility is added by allowing more uses to be approved by Conditional Use Permit.

Many changes to the zoning districts themselves are also proposed. Some districts, which have been rarely used or are found to be unnecessary, are proposed to be removed and existing properties rezoned. A few new districts are proposed to be added to bring additional usability to properties. Seven districts are proposed to be removed; three new districts are proposed to be added, making a total of 9 zoning districts to be used, compared to the 15 districts today.

Setbacks, minimum lot sizes, building heights, and maximum lot coverages were all reviewed and adjusted for many districts.

Section 300 – General Provisions

This section covers general land use issues, such as parking, encroachments, landscaping, signage, design, and development requirements.

Of note, the parking requirements are proposed to include reductions in required parking based on the circumstances, requiring parking for residential uses in the C-C, Center City District, allowing gravel parking in certain situations, and requiring bicycle parking in certain zoning districts. The height requirements for fences is proposed to be revised to allow fences over 4 feet in more locations, such as for back yards on corner lots. Standards for driveway locations and traffic studies is also proposed.

Section 400 – Special Regulations

This section covers special land uses which require tailored requirements, such as Home Occupations, Adult Uses, Telecommunications, Manufactured Home Parks, Accessory Structures and Uses, Medical Marijuana Uses, and other uses.

Of note, the Home Occupations Uses are proposed to be modified to adhere to recent state law changes to allow for additional potential uses and fewer restrictions. Accessory Structure setbacks are proposed to be reduced for the front setbacks to match the primary structure. Accessory dwelling units are proposed to be allowed for most uses, which should allow for additional housing.

Section 500 – Subdivision Regulations

This section details how properties in the city may be subdivided and any requirements related to the subdivision of property.

Of note, the ordinance is proposed to ease the processes for minor subdivisions and lot combinations/lot line adjustments. Changes and clarifications are proposed to the subdivision design requirements, such that flag lots would be more permissible, street widths could be reduced in certain circumstances, and in certain cases development would be required to connect to adjacent development or stub streets to large undeveloped properties to allow for future connections.

Section 700 – Appendix

This section includes the definitions that are generally applicable throughout the ordinance and includes a use table to easily see each land use and what zoning districts the use is allowed.

Other City Ordinances

Changes to other chapters of the city ordinances are also proposed for issues which are related to land use.

In particular, the sections pertaining to the Rolla Historic Preservation Commission are proposed to be removed from the city ordinances because the commission has not been active for many years. An ordinance related to bow hunting is proposed to be revised to allow hunting on larger lots, rather than being related to the property zoning. The chapter regarding property nuisances and property maintenance is proposed to be revised redundant language and adhere to state laws. A portion of the chapter pertaining to Stormwater Control is proposed to be revised to remove a reference to a zoning district.

Each zoning district is described below:

Zoning Districts

The R-R, Rural Residential District is proposed to be removed because the district required large lot sizes, which were not practical for development and did not allow for efficient use of infrastructure. All properties currently zoned R-R are proposed to be rezoned to the R-1, Suburban Residential District.

The R-1, Suburban Residential District is the most common district in the city, allowing mostly single-family houses, but also a few other uses.

The R-2, One and Two-Family District is the district most commonly used for duplex development, although the district does allow for other uses. The minimum lot sizes are proposed to be reduced for some uses.

A new U-R, Urban Residential District is proposed to be used in the older areas of the city with smaller existing lots and potential for redevelopment. The district is proposed in areas generally just south of the downtown and near Ber Juan Park. The U-R district is intended to allow for the development of existing lots, rather than requiring multiple lots and/or variances. The district allows smaller multi-family uses to allow for redevelopment to better fit with the existing neighborhoods.

The R-3, Multi-family District allows for multi-family development and a few other uses. The minimum lot size is proposed to be reduced for some uses.

The R-3b, Multi-family District is proposed to be removed because the district has only been applied to one property. The setbacks, density, and uses were not practical for most properties compared to other options. The property currently zoned R-3b is proposed to be rezoned to the R-3, Multi-family District.

The RMH, Mobile Home District is proposed to be removed because, despite being available for almost 40 years, the district has only been used for one property. Manufactured Home Parks are proposed to be added as a Conditional Use in the R-3, Multi-family District. The one RMH zoned property and all existing Manufactured Home Parks are proposed to be rezoned to the R-3, Multi-family District.

A new R-4, Urban District is proposed to be used in the areas near the university campus to allow for higher density multi-family uses. In general, the district allows smaller setbacks and unlimited density, as long as setbacks and parking requirements are met. The district should create dense, walkable areas.

The C-O, Office District is proposed to be removed because the district has only been applied to a small number of properties. The C-1, Neighborhood Commercial District has been modified to be more useful for commercial properties adjacent to residential areas. All properties currently zoned C-O are proposed to be rezoned to the C-1, Neighborhood Commercial District.

The C-1, Neighborhood Commercial District is used for lower intensity commercial uses which may be appropriate adjacent to residential areas.

The C-2, General Commercial District is intended for more intense and larger commercial uses which are generally found along the main roads.

The C-3, Highway Commercial District is proposed to be removed because the district has been historically used interchangeably with the C-2, General Retail District. Often highway corridors and commercial areas are a checkerboard of C-2 and C-3 zoning. The C-2, (to be renamed to) General Commercial District is proposed to be modified to allow for more uses and require a Conditional Use Permit for some of the uses previously allowed in C-3 zoning. The change should bring more control for certain uses, predictability, and flexibility without the need for rezoning. All properties currently zoned C-3 are proposed to be rezoned to the C-2, General Commercial District.

The M-1, Light Manufacturing District is proposed to be removed because the district has been used in only a few locations in the city. Many of the locations are more appropriate for commercial uses than industrial uses. Some properties could be retained with industrial zoning, but most are proposed to be rezoned to the C-2, General Commercial District to allow for commercial uses.

The M-2, Heavy Manufacturing District is proposed to be renamed to the M, Manufacturing District is used for light and heavy industrial uses and industrial parks. The district also allows for complementary commercial uses.

The PUD, Planned Unit Development District is proposed to be removed as a zoning district. PUD's are proposed to be changed to be an overlay zone over a zoning district, rather than a separate district. Each property which is zoned PUD is proposed to be rezoned to a zoning district which most closely fits the current use of the property, with a PUD overlay. In addition, PUD's over 10 years old and fully developed are proposed to be rezoned, but without the PUD overlay, to allow for easier redevelopment of the properties without the need to amend the approved PUD. Several changes are also proposed to the process for approving a PUD for a project.

A new U, University District is proposed for properties which are owned by the university. The district is intended simply to identify those properties for orientation and to identify the campus on the map. The university is exempt from zoning requirements by state law.

The GI, Government and Institutional District is proposed to be renamed to the P, Public District is intended for city, county, state, and federal government uses. The district would also be used for semi-public non-profit uses.

Staff Recommendation:

Staff recommends that the City Council begin by opening for the public hearing. Since review and input may occur over multiple meetings, the public hearing should not be closed until the Council is satisfied all input has been received. The ordinance draft will be prepared for a future meeting date.

Prepared by: Tom Coots, City Planner

Attachments: Draft of proposed Zoning and Subdivision Regulations; "Markup" version of proposed Zoning and Subdivision Regulations; Proposed Zoning Map

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

(Based on Calendar Year)

Material	Apr 2023	Mar 2023	Apr 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Cardboard	124.0 ton	148.2 ton	127.0 ton	464.2 ton	555.0 ton	1,481.9 ton
Newspaper	35.5 ton	37.2 ton	36.0 ton	130.2 ton	141.0 ton	455.6 ton
High Grade Paper	20.0 ton	0.0 ton	0.0 ton	20.0 ton	20.0 ton	63.5 ton
Aluminum	0.0 ton	2.5 ton	2.1 ton	5.0 ton	6.9 ton	16.1 ton
Steel Cans/Scrap Metal	6.2 ton	3.2 ton	3.2 ton	20.7 ton	23.4 ton	69.7 ton
Plastic	0.0 ton	18.8 ton	0.0 ton	38.2 ton	31.5 ton	98.2 ton
Glass	0.0 ton	21.8 ton	48.0 ton	86.1 ton	90.5 ton	201.7 ton
Batteries	0.0 ton	0.0 ton	0.0 ton	0.8 ton	0.8 ton	2.1 ton
Electronic Waste	7.5 ton	0.0 ton	2.3 ton	11.1 ton	14.4 ton	39.3 ton
Household HW	0.0 ton	0.0 ton	0.0 ton	0.0 ton	0.0 ton	0.0 ton
TOTAL	193.2 ton	231.8 ton	218.6 ton	776.3 ton	883.4 ton	2,428.1 ton

SERVICES PROVIDED

Type of Service	Apr 2023	Mar 2023	Apr 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Special Pick-ups	40	49	42	148	178	639
Paper Shredding	4.0 hours	8.5 hours	4.0 hours	20.5 hours	23.5 hours	59.5 hours
Reported Trash Nuisances	0	0	0	0	0	0
Households Dropping Off Hazardous Waste	80	74	108	262	315	953

DISPOSAL TONNAGE

(Sanitation Division)

Material	Apr 2023	Mar 2023	Apr 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Refuse	1,314.8 ton	1,402.5 ton	1,586.9 ton	5,196.6 ton	5,548.6 ton	16,383.3 ton

Management Report
FISCAL YEAR 2023

April 2023

BUILDING PERMITS ISSUED	APRIL FY 2023		APRIL FY 2022		YTD FY 2023		YTD FY 2022		Δ CHANGE FY 22 - FY 23	
	#	Value	#	Value	#	Value	#	Value	# ISSUED	\$ VALUE
PERMITS ISSUED	65	\$ 5,048,800	37		234		235		-0.4%	
Electric, Plumbing, etc. Only	22	\$ -	22	\$ -	96	\$ -	85	\$ 100,000	12.9%	-100.0%
Single Famil Detached	-	\$ -	2	\$ 267,820	3	\$ 531,000	8	\$ 2,308,347	-62.5%	-77.0%
Single Family Attached	30	\$ 3,332,000	-	\$ -	30	\$ 3,332,000	8	\$ 1,437,000	275.0%	131.9%
Duplexes	-	\$ -	-	\$ -	-	\$ -	1	\$ 291,800	-100.0%	-100.0%
3-or-4 family	-	\$ -	1	\$ 415,900	6	\$ 3,241,000	9	\$ 3,818,490	-33.3%	-15.1%
5-or-more family	1	\$ 1,500,000	-	\$ -	2	\$ 4,300,000	1	\$ 2,057,200	100.0%	109.0%
Hotels, Motels	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Other nonhousekeeping shelter	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Amusement, social, recreational	-	\$ -	-	\$ -	-	\$ -	2	\$ 291,500	-100.0%	-100.0%
Churches, other religious	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Industrial	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Parking garages	2	\$ 17,500	-	\$ -	5	\$ 67,883	3	\$ 86,500	66.7%	-21.5%
Service stations, repair garages	-	\$ -	-	\$ -	2	\$ 1,795,125	1	\$ 1,204,750	100.0%	49.0%
Hospitals, institutional	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Offices, banks, professional	-	\$ -	-	\$ -	1	\$ 1,100,000	-	\$ -	-	-
Public Works, utilities	-	\$ -	-	\$ -	-	\$ -	1	\$ 500,000	-100.0%	-100.0%
Schools, other educational	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Stores, customer	-	\$ -	-	\$ -	1	\$ 814,650	1	\$ 1,850,000	0.0%	-56.0%
Towers, antennas	-	\$ -	-	\$ -	1	\$ 170,000	-	\$ -	-	-
Signs, attached and detached	2	\$ 3,800	4	\$ 32,900	26	\$ 93,864	32	\$ 193,750	-18.8%	-51.6%
Residential addition, remodel	6	\$ 132,500	1	\$ 16,000	38	\$ 1,036,528	41	\$ 1,223,250	-7.3%	-15.3%
Commercial addition, remodel	2	\$ 63,000	4	\$ 295,000	18	\$ 1,297,800	19	\$ 2,940,600	-5.3%	-55.9%
Residential garage, carport	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, single family	-	\$ -	1	\$ -	4	\$ -	17	\$ -	-76.5%	#DIV/0!
Demolition, 2-family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, 3-or-4 family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, 5-or-more family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, all other	-	\$ -	2	\$ -	1	\$ -	5	\$ -	-80.0%	-
Total Residential Units	70	\$ 4,832,000.00	6	\$ 683,720	105	\$ 11,404,000	104	\$ 9,912,837	1.0%	15.0%
EST. CONSTRUCTION COSTS		\$ 5,048,800		\$ 1,027,620		\$ 17,779,850		\$ 18,303,187	#DIV/0!	-2.9%
Building Permit Fees		\$ 17,556		\$ 5,644		\$ 68,109		\$ 65,170	#DIV/0!	4.5%
FEEES		\$ 43,581		\$ 17,644		\$ 135,434		\$ 143,920	#DIV/0!	-5.9%

INSPECTIONS PERFORMED	APRIL FY 2023		APRIL FY 2022		YTD FY 2023		YTD FY 2022		Δ CHANGE FY 22 - FY 23	
	#	Value	#	Value	#	Value	#	Value	# ISSUED	\$ VALUE
Building Inspections	85		142		738		1,136		-35%	
Electrical Inspections	46		88		404		489		-17%	
Excavation Inspections	0		0		0		0		#DIV/0!	
Plumbing Inspections	44		41		286		324		-12%	
Mechanical Inspections	12		11		119		147		-19%	
Code Inspections	136		241		1127		1,707		-34%	
Nuisance Inspections	114		145		701		711		-1%	
Business License Inspections	6		8		52		94		-45%	
TOTAL INSPECTIONS	443		676		2919		4,608		-37%	

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									60	65	-7.69%
Abandoned Vehicle	26	15	16	14									71	77	-7.79%
Accident - Fatality	0	0	0	0									0	0	#DIV/0!
Accident - Injury	11	17	15	19									62	74	-16.22%
Accident - Leave The Scene	5	16	23	6									50	55	-9.09%
Accident - No Injury	40	41	34	39									154	190	-18.95%
Accident - Private Property	22	16	13	20									71	97	-26.80%
Accident - Road Blocked	7	2	10	9									28	22	27.27%
Adult Abuse	1	0	0	0									1	0	#DIV/0!
Alarm LE	68	63	68	79									278	282	-1.42%
Animal Bite/Attack	2	0	1	4									7	15	-53.33%
Animal Control	93	75	86	120									374	378	-1.06%
Arson	0	0	0	0									0	0	#DIV/0!
Assault	14	8	6	8									36	56	-35.71%
Assist Agency Non-LEA	81	64	74	61									280	285	-1.75%
Assist Citizen	6	7	6	2									21	25	-16.00%
Assist LEA	10	13	11	13									47	63	-25.40%
Assist Motorist	25	18	26	18									87	114	-23.68%
Bomb Threat	0	0	0	0									0	2	-100.00%
Building Lockout	1	0	0	1									2	0	#DIV/0!
Burglary	11	9	7	15									42	57	-26.32%
Business/Building Check	205	227	202	161									795	982	-19.04%
Call for Police	61	60	62	44									227	286	-20.63%
Check Well Being	97	96	107	129									429	418	2.63%
Child Abuse	1	2	3	2									8	5	60.00%
Child Exploitation/Pornography	2	0	0	0									2	0	#DIV/0!
Confidential Investigation	0	0	0	0									0	2	-100.00%
Conservation Violation	0	0	0	1									1	1	0.00%
Court	10	10	6	11									37	38	-2.63%
Crossing Guard (Officer coverage)	5	3	2	5									15	27	-44.44%
CWB 911 Hangup	209	228	269	315									1,021	863	18.31%
Death	1	0	0	0									1	8	-87.50%
Destruction of Property	15	18	16	19									68	67	1.49%
Disturbance-Fireworks	0	0	0	0									0	3	-100.00%
Disturbance-Liquor	2	0	0	0									2	1	100.00%
Disturbance-Other	71	57	77	67									272	256	6.25%
Domestic Violence	25	33	32	48									138	172	-19.77%
Driving While Intoxicated	6	10	9	7									32	46	-30.43%
Drown/Water Rescue	0	0	0	0									0	1	-100.00%
Drug Paraphernalia	6	11	10	8									35	31	12.90%
Escort - Bank	0	1	0	0									1	1	0.00%
Escort - Courtesy	12	9	5	5									31	27	14.81%
Escort - Funeral	12	4	11	4									31	26	19.23%
Exparte Violation	14	3	13	5									35	22	59.09%
Field Interview	49	35	24	42									150	136	10.29%
Fight	5	1	3	2									11	18	-38.89%
Fingerprints	0	4	3	5									12	35	-65.71%
Follow-up	117	128	164	119									528	449	17.59%
Foot Patrol	0	1	1	1									3	1	200.00%
Forgery-Counterfeiting	1	0	1	6									8	3	166.67%
Found Body	0	1	1	1									3	1	200.00%
Fraud - Checks/Credit Card	14	19	27	17									77	79	-2.53%
Harassment	30	19	19	22									90	78	15.38%
Identity Theft	3	3	5	6									17	6	183.33%
Information Request	331	322	360	281									1,294	932	38.84%
Intoxicated Person	6	5	11	5									27	47	-42.55%
Jail Incident	0	0	0	0									0	0	#DIV/0!
Juvenile Complaint	9	20	17	13						III.c.1			59	50	18.00%
Keep the Peace/Standby	9	8	12	15									44	60	-26.67%
Kidnapping	2	0	0	0									2	1	100.00%

Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2022 YTD	% Increase
Leave without Pay	0	2	0	0									2	1	100.00%
Liquor Violation	0	1	0	0									1	2	-50.00%
Littering/Dumping	4	0	3	0									7	7	0.00%
Loitering	2	2	1	2									7	28	-75.00%
Lost or Stolen Property	7	11	10	4									32	24	33.33%
Loud Noise Complaint	24	17	33	32									106	114	-7.02%
Malicious Mischief	1	1	4	3									9	8	12.50%
Mental Health	28	15	16	22									81	111	-27.03%
Missing Person	4	4	7	9									24	35	-31.43%
Murder	0	1	0	0									1	0	#DIV/0!
Narcotics Violation	14	21	14	14									63	90	-30.00%
Negotiation Callout	0	0	0	0									0	0	#DIV/0!
No Business License	0	0	1	0									1	1	0.00%
Open Door	7	4	3	3									17	34	-50.00%
Overdose	8	6	5	2									21	37	-43.24%
Paper Service	14	22	32	24									92	127	-27.56%
Prisoner Transport	8	0	4	1									13	8	62.50%
Property Damage-Non Criminal	1	1	0	3									5	4	25.00%
Prostitution	0	0	0	1									1	0	#DIV/0!
Prowler	1	1	6	0									8	10	-20.00%
Public Indecency	0	2	2	4									8	0	#DIV/0!
Public Relations	3	4	11	7									25	20	25.00%
Pursuit	0	0	1	1									2	1	100.00%
Rape/Sexual Assault	2	0	1	1									4	4	0.00%
Robbery	2	0	0	0									2	1	100.00%
Runaway	7	3	6	8									24	27	-11.11%
Search Warrant	2	1	1	2									6	1	500.00%
Vacation/Security Check	18	2	11	11									42	91	-53.85%
Selective Enforcement	0	0	0	0									0	1	-100.00%
Sewer Alarm	0	0	1	0									1	2	-50.00%
Sex Offenses	3	2	6	1									12	28	-57.14%
Shots Fired	0	3	3	6									12	9	33.33%
Soliciting	2	4	1	2									9	4	125.00%
Stabbing	0	0	0	0									0	0	#DIV/0!
Stabbing or Shooting with Injury	2	0	0	0									2	0	#DIV/0!
Stalking	3	0	2	0									5	0	#DIV/0!
Stealing	61	58	107	75									301	240	25.42%
Stolen Vehicle	9	9	14	12									44	27	62.96%
Suicide	0	0	0	1									1	1	0.00%
Suspicious Activity	100	81	61	80									322	323	-0.31%
Suspicious Package/Item	1	0	0	2									3	2	50.00%
SWAT Callout	0	0	0	1									1	1	0.00%
Tampering	4	2	5	4									15	18	-16.67%
Telephone Harassment	6	11	19	14									50	27	85.19%
Tow Sticker Expired	17	14	12	5									48	62	-22.58%
Traffic Complaint	109	130	130	125									494	600	-17.67%
Traffic Stop	401	350	282	349									1,382	1,407	-1.78%
Trespassing	56	42	36	45									179	148	20.95%
Try to Contact	6	14	9	20									49	58	-15.52%
Vehicle Identification	35	38	25	49									147	218	-32.57%
Vehicle Lockout	2	3	1	1									7	4	75.00%
Vehicle Repossession	8	8	2	7									25	21	19.05%
Veterinary Call	3	3	1	5									12	20	-40.00%
Weapons Violation	3	5	4	3									15	16	-6.25%
Totals	2,752	2,613	2,778	2,774	0	0	0	0	0	0	0	0	10,917	11,059	-1.28%

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>
April	0	0	0	1	6	39	2	0	48	
YTD 2023	0	2	1	12	25	175	20	2	237	
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>
April	4	4	1
YTD 2023	15	11	4
2022	132	42	11

ANIMAL CONTROL MONTHLY TOTALS

April 2023

ANIMALS IMPOUNDED

	Canine	Feline	Other	Wildlife	Monthly	2023	2022
	Domestic				Total	YTD Total	YTD Total
City of Rolla	18	5	0	8	31	112	132
Rolla Area	5	0	0	0	5	9	5
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	23	5	0	8	36		
2023 YTD Total	61	20	0	40		121	
2022 YTD Total	89	18	0	38			145
Total Phelps County	5	0	0	0	5	9	10

ANIMAL DISPOSITION

	Canine	Feline	Other	Wildlife	Monthly	2023	2022
	Domestic				Total	YTD Total	YTD Total
Animals Adopted ①	7	0	0	0	7	24	46
Animals Claimed	9	0	0	0	9	29	44
Euthanized(III/Injured)	1	1	0	1	3	6	2
Euthanized(Dangerous)	0	4	0	0	4	12	12
Euthanized(Un-Placed)②	0	0	0	0	0	0	0
Deceased on Arrival	1	0	0	4	5	36	29
Transferred to Rescue ③	0	0	0	0	0	0	3
Wildlife Relocated	0	0	0	3	3	9	7
Other (Died under care)	0	0	0	0	0	0	1
Monthly Total	18	5	0	8	31		
2023 YTD Total	57	12	0	47		116	
2022 YTD Total	93	20	0	31			144

ADDITIONAL STATISTICS

	Monthly Total	2023 YTD Total	2022 YTD Total
Adoption Rate (① + ③) ÷ (① + ② + ③)	100%	100%	100%
PR Programs	1	4	4
Calls for Service	122	399	328
Written Warnings	0	0	0
Citations	1	2	9
Total Incinerator Hours	0	0	276.5

III.d.1



STATISTICS

April 2023

PRODUCTION

Date of Demand	04/07/2023
Time of Demand	09:00 AM
Scada Demand	43.2 MWH
kWh Purchased	22,362,000
Total Cost	\$1,605,082.41 *
Cost per kWh	0.071777 *
Load Factor	72.1%

Pumped #2 Well	0
Pumped #3 Well	0
Pumped #4 Well	2,848,000
Pumped #5 Well	3,400,000
Pumped #6 Well	3,762,000
Pumped #7 Well	1,587,000
Pumped #8 Well	1,290,000
Pumped #9 Well	3,575,000
Pumped #10 Well	4,372,000
Pumped #11 Well	0
Pumped #12 Well	2,965,000
Pumped #13 Well	6,549,000
Pumped #14 Well	8,964,000
Pumped #15 Well	2,721,000
Pumped #16 Well	11,523,000
Pumped #17 Well	5,017,000
Pumped # 1 Ind Park Well	7,249,000
Pumped # 2 Ind Park Well	4,088,000
Pumped # 3 Ind Park Well	1,000
Total Gallons	69,911,000

METERS IN SERVICE

	Electric	Water
Residential - Single Phase	8,022	6,423
Residential - Three Phase	22	20
Commercial - Single Phase	926	514
Commercial - Three Phase	491	310
Power Service	104	90
Industrial	6	2
Area Lighting	15	7
Street Lighting	27	1
Missouri S&T	0	5
PWSD #2	0	573
Total	9,613	7,945

ELECTRIC SALES

Residential - Single Phase kWh	9,594,260
Residential - Three Phase kWh	129,034
Commercial - Single Phase kWh	1,427,876
Commercial - Three Phase kWh	3,322,319
Power Service kWh	6,716,150
Industrial kWh	6,222,800
Area Lighting kWh	7,754
Street Lighting kWh	32,219
Rental Lights kWh	78,141
Total kWh Sold	27,530,553
Demand kW	27,295
Revenue	\$2,396,923.69
Monthly Gain	23.11%
Fiscal Year to Date Loss	3.27%

WATER SALES

Residential - Single Phase Gallons	26,589,000
Residential - Three Phase Gallons	411,000
Commercial - Single Phase Gallons	7,264,000
Commercial - Three Phase Gallons	5,201,000
Power Service Gallons	9,524,000
Industrial Gallons	4,141,000
Missouri S&T Gallons	2,465,000
PWSD #2 Gallons	1,917,000
Total Gallons Sold	57,512,000
Revenue	\$294,734.71
Pumping Cost, Electric	\$34,015.25
Monthly Unidentified Loss	13.77% **
Fiscal Year to Date Unidentified Loss	8.13% ***

PILOT

Sewer Service Charge	\$134,101.24
Refuse Service Charge	\$412,258.46
	\$221,911.47

Gross Payroll \$292,077.04

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

** Loss includes 2,774,000 gallons per water main flushing records.

*** FY loss includes 20,885,000 gallons per water main flushing records.



**FINANCIAL STATEMENT
APRIL 2023**

RECEIPTS:	
Electric, Water, Tax, Sewer and Refuse Charge	\$3,106,203.69
Accounts Receivable - Miscellaneous	\$19,631.06
Customer's Deposits - Refundable	\$28,570.00
Misc Non-Operating Revenue	<u>\$14,202.86</u>
Total Receipts	\$3,168,607.61
Southern Bank ICS Sweep Account Interest (March 31, 2023)	\$33,940.98
Southern Bank Money Market Account Interest (March 31, 2023)	\$0.00
Southern Bank Electronic Payment Account Interest (March 31, 2023)	\$1,345.90
Southern Bank General Fund Account Interest (March 31, 2023)	\$2,355.71
Southern Bank Payroll Account Interest (March 31, 2023)	\$2.99
FSCB ICS Sweep Account Interest (March 31, 2023)	\$3,443.42
FSCB Super-Now Account Interest (March 31, 2023)	\$1,873.85
FSCB Electronic Payment Account Interest (March 31, 2023)	\$404.89
PCB Super-Now Account Interest (March 31, 2023)	\$0.18
Miscellaneous Interest	\$0.00
Public Utility Cash In Bank (March 31, 2023)	<u>\$32,410,664.61</u>
Total Receipts and Cash In Bank	<u>\$35,622,640.14</u>
DISBURSEMENTS:	
Power Purchased	\$1,734,945.97
Operating Expenses	\$206,526.49
Administrative and General Expenses	\$168,916.09
Payroll	\$204,898.64
Capital Expenditures	\$40,601.00
Construction in Progress	\$56,437.58
Stock Purchases (Inventory)	\$17,990.16
Balance of Customer's Deposits after Finals	\$15,085.56
Medical, Dental, Vision and Life Insurance Paid by Employees	\$16,487.74
Support Payments	\$1,406.77
457 Plan Employee Contributions	\$10,267.29
Flexible Spending Account Contributions	\$1,118.28
U.S. Withholding Tax	\$26,977.35
Missouri Dept. of Revenue (Sales Tax)	\$36,603.82
Missouri Dept. of Revenue (Income Tax)	\$10,773.00
First State Community Bank (Social Security)	\$41,163.98
Sewer Service Charge	\$364,862.99
Refuse Service Charge	\$218,094.50
PILOT to City of Rolla	\$138,224.77
Standpipes Lease/Purchase	\$365.30
Utility Incentives	\$0.00
Unclaimed Deposits to State	\$0.00
Primacy Fees	\$0.00
Void General Fund Check:	\$391.05
Void Working Fund Check:	-\$4,359.14
	<u>\$3,307,779.19</u>
Cash in Bank (April 30, 2023)	<u>\$32,314,860.95</u>
Total Disbursements and Cash In Bank	<u>\$35,622,640.14</u>
BALANCE OF OTHER FUNDS:	
PUBLIC UTILITY ACCOUNTS:	
Citizens Bank of Newburg, Ck#1286 for \$214.46	\$2,000.00
First State Comm Bk-Electronic Payment Account, Ck#1079 for \$1,726,806.57	\$227,045.49
First State Comm Bk-General Fund, Cks #36593-36716 for \$3,307,779.19	\$3,377,197.83
First State Comm Bk-ICS Sweep Account and Certificates of Deposit	\$704,964.12
Southern Bank-General Fund, Ck#38053 for \$177,931.71	\$2,555.71
Southern Bank-Electronic Payment Account, Ck #1258 for \$73,484.73	\$1,545.90
Southern Bank-Money Market	\$0.00
Southern Bank-ICS Sweep Account	\$0.00
Southern Bank-Payroll Account	\$59.16
PCB-Super Now, Ck #26368 for \$27,883.75	\$2,597.46
Town & Country Bank, Ck#1275 for \$552.37	<u>\$3,193.28</u>
Total Public Utility Accounts	\$4,321,068.95
ELECTRIC RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$10,195,583.00 FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Electric Reserves	\$10,195,583.00
RESTRICTED ELECTRIC RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$14,250,000.00 FY21 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Electric Reserves	\$14,250,000.00
WATER RESERVES:	
Certificates of Deposit	\$0.00
Money Market Account	\$3,548,209.00 FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>
Total Water Reserves	\$3,548,209.00
TOTAL RESERVES:	<u>\$27,993,792.00</u>
TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:	<u>\$32,314,860.95</u>

The Centre Rolla's Health & Recreation Complex
Income Statement
For the 7 Months Ending
April 30, 2023

	<u>Period To Date</u>	<u>PTD Budget</u>	<u>Variance</u>	<u>Last Year</u>	<u>Year To Date</u>	<u>YTD Budget</u>	<u>Variance</u>	<u>Last Year</u>
Members:								
New	71	107	-34%	102	843	1,071	-21%	1,019
Net New & Reactivated Bndge/Freezes	(8)			(3)	(56)			(67)
Cancelled	92	87	-6%	90	828	533	-55%	536
Net	(29)	20	-245%	9	(41)	538	-108%	416
Total Members	2,017	2,688	-25%	1,960	2,017	2,688	-25%	1,960
Revenues								
Rental & Other								
Conference Room & Other Rental	\$440	\$300	\$140	\$290	\$6,333	\$2,100	\$4,233	\$1,425
	440	300	140	290	6,333	2,100	4,233	1,425
Member Services								
Membership Dues	59,206	78,998	(19,792)	49,459	401,156	487,278	(86,122)	310,105
Guest Fees	7,058	8,000	(942)	7,909	52,547	56,000	(3,453)	49,180
Special Programs	0	350	(350)	0	0	2,450	(2,450)	1,990
Locker Rent	258	75	183	210	710	525	185	626
	66,522	87,423	(20,901)	57,578	454,413	546,253	(91,840)	361,901
Fitness								
Enrollment Fees/Health Assessments	1,256	2,675	(1,419)	1,620	6,936	26,775	(19,839)	4,346
Special Programs	200	410	(210)	418	3,125	2,870	255	2,546
	1,456	3,085	(1,629)	2,038	10,061	29,645	(19,584)	6,892
Ancillary								
Swim Programs	12,064	11,000	1,064	16,463	64,612	77,000	(12,388)	68,789
General Medical Integration	546	1,860	(1,314)	397	3,422	8,134	(4,712)	893
Recreation	7,198	7,000	198	11,161	51,209	49,000	2,209	54,851
Café	1,975	350	1,625	423	7,568	2,450	5,118	2,432
Pro Shop	105	400	(295)	154	603	2,800	(2,197)	533
Personal Training/Pilates	7,728	6,720	1,008	4,487	55,510	43,692	11,818	26,317
Children's Area	3,211	1,500	1,711	1,993	20,650	10,500	10,150	10,195
	32,827	28,830	3,997	35,077	203,574	193,576	9,998	164,009
Total Revenue	101,245	119,638	(18,393)	94,983	674,380	771,574	(97,194)	534,226
Expenses								
Salaries & Burden	96,980	95,984	(996)	88,407	672,758	665,880	(6,878)	599,051
Other Employee Expenses	1,678	2,000	322	2,140	14,517	14,000	(517)	17,174
General Supplies & Services	1,018	442	(576)	458	5,717	3,094	(2,623)	2,410
Program Supplies	0	200	200	0	719	1,400	681	1,491
Environmental Supplies	3,053	1,500	(1,553)	0	17,765	10,500	(7,265)	8,898
Cost of Goods Sold	1,312	280	(1,032)	83	4,422	1,960	(2,462)	346
Minor Equipment	782	817	35	879	16,953	5,719	(11,234)	4,157
Repairs & Maintenance/Service Contracts	9,345	6,129	(3,216)	11,148	66,213	42,903	(23,310)	50,391
Marketing & Collateral	3,950	5,950	2,000	2,759	37,509	41,650	4,141	35,120
Utilities	14,726	15,125	399	17,789	104,579	105,875	1,296	111,313
Bank Fees & Miscellaneous	3,088	2,851	(237)	1,817	22,494	19,957	(2,537)	13,724
CAM, Taxes & Fees	3,293	2,665	(628)	3,302	19,403	18,655	(748)	15,443
Total Expenses	139,223	133,943	(5,280)	128,782	983,047	931,593	(51,454)	859,517
Net Operating Income	(37,979)	(14,305)	(23,674)	(33,799)	(308,667)	(160,019)	(148,648)	(325,291)
Management Fees	8,000	10,000	2,000	8,000	56,000	70,000	14,000	61,000
Net Income (Loss)	(\$45,979)	(\$24,305)	(\$21,674)	(\$41,799)	(\$364,667)	(\$230,019)	(\$134,648)	(\$386,291)
Ancillary Services Net Income (Loss)								
Swim Programs (Net)	\$7,606	\$6,600	\$1,006	\$11,830	\$32,181	\$46,200	(\$14,019)	\$41,823
Recreation (Net)	\$4,090	\$4,000	\$90	\$7,529	\$36,473	\$28,000	\$8,473	\$34,902
Café (Net)	\$747	\$350	\$397	\$423	\$3,653	\$2,450	\$1,203	\$2,432
Pro Shop (Net)	\$20	\$120	(\$100)	\$71	\$96	\$840	(\$744)	\$187
Personal Training/Pilates (Net)	\$2,243	\$2,016	\$227	\$940	\$20,380	\$13,108	\$7,272	\$7,164
Children's Area (Net)	\$726	(\$101)	\$827	\$432	\$3,313	(\$707)	\$4,020	\$794
Total Ancillary Services Net Income (Loss)	\$15,432	\$12,985	\$2,447	\$21,225	\$96,097	\$89,891	\$6,206	\$87,302

The Centre Rolla's Health & Recreation Complex
Operations Report
April 2022 - April 2023

	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023
Members - Trend													
New Members	102	174	142	161	144	154	149	100	78	170	151	124	71
Net New & Reactivated/Bridge/Freete	(3)	(22)	(6)	(50)	(6)	(12)	(9)	(12)	(15)	(7)	(4)	(1)	(8)
Cancellations	90	119	89	84	196	93	133	91	124	147	117	124	92
Net Gain/Loss	9	33	47	27	(58)	49	7	(3)	(61)	16	30	(1)	(28)
Total Members	1,960	1,993	2,040	2,067	2,009	2,058	2,065	2,062	2,001	2,017	2,047	2,046	2,017

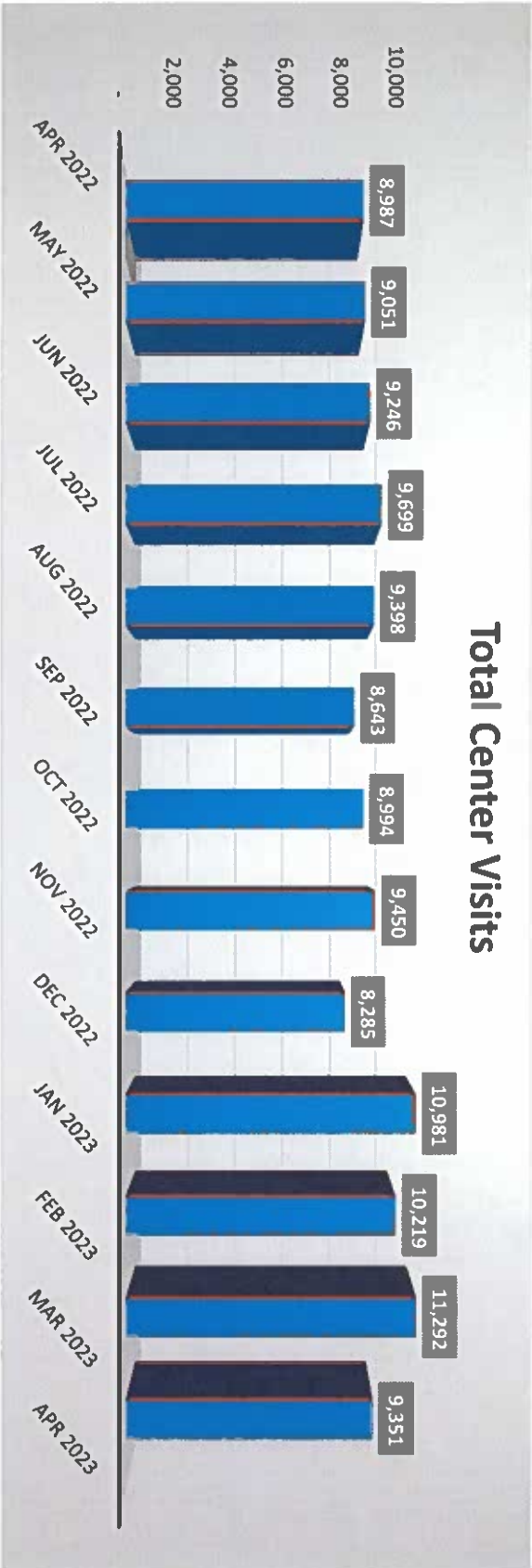
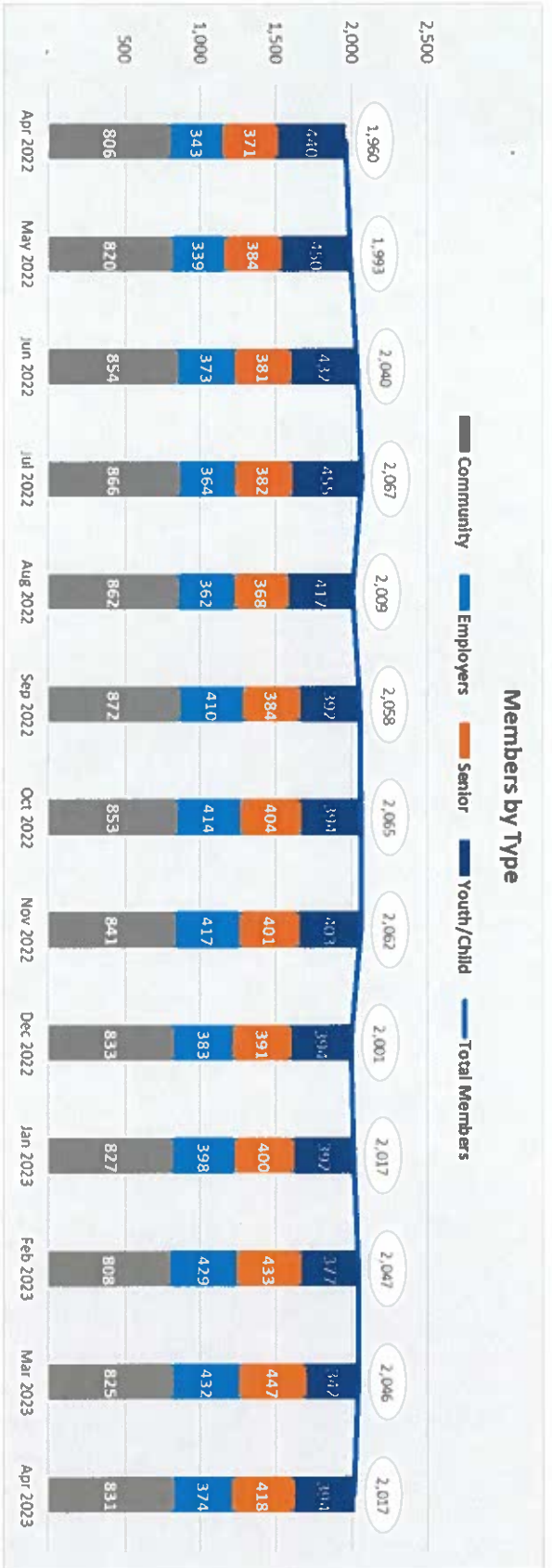
	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023
Member Breakdown													
Community	41%	41%	41%	41%	41%	41%	41%	41%	41%	41%	41%	41%	41%
Employers	18%	18%	18%	18%	18%	18%	18%	18%	18%	18%	18%	18%	18%
Senior	19%	19%	19%	19%	19%	19%	19%	19%	19%	19%	19%	19%	19%
Youth/Child	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%	22%

Financials

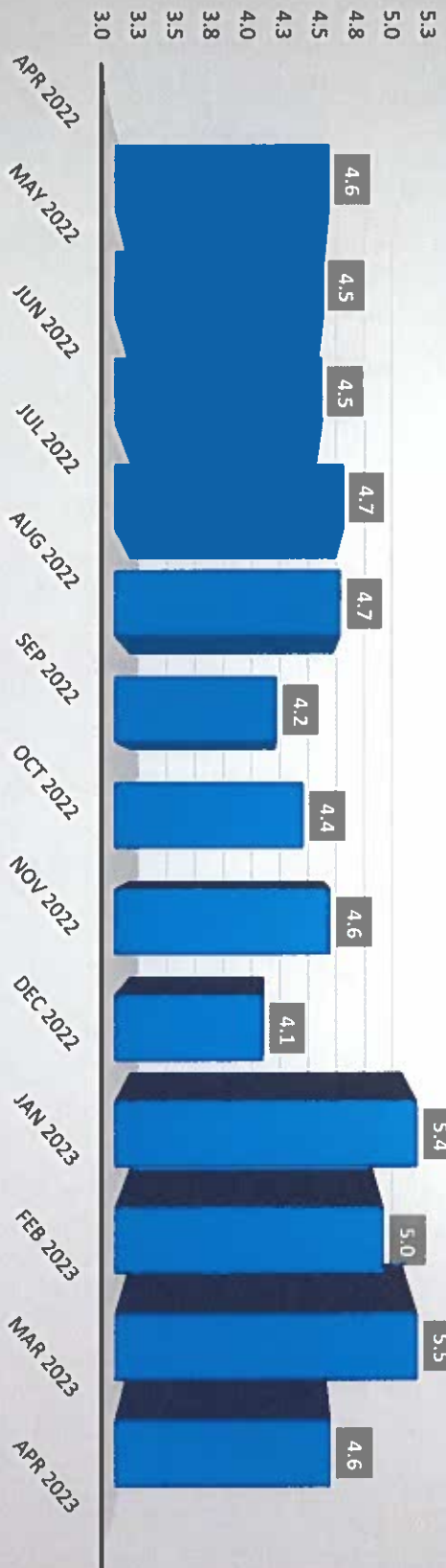
	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023
Total Revenue	\$ 94,983	\$ 91,197	\$ 88,425	\$ 80,798	\$ 88,567	\$ 82,105	\$ 83,248	\$ 86,265	\$ 81,175	\$ 104,746	\$ 104,029	\$ 113,672	\$ 101,245
Total Operating Expenses	\$ 128,782	\$ 125,115	\$ 123,081	\$ 144,846	\$ 129,107	\$ 129,957	\$ 133,637	\$ 139,339	\$ 131,839	\$ 151,436	\$ 156,177	\$ 131,395	\$ 139,223
Net Operating Income	\$ (33,799)	\$ (33,918)	\$ (34,656)	\$ (64,048)	\$ (40,540)	\$ (47,852)	\$ (50,389)	\$ (53,074)	\$ (50,664)	\$ (46,690)	\$ (52,148)	\$ (17,723)	\$ (37,978)
Membership Dues	\$ 49,459	\$ 51,177	\$ 50,504	\$ 49,138	\$ 51,061	\$ 50,746	\$ 52,505	\$ 53,581	\$ 54,510	\$ 60,492	\$ 59,754	\$ 61,107	\$ 59,706
Guest Fees	\$ 7,909	\$ 12,118	\$ 7,044	\$ 6,824	\$ 5,918	\$ 3,794	\$ 3,258	\$ 5,343	\$ 7,611	\$ 8,569	\$ 7,776	\$ 12,932	\$ 7,058
Personal Training Revenue	\$ 4,487	\$ 4,788	\$ 4,908	\$ 4,263	\$ 5,015	\$ 7,498	\$ 7,114	\$ 8,020	\$ 5,420	\$ 7,262	\$ 9,811	\$ 10,155	\$ 7,728
Swim Revenue	\$ 16,463	\$ 13,685	\$ 10,714	\$ 8,404	\$ 7,501	\$ 9,020	\$ 8,142	\$ 5,142	\$ 4,985	\$ 12,730	\$ 10,232	\$ 11,317	\$ 12,064
Recreation Revenue	\$ 11,161	\$ 4,688	\$ 8,708	\$ 7,625	\$ 10,068	\$ 3,815	\$ 6,386	\$ 8,134	\$ 4,700	\$ 10,668	\$ 7,543	\$ 6,580	\$ 7,198
Medical Integration	\$ 397	\$ 348	\$ 347	\$ 198	\$ 731	\$ 1,064	\$ 743	\$ 149	\$ 149	\$ 447	\$ 397	\$ 991	\$ 546
Special Programs	\$ 418	\$ 730	\$ 559	\$ 174	\$ 3,077	\$ 1,326	\$ 1,103	\$ 1,126	\$ (338)	\$ 416	\$ 308	\$ 201	\$ 200

Ancillary Services

	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023
Personal Training Sessions	172	198	202	159	190	265	256	201	225	270	302	337	267
Swim Sessions	82	84	98	97	76	53	40	34	10	31	59	48	94
MI Enrollees	5	5	4	2	10	11	9	2	2	6	4	11	8
NPS Score	64	56	55	56	76	56	78	55	79	60	35	65	79
Total Visits	8,987	9,051	9,246	9,699	9,398	8,643	8,994	9,450	8,285	10,981	10,219	11,292	9,351
Visits per Member	4.6	4.5	4.5	4.7	4.7	4.2	4.4	4.6	4.1	5.4	5.0	5.5	4.6
Monthly Attrition	4.61%	6.07%	4.47%	4.12%	4.48%	4.63%	6.46%	4.41%	6.01%	7.35%	5.89%	6.06%	4.50%
Dues per Billable Member	\$ 25.2	\$ 25.7	\$ 24.8	\$ 23.8	\$ 25.4	\$ 24.7	\$ 25.4	\$ 26.0	\$ 27.2	\$ 30.0	\$ 29.2	\$ 29.9	\$ 29.4

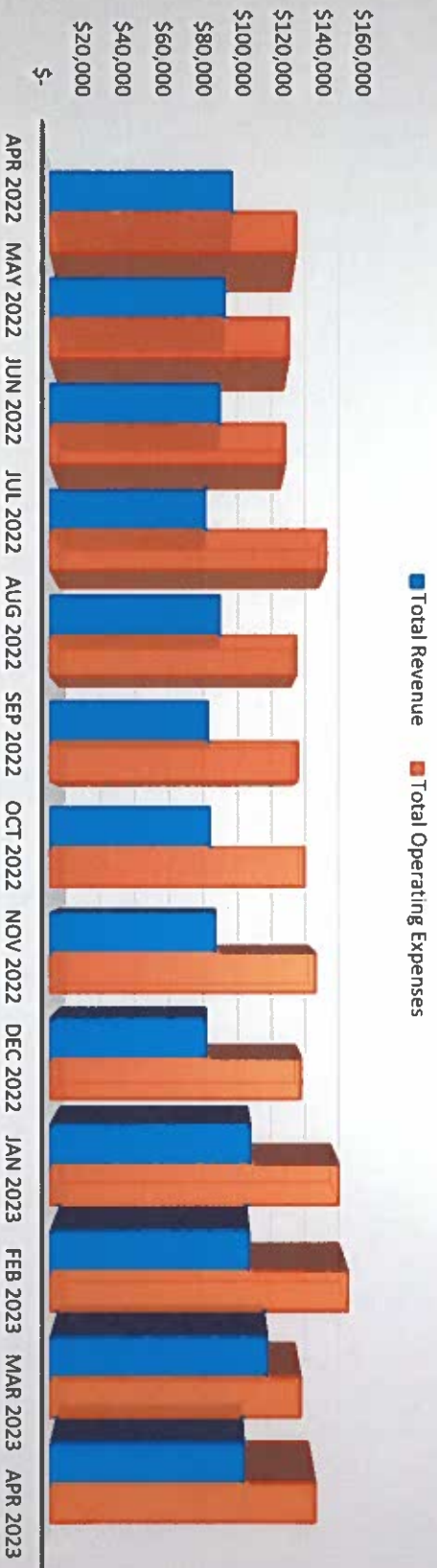


Average Visits per Member

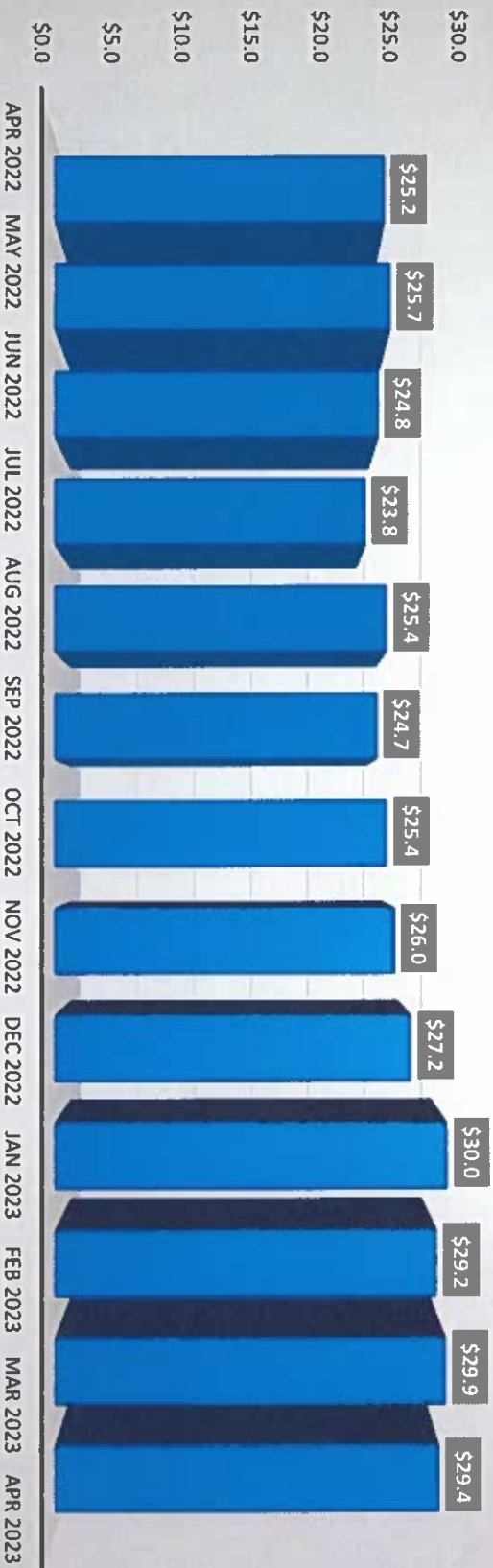


III.f.4

Revenues vs Operating Expenses

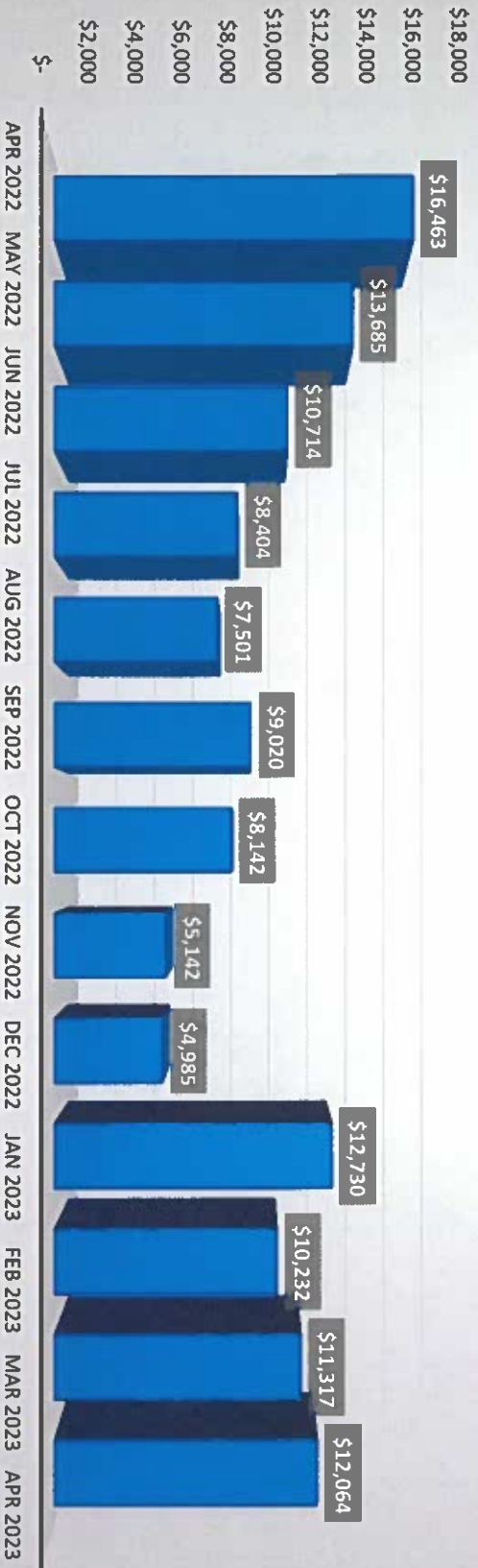


Average Dues per Billable Member

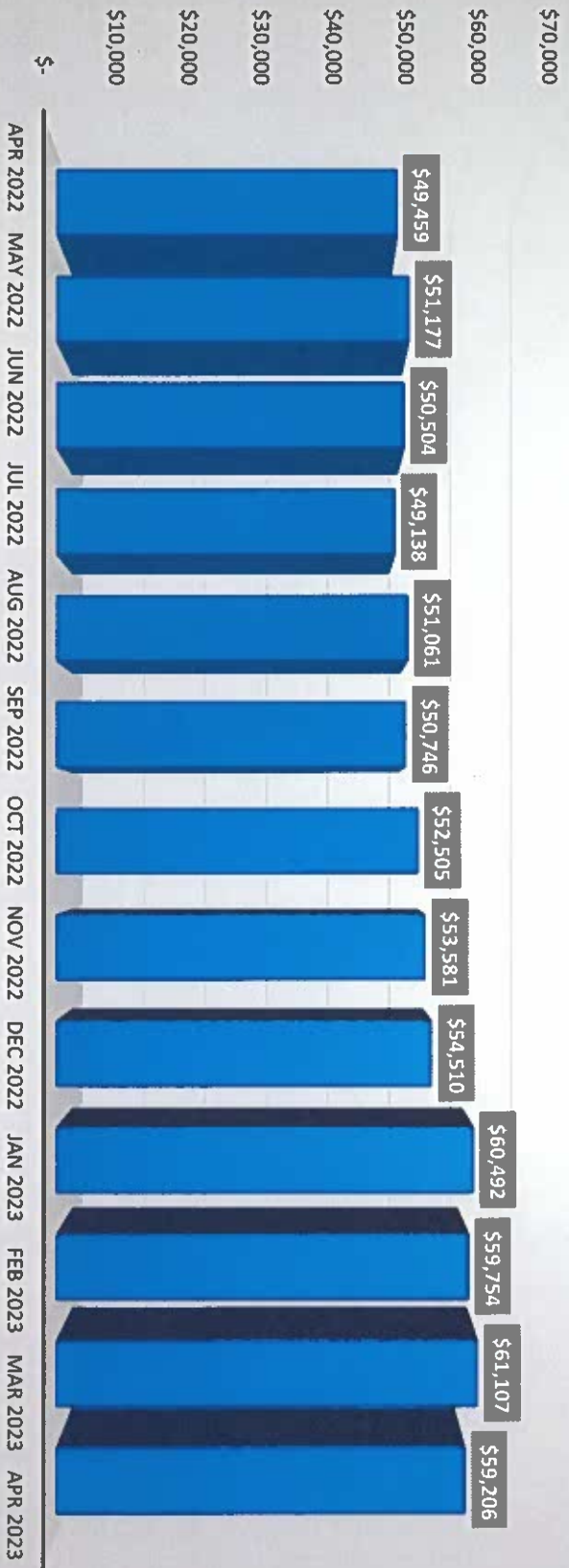


III.f.5

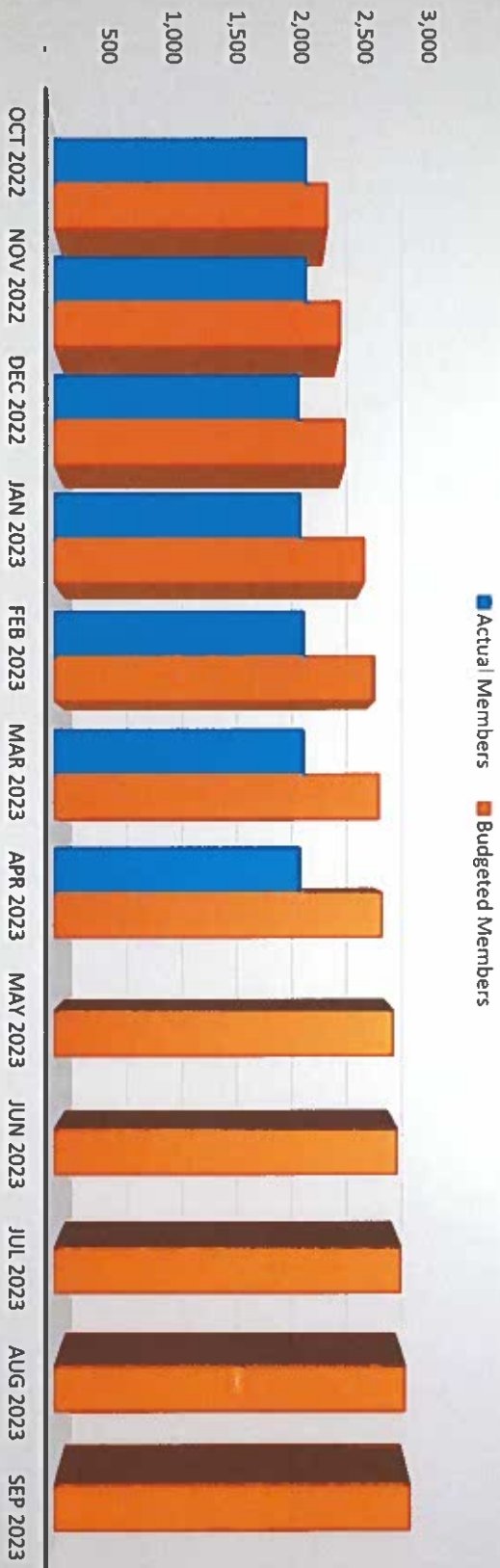
Swim Revenue



Membership Dues Revenue



FY23 Members



MUNICIPAL DIVISION SUMMARY REPORTING FORM

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

I. COURT INFORMATION		Municipality: ROLLA	Reporting Period: Apr 1, 2023 - Apr 30, 2023	
Mailing Address: 901 NORTH ELM, ROLLA, MO 65401				
Physical Address: 901 NORTH ELM, ROLLA, MO 65401			County: Phelps County	Circuit: 25
Telephone Number: (573)3648590		Fax Number:		
Prepared by: LESLIE YOAKUM		E-mail Address:		
Municipal Judge: James T. Crump				
II. MONTHLY CASELOAD INFORMATION				
		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations/informations) pending at start of month		14	1,102	197
B. Cases (citations/informations) filed		0	390	11
C. Cases (citations/informations) disposed				
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0
2. court/bench trial - GUILTY		0	0	0
3. court/bench trial - NOT GUILTY		0	0	0
4. plea of GUILTY in court		0	52	3
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	234	0
6. dismissed by court		0	0	0
7. <i>nolle prosequi</i>		0	67	16
8. certified for jury trial (not heard in Municipal Division)		0	0	0
9. TOTAL CASE DISPOSITIONS		0	353	19
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		14	1,139	189
E. Trial de Novo and/or appeal applications filed		0	0	0
III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS		
1. # Issued during reporting period	68	1. # Issued during period	285	
2. # Served/withdrawn during reporting period	89	<input type="checkbox"/> Court staff does not process parking tickets		
3. # Outstanding at end of reporting period	1,057			

III.g.1

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: ROLLA	Reporting Period: Apr 1, 2023 - Apr 30, 2023
--------------------------	---------------------	----------------------------------------------

<u>V. DISBURSEMENTS</u>			
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)		Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Fines - Excess Revenue	\$3,445.50	Court Automation	\$814.42
Clerk Fee - Excess Revenue	\$390.55	DO NOT USE (Brd Bill-Dft)	\$684.00
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$12.04	Law Enf Arrest-Local	\$20.50
		Overpayment-E/R	\$18.50
Bond forfeitures (paid to city) - Excess Revenue	\$150.00	Overpayments Detail Code	\$262.00
Total Excess Revenue	\$3,998.09	Total Other Disbursements	\$1,799.42
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)		Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$16,302.50
Fines - Other	\$7,516.00	Bond Refunds	\$365.00
Clerk Fee - Other	\$1,005.59	Total Disbursements	\$16,667.50
Judicial Education Fund (JEF) <input type="checkbox"/> Court does not retain funds for JEF	\$0.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$116.34		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$829.55		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$31.01		
Law Enforcement Training (LET) Fund surcharge	\$230.00		
Domestic Violence Shelter surcharge	\$226.50		
Inmate Prisoner Detainee Security Fund surcharge	\$0.00		
Restitution	\$0.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$550.00		
Total Other Revenue	\$10,504.99		

III.g.2

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

Presiding: Russell Schmidt, Chairperson

Commission Members Present: Robert Anderson, Monty Jordan, Janece Martin, Steve Davis, Nathan Chirban, Monte Shields

Commission Members Absent: Kevin Crider

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, March 14, 2023. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

1. **ZON22-05:** Rezoning of 1203 S Bishop from the C-2, General Retail district to the C-3, Highway Commercial district
2. **ZON23-01:** Rezoning of 1708 Ashwood Dr from the R-1, Single-family district to the R-2, Two-family district
3. **ZON23-02:** Rezoning of 605 W 7th and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district
4. **ANX23-01:** Annexation into the corporate limits of the City of Rolla and assigning a zoning of C-2, General Retail
5. **SUB23-01:** Final Plat of RCP Plat No. 2, a minor subdivision to reorganize 3 commercial lots and create 1 additional lot at 2339, 2409, and 2419 N Bishop

III. NEW BUSINESS: NONE

IV. PUBLIC HEARING: NONE

V. OLD BUSINESS:

1. **TXT22-03:** Re-adoption and revisions to Chapter 42 (Planning and Zoning) of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning districts; and Amendments

III.h.1

to sections pertaining to land use and zoning in Chapters 15, 20, 28, 29, 39, 40, and 41 of the City of Rolla Ordinances

Coots presents the changes to the current zoning code draft and zoning map.

Martin asks if Phelps County and the City will reassess every property that gets rezoned, since land owners believe that their property values would change. **Coots** states that the assessors do not consider zoning when calculating the property value, but examine the land use.

Martin asks why citizens are under the impression that the rezoning will decrease property values. **Coots** is unsure.

Chirban comments that land owners are concerned the use of the property will decrease, which will result in a less amount of money from a potential development. This will not decrease the taxable value of the property itself, but what a person is willing to pay based upon what can be developed.

Schmidt opens the public hearing.

Josh Ratliff, residing at 11515 Quartz Lake Drive, states the new zoning code will be beneficial for many properties. He spoke in support of the proposed zoning code, stating it simplified many aspects that were too complicated before. He states that Rolla needs to move forward.

Dane Crutcher, residing at 1296 Highway O, is concerned about citizens being restricted to speak to changes only in their immediate areas, and not Rolla as a whole. He comments that many properties will be losing developable land by the new enlarged setbacks. He spoke in opposition to the rezoning of his property and the proposed zoning code.

Greg Hanson, residing at 203 N Olive, expresses concern about the proposed changes. He states the rezoning would affect the property value if he wished to sell, if his currently zoned C-1 were changed to U-R. However, the latest zoning map does not propose changing his zoning.

Kathy Cochran, residing at 607 East 12th Street, expresses concern about the rezoning lowering property values. She spoke in opposition to the setbacks in the alleyways.

Dale Wands, residing at 606 Penny Lane, asks if the C-3 zoning is proposed to be eliminated. **Schmidt** confirms this. **Wands** comments that the classification of homeless shelters was voted on by City Council to be prohibited in the C-2 district. He expresses concern about where this use is allowed now, since the C-3 district is being consolidated into C-2.

Carson Plasse, residing at 1209 Iowa Street, asks if there is a plan to pave the alleyways. **Schmidt** mentions that nothing in the proposed zoning code deals with the city planning to pave alleys. **Plasse** states he is against the proposed rezoning if there is a setback from an alley.

Denzil Radford, residing 15101 County Road 8050, spoke in support of the proposed code changes.

Dane Crutcher asks if it is possible to obtain a variance under the current code. **Radford** confirms this.

Schmidt closes the public hearing.

Jordan asks if, in the U-R district, the 20 foot setbacks are only applied for uses other than Single-Family Dwellings. **Coots** confirms this. He states this is to encourage parking in the alley opposed to parking on the street. **Jordan** asks if this only applies to new developments, not existing. **Coots** confirms this.

Chirban asks about the NAICS definitions. **Coots** explained about how the draft has been revised to use broad categories for commercial and industrial uses, rather than using the definitions in the NAICS book.

Chirban asks about the outdoor storage space that is proposed to be changed. **Coots** explained that the Outdoor Use is a way to help differentiate commercial uses. Indoor uses would be allowed in any commercial district, but outdoor uses would be restricted to certain locations or require special approvals.

To give Commission members time to consider the changes, the discussion has been tabled to the May 9 meeting.

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

VII. CITIZEN COMMENTS: NONE

Meeting adjourned: 6:17 p.m.

Minutes prepared by: Sarah West

NEXT MEETING: Tuesday, May 9, 2023

**CITY OF ROLLA
CASH ANALYSIS REPORT
April 30, 2023**

GENERAL FUND

CASH IN BANK	\$	53,630.68
NIB GENERAL FUND	\$	68,428.65
CASH - BAIL BONDS	\$	-
ROLLA MUNICIPAL COURT	\$	4,767.50
ASI FLEX 125	\$	12,906.49
CASH - HEALTH ACCOUNT	\$	-
TIF ACCOUNT - EATS	\$	117,425.55
TIF ACCOUNT - PILOT	\$	34.01
CASH - PAID UNDER PROTEST	\$	-
INVESTMENTS - GENERAL FUND	\$	2,429,582.03
USE TAX MMA	\$	888,989.54
MMA - GENERAL FUND RESERVE REBUILD	\$	1,564,653.66
POLICE EVIDENCE FUNDS	\$	19,361.87
CITY SEIZURES & FORFEITURES	\$	9,778.30
TASKFORCE SEIZURES & FORFEITURES	\$	75,497.55
ANIMAL CONTROL SHELTER COMM PARTNER	\$	134,764.68
ANIMAL CONTROL SHELTER RESERVE	\$	277,788.75
PROPERTY FIRE DAMAGE ACCOUNT	\$	15.05
DISASTER RESPONSE	\$	-
GENERAL FUND CREDIT CARD ACCOUNT	\$	170,683.34
US BANK ESCROW	\$	-
INVESTMENT CLEARING ACCOUNT	\$	15.00
INVESTMENTS - CDS	\$	-
EAC ACCOUNT	\$	-
GENERAL FUND TOTALS	\$	5,828,322.65

SEWER FUND

CASH IN BANK	\$	423,270.96
NIB GENERAL FUND	\$	327.00
SEWER FUND MMA	\$	1,262,651.34
SEWER FUND DEPREC & RESERVE	\$	507,563.60
INVESTMENTS - GENERAL FUND	\$	4,051.32
GENERAL FUND CREDIT CARD ACCOUNT	\$	3,336.00
US BANK ESCROW	\$	-
INVESTMENT - CDS	\$	-
SEWER FUND TOTALS	\$	2,201,200.22

ENVIRONMENTAL SERVICES FUND

CASH IN BANK	\$	294,082.29
NIB ENV SVS FUND	\$	370.60
INVESTMENTS - GENERAL FUND	\$	-
GENERAL FUND CREDIT CARD ACCOUNT	\$	462.95
MMA PCB	\$	1,795,431.58
ENV SVS CC	\$	92,452.43
INVESTMENT - CDS	\$	-
ENV SVS FUND TOTALS	\$	2,182,799.85

ARPA FUNDING

CASH IN BANK	\$	-
ARPA FUNDING MMA	\$	1,457,483.82
AIRPORT FUND TOTALS	\$	1,457,483.82

CITY OF ROLLA
CASH ANALYSIS REPORT
April 30, 2023

<u>AIRPORT FUND</u>	
CASH IN BANK	\$ (81,372.79)
NIB GENERAL FUND	\$ 43,416.68
GENERAL FUND CREDIT CARD ACCOUNT	\$ 1,415.00
INVESTMENTS - MMA	\$ 45,245.29
INVESTMENTS - MMA (BREWER LEASE AGREE)	\$ 30,446.00
AIRPORT FUND TOTALS	\$ 39,150.18
<u>CEMETERY FUND</u>	
CASH IN BANK	\$ -
CASH - MMA	\$ 341,471.11
INVESTMENTS - RESTRICTED	\$ -
CEMETERY FUND TOTALS	\$ 341,471.11
<u>STREET FUND</u>	
CASH IN BANK	\$ 375,405.50
NIB GENERAL FUND	\$ -
GENERAL FUND MMA	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 4,596.62
CASH - MMA	\$ 2,600,848.80
MODOT RESERVE	\$ 1,519,880.98
INVESTMENT - CDS	\$ -
STREET FUND TOTALS	\$ 4,500,731.90
<u>RECREATION FUND</u>	
CASH IN BANK	\$ (132,125.96)
INVESTMENTS - GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ -
DEPR RES & EQUIP - MMA	\$ -
RECREATION FUND TOTALS	\$ (132,125.96)
<u>HEALTH INSURANCE FUND</u>	
HEALTH INSURANCE RESERVE	\$ 505,386.38
CASH - HEALTH ACCOUNT	\$ 121,260.63
GENERAL FUND CREDIT CARD ACCOUNT	\$ 2,247.32
HEALTH FUND TOTALS	\$ 628,894.33
<u>PARK FUND</u>	
CASH IN BANK	\$ 147,414.70
NIB GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 10.00
INVESTMENTS - PARK SALES TAX	\$ 335,151.80
PARKS CC	\$ 64,723.42
PARK FUND TOTALS	\$ 547,299.92
<u>PARK LAND RESERVE FUND</u>	
CASH IN BANK	\$ 5,185.68
PARK LAND RESERVE ACCOUNT	\$ 9,511.19
PARK LAND RESERVE FUND TOTALS	\$ 14,696.87
GRAND TOTAL ALL FUNDS	\$ 16,152,441.07

ANY AND ALL FINANCIAL RECORDS ARE OPEN TO THE PUBLIC

III.i.2

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
April 30, 2023
58% 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	\$ 8,384,811.27	\$ 6,554,073.73	56.1%
EXPENDITURES				
GENERAL ADMINISTRATIVE	\$ 709,485.00	\$ 442,318.59	\$ 267,166.41	62.3%
ADMINISTRATION	\$ 308,055.00	\$ 155,140.00	\$ 152,915.00	50.4%
LIBRARY	\$ 318,850.00	\$ 198,610.80		62.3%
FINANCE	\$ 729,200.00	\$ 450,321.88	\$ 278,878.12	61.8%
LEGAL	\$ 70,700.00	\$ 35,554.68	\$ 35,145.32	50.3%
COURT	\$ 133,450.00	\$ 65,869.24	\$ 67,580.76	49.4%
TELECOMMUNICATIONS	\$ 1,498,835.00	\$ 685,698.72	\$ 813,136.28	45.7%
ANIMAL CONTROL	\$ 335,740.00	\$ 113,475.51	\$ 222,264.49	33.8%
POLICE	\$ 4,993,225.00	\$ 3,498,154.53	\$ 1,495,070.47	70.1%
FIRE	\$ 4,655,462.00	\$ 1,804,210.45	\$ 2,851,251.55	38.8%
ROLLA RURAL FIRE	\$ -	\$ 326,081.68	\$ (326,081.68)	#DIV/0!
BUILDING SERVICES	\$ 105,715.00	\$ 69,466.89	\$ 36,248.11	65.7%
COMMUNITY DEVELOPMENT	\$ 518,500.00	\$ 267,712.45	\$ 250,787.55	51.6%
ECONOMIC DEVELOPMENT	\$ 57,075.00	\$ 61,146.00	\$ (4,071.00)	107.1%
TOTAL EXPENDITURES	<u>\$14,434,292.00</u>	<u>\$ 8,173,761.42</u>	<u>\$ 6,140,291.38</u>	56.6%
REVENUES OVER/UNDER EXPENDITURES	\$ 504,593.00	\$ 211,049.85	\$ 413,782.35	
<u>SEWER FUND</u>				
REVENUES	\$ 5,451,717.00	\$ 3,022,042.91	\$ 2,429,674.09	55.4%
EXPENDITURES	<u>\$ 5,874,432.00</u>	<u>\$ 2,652,108.90</u>	<u>\$ 3,222,323.10</u>	45.1%
REVENUES OVER/UNDER EXPENDITURES	\$ (422,715.00)	\$ 369,934.01	\$ (792,649.01)	
<u>ENVIRONMENTAL SERVICES FUND</u>				
REVENUES	\$ 4,091,200.00	\$ 1,878,341.93	\$ 2,212,858.07	45.9%
EXPENDITURES				
RECYCLING	\$ 428,375.00	\$ 266,607.05	\$ 161,767.95	62.2%
SANITATION	\$ 3,072,950.00	\$ 1,358,026.63	\$ 1,714,923.37	44.2%
VEHICLE MAINTENANCE	\$ 496,230.00	\$ 277,492.22	\$ 218,737.78	55.9%
TOTAL EXPENDITURES	<u>\$ 3,997,555.00</u>	<u>\$ 1,902,125.90</u>	<u>\$ 2,095,429.10</u>	47.6%
REVENUES OVER/UNDER EXPENDITURES	\$ 93,645.00	\$ (23,783.97)	\$ 117,428.97	
<u>ARPA FUNDING</u>				
REVENUES	\$ 750.00	\$ 408,198.37	\$ (407,448.37)	54426.4%
EXPENDITURES	<u>\$ 1,635,000.00</u>	<u>\$ 415,620.09</u>	<u>\$ 1,219,379.91</u>	25.4%
REVENUES OVER/UNDER EXPENDITURES	\$ (1,634,250.00)	\$ (7,421.72)	\$ (1,626,828.28)	

CITY OF ROLLA
REVENUE/EXPENDITURE REPORT - UNAUDITED
April 30, 2023
58% 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	\$ 555,953.61	\$ 244,774.39	69.4%
EXPENDITURES	\$ 794,560.00	\$ 508,075.31	\$ 286,484.69	63.9%
REVENUES OVER/UNDER EXPENDITURES	\$ 6,168.00	\$ 47,878.30	\$ (41,710.30)	
<u>CEMETERY FUND</u>				
REVENUES	\$ 10,500.00	\$ 10,845.44	\$ (345.44)	103.3%
EXPENDITURES	\$ 10,000.00	\$ 150.00	\$ 9,850.00	1.5%
REVENUES OVER/UNDER EXPENDITURES	\$ 500.00	\$ 10,695.44	\$ (10,195.44)	
<u>STREET FUND</u>				
REVENUES	\$ 6,719,200.00	\$ 4,946,008.55	\$ 1,773,191.45	73.6%
EXPENDITURES				
STREET	\$ 5,443,085.00	\$ 2,457,156.34	\$ 2,985,928.66	45.1%
TDD	\$ 1,660,000.00	\$ 191,927.59	\$ 1,468,072.41	11.6%
ENGINEERING	\$ 926,750.00	\$ 395,667.43	\$ 531,082.57	42.7%
TOTAL EXPENDITURES	\$ 8,029,835.00	\$ 3,044,751.36	\$ 4,985,083.64	
REVENUES OVER/UNDER EXPENDITURES	\$ (1,310,635.00)	\$ 1,901,257.19	\$ (3,211,892.19)	
<u>RECREATION FUND</u>				
REVENUES	\$ 450,000.00	\$ 350,999.81	\$ 99,000.19	78.0%
EXPENDITURES				
AQUATICS	\$ -	\$ 1,442.54	\$ (1,442.54)	#DIV/0!
ADMINISTRATION	\$ 459,025.00	\$ 482,826.64	\$ (23,801.64)	105.2%
MAINTENANCE	\$ -	\$ 22,397.78	\$ (22,397.78)	#DIV/0!
TOTAL EXPENDITURES	\$ 459,025.00	\$ 506,666.96	\$ (47,641.96)	110.4%
REVENUES OVER/UNDER EXPENDITURES	\$ (9,025.00)	\$ (155,667.15)	\$ 146,642.15	
<u>PARK FUND</u>				
REVENUES	\$ 1,884,900.00	\$ 1,196,819.76	\$ 688,080.24	63.5%
EXPENDITURES				
ADMINISTRATION	\$ 238,075.00	\$ 131,844.75	\$ 106,230.25	55.4%
PARKS	\$ 1,135,145.00	\$ 709,889.19	\$ 425,255.81	62.5%
SPLASHZONE	\$ 254,420.00	\$ 49,892.87	\$ 204,527.13	19.6%
OUTDOOR RECREATION	\$ 184,410.00	\$ 39,961.02	\$ 144,448.98	21.7%
TOTAL EXPENDITURES	\$ 1,812,050.00	\$ 931,587.83	\$ 880,462.17	51.4%
REVENUES OVER/UNDER EXPENDITURES	\$ 72,850.00	\$ 265,231.93	\$ (192,381.93)	

III.i.4

CITY OF ROLLA
 REVENUE/EXPENDITURE REPORT - UNAUDITED
 April 30, 2023
 58% 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	\$ 108.01	\$ (68.01)	270.0%
EXPENDITURES	\$ 25,000.00	\$ 25,000.00	\$ -	100.0%
REVENUES OVER/UNDER EXPENDITURES	\$ (24,960.00)	\$ (24,891.99)	\$ (68.01)	

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance Final Reading

ITEM/SUBJECT: Brownwood Estates Lease

BUDGET APPROPRIATION (IF APPLICABLE) - DATE: 6/5/2023

COMMENTARY:

In 1979 the City Council approved the Forum Lakes subdivision plat which included the dedication of the “containment area” to the City. In 1982 the City leased the eastern most containment area to the Brownwood Estates Homeowners Association (BEHA) for their exclusive use as a recreational feature for \$100/year and insurance. That lease has operated for two 20 year terms that has now expired. The BEHA does do regular cutting/maintenance on the pond and surrounding area. Rather than renewing for 20 year terms Staff is suggesting 5 year term (with an option for an additional 5 years) for closer monitoring.

V.A.1
ITEM NO. _____

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LAND LEASE AGREEMENT WITH THE BROWNWOOD ESTATES HOMEOWNERS ASSOCIATION.

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 is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a certain Land Lease Agreement with the Brownwood Estates Homeowners Association, a copy of said Land Lease 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 JUNE 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

EXHIBIT A

LAND LEASE

THIS LEASE is entered into this _____ day of _____, 2023, by and between City of Rolla, a municipal corporation, (“Lessor”), and the Brownwood Estates Homeowners Association, hereinafter referred to as Lessee

WITNESSETH:

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Lessor hereby leases to Lessee, and Lessee agrees to take as tenant of Lessor, the following described real estate situated in the City of Rolla, County of Phelps, State of Missouri, more particularly described as follows:

A portion of the Impoundment Lake Area as shown on the plat of the Forum Lakes, an Addition to the City of Rolla, Missouri, more particularly described as follows: Beginning at the Southeast Corner of tract No. 1 of said Forum Lakes; thence run South 0° 23’ West for 30 feet; thence run South 33° 01’ West for 238 feet; then run South 9° 43’ East for 162.12 feet; thence run South 55° 59’ East for 120 feet; thence run South 0° 23’ West for 25 feet; thence run North 55° 59’ West for 193 feet; thence run North 81° 00’ West for 87 feet; run South 69° 00’ West for 200 feet; thence run North 48° 30’ West for 150 feet; thence run North 0° 38’ West for 131.87 feet; thence run North 69° 00’ East for 105 feet to the point of beginning, containing 3.2 acres, more or less.

Upon the conditions set forth herein.

2. Lessee shall have absolute possession and complete control of the above described premises, subject to the provisions contained herein for the term of this Lease.

3. The term of this lease shall commence on the _____ day of _____, 2023, and continue through the _____ day of 2028. So long as Lessee is not in default, Lessor grants Lessee an option to renew this lease for a term of five (5) years after the expiration of the initial term, subject to the mutual consent of the parties.

4. Lessee shall pay rent to Lessor a fixed base annual rent in the amount of One Hundred Dollars (\$100.00) per year, payable upon the date of this Lease and on the same date for each succeeding year of the Lease.

5. It is understood by and between the parties that here is situated on the above premises an impoundment pond used by the Lessor to control drainage and precipitation run off in the City of Rolla and that Lessor shall retain complete and absolute control of the drainage control structures situated on said premises and shall have the right to operate

such drainage control facilities so as to protect the public health and welfare and safety of the citizens of the City of Rolla, Missouri, and accommodate its needs for drainage and precipitation run off control. Nothing in the lease guarantees that the lessor will maintain the water surface elevation at the current elevation.

6. Lessee agrees that as a part of the consideration of this agreement that it will maintain the impoundment area situated on the above-described premises in a clean and orderly fashion and that it will do everything necessary to prevent the buildup of silt and other accumulation of deposits from impairing the drainage facility thereon. It is further agreed by and between the parties that should the Lessor determine in its own best judgement that the said impoundment area is not being kept adequately clean so as to protect its drainage facility, the city may, at its option, give notice to Lessee to abate and correct such practices and that if the said Lessee does not comply with said request within a period of thirty (30) days, then the Lessor shall have the right to enter upon said premises and clean or correct deficiencies as may exist in said impoundment area and that Lessee shall pay to Lessor a reasonable value of such work.

7. Lessee covenants and agrees to hold Lessor harmless from any liability arising from its use occupation, care, and maintenance of the above described premises during the term of this Lease, and shall reimburse the Lessor for any losses it may incur as a result of the acts or omissions of the Lessee.

8. Lessor specifically reserves unto itself the right to authorize permits for the construction of and maintenance of utilities over and across the above-described property.

9. The undersigned do hereby covenant on behalf of the lessor that they are authorized by the City Council of the City of Rolla, Missouri, to execute this Lease agreement by the authority of its Board of Directors and that the undersigned executed this Lease agreement pursuant to the authority granted to them by Resolution of said Board of Directors dated on the _____ day of _____, 2023.

10. Lessee covenants that it is lawfully empowered to execute this agreement and does so on behalf of the authority of its Board of Directors and that the undersigned executed this Lease agreement pursuant to the authority granted to them by Resolution of said Board of Directors dated on the _____ day of _____, 2023.

11. Lessee further agrees and covenants that is shall in no way make any improvements or alter the terrain of the property described above, including the aforesaid impoundment area without first obtaining the written consent of the Lessor.

12. Lessor and its agents and employees shall have the right to enter upon the above-described premises at any time without the written consent of the Lessee.

13. Should Lessee fail to satisfy or perform any of the conditions or provisions set forth in this agreement, the Lessor shall, at its option, have the right to re-enter and take possession of the above described premises and declare this agreement null and void after

giving Lessee thirty (30) days written notice of such non-performance or violation of the conditions in this agreement. Lessee does hereby agree and covenant that upon receipt of such written notice that it shall cease all use, occupancy, and possession of the above-described premises and shall fore with relinquish said use, occupancy and possession of the above-described premises to Lessor.

14. Lessor shall not be liable to Lessee or any other person or corporation, including employees, for any damage to person or property caused by water, rain, snow, frost, fire, storm or accident, or by breakage, stoppage of leakage of water, gas, heating and sewer pipes of plumbing, upon, about or adjacent to said premises. Lessee shall maintain premises liability insurance on the leased premises naming both Lessor and Lessee as insureds with a minimum single limit of liability coverage of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00). Upon request, the Lessee shall provide Lessor with a copy of such policy or a certificate evidencing the existence of such policy.

15. This agreement shall be binding upon parties hereto, their heirs, successors, administrators and assigns.

16. The only people who may enter the previously described premises are residents of Brownwood Estates and their guests or other authorized individuals for purposes of maintenance or other work.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed the foregoing instrument in duplicate as of the day and year first above written.

LESSOR
CITY OF ROLLA, MISSOURI

By: _____
Mayor

Attest: _____

Print Name

Print Name
City Clerk

LESSEE
BROWNWOOD ESTATE HOMEOWNERS ASSOCIATION

By: _____
Wanda McPheron, President

Print Name

Attest: _____
Deborah Castle, Secretary of the Board of Managers
“an unincorporated association without a seal”

Print Name

BROWNWOOD ESTATES & FORUM LAKES AREA



N
W E
S
N.T.S.
APRIL, 2023

PARKSIDE AVENUE

OLD SAINT JAMES ROAD

HARVEY COURT

MCCUTCHEM DRIVE

HARVEY LANE

DETENTION POND

CHRIS COURT

DETENTION POND

PROPOSED LEASE
AREA

BROWNWOOD
ESTATES

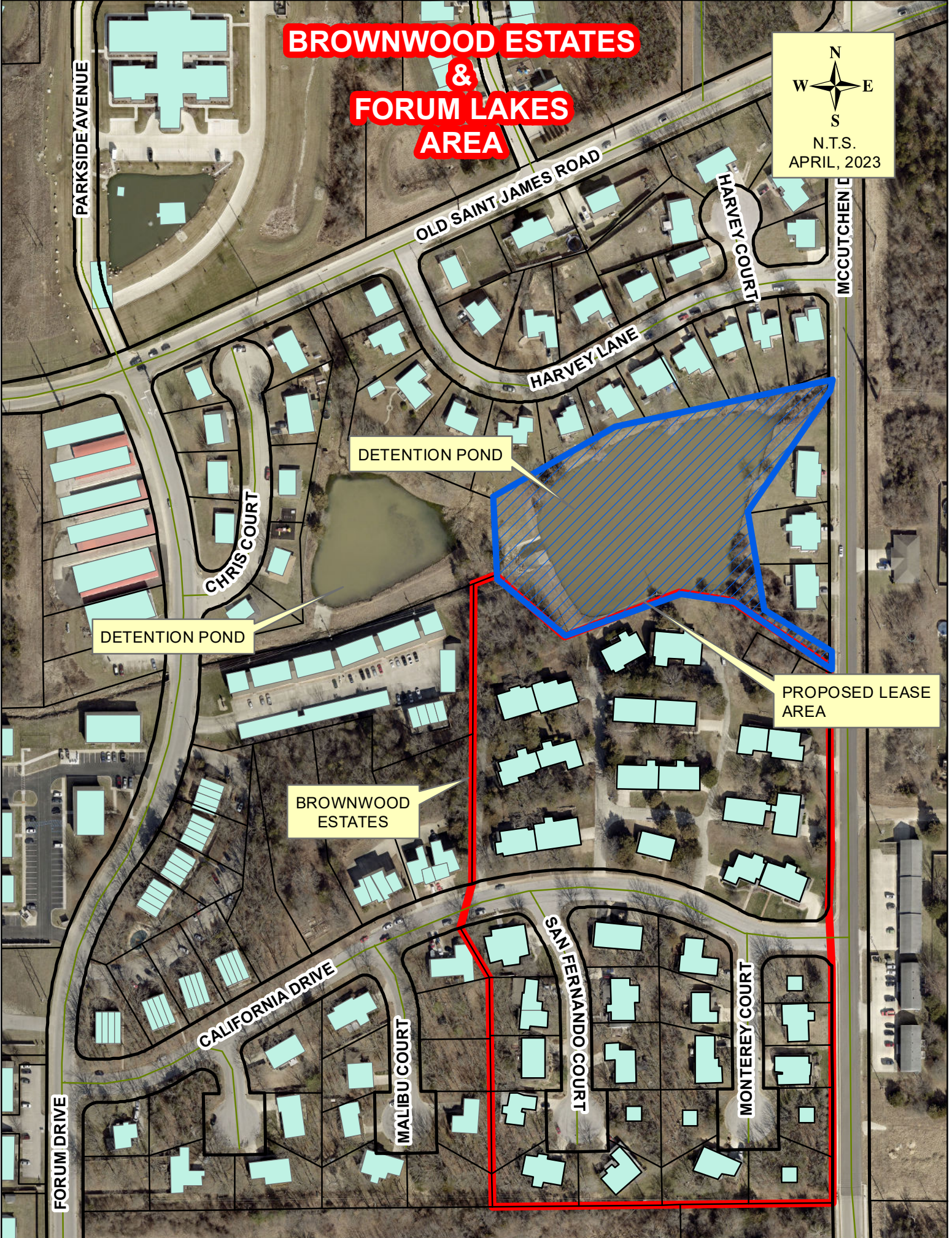
CALIFORNIA DRIVE

SAN FERNANDO COURT

MONTEREY COURT

FORUM DRIVE

MALIBU COURT



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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

SUBJECT: Vacation of an easement at 1906/1908 N Bishop Ave

(VAC23-02)

MEETING DATE: June 5, 2023

Application and Notice:

Applicant/Owner - Tony Koenig or Midwest Petroleum
Public Notice - <https://www.rollacity.org/agenda.shtml>

Background:

The property with the Budget Deluxe Motel was recently purchased by the applicant. The applicant seeks to vacate an easement which crosses the subject property, running through the existing motel building. The easement was originally dedicated to “the United States of America” for a waterline easement. The easement is not used for any public utilities. It is not known if the easement was ever used for any public utility.

The applicant received mixed opinions from their title companies. The applicant believes seeking a vacation from the city will be sufficient to eliminate any concerns clouding the title, much like a quit claim deed.

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

Property Details:

Land area - Approximately 2,000 sq. ft. to be vacated.

Public Facilities/Improvements:

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

Discussion:

The easement was never assumed by the city to be a public easement. The easement is not needed for any existing or future utility needs. Staff recommends the easement be vacated.

Prepared by:

Tom Coots, City Planner

Attachments:

Area Map; Exhibit; Ordinance

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE VACATION OF A PORTION OF AN EASEMENT
LOCATED AT 1906/1908 N BISHOP AVE**

(VAC23-02)

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

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

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

A strip of land 15 feet wide, 7.5 feet lying on each side of the following described center line:

Starting at the point of intersection of the center line of Walnut Street and the Westerly prolongation of the Northerly line of 19th Street in the City of Rolla, Phelps County, Missouri, along a line making a Northwesterly angle of 51° 18' to the West right-of-way line of Walnut Street, the point of beginning; thence from the last named point Northwesterly 51° 18' a distance of 132.2 feet to an intersection of this course with an existing water line; all in Block 22, Schuman's Addition to the City of Rolla, Phelps County, Missouri.

This vacation of the above Easement granted to the "United States of America" is assumed to be intended to be a public easement, and recorded March 20, 1943, in Book 116, Page 223, Phelps County, Missouri Records.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND
APPROVED BY THE MAYOR THIS 5TH DAY OF JUNE, 2023.**

APPROVED:

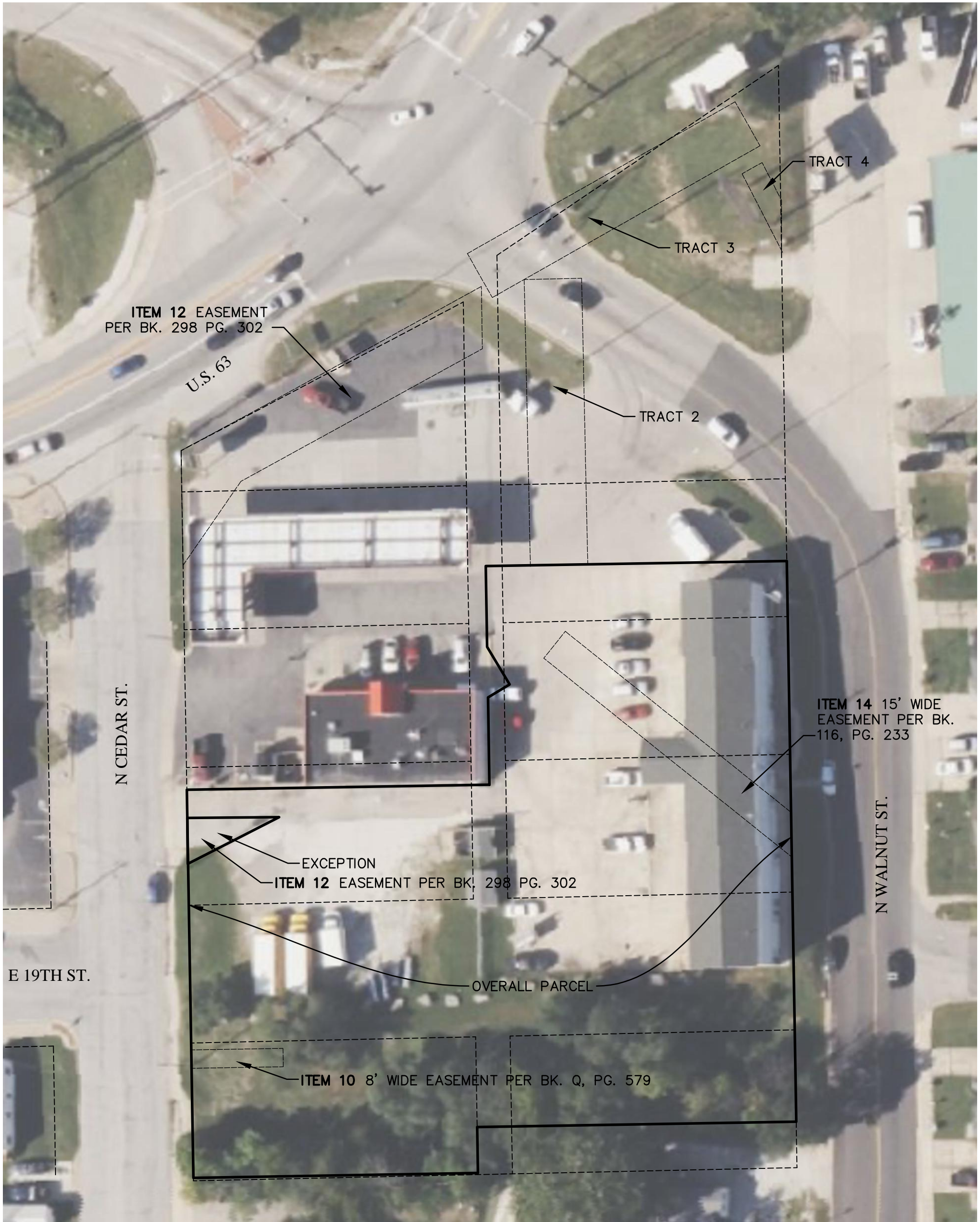
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor



ITEM 12 EASEMENT
PER BK. 298 PG. 302

U.S. 63

TRACT 4

TRACT 3

TRACT 2

N CEDAR ST.

ITEM 14 15' WIDE
EASEMENT PER BK.
116, PG. 233

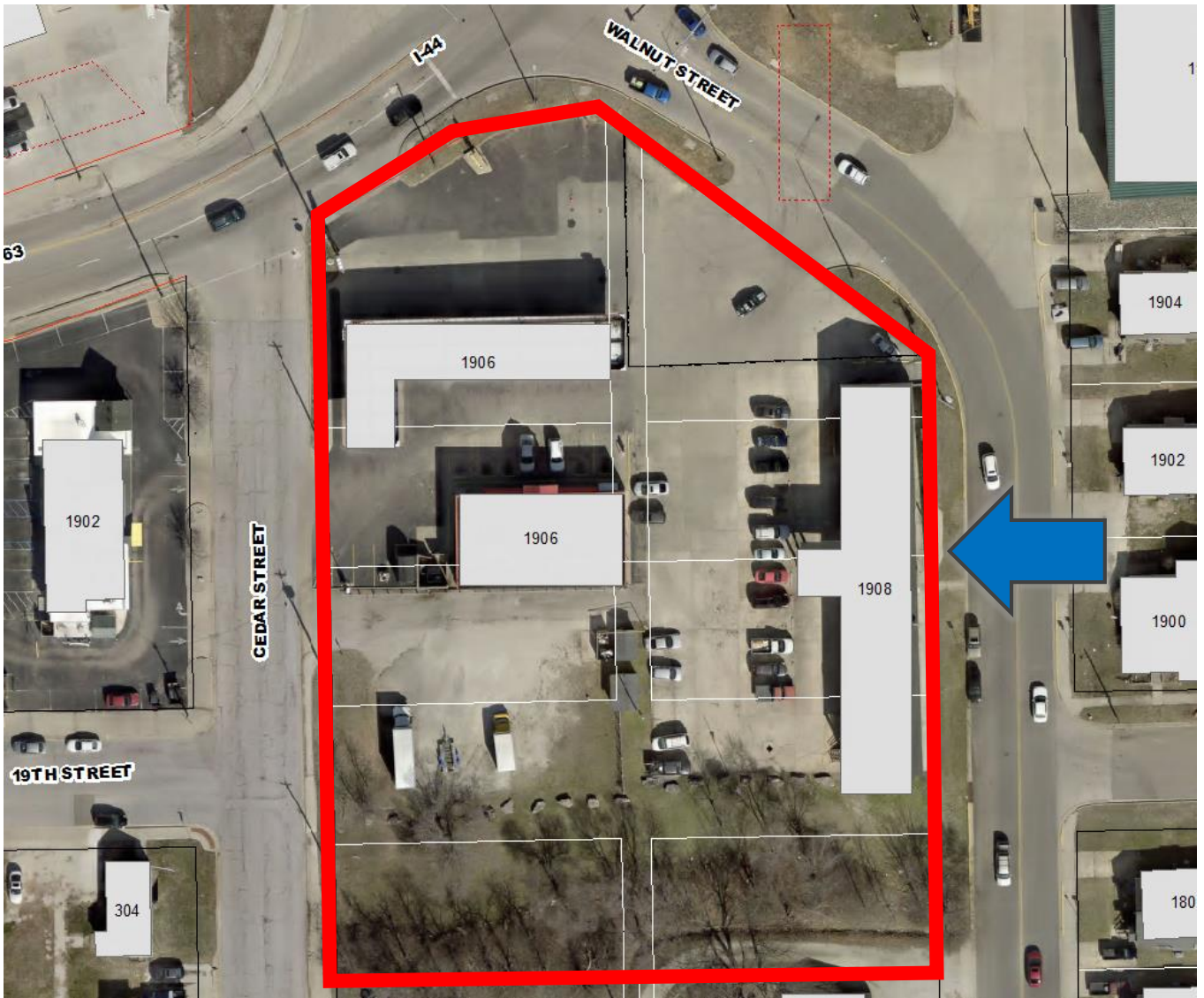
N WALNUT ST.

EXCEPTION
ITEM 12 EASEMENT PER BK. 298 PG. 302

E 19TH ST.

OVERALL PARCEL

ITEM 10 8' WIDE EASEMENT PER BK. Q, PG. 579



Project Information:

Case No: VAC23-02
 Location: 1906/1908 N Bishop
 Applicant: Midwest Petroleum
 Request:
 Vacation of unused easement



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.B.4



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

SUBJECT: Vacation of the rights-of-way of Park Street between 2nd Street and the railroad

(VAC23-01)

MEETING DATE: June 5, 2023

Application and Notice:

Applicant/Owner - Phelps County
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 applicants seek to vacate about 200 feet of the rights-of-way of Park Street adjacent to their properties. The street has been used as a parking lot and access to properties all under the same ownership for many years.

The applicant does not have any plans to develop the area. There are utilities within the area to be vacated. The entire area is proposed to be retained as a utility easement.

Property Details:

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

Public Facilities/Improvements:

Utilities - Water, sanitary sewer, storm sewer, and natural gas utilities are located in the alley. An easement will be retained.

Comprehensive Plan:

The Comprehensive Plan does not provide guidance on street/alley vacations. Generally, streets may be vacated where they are found to not be needed for access.

Discussion:

The street has been used and maintained by the county for several years. Vacating the street and maintaining an easement for the utilities would make the existing arrangement more formal. The street is a dead end and does not provide any access to other properties, except a small parcel owned by the Historical Society. The Historical Society is comfortable with the request.

Property Details:

Current zoning - C-1, Neighborhood Commercial to be rezoned to R-3, Multi-family
Current use - Vacant
Proposed use - Multi-family
Land area - About 23,200 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Richard Drive and Curtis Drive, both local streets.

Sidewalks - Sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for medium/high density residential uses.

Discussion: The subject property is located in an area with a mixture of single-family, two-family, and multi-family uses. A dental office is also located in the vicinity. The adjacent properties are multi-family buildings. The Comprehensive Plan supports multi-family uses in the area.

The upcoming zoning code update and new zoning map does contemplate rezoning the adjacent properties to the R-3 district as well. The owner requested that the subject property be retained with commercial zoning. However, now the owner is requesting the multi-family zoning immediately to be able to sell the property to the prospective buyer.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on May 9, 2023 and voted 6-0 to recommend the City Council approve the request.

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

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE VACATION OF PARK STREET BETWEEN 2ND STREET AND THE RAILROAD RIGHTS-OF-WAY

(VAC23-01)

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

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

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

All of Park Street between Block 14 and Block 15 of ORIGINAL TOWN of Rolla, Missouri, from the North Right-of-way line of Second Street to the Southerly Right-of-way line of the BNSF Railway, described as follows:

A part of the NE 1/4 of Section 11, Township 37 North, Range 8 West of the 5th P.M., Rolla, Phelps County, Missouri, more particularly described as follows: Beginning at a chiseled "X" in the sidewalk for the SW corner of Lot 7, Block 14 of said ORIGINAL TOWN, at the intersection of the North Right-of-way line of Second Street, and the East Right-of-way line of Park Street; Thence leaving said East Right-of-way line, with said North Right-of-way line, N 89°58'43" W, 60.00 feet to the SE corner of Lot 3, Block 15 of said ORIGINAL TOWN on, at the intersection of the North Right-of-way line of Second Street, and the West Right-of-way line of Park Street; Thence leaving said North Right-of-way line, with said West Right-of-way line, N 00°24'13" E, 199.76 feet to the intersection with the Southerly Right-of-way line of the BNSF Railway; Thence leaving said West Right-of-way line, with said Southerly Right-of-way line, along a curve to the left, having a radius of 1933.19 feet, an arc length of 63.62 feet, and a chord of N 71°00'03" E, 63.61 feet, to the intersection with the East Right-of-way line of Park Street; Thence leaving said Southerly Right-of-way line, with said East Right-of-way line, S 00°24'13" W, 220.49 feet to the point of beginning. Said tract contains 0.29 acres more or less, per survey by Integrity Engineering, Inc. dated April 3, 2023.

SECTION 3: The area to be vacated as described in this ordinance shall be retained as a utility easement.

SECTION 4: Pursuant to State Statutes, the ownership of the property to be vacated is to revert to the property owners on each side of the street.

SECTION 5: That this Ordinance shall be in full force and effect after the its passage and approval.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND
APPROVED BY THE MAYOR THIS 5TH DAY OF JUNE, 2023.**

APPROVED:

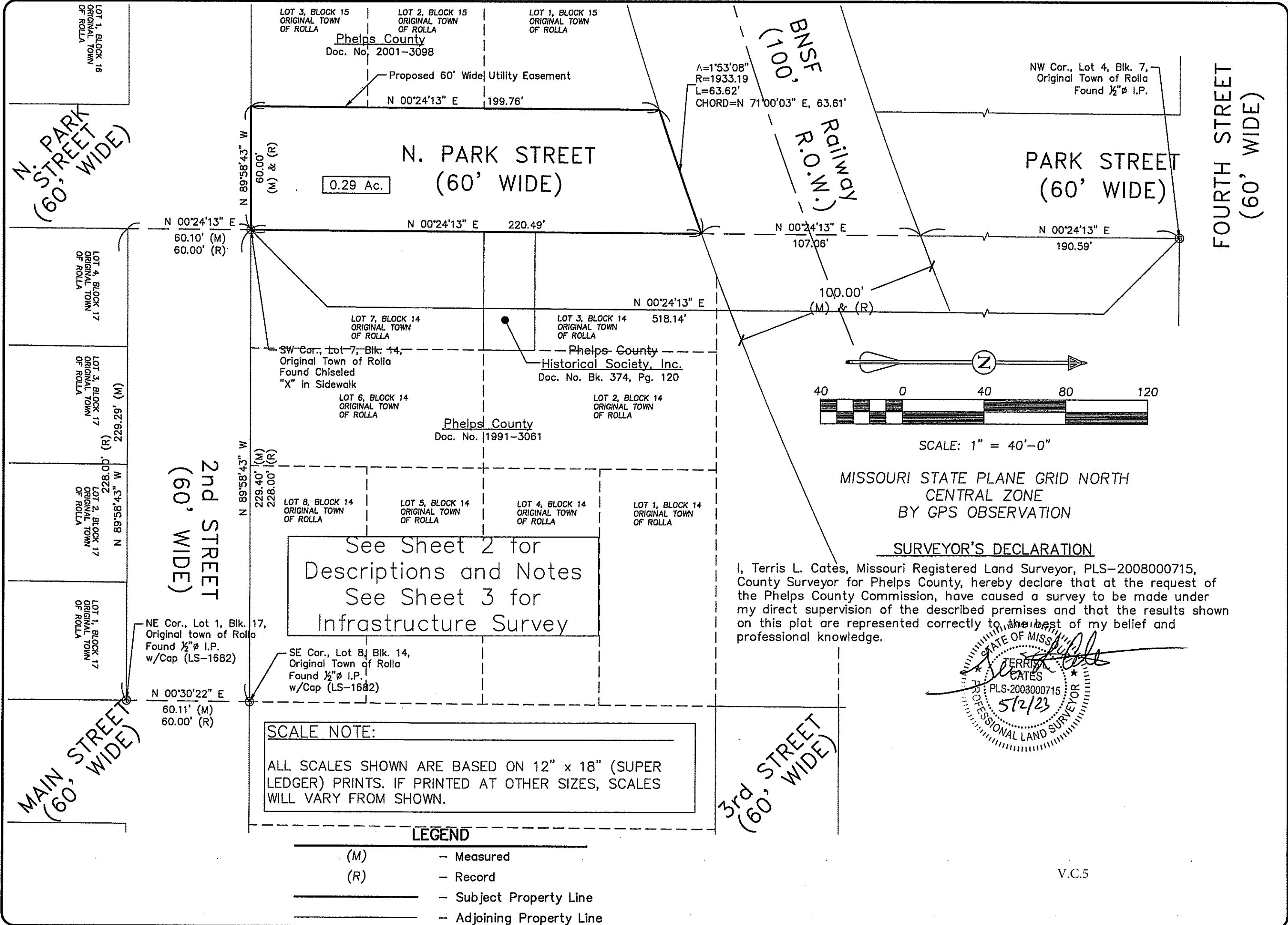
ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor



SIXTY FOOT WIDE UTILITY EASEMENT DESCRIPTION:

An easement for utility purposes, lying over and across a part of Park Street between Block 14 and Block 15 of ORIGINAL TOWN of Rolla, Missouri, being (60) sixty feet in width, as describe in the hereinafter described easement: All of Park Street between Block 14 and Block 15 of ORIGINAL TOWN of Rolla, Missouri, from the North Right-of-way line of Second Street to the Southerly Right-of-way line of the BNSF Railway, described as follows: A part of the NE ¼ of Section 11, Township 37 North, Range 8 West of the 5th P.M., Rolla, Phelps County, Missouri, more particularly described as follows: Beginning at a chiseled "X" in the sidewalk for the SW corner of Lot 7, Block 14 of said ORIGINAL TOWN, at the intersection of the North Right-of-way line of Second Street, and the East Right-of-way line of Park Street; Thence leaving said East Right-of-way line, with said North Right-of-way line, N 89°58'43" W, 60.00 feet to the SE corner of Lot 3, Block 15 of said ORIGINAL TOWN on, at the intersection of the North Right-of-way line of Second Street, and the West Right-of-way line of Park Street; Thence leaving said North Right-of-way line, with said West Right-of-way line, N 00°24'13" E, 199.76 feet to the intersection with the Southerly Right-of-way line of the BNSF Railway; Thence leaving said West Right-of-way line, with said Southerly Right-of-way line, along a curve to the left, having a radius of 1933.19 feet, an arc length of 63.62 feet, and a chord of N 71°00'03" E, 63.61 feet, to the intersection with the East Right-of-way line of Park Street; Thence leaving said Southerly Right-of-way line, with said East Right-of-way line, S 00°24'13" W, 220.49 feet to the point of beginning. Said tract contains 0.29 acres more or less, per survey by Integrity Engineering, Inc. dated May 2, 2023. Subject to any easements, restrictions, reservations and covenants existing and/or recorded.

Notes:

1. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate easements, restrictive covenants, subdivision restrictions, or other land-use regulations, and any other facts which an accurate and current title search may disclose.
2. This survey was executed in accordance with the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16 & 2 CSR 90-60).
3. Tract is classified Urban (20 CSR 2030-16.040 & 2 CSR 90-60.040).
4. This survey is contingent on the evidence and conditions noted on the date of field work: February 3, 2023.
5. Bearings and distances shown are measured, unless noted otherwise.
6. This plat represents a Road Vacation Survey.
7. Only the record documents noted hereon were provided to or discovered by surveyor. No other record title documentation was provided surveyor.
8. This plat does not represent an "ALTA/ACSM Land Title Survey".
9. No statement is made concerning subsurface conditions, or the existence or nonexistence of underground or overhead containers or utilities which may affect the use or development of this tract. Environmental and subsurface conditions were not examined in this survey.
10. Utility locations shown are based on utility locates (where provided), and visible evidence observed on the date of this survey. The surveyor contacted the Missouri One Call System for utility locate markings and received notification of completion via email on January 30, 2023. Onsite observations confirmed the completeness of Gas, Electric, Water, Sanitary and most Storm utility locate markings. However, no locate markings were observed for communications (CATV, Telephone, etc.) or for the Storm System along the West side of the Street. Unmarked Communications and Storm Sewer elements in, or nearby to the Right-of-way of Park Street were located onsite, and are shown on this survey.

PARK STREET VACATION DESCRIPTION:

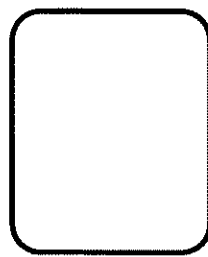
All of Park Street between Block 14 and Block 15 of ORIGINAL TOWN of Rolla, Missouri, from the North Right-of-way line of Second Street to the Southerly Right-of-way line of the BNSF Railway, described as follows: A part of the NE ¼ of Section 11, Township 37 North, Range 8 West of the 5th P.M., Rolla, Phelps County, Missouri, more particularly described as follows: Beginning at a chiseled "X" in the sidewalk for the SW corner of Lot 7, Block 14 of said ORIGINAL TOWN, at the intersection of the North Right-of-way line of Second Street, and the East Right-of-way line of Park Street; Thence leaving said East Right-of-way line, with said North Right-of-way line, N 89°58'43" W, 60.00 feet to the SE corner of Lot 3, Block 15 of said ORIGINAL TOWN on, at the intersection of the North Right-of-way line of Second Street, and the West Right-of-way line of Park Street; Thence leaving said North Right-of-way line, with said West Right-of-way line, N 00°24'13" E, 199.76 feet to the intersection with the Southerly Right-of-way line of the BNSF Railway; Thence leaving said West Right-of-way line, with said Southerly Right-of-way line, along a curve to the left, having a radius of 1933.19 feet, an arc length of 63.62 feet, and a chord of N 71°00'03" E, 63.61 feet, to the intersection with the East Right-of-way line of Park Street; Thence leaving said Southerly Right-of-way line, with said East Right-of-way line, S 00°24'13" W, 220.49 feet to the point of beginning. Said tract contains 0.29 acres more or less, per survey by Integrity Engineering, Inc. dated May 2, 2023. Subject to any easements, restrictions, reservations and covenants existing and/or recorded.

See Sheet 1 for Plat and Declaration
See Sheet 3 for Infrastructure Survey

V.C.6

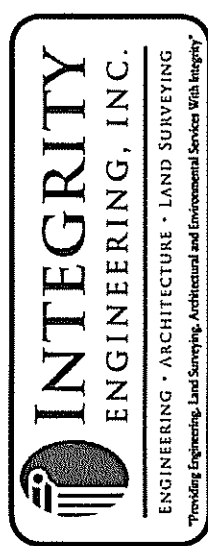
REVISIONS BY:

Integrity Engineering, Inc.
P.O. Box 700 / 1314 East 10th St.
Rolla, Missouri 65402 / 65401
Phone (573) 341-2100
Fax (573) 341-2111
Email: integrity@integrityeng.com
Website: integrityeng.com
Missouri Certificates of Authority
Engineering: 001480
Surveying: 000369
Architecture: 00935



PROJECT FOR:
PHELPS COUNTY LAND COMMISSIONER
STREET VACATION PLAN
ROLLA, PHELPS COUNTY, MISSOURI

STREET VACATION
NORTH PARK STREET (2nd to BNSF)



DRAWN BY:	MSS
CHECKED BY:	TLC
DATE:	MAY 2, 2023
SCALE:	AS SHOWN
JOB:	Park Street Vacation (2nd to BNSF)
FILE:	ParkStreetVacate.dwg
SHEET:	2
OF 3 SHEETS	

REVISIONS BY:

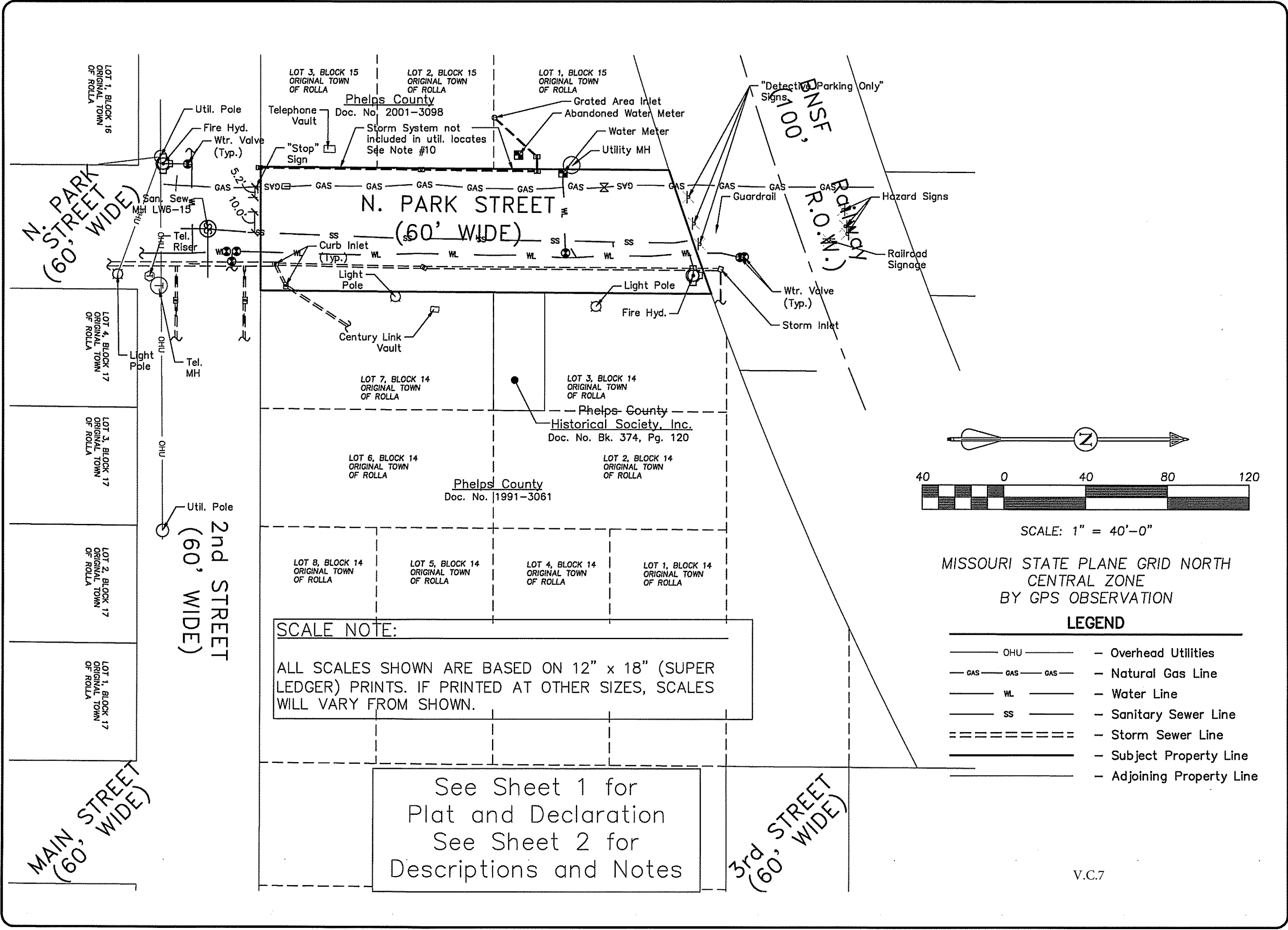
Integrity Engineering, Inc.
 P.O. Box 700 / 1714 East 10th St.
 Rolla, Missouri 65402 / 65401
 Phone (573) 341-2100
 Fax (573) 341-2111
 Email: Integrity@Integrityeng.com
 Website: Integrityeng.com
 Missouri Certificate of Authority
 Engineering: 001480
 Surveying: 000369
 Architecture: D0935

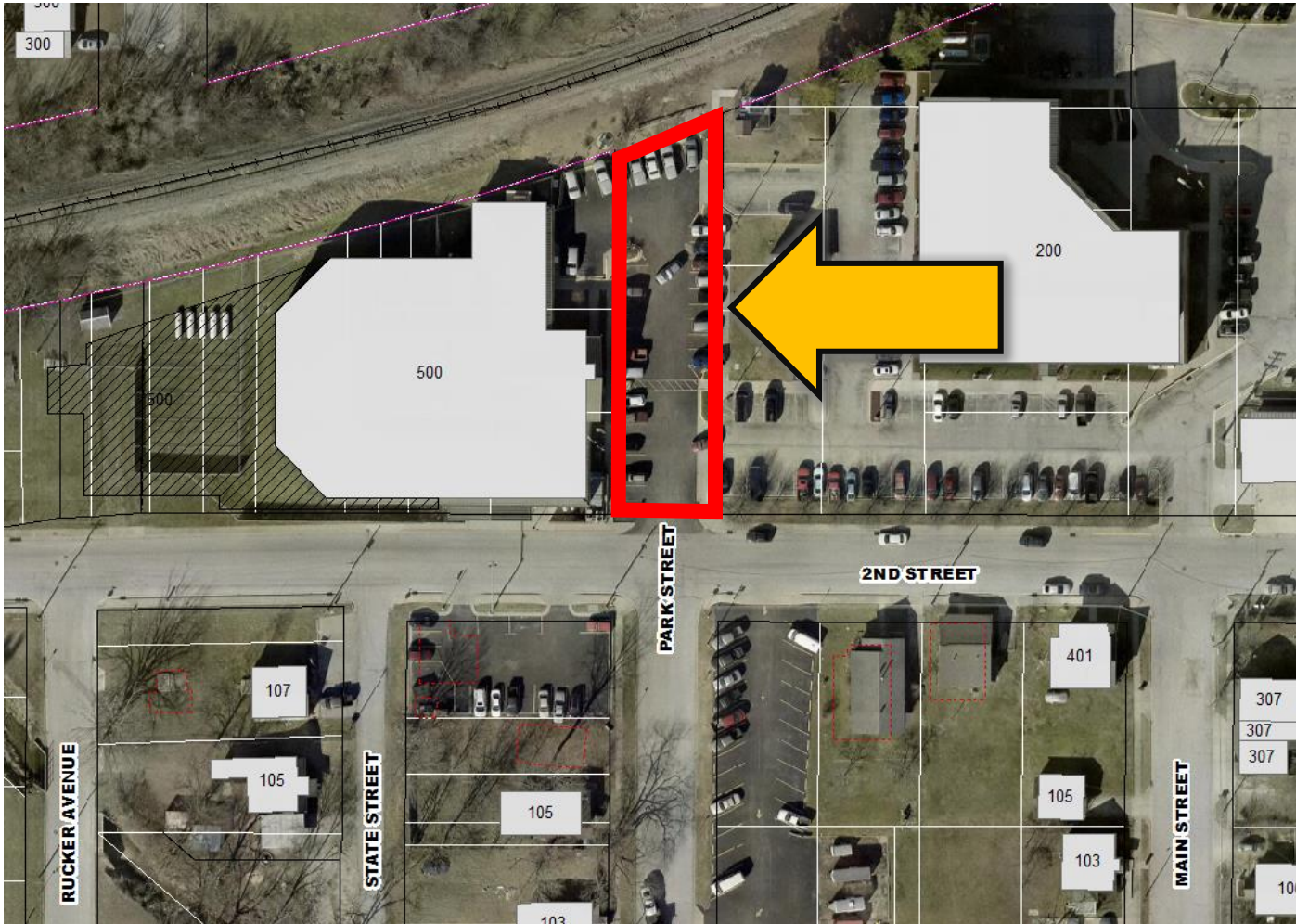
PROJECT FOR:
 PHELPS COUNTY LAND COMMISSIONER
 STREET VACATION PLAN
 ROLLA, PHELPS COUNTY, MISSOURI

STREET VACATION
 NORTH PARK STREET (2nd to BNSF)

INTEGRITY
 ENGINEERING, INC.
 ENGINEERING - ARCHITECTURE - LAND SURVEYING
 Providing Engineering, Land Surveying, Architectural and Environmental Services With Integrity

DRAWN BY:
 MSF
 CHECKED BY:
 TLC
 DATE:
 MAY 2, 2023
 SCALE:
 AS SHOWN
 JOB:
 Park Street Vacation (2nd to BNSF)
 FILE:
 ParkStreetVacate.dwg
 SHEET
3
 OF 3 SHEETS





Project Information:

Case No: VAC23-01
 Location: Adjacent to 500 W 2nd and 200 N Main (Phelps County Courthouse)
 Applicant: Phelps County Commission
 Request:
 Vacation of Park Street between 2nd Street and the railroad ROW

Public Hearings:

Planning Commission
May 9, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
May 15, 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



What is a Vacation?

A vacation is an application to vacate (or remove) all or a portion of a right-of-way adjacent to a property or an easement on a property. The right-of-way or easement must be found to no longer serve any current or future purpose.

What is a Right-of-Way?

In the context of a vacation application, a right-of-way refers to the area which has been dedicated to the City – usually for a public street. An easement is a portion of land that has granted the City the right to use a private property for some public purpose – usually for utilities, drainage, or access.

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 to learn details about the project. You will be given an opportunity to ask questions or make comments regarding the case.

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

All of Park Street between Block 14 and Block 15 of ORIGINAL TOWN of Rolla, Missouri, from the North Right-of-way line of Second Street to the Southerly Right-of-way line of the BNSF Railway, described as follows: A part of the NE 1/4 of Section 11, Township 37 North, Range 8 West of the 5th P.M., Rolla, Phelps County, Missouri, more particularly described as follows:

Beginning at a chiseled "X" in the sidewalk for the SW corner of Lot 7, Block 14 of said ORIGINAL TOWN, at the intersection of the North Right-of-way line of Second Street, and the East Right-of-way line of Park Street; Thence leaving said East Right-of-way line, with said North Right-of-way line, N 89°58'43" W, 60.00 feet to the SE corner of Lot 3, Block 15 of said ORIGINAL TOWN on, at the intersection of the North Right-of-way line of Second Street, and the West Right-of-way line of Park Street; Thence leaving said North Right-of-way line, with said West Right-of-way line, N 00°24'13" E, 199.76 feet to the intersection with the Southerly Right-of-way line of the BNSF Railway; Thence leaving said West Right-of-way line, with said Southerly Right-of-way line, along a curve to the left, having a radius of 1933.19 feet, an arc length of 63.62 feet, and a chord of N 71°00'03" E, 63.61 feet, to the intersection with the East Right-of-way line of Park Street; Thence leaving said Southerly Right-of-way line, with said East Right-of-way line, S 00°24'13" W, 220.49 feet to the point of beginning. Said tract contains 0.29 acres more or less, per survey by Integrity Engineering, Inc. dated April 3, 2023.



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**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

SUBJECT: Map Amendment (rezoning): SW Corner of Richard Dr and Curtis Dr from the C-1, Neighborhood Commercial to R-3, Multi-family

(ZON23-03)

MEETING DATE: June 5, 2023

Application and Notice:

Applicant/Owner - Deborah Lane Castle of Castle Family LP
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 subject property to allow for multi-family uses. The property has been for sale. The prospective buyer intends to build a 4 unit multi-family building. The size of the property would allow for up to 12 units, however, the property is limited by a drainage way and easement which bisects the property diagonally.

The adjacent properties have been developed with multi-family uses, however, they are also zoned C-1. At one time, the C-1 district allowed both commercial and multi-family uses.

Property Details:

Current zoning - C-1, Neighborhood Commercial to be rezoned to R-3, Multi-family
Current use - Vacant
Proposed use - Multi-family
Land area - About 23,200 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Richard Drive and Curtis Drive, both local streets.
Sidewalks - Sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for medium/high density residential uses.

Discussion: The subject property is located in an area with a mixture of single-family, two-family, and multi-family uses. A dental office is also located in the vicinity. The adjacent properties are multi-family buildings. The Comprehensive Plan supports multi-family uses in the area.

The upcoming zoning code update and new zoning map does contemplate rezoning the adjacent properties to the R-3 district as well. The owner requested that the subject property be retained with commercial zoning. However, now the owner is requesting the multi-family zoning immediately to be able to sell the property to the prospective buyer.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on May 9, 2023 and voted 6-0 to recommend the City Council approve the request.

Prepared by: Tom Coots, City Planner

Attachments: Public Notice Letter; Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE RE-ZONING OF CERTAIN PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RICHARD DRIVE AND CURTIS DRIVE FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE R-3 MULTI-FAMILY DISTRICT

(ZON23-03)

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 May 9, 2023 and recommended the City Council approve the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its May 15, 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 R-3 (Multi-family Residential) Zoning described as follows:

Lot 17, Resubdivision of Lots 12, 15-19 of the Amended Subdivision Plat of Scottsvale Subdivision, 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 19th DAY OF JUNE, 2023.**

APPROVED:

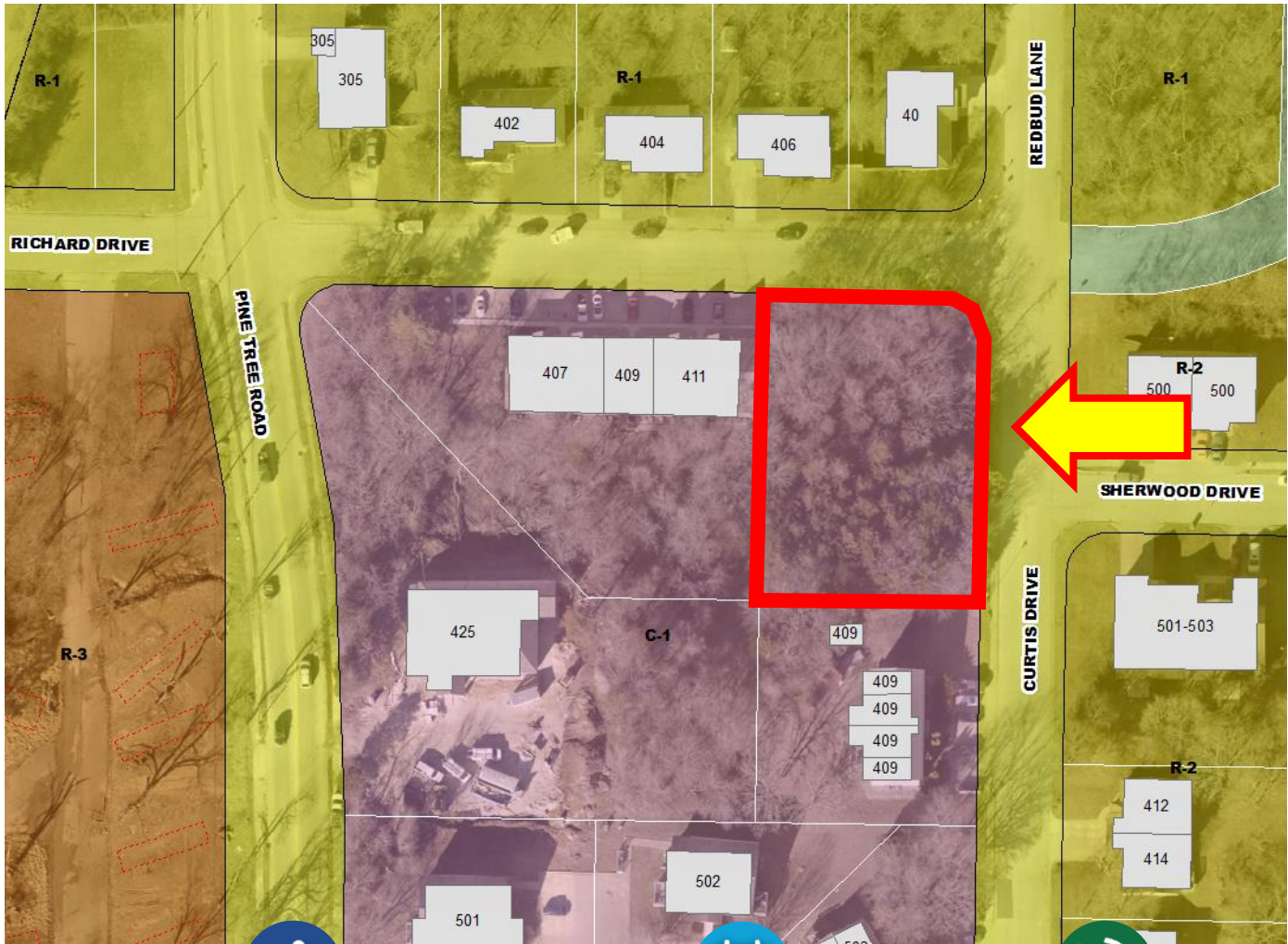
ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor



Project Information:

Case No: ZON23-03
 Location: SW Corner Richard Dr/Curtis Dr
 Applicant: Deborah Castle/Castle Family LP
 Request:
 Rezoning from C-1, Neighborhood Comm. to R-3, Multi-family



Public Hearings:

Planning and Zoning Commission
May 9, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
May 15, 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.D.5



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

Lot 17, Resubdivision of Lots 12, 15-19 of the Amended Subdivision Plat of Scottsvale Subdivision, Rolla, Phelps County, Missouri



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPT. HEAD: Jeff Breen, Fire Chief

ACTION REQUESTED: Resolution

ITEM/SUBJECT: 2023 Rescue Pumper

BUDGET APPROPRIATION: \$952,000

DATE: June 5, 2023

The 2022 - 2023 budget reflects the purchase of a new 2023 Rescue Pumper with air packs. This apparatus will join a fleet of five fire apparatus housed at our two fire stations. While this is a new model pumper the delivery will take approximately 4 months. (As opposed to 3years for a custom order.)

The fire department vehicle replacement schedule has operated successfully using the following method. A fire apparatus is purchased and placed on the front line for 10 – 12 years. During those years the department experiences normal wear and tear with minimal repairs. The vehicle is then replaced with a newer truck on the front line and placed into reserve status. As a reserve apparatus, the truck is maintained, but the daily wear and tear is minimalized due to less usage. The reserve truck is usually cost efficient until the 20 – 25th year where the apparatus would be sold.

This new Rescue Pumper truck will replace the 2013 Pumper that will be put it into reserve at Fire Station 2. The vehicle that will be de-commissioned will be the 1998 Rescue Pumper which will be sold via Gov Deals or another online platform. The vehicle will likely only bring between \$25,000 - \$50,000.

Using the HGAC buying program the department is able to meet the State procurement requirements.

With approval from City Council, the Finance Department will solicit proposals for the lease financing as budgeted. Fire Administration anticipates ten (10) annual payments of \$115,000.

Fire Administration recommends approval to Purchase the 2023 Rescue Pumper from Pierce/Macqueen dealership for \$952,000 utilizing the HGAC program.

VI.A.1

ITEM NO. _____

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF ROLLA, MISSOURI AND MACQUEEN EQUIPMENT, LLC FOR THE PURCHASE OF A 2023 PIERCE RESCUE PUMPER.

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

Section 1: The City Council hereby approves, in form and content, a Purchase Agreement by and between the City of Rolla, Missouri, and MacQueen Equipment, LLC for the purchase of a 2023 Pierce Rescue Pumper. A true and accurate copy of said Purchase Agreement is attached hereto and incorporated herein by reference.

Section 2: The City Council does hereby further authorize the Director of Finance to solicit proposals for the lease financing of the 2023 Pierce Rescue Pumper.

Section 3: This Resolution 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 5th DAY OF JUNE 2023.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR



MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

May 5, 2023

Chief Jeff Breen
City of Rolla
1490 East 10th Street
Rolla, MO 65041

**Subject: Proposal for one (1) Pierce Enforcer Pumper
Stock 36756**

Dear Chief Breen,

With regard to the above subject, please find attached our completed proposal.

Pricing Summary:

Sale Price – **\$888,500.00***

**Pricing includes \$13,500.00 for upgrades/changes to stock.*

Any upgrades/changes above will be the responsibility of the customer.

MSA Air Pack Option: Add \$51,462.00

MSA G1 SCBA Fire Service
Edition, 2018 NFPA Compliant
With the following options:
4-4500 PSIG System Operating Pressure
2-CGA Threaded Remote Connection
2-Standard Harness with Chest Strap
M-Metal Cylinder Band, Adjustable
A-Swiveling Lumbar Pad
2-Solid Cover Left Shoulder
C-Continuous Hose Regulator
2-ExtendAire II Breathing Support
L-Left Chest Voice Amp Speaker Module
A-Right Shoulder PASS w/Std Cntrl Module
R-Rechargeable Battery Type
MSA G1 H45LOW PRO CYL THREADED

Terms and Conditions:

Taxes – Not Applicable

Freight – F.O.B. – MacQueen Service Center

Terms – Net due at contract signing / purchase.

Delivery – 30-90 days from receipt and acceptance of contract, depending on work/changes made to the stock unit.

Stock Unit – Availability is subject to prior sale.

V.I.A.3



MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or international conflicts, or other causes beyond our control not preventing, could alter the delivery schedule.

The specifications herein contained, shall form a part of the final contract, and are subject to changes as desired by the purchaser, provided such changes are acknowledged and agreed to in writing by the purchaser.

This proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications.

The attached proposal is valid for thirty (30) days. *Stock unit subject to prior sale.*

We trust the above and the enclosed to be full and complete at this time; however, should you have any questions or require additional information, please do not hesitate to contact me at 636-667-7213 or mike.borgmann@macqueengroup.com.

We wish to thank the City of Rolla for the opportunity to submit our proposal.

Respectfully,

Mike Borgmann

Mike Borgmann
Apparatus Sales
MacQueen Equipment LLC
DBA MacQueen Emergency Group

PURCHASE AGREEMENT

This Purchase Agreement (together with all attachments referenced herein, the "Agreement"), made and entered into by and between MacQueen Equipment, LLC, as Delaware corporation DBA MacQueen Emergency ("MacQueen"), and City of Rolla, (customer) is effective as of the date specified in Section 3 hereof.

1. Definitions

- a. "Product" means the fire apparatus and any associated equipment furnished for the Customer by MacQueen, pursuant to the specifications.
- b. "Specifications" means the general specifications, technical specifications, orientation, and testing requirements for the Product contained in the MacQueen Proposal for the Product prepared in response to the Customer's request for proposal.
- c. "MacQueen Proposal" means the proposal provided by MacQueen attached as Exhibit C prepared in response to the Customer's request for proposal.
- d. "Delivery" means the date MacQueen is prepared to make physical possession of the Product available to the Customer.

2. Purpose

This Agreement sets forth the terms and conditions of MacQueen's sale of the Product to the Customer.

3. Term of Agreement

This Agreement will become effective on the date it is signed and approved by MacQueen's authorized representative pursuant to Section 22 hereof ("Effective Date") and, unless earlier terminated pursuant to the terms of this Agreement, it will terminate upon the Customer's Acceptance and payment in full of the Purchase Price.

4. Purchase and Payment

The Customer agrees to purchase the Product specified on Exhibit A for the total purchase price of \$893,730.00 ("Purchase Price"). Prices are in US Funds.

NOTE: Upon final inspection at the factory for pick-up or delivery, the customer will need to supply a "Certificate of Insurance" and "FULL PAYMENT" prior to release of the vehicle, unless prior arrangements for vehicle's release have been made.

5. Future Changes

Various state or federal regulatory agencies (e.g. NFPA, DOT, EPA) may require changes to the Specifications and/or the Product and in any such event any resulting cost increases incurred to comply therewith will be added to the Purchase Price to be paid by the Customer. In addition, any future drive train upgrades (engine, transmission, axles, etc.), or any other specification changes have not been calculated into our annual increases and will be provided at additional cost. To the extent practicable, Company will document and itemize any such price increase for the Customer's approval before proceeding.

6. Agreement Changes

The Customer may request that MacQueen incorporate a change to the Products or the Specifications for the Products by delivering a change order to MacQueen; provided, however, that any such change order must be in writing and include a description of the proposed change sufficient to permit MacQueen to evaluate the feasibility of such change ("Change Order"). Within seven (7) business days of receipt of a Change Order, MacQueen will inform the Customer in writing of the feasibility of the Change Order, the earliest possible implementation date for the Change Order, of any increase or decrease in the Purchase Price resulting from such Change Order, and of any effect on production scheduling or Delivery resulting from such Change Order. MacQueen shall not be liable to the Customer for any delay in performance or Delivery arising from any such Change Order. A Change Order is only effective when counter-signed by MacQueen's authorized representative. Only the listed customer person(s) specified on Exhibit A may be able to authorize and sign the Change Order.

VI.A.4

7. Cancellation/Termination

Except in the case of a default by MacQueen as provided in paragraph 14, in the event this Agreement is cancelled or terminated by a party before completion, MacQueen may charge a cancellation fee. The following charge schedule based on costs incurred may be applied: (a) 0% of Purchase Price if cancelled on or before June 6, 2023 due to non-appropriation of funds (b) 10% of the Purchase Price after order is accepted and entered by MacQueen following June 6, 2023; (c) 20% of the Purchase Price after completion of approval drawings, and; (d) 30% of the Purchase Price upon any material requisition. The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. MacQueen endeavors to mitigate any such costs through the sale of such Product to another purchaser; however, Customer shall remain liable for the difference between the Purchase Price and, if applicable, the sale price obtained by MacQueen upon sale of the Product to another purchaser, plus any costs incurred by MacQueen to conduct any such sale.

8. Delivery, Inspection, and Acceptance**a. Delivery**

Delivery of the Product is approximately ~~30-90 days~~ of the Effective Date of this Agreement. Risk of loss shall pass to Customer upon Delivery. Delivery shall be made and title shall pass upon Customer's complete fulfillment of its obligations arising under Section 4 hereof. Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible.

b. Inspection and Acceptance

Upon Delivery, Customer shall have fifteen (15) days within which to inspect the Product for substantial conformance to the material Specifications, and in the event of substantial non-conformance to the material Specifications to furnish MacQueen with written notice sufficient to permit MacQueen to evaluate such non-conformance ("Notice of Defect"). Any Product not in substantial conformance to material Specifications shall be remedied by MacQueen within thirty (30) days from the Notice of Defect. In the event MacQueen does not receive a Notice of Defect within fifteen (15) days of Delivery, Product will be deemed to be in conformance with Specifications and Accepted by Customer.

9. Notice

Any required or permitted notices hereunder must be given in writing at the address of each party set forth below, or to such other address as either party may substitute by written notice to the other in the manner contemplated herein, by one of the following methods: hand delivery; registered, express, or certified mail, return receipt requested, postage prepaid; or nationally-recognized private express courier:

MacQueen Equipment, LLC
1125 7th Street East
St. Paul, MN 55106

City of Rolla
Chief Jeff Breen
1490 East 10th Street
Rolla, MO 65041

10. Standard Warranty

The equipment sold herein will be manufactured by Pierce Manufacturing, Inc. and any warranties are attached hereto as Exhibit B and made a part hereof. Any additional warranties must be expressly approved in writing by Pierce's authorized representative and MacQueen.

a. Disclaimer

Other than as expressly set forth in this agreement, neither Pierce, its Parent Company, Affiliates, Subsidiaries, Licensors, suppliers, distributors, dealers, including without limitation, MacQueen, or other respective officers, directors, employees, shareholders, agents or representatives, make any express or implied warranties with respect to the products provided hereunder or otherwise regarding this agreement, whether oral or written, express, implied or statutory. Without limiting the foregoing, any implied warranty against infringement, and the implied warranty of condition of fitness for a particular purpose are expressly excluded and disclaimed. Statements made by sales representatives or in promotional materials do not constitute warranties.

b. Exclusions of Incidental and Consequential Damages

In no event shall MacQueen be liable for consequential, incidental or punitive damages incurred by Customer or any third party in connection with any matter arising out of or relating to this Agreement, or the breach thereof, regardless of whether such damages arise out of breach of warranty, tort, contract, strict liability, statutory liability, indemnity, whether resulting from non-delivery or from MacQueen's own negligence, or otherwise.

11. Insurance

MacQueen maintains the following limits of insurance with a carrier(s) rated A- or better by A.M. Best:

Commercial General Liability Insurance:

Products/Completed Operations Aggregate: \$ 2,000,000

Each Occurrence: \$ 2,000,000

Umbrella/Excess Liability Insurance:

Aggregate: \$ 5,000,000

Each Occurrence: \$ 5,000,000

The Customer may request MacQueen to provide the Customer with a copy of a current Certificate of Insurance with the coverages listed above.

12. Indemnity

The Customer shall indemnify, defend and hold harmless MacQueen, its officers, employees, dealers, agents or subcontractors, from any and all claims, costs, judgments, liability, loss, damage, attorneys' fees or expenses of any kind or nature whatsoever (including, but without limitation, personal injury and death) to all property and persons caused by, resulting from, arising out of or occurring in connection with the Customer's purchase, installation or use of goods sold or supplied by MacQueen which are not caused by the sole negligence of MacQueen or Pierce.

13. Force Majeure

MacQueen shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond MacQueen's control which make MacQueen's performance impracticable, including but not limited to civil wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, delays in transportation, inability to obtain necessary labor supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy or terrorism, failure of transportation, epidemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.

14. Default

The occurrence of one or more of the following shall constitute a default under this Agreement:

(a) the Customer fails to pay when due any amounts under this Agreement or to perform any of its obligations under this Agreement; (b) MacQueen fails to perform any of its obligations under this Agreement; (c) either party becomes insolvent or become subject to a bankruptcy or insolvency proceedings; (d) any representation made by either party to induce the other to enter into this Agreement is false in any material respect; (e) the Customer dissolves, merges, consolidates or transfers a substantial portion of its property to another entity; or (f) the Customer is in default or has breached any other contract or agreement with MacQueen.

15. Relationship of Parties

Neither party is a partner, employee, agent, or joint venture of or with the other.

16. Assignment

Neither party may assign its rights and obligations under this Agreement unless it has obtained the prior written approval of the other party.

17. Governing Law; Jurisdiction

Without regard to any conflict of law's provisions, this Agreement is to be governed by and under the laws of the state of Minnesota.

VI.A.6

18. Facsimile & Electronic Verified Signatures

The delivery of signatures to this Agreement by facsimile transmission and/or electronic verified shall be binding as original signatures.

19. Entire Agreement

This Agreement shall be the exclusive agreement between the parties for the Product. Additional or different terms proposed by the Customer shall not be applicable, unless accepted in writing by MacQueen's authorized representative. No change in, modification of, or revision of this Agreement shall be valid unless in writing and signed by MacQueen's authorized representative.

20. Conflict

In the event of a conflict between the Customer Specifications and the MacQueen Proposal, the MacQueen Proposal shall control.

21. Additional Orders

Company, at its sole discretion, will allow the terms of this contract to be extended to both the Customer, as well as to other Municipal, State, or Federal agencies for similar unit(s). Company will allow tag on / additional orders for up to three (3) years from the date of contract execution. To facilitate pricing, Company will quote the original price plus manufacturer's price increases or Producer's Price Index (PPI) whichever is greater as it applies to either Fire Apparatus and/or commercial heavy truck industries. Additionally, any regulatory changes (NFPA, EPA, Engine Emissions, FMVSS, etc.) will also have to be added to the price as they become applicable. Change orders to the original specification will need to be authorized, signed, and accepted by Company. Any entity using this tag-on/additional orders program will be required to sign a new contract commencing the relationship. Additionally, if required by the Purchaser, any new tag-on / additional orders that require a "separate" Performance bond will be separately priced. This contract, including its appendices, embodies the entire agreement between the parties relating to the subject matter contained herein and merges all prior discussions and agreements. No agent or representative of Company has authority to make any representations, statements, warranties, or agreements not herein expressed and all modifications of amendments of this agreement, including any appendices, must be in writing and executed by an authorized representative of each of the parties hereto. No surety of any performance bond given by Company to the Customer in connection with this Agreement shall be liable for any obligation of Company arising under the Standard Applicable Warranty.

22. Signatures

This Agreement is not effective unless and until it is approved, signed and dated by MacQueen's authorized representative.

Accepted and Agreed to:

MACQUEEN EQUIPMENT, LLC

Signature: Dale Trettel

Name: Dale Trettel

Title: Director of Sales

Date: 5/9/2023

CITY OF ROLLA

Signature: John D Butz

Name: John D Butz

Title: City Administrator

Date: 5/9/2023

VIA.7



PERFORM LIKE NO OTHER

MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

May 5, 2023

Chief Jeff Breen
City of Rolla
1490 East 10th Street
Rolla, MO 65041

**Subject: Proposal for one (1) Pierce Enforcer Pumper
Stock 36756**

Dear Chief Breen,

With regard to the above subject, please find attached our completed proposal.

Pricing Summary:

Sale Price – \$893,730.00*

**Pricing includes Deck Gun with install and \$13,500.00 for upgrades/changes to stock.
Any upgrades/changes above will be the responsibility of the customer.*

MSA Air Pack Option: Add \$51,462.00

MSA G1 SCBA Fire Service
Edition, 2018 NFPA Compliant
With the following options:
4-4500 PSIG System Operating Pressure
2-CGA Threaded Remote Connection
2-Standard Harness with Chest Strap
M-Metal Cylinder Band, Adjustable
A-Swivelling Lumbar Pad
2-Sold Cover Left Shoulder
C-Continuous Hose Regulator
2-ExtendAire II Breathing Support
L-Left Chest Voice Amp Speaker Module
A-Right Shoulder PASS w/Std Cntrl Module
R-Rechargeable Battery Type
MSA G1 H45LOW PRO CYL THREADED

Terms and Conditions:

Taxes – Not Applicable
Freight – F.O.B. – MacQueen Service Center
Terms – Net due at contract signing / purchase.
Delivery – 30-90 days from receipt and acceptance of contract, depending on work/changes made to the stock unit.

Stock Unit – Availability is subject to prior sale.

VIA.9



MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or international conflicts, or other causes beyond our control not preventing, could alter the delivery schedule.

The specifications herein contained, shall form a part of the final contract, and are subject to changes as desired by the purchaser, provided such changes are acknowledged and agreed to in writing by the purchaser.

This proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications.

The attached proposal is valid for thirty (30) days. *Stock unit subject to prior sale.*

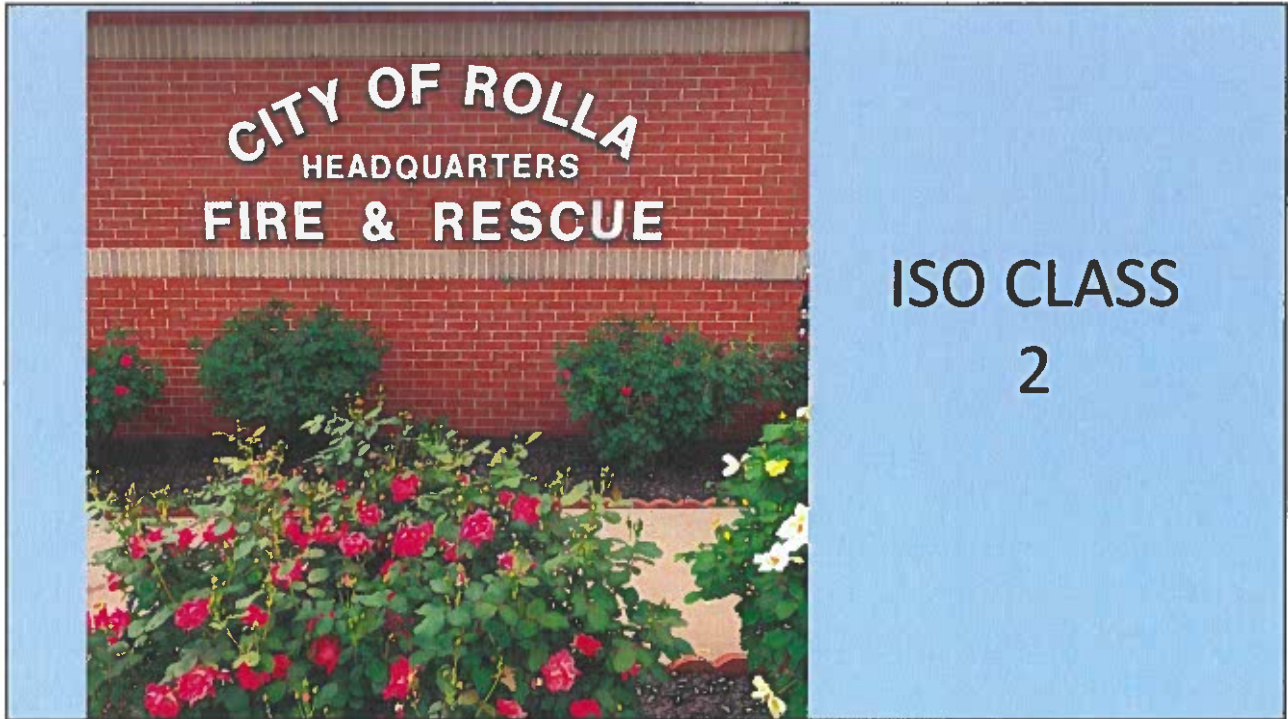
We trust the above and the enclosed to be full and complete at this time; however, should you have any questions or require additional information, please do not hesitate to contact me at 636-667-7213 or mike.borgmann@macqueengroup.com.

We wish to thank the City of Rolla for the opportunity to submit our proposal.

Respectfully,

Mike Borgmann

Mike Borgmann
Apparatus Sales
MacQueen Equipment LLC
DBA MacQueen Emergency Group



The City of Rolla Fire & Rescue is an ISO Class 2 Rated Department. That places Rolla City Fire in the top 3% nation wide!

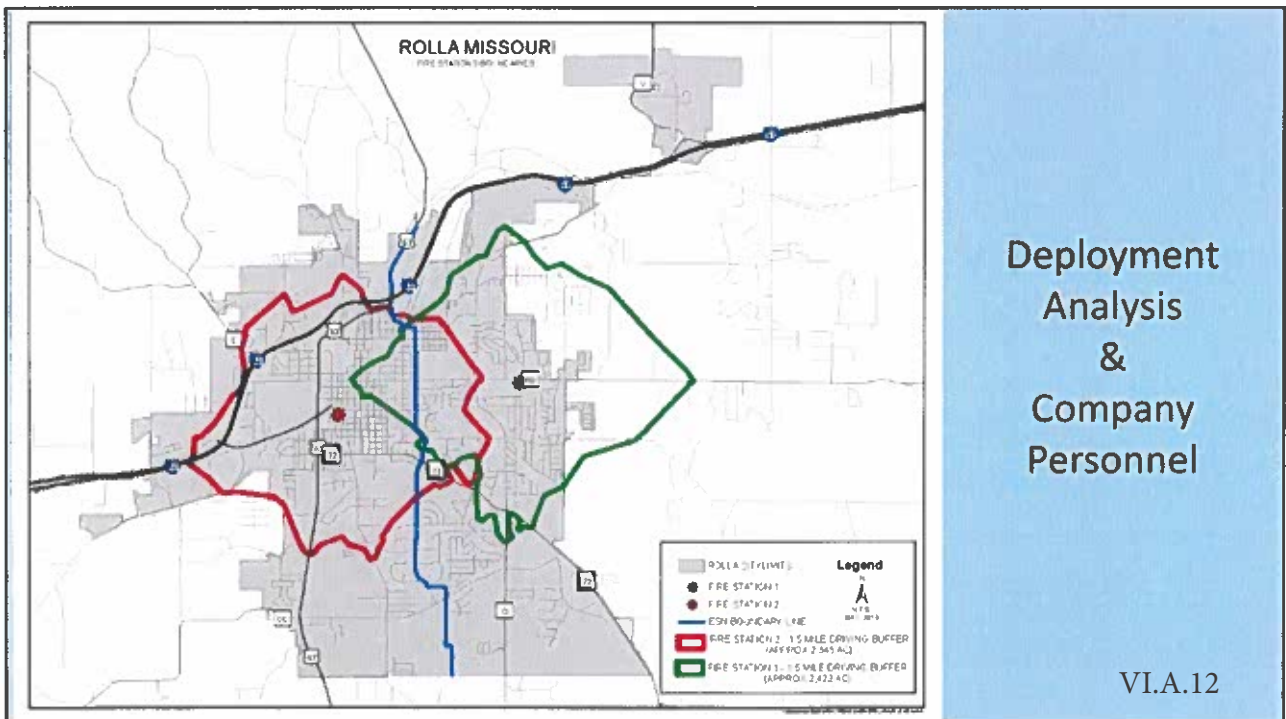
ISO rating Fire

A company called the **ISO** (Insurance Services Office) creates **ratings** for fire departments and their surrounding communities. The **ratings** calculate how well-equipped fire departments are to put out fires in that community. The **ISO** provides this score, often called the "**ISO fire score**," to homeowners insurance companies.

VI.A.11

ISO CLASS 2 Data Collected & Analysis

- Emergency Communications – 10 points
 - Emergency reporting, telecommunications, dispatch circuits
- Fire Department – 50 points
 - Engine companies, reserve pumpers, pump capacity, ladder companies
 - Reserve ladder companies, deployment analysis,
 - Personnel, training, operational
 - Community risk reduction
- Water Supply – 40 points
 - Supply system, hydrant size, type, and installation
 - Inspection & flow testing of hydrants

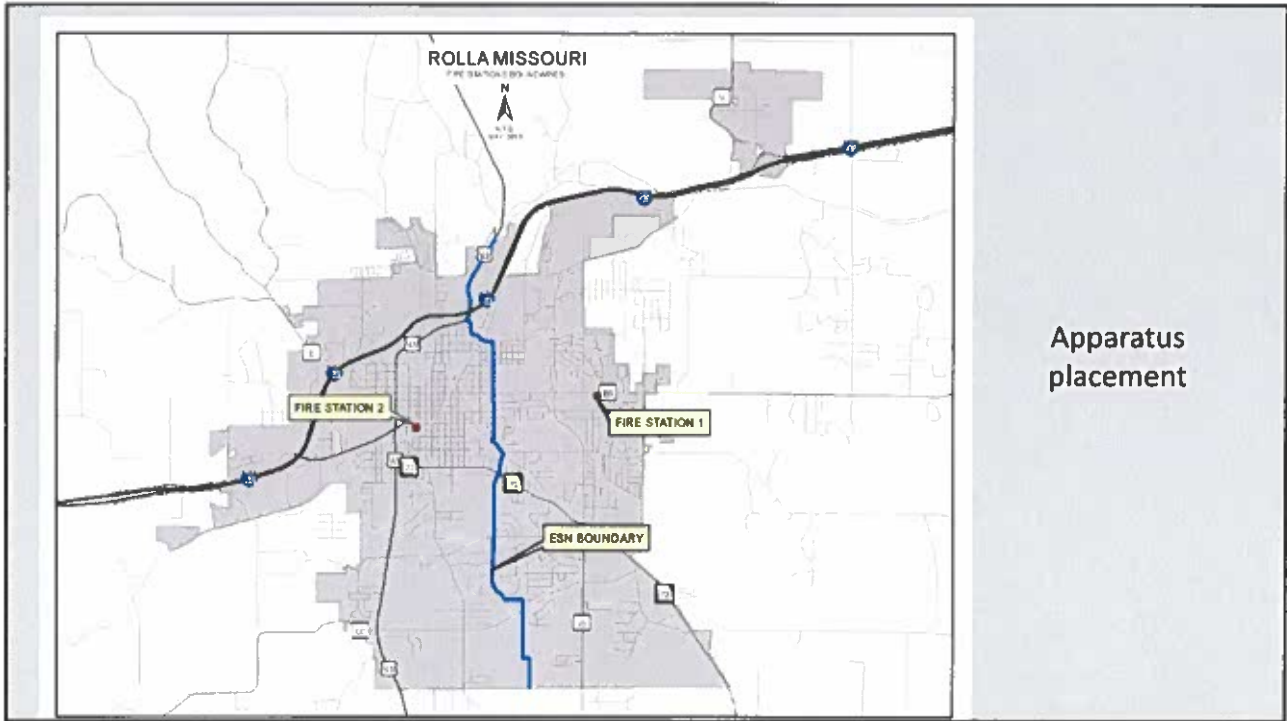


The fire department vehicle replacement schedule has operated successfully using the following method. A fire apparatus is purchased and placed on the front line for 10 – 12 years. During those years the department experiences normal wear and tear with minimal repairs. The vehicle is then replaced with a newer truck on the front line and placed into reserve status. As a reserve apparatus, the truck is maintained, but the daily wear and tear is minimalized due to less usage. The reserve truck is usually cost efficient until the 20 – 25th year where the apparatus would be sold.

Fire Apparatus Replacement Schedule

	VEH #	DRIVER	CYCL E	2019-20	2020-21	2021-22	2022-23	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Pierce 95' aerial 2006 (bought 2011)	T31	Fleet	25	75,794	0	0	0	0	0	0	0	0	0
Pierce Rescue '98	E32	Fleet	25	0	0	0	0	0	0	0	0	0	0
Pierce 75' Quint '07	L35	Fleet	20	0	0	0	0	0	0	0	0	0	0
Pierce 2013 Pumper Impel	E34	Fleet	20	54,320	54,320	54,320	0	0	0	0	0	0	0
Pierce Asendent 107' - 12 Payments 4%	L-33	Fleet	20	135,000	135,000	135,000	135,000	135,000	135,000	135,000	135,000	135,000	135,000
Pierce 75' Quint '00	L-36	Fleet	25	0	0	0	0	0	0	0	0	0	0
Replacement Pumper (13' Impel)		Fleet	20	0	0	0	115,000	115,000	115,000	115,000	115,000	115,000	115,000
Mobile Command Post '07	CP	Fleet	20	0	0	0	0	0	0	0	100,000	100,000	100,000
VEHICLE TOTALS				266,114	189,320	189,320	250,000	250,000	250,000	250,000	350,000	350,000	350,000

VI.A.13



Apparatus placement



VI.A.14



2023-Enforcer Rescue Pumper \$951,000
2000gpm pump
45,000 GVW



2007 Burlington Command Post - \$205,000 HSRT



2006 - Dash 95' Platform Pierce \$675,000
Purchased used 2011
2,000 gpm pump



2007 - Quantum 75' Aerial Ladder \$609,845
1,750 gpm pump
70,800 GVW

VIA.15



2019-Velocity 107' Aerial Ladder \$1,250,000
1,500 gpm pump
57,500 GVW



VIA.16



PUBLIC SAFETY IS OUR PRODUCT

VI.A.17

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: City Administrator John Butz

ACTION REQUESTED: Resolution to Select General Code to Provide Codification Services

ITEM/SUBJECT: Codification Services for Rolla City Ordinances

TOTAL BUDGET APPROPRIATION: \$25,000

DATE: June 5th, 2023

COMMENTARY:

Codification Services assists cities with the consolidation of legislation and organize same in a logical sequence that assists with public search and retrieval of active and historical ordinances. The City last did a comprehensive codification in 1988 and has utilized MRPC in updating same. The City generally spends between \$2600 and \$4000 each year to maintain. Our search engine was created internally and is very outdated. Code retrieval is a vital public service and should be done much more professionally.

In April 2023, Administration submitted an RFP to the two most reputable codification companies in the state: General Code and CivicPlus (previously known as Municipal Code). A complete legal review and recodification of the current codes, quarterly electronic supplementation, and annual print supplementation services were requirements.

Both companies have excellent reputations. Administration has spoken to different City Clerk's over the last year, such as St. James, Lebanon, and Frontenac, and have found that the use of each company seems to be even statewide with positive reviews all around.

CivicPlus: Base Project Price of \$19,872.00 with an annual recurring service charge of \$5975.00.

General Code: Base Project Price of \$16,400 with an annual recurring service charge of \$1,195.00 for website management.

There can be minor additional charges for the additional printing of code books, code supplementation, as well as the gender neutralization of code. Unless specifically requested with agreements to reimburse for the same, all hard copies will be replaced with a new, user friendly web link that will be located on www.rollacity.org.

Council gave preliminary authorization of \$25,000 of ARPA funds for Codification Services on January 18, 2022.

Recommendation: Resolution to accept the codification services proposal from General Code (process can take 12-24 months). VI.B.1

ITEM NO. _____

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SERVICE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND GENERAL CODE FOR CODIFICATION SERVICES.

BE IT RESOLVED 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 General Code

Section 2: That this resolution 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 JUNE 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR



Proposal for Codification Services

PREPARED FOR:

City of Rolla, Missouri

PREPARED BY:

SUSAN LANE

CODIFICATION ACCOUNT MANAGER

slane@generalcode.com

800.836.8834

DATE:

May 8, 2023

(Valid for six months)

Part II: Scope of Services

The City of Rolla is requesting proposals for the codification of its legislation, hosting of its Code online, and Code update services. Listed below are the various required components for the codification project. The codifier shall clearly describe in its response a recommended process for providing these components, including a project timeline.

Initial Codification of Legislation:

The codifier shall:

1. Review all legislation to determine and properly incorporate all Code-relevant legislation into the Code.

General Code will consult with Rolla's designated contact person to review the project generally and to clarify any initial questions for both *General Code* and the City. To begin the project, the City and *General Code* shall confirm the source materials for the project.

2. Provide written documentation of the legislation and its disposition.

We will prepare an Organizational Analysis of your legislation for the City to review, which will include a proposed Table of Contents of the Code and a listing of legislation reviewed, along with questions about any missing material and adoption dates as well as any other questions pertaining to the completeness of materials being reviewed. The City will review the Organizational Analysis and make whatever changes it feels are necessary. An editor will incorporate the feedback received into the project and move forward to prepare the Manuscript and the Editorial and Code Analysis.

To accompany your Code, we will prepare an Editorial and Code Analysis for your review. Your project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be presented in a progressive format with option sets to guide the user in the decision-making process. City officials, including the City Attorney, will have the final decision-making authority for the resolution of any and all issues.

In some instances, we will recommend the use of sample material from our Missouri-specific "Model Code," including subjects such as Offenses, Traffic and Alcoholic Beverages, as well as others as deemed appropriate. Subject matter from the current Code not covered by the "Model Code" provisions shall be retained so the City does not lose its ability to enforce laws that are unique to the City.

3. Provide a complete review of the municipality's legislation, identifying any conflicts or inconsistencies within the municipality's legislation or between the legislation and applicable state statutes. The report provided to the City of Rolla shall be presented in an intuitive format and include tools to streamline the decision-making process. It shall be understood that these recommendations shall not be considered legal advice. The codifier shall provide an example of the format of the report(s) of its findings as part of its response.

'Codification Powered by Code Review brings your code project to life during the milestones of your project. Code Review is a revolutionary platform, shared

VI.B.4

interactively between the *General Code* project team and your review committee, that guides you through the stages of your Codification project.

Code Review, a secure, searchable platform, gives your codification stakeholders the ability to manage milestones, share and assign questions, and expedite the decision-making process. With digital access to all your relevant project documentation throughout the project, including the analysis, drafts and reference documents, our technology eliminates the need for paper reports, printed legal memorandums or Legal Workbooks.

Codification Powered by Code Review will include these supporting documents as the project progresses through the codification stages:

- Code Project Contract
- Code Project Guidelines
- Digital Manuscript
- Editorial and Code Analysis
- Record of any changes to be made
- Code Adoption Ordinance
- Disposition List
- Digital Drafts of your Code

See an example of a report attached to this proposal.

4. Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in local laws, policies and rules will be submitted to the City of Rolla in consultation with the Municipal Attorney.

The City will review the Editorial and Code Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the City officials and the City Attorney.

The Editorial and Code Analysis will include the following:

- Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
 - Identification of duplications, conflicts and inconsistencies with Missouri statutes
 - Identification of Model Code provisions that can replace outdated City provisions, including subjects such as Offenses, Traffic and Alcoholic Beverages and any others deemed appropriate by the City
 - Any practical recommendations to make your legislation more enforceable
 - Suggestions regarding fines, fees and penalties
 - Suggestions on ways to modernize your legislation
5. Submit a legal manuscript for the municipality's review. Any recommendations by the codifier are to be provided to, and discussed with, the City of Rolla.

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Your *General Code* project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be presented in a progressive format with option sets to guide the user in the decision-making process. City officials, including the City Attorney, will have the final decision-making authority for the resolution of any and all issues.

6. Conduct a conference, in person, by telephone or via webinar, to review the legal manuscript.

When the Digital Manuscript and Editorial and Code Analysis are ready for review, *General Code* will activate your *Code Review* site and provide your review committee with a secure link to the online version of your in-process Code. We will facilitate a dedicated e-Learning workshop for your municipal officials, led by our *General Code* training specialist, to guide you through the features and functionality of the platform.

7. Provide the City of Rolla with a draft copy of the Code for review prior to publication.

Code Review, a secure, searchable platform, gives your codification stakeholders the ability to manage milestones, share and assign questions, and expedite the decision-making process. With digital access to all your relevant project documentation throughout the project, including the analysis, drafts and reference documents, our technology eliminates the need for paper reports, printed legal memorandums or Legal Workbooks. *General Code* will submit a Draft of the Code for final review by the City.

8. Prepare and publish a comprehensive, detailed Code Index with the final publication. The codifier will include an example of a typical Index in its response.

Upon approval to proceed with the publication of your Code, we will prepare a comprehensive Index that is designed to let the City quickly and easily locate information in the Code. See a sample Index page in the Appendix to this proposal.

9. Provide 3 copies of the new Code volumes, printed in 8-1/2-by-11-inch, single-column page format, housed in heavy-duty post binders, imprinted with the name and Seal (if desired) of the City of Rolla on the cover and spine of the printed binder.

General Code will publish 3 printed copies of your Code printed in 8-1/2-by-11-inch, single-column page format in high-quality, custom-imprinted post binders. If the City of Rolla desires they can customize the look of the final printed Code binder, including the color of your binder (blue, dark red, green, brown, black or gray) and the color of the silk-screen lettering on the binder cover (white, silver or gold). We can also emboss the City's Seal on the front and spine for added impact at no additional charge.

10. Publish the existing Code online during the initial codification project.

Once the final deliverables have been prepared, *General Code* will make your *eCode360* site available to the public. *eCode360* is a secure, reliable online platform created specifically to house codified laws and municipal documents.

11. Provide materials to assist the municipality in the adoption of the Code as the official body of law of the municipality.

We will prepare Code Adoption Legislation for the proposed Code and give it to the City of Rolla for review and enactment by the governing body. The Code should be adopted as soon as possible to formally enact the many revisions authorized by the City and establish the Code as the permanent enforceable system of law in the City. If the Code adoption legislation is enacted and returned to us within 90 days of submission, we will include this material in the Code free of charge. Once the Code is adopted, it can be amended directly to change, add or delete material.

Online Code:

The codifier agrees to host the online Code so that municipal staff and constituents can use the Code with any electronic device that has internet access.

The following table highlights the differences in our available eCode360 levels.

	Standard eCode360	Premium eCode360
Annual Maintenance Fee	\$995	\$1,195
New Laws	x	x
Easy and Flexible Searching	x	x
Dynamic Table of Contents	x	x
Email or Share Links	x	x
Printing	x	x
Bookmarking Searches	x	x
Archive View	x	x
"Sticky" Table Headers	x	x
Administrative Tools	x	x
Translate	x	x
eCode360 Search App	x	x
Linked New Laws	x	x
Public and Private Notes	x	x
Sample Legislation (Multicode Search)	x	x
Download to Word	x	x
Download to PDF		x
New Laws Indicator		x
Advanced Search		x
Customizable Titles		x
eAlert		x
Public Documents Module		x

The codifier shall:

1. Provide reliable 24/7 hosting services for the online electronic Code.

General Code supports your community through technologies that transform your users' experience and empower your community to access, navigate and share your Code in exciting new ways. Our eCode360 platform was designed by our own

in-house team of software engineers, experts who understand the importance and value of simplifying how you access and use your Code, generating an impressive 71,000 users a day while boasting an incredible uptime average of 99.9%. *eCode360* is available 24/7, 365 days a year.

2. Provide easy and logical navigation of online electronic Code content for constituents and staff.

eCode360 offers a user experience that's simple and intuitive. Our easy-to-use, uncluttered interface allows users to access, search and share Code sections with incredible speed and precision on desktop and mobile devices. It provides the power to communicate information to everyone in your municipality like never before.

3. Post online searchable copies of legislation adopted between updates, i.e., legislation not yet codified.

Between regular Code supplements, *General Code* will temporarily post PDF copies of new legislation to your online Code.

4. Back-up the Code on a secure and reliable Web server.

eCode360 is hosted on Amazon Web Services (AWS)'s EC2, which has an uptime guarantee of 99.99%. Our servers are backed up using IT industry best practices, taking advantage of multiple redundancies and regions within AWS. In addition to a robust disaster recovery plan, we have taken steps to avoid disaster by building *eCode360* from the ground up to be secure and scalable. The system is designed and engineered to minimize the possibility of intrusion and uses multiple leading-edge technologies to harden and secure the service.

5. Display full-quality graphics and tables with searchable captions.

eCode360 allows for integrated tables that allow users to view tables in context, multi-column layout options to accommodate natural image placement, searchable image captions, color coding to create easier navigation, and high-quality graphics. Every community is unique, so we also offer custom solutions tailored to suit your community's specific needs.

6. Offer data transfer services to make Code information available in alternative formats (such as excel) for use in other municipal software.

Application Programming Interfaces (API) make it possible for your Code in *eCode360* to "talk" with additional external systems to share information. *General Code* has APIs that deliver structured Code information contained in *eCode360* to external systems, including legislation drafting, parcel management, municipal websites, enterprise content management (ECM), permitting, GIS-based interactive maps, code enforcement, law enforcement, and more.

Designated municipal staff users shall be able to:

1. Attend live training sessions given by a dedicated training specialist via video conference webinars.

Our webinars are free 30- to 45-minute online classes that teach your staff about *eCode360* functionality. We have put together a series of online classes that start ^{VI.B.8}

with the basics – how to login, search and navigate your online Code, print and email Code sections, post New Laws, etc. – and progressively dig deeper into *eCode360*– how to perform legislation research, view archived versions of your Code, and customize the look and feel of your Code. Each webinar series is offered in sections targeted at the following roles: Municipal Clerks and Administrators, Code Enforcement Officials, Building, Planning & Zoning Professionals, and Attorneys.

2. Publish related documents online in the same platform as the Code to facilitate comprehensive searching.

Post non-Code documents along with your online Code using the PubDocs module. PubDocs is available with Premium *eCode360*.

3. View electronic Code visitor statistics including number of visits and most commonly searched terms.

Using the *eCode360* dashboard, Administrators can see how many views your *eCode* is getting and the most commonly searched topics. Manage users and features on your site—or view information about your print books and history of updates.

4. View online archived versions of the Code for historical reference.

With *eCode360* the City may view a permanent archive of your Code, updated with each supplement.

5. Download the Code to an editable Microsoft Word document.

With Standard or Premium *eCode360* Administrative users can download Code text to a Microsoft Word document to edit and track changes when drafting new legislation.

6. Search multiple Codes at once to find sample legislation in the codifier's database of client Codes.

With Standard or Premium *eCode360* the City can search across multiple Codes by municipality, geographic region, government type or population to find sample legislation or other Code content for zoning use, legal cases or historical research.

7. Insert password-protected annotations into the online Code.

With Standard or Premium *eCode360* Administrative users can add customized titles and comments to your legislation in New Laws.

Constituents and staff shall be able to:

1. Search the Code by keywords or phrases.

All levels of *eCode360* allow users to search by keywords, phrases, section numbers and more.

2. Download an app for searching the Code on smartphones.

All levels of *eCode360* features the *eCode360* Search App which allows users to use any mobile device or tablet to search your Code.

3. Print or email at the section, article, and chapter level of the online Code.

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All levels of eCode360 allows users to email a link to a specific Code section or share via social media. Users can also print with user-friendly functionality and a variety of user options.

Code Update Services (After Initial Codification of Legislation):

The codifier agrees to maintain the Code of the City of Rolla by properly incorporating new legislation as it is passed by the municipality. The supplements may be published as often as the municipality desires. In its response, the codifier will include average turnaround time. The City of Rolla shall furnish copies of all new legislation to the codifier.

With each Code update, the codifier shall:

1. Determine proper placement of legislation within the Code to properly incorporate Code material.

The work on your supplement specifically focuses on the new legislation being incorporated with each supplement. For each supplement we provide project management, recordkeeping, processing, professional review of new legislation, and consult throughout the project. As part of our process for new legislation, *General Code* will determine proper placement of legislation within the Code.

2. Implement the standard style conventions, internal sectional organizational hierarchy and numbering system to match the Code; correct/update as necessary.

As part of our process for new legislation, *General Code* will impose standard style conventions and internal section organizational hierarchy consistent with the rest of the Code, i.e., number citation, capitalization, nonsubstantive grammar and punctuation, internal and statutory reference citations.

3. Correct any misspellings so that the online electronic Code remains searchable.

General Code will correct any misspellings so that searchability in eCode360 is not compromised.

4. Confirm accuracy of internal and statutory references; suggest updates as necessary and appropriate.

General Code will always confirm accuracy of internal and statutory references and will suggest updates to the City as necessary and appropriate.

5. Read and review for missing wording and internal conflicts.

As part of our process for new legislation, *General Code* will read and review all legislation for missing wording and internal conflicts.

6. Maintain legislative integrity and improve the presentation of tabular material so that the information contained therein is easily accessible.

General Code will maintain legislative integrity by following the original tables and graphics and, where necessary, improving the presentation so that the information contained therein is easily accessible.

7. Notify the municipality of any issues and concerns noted, and work together to determine an appropriate resolution.

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As part of our process for new legislation, *General Code* will notify the City of any issues and concerns noted and will work together to determine appropriate resolution.

8. Compose or update supporting documents and ancillary Code pieces, including the Disposition List, Table of Contents, Index, General References, and Editor's Notes.

When necessary, *General Code* will update ancillary Code pieces, such as the Disposition List, Table of Contents, Index, General References, and Editor's Notes.

9. Create an Instruction Page so that paper Code holders can properly update the Code.

General Code will create an Instruction Page so that paper Code holders can properly update the Code.

10. Update the online Code with each supplement.

Electronic updates will be incorporated into the Code, and a fully searchable, complete Code will be delivered online. To assist with the City's efforts to reduce paper usage and transition to online-only Code access, *General Code* recommends quarterly electronic-only Code supplements and a paper supplement delivery annually.

Part III: Optional Products and Services

The codifier shall provide proposals for each of the following options, including a complete description of the services and all applicable costs.

Alternative Zoning Map Presentations

Provide method for modernizing the presentation its GIS, zoning, and land use to make it easier for business and property owners, planners, developers, and constituents to access and use the City of Rolla's regulations. ✓

MapLink™ powered by ZoningHub™

MapLink is a *Visual Zoning* service that makes it easier for business and property owners, planners, developers, and constituents to find the information they need in your community's Zoning ordinance by presenting Zoning Code data from *eCode360* in an interactive online map. *MapLink* users can click on a map to view details about permitted uses and answer questions such as, "Where can I open my business?" and "What can I do with my property?" With just a few clicks, users interested in economic development can view dimensional requirements, allowable uses, and zoning districts, zoom to an individual parcel to examine its requirements, or search for properties based on land use. By making it easier for users to find the information they need for their development projects, they are more likely to open their businesses in the City, which can help grow your community. ✓

MapLink uses your municipality's existing GIS map information and seamlessly presents data from *eCode360*, so your interactive map clearly and accurately displays your essential Zoning elements. When a Code supplement, including a Zoning change is completed and posted to *eCode360*, your Code data is simultaneously updated in *MapLink*, ensuring that users are always working with the most accurate requirements.

Code Content Export:

Codifier to describe its ability to export Code content into other formats for use in additional municipal software systems.

Application Programming Interface

Application Programming Interfaces (API) make it possible for your Code in *eCode360* to "talk" with additional external systems to share information. *General Code* has APIs that deliver structured Code information contained in *eCode360* to external systems, including legislation drafting, parcel management, municipal websites, enterprise content management (ECM), permitting, GIS-based interactive maps, code enforcement, law enforcement, and more.

Chapter Reprints (Pamphlets):

Codifier can fulfill requests from constituents and municipal officials of certain chapters/sections of the Code. Municipality to identify chapters along with number of reprints of each required.

General Code can fulfill requests from constituents and municipal officials to reprint certain chapters/sections of the Code. Pricing for any reprints and/or pamphlets can be provided upon request by the City.

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Other project options:

Codifier to describe additional or alternative project options available

Custom Local Building Code

Until now, no single publication has included both ICC I-Code building regulations and local amendments in an integrated form. Our CLBC solution will create a single central repository for your adopted Building Code regulations that is intuitive, searchable, and linked to your municipal Code. This solution will eliminate the need to separately manage state adopted I-Codes and your local amendments and make your Building Code regulations available from anywhere at any time, even if the City only has one set of printed books. ✓

With CLBC there is no need to wade through multiple documents, model code changes and your amendments to get all the information you need. *General Code* will organize, incorporate amendments, and update your Building Codes through every adoption of your ICC Codes providing you a set of reference material and content that has everything in one place and all integrated together. Upon request, we are happy to provide a separate proposal with a firm project price for the City.

eCode360® Enhanced Graphics™

eCode360 Enhanced Graphics can help drive economic development in your community by presenting an online Zoning Code that is clear, easy to understand and always up to date. *Enhanced Graphics* offers zoning specific features like integrated tables that allow users to view tables in context, multi-column layout options to accommodate natural image placement, searchable image captions, color coding to create easier navigation, and high-quality graphics. Every community is unique, so we also offer custom solutions tailored to suit your community's specific needs.

Part IV: Price Quotation Sheet

The codifier shall indicate below the prices for the codification project and any optional products and services described in Part III. The price for the codification project shall reflect the total cost to the City of Rolla for the project as described.

Base Project Price

\$16,400

The Base Project Price must include all fees and costs associated with this project and shall be a not-to-exceed amount. Additional or hidden fees may result in disqualification of consideration for this RFP.

This project price shall include, but is not limited to the following:

Project Conference
Conversion of the Code to XML Publishing System
Codify Legislation from Ordinance No. 4678 through Ordinance No. 4750
Editorial Analysis
Proofreading and Quality review
Editorial and Code Analysis
Manuscript
Draft
Publication and shipment of 3 Code volumes in imprinted post binders
Comprehensive Index
Disposition List
Customizable Tabs
Code Adoption Legislation
Hosted online code
Mobile version of the Code
Customized online options
Any relevant training costs

Online Code

**\$1,195 per
year for
Premium
eCode360**

Codifier will provide price for future annual maintenance (after first year) of each requirement.

Hosting the searchable online electronic Code
Back-up of the Code on secure and reliable web server
Hosting not-yet-codified new legislation with the online Code
Download the Code to Microsoft Word format (included with Standard or Premium eCode360)
Insert password-protected annotations (included with Standard or Premium eCode360)
Live webinar training sessions
Archive Versions of the Code
View visitor statistics
Download an application for searching Codes on smartphones
Search across other electronic codes the codifier hosts online (included with Standard or Premium eCode360)

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Access archived versions of the Code for historical reference
 Access the electronic Code offline

Code Update Services

\$20 per page

Options:

Alternative Zoning Map Presentations	\$10,040 (appx)
Code export services (Excel, PDF, Word)	\$695
Additional copies of Code book in binders	\$250 per book
Reprints of chapters or portions of the Code	call for quote
Distribution of Codes/Supplements to subscribers	<i>General Code does not use a subscription model</i>
Post public documents online	Included with Premium eCode360
Form Based Code conversions	call for quote
Substitute Standard eCode360 instead of Premium <i>Annual Maintenance: \$995</i>	\$(200)

Payment Schedule:

This should include the anticipated payments throughout the project.
 Performance and Payment Schedule (reflects only business days excluding legal holidays)

Conversion Performance and Payment Schedule

Deliverables	Delivery Date	Payment Milestone
Premium eCode360	Within 10 to 12 weeks of contract signing and receipt of materials	100% of total conversion price due upon posting of eCode360

Codification Performance and Payment Schedule

Deliverable	Delivery Date	Payment Milestone
Contract Signing	Within 30 days of contract signing	20% of total codification project price due

VI.B.15

*Submission of the Editorial and Code Analysis	Within 180 days of completion of the Code Conversion and posting of eCode360; the City has 100 days for review	40% of total project price due
Submission of Draft	Within 145 days of receipt of responses to the Editorial and Code Analysis; the City has 45 days to review	30% of total project price due
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code	Balance of total project price due

**Code supplements shall be prepared prior to this stage to ensure that the Code remains up-to-date throughout the project.*

Code supplements shall be invoiced separately and are outside the scope of the project pricing. Estimates are available upon request.

Performance Timeline:

This should include an estimate of the codifier's project timeline, including an estimate of the municipality's review time at each stage throughout the project.

See Performance and Payment Schedule above.

Terms and Conditions:

This should include any terms and conditions of the contract.

General Code's Codification Terms and Conditions are available at <http://www.generalcode.com/terms-and-conditions-documents/>

Project Materials

Source Materials

The City of Rolla has provided *General Code* with the following documents, which will be used as the source materials for the recodification project:

- > A copy of the City's 1988 Code, as updated to Ordinance No. 4678, as posted on the City's website on May 3, 2023



Project Scope

This proposal and the scope of this project consider only the legislation submitted for review as listed above. The processing, review, and inclusion of any materials not submitted are outside the project scope as proposed and therefore may be subject to additional charges. We request that Rolla set up a process to routinely send any new legislation upon adoption. This additional legislation will be included in the Code up to the point where the editorial work has been completed and will be subject to an additional charge at the end of the project.

Special Considerations

General Code has identified the following specific special considerations that will be addressed by our staff as the project progresses:

- > *General Code* will retain the numbering of Chapter 42, Planning and Zoning, to the maximum extent possible, but the City should note that some duplications in Article and Division numbering will need to be addressed and corrected, in order to prevent confusion, both for the reader of the print version of the Code relying on the internal references, and for the user of the online version of the Code who may need to use the search engine. *General Code* will work with the City to remedy these issues in a way that respects the original numbering and organization to the extent possible.
- > Our initial review of the Code noted certain inconsistencies in the use of the Section symbol (§) in the scheme, and "Sec." in the text of an Ordinance. *General Code's* standard practice is to use the Section symbol, both for the scheme and within text, which will also enable the proper cross-reference links for eCode360's optimum efficiency.

Investment Details and Options

Codification Conversion Process

\$1,195

*the cycle is now
while project is in process*

- > Conversion of the Code into an XML Document (Electronic Output Only)
- > Premium eCode360 (First Year)

Codification Project Price

\$15,205

Services included with the codification project:

- > Creation of a New Code, with Project Scope Including Legislation to Ordinance No. 4750
- > Editorial Work
- > Proofreading
- > Shipping

Initial deliverables included with the codification project:

- > Editorial and Legal Analysis
- > Manuscript
- > Draft

Final deliverables included with the codification project:

- > Updated eCode360
- > eCode360 Search App
- > Publication of 3 Code Volumes in Standard Imprinted Post Binders
- > Comprehensive Index
- > Disposition List
- > Customizable Tabs
- > Code Adoption Legislation

\$20 a page for supplement

Administrative Fees

\$0

General Code does not charge administrative fees; you will only pay for products and services you actually use.

Optional Components

The following is available to you at an additional charge:

- \$(200) Substitute Standard eCode360 instead of Premium eCode360
Annual Maintenance: \$995

Please note: Code books in addition to the 3 Code books included in the Codification Project Price may be ordered through the publication date of your Code. Pricing is available upon request.

Ongoing Services

Premium eCode360 Annual Maintenance

\$1,195

The maintenance fee is an annual recurring flat fee that begins one year from the initial posting of eCode360. Therefore, we recommend that the City budget for this service each year. The fee

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covers annual licensing, web hosting, posting of new legislation between regular Code supplements and the PubDocs Module. Please note that this does not include the cost for codifying new legislation.

Supplementation

Charges for supplementation during the phases of the project are outside the scope of work and the base price of the project. Therefore, the City should budget separately for ongoing supplementation during the recodification project.

VI.B.19

Authorization and Agreement

The City of Rolla, Type 1S - Recodification, May 8, 2023

Project Price **\$16,400**

Optional Components

Substitute Standard eCode360 instead of Premium eCode360 \$(200)
Annual Maintenance: \$995

Total Investment

Including all of the options selected above, the total project price will be: \$

The City of Rolla, Missouri, hereby agrees to the procedures outlined above, and to *General Code's* Codification Terms and Conditions, which are available at <http://www.generalcode.com/terms-and-conditions-documents/>.

City of Rolla, Phelps County, Missouri

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

GENERAL CODE, LLC

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

This document serves both as a proposal and as an agreement. To accept this proposal and delegate authority to *General Code* to administer the codification project, complete the form above, including authorized signatures. A signed copy of this agreement will be mailed back to Rolla for its records.

Scan and email the completed form to contracts@generalcode.com. You may also fax the completed form to *General Code* at (585) 328-8189 or return it by mail to General Code, 781 Elmgrove Road, Rochester, NY 14624.

VI.B.20

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: City Administrator John Butz

ACTION REQUESTED: Motion

ITEM/SUBJECT: Motion to Preserve Sovereign Immunity

TOTAL BUDGET APPROPRIATION: NA

DATE: June 5th, 2023

COMMENTARY:

The City obtains insurance quotes each year for renewal of our general liability, property coverage and workers comp. This year carriers are requiring an official motion/authorization preserving immunity. The apparent concern which has surfaced in court cases challenges the notion that if municipalities obtain liability insurance they could be jeopardizing their claim of sovereign immunity.

“Sovereign Immunity” is a legal doctrine that limits liability from civil suit or criminal prosecution when acting in the capacity of the public good (or service).

Specifically insurers are asking for the following:

1. Motion made in the minute to approve the Sovereign Immunity Preservation Rider.
2. Motion must authorize the rider to be signed by a specific person.
3. The rider must be signed and dated by the authorized individual.
4. The rider must be delivered to the insurance carrier.

Recommendation: Motion authorizing City Administrator John Butz to sign the Sovereign Immunity Preservation Rider.

VI.C.1

ITEM NO. _____

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

TORT LIABILITY OF GOVERNMENTAL SUBDIVISIONS – MISSOURI

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

This policy does not apply to any claim against an insured for which the insured:

- (1) Is immune from liability due to the provisions of any statute or where the action based upon such claim has been barred or abated by operation of statute or rule of civil procedure; or
- (2) Is not immune from liability as described in (1) above but is immune from further liability above any specific statutory limits cap on the maximum liability of the insured. However, this item (2) does not apply to the extent (if any) this policy provides coverage up to the maximum statutory liability limits cap.

This endorsement shall not apply if, for any reason, the immunity or maximum liability cap granted by statute or rule of civil procedure is deemed void.

The immunities and statutory limits caps referred to in the foregoing paragraphs are those found in Missouri Revised Statute Section 537.600 through 537.650 and Section 71.185 or any succeeding statutory compilation.

VI.C.2

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**TORT LIABILITY OF GOVERNMENTAL SUBDIVISIONS
MISSOURI**

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM

This policy does not apply to any claim against an insured for which the insured:

- (1) Is immune from liability due to the provisions of any statute or where the action based upon such claim has been barred or abated by operation of statute or rule of civil procedure; or
- (2) Is not immune from liability as described in (1) above but is immune from further liability above any specific statutory limits cap on the maximum liability of the insured. However, this item (2) does not apply to the extent (if any) this policy provides coverage up to the maximum statutory liability limits cap.

This endorsement shall not apply if, for any reason, the immunity or maximum liability cap granted by statute or rule of civil procedure is deemed void.

The immunities and statutory limits caps referred to in the foregoing paragraphs are those found in Missouri Revised Statute Section 537.600 through 537.650 and Section 71.185 or any succeeding statutory compilation.

V.I.C.3

71.185. Tort liability for governmental acts, insurance, trial. — 1. Any municipality engaged in the exercise of governmental functions may carry liability insurance and pay the premiums therefor to insure such municipality and their employees against claims or causes of action for property damage or personal injuries, including death, caused while in the exercise of the governmental functions, and shall be liable as in other cases of torts for property damage and personal injuries including death suffered by third persons while the municipality is engaged in the exercise of the governmental functions to the extent of the insurance so carried.

2. In all suits brought against the municipality for tort damages suffered by anyone while the municipality is engaged in the exercise of governmental functions, it shall be unlawful for the amount of insurance so carried to be shown in evidence, but the court shall be informed thereof and shall reduce any verdict rendered by a jury for an amount in excess of such insurance to the amount of the insurance coverage for the claim.

537.610. Liability insurance for tort claims may be purchased by whom — limitation on waiver of immunity — maximum amount payable for claims out of single occurrence — exception — apportionment of settlements — inflation — penalties. — 1. The commissioner of administration, through the purchasing division, and the governing body of each political subdivision of this state, notwithstanding any other provision of law, may purchase liability insurance for tort claims, made against the state or the political subdivision, but the maximum amount of such coverage shall not exceed two million dollars for all claims arising out of a single occurrence and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, [chapter 287](#), and no amount in excess of the above limits shall be awarded or settled upon. Sovereign immunity for the state of Missouri and its political subdivisions is waived only to the maximum amount of and only for the purposes covered by such policy of insurance purchased pursuant to the provisions of this section and in such amount and for such purposes provided in any self-insurance plan duly adopted by the governing body of any political subdivision of the state.

2. The liability of the state and its public entities on claims within the scope of sections [537.600 to 537.650](#), shall not exceed two million dollars for all claims arising out of a single accident or occurrence and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, [chapter 287](#).

3. No award for damages on any claim against a public entity within the scope of sections [537.600 to 537.650](#), shall include punitive or exemplary damages.

4. If the amount awarded to or settled upon multiple claimants exceeds two million dollars, any party may apply to any circuit court to apportion to each claimant his proper share of the total amount limited by subsection 1 of this section. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all

claims arising out of the accident or occurrence, but the share shall not exceed three hundred thousand dollars.

5. The limitation on awards for liability provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of commerce and insurance, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021.

6. Any claim filed against any public entity under this section shall be subject to the penalties provided by supreme court rule 55.03, or any successor rule.

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CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Police Chief Sean Fagan

ACTION REQUESTED: First Reading

ITEM/SUBJECT: Ordinance to Amend Section 41-2 of City Code – Concealed Weapons

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

COMMENTARY:

The current section 41-2 of the Rolla City code prohibited “conceal carry” despite a 2017 Missouri Law that now allows (almost) anyone over 19 years of age to carry without a permit. There are minor exceptions to where weapons are allowed (i.e. public buildings, transit, etc.) This amendment brings City Code into compliance with state law.

Recommendation: First Reading

Information only:

Chapter 41 of the City Code prohibits the discharge or any air rifle or BB gun within the City limits.

Chapter 41 does allow the discharge of target arrows (no broadheads)

Hunting with a longbow, compound bow or crossbow (withy broadhead) is permitted as regulated by Missouri Dept. of Conservation on R-R zoned property.

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTIONS 41-2 ~~(a)~~ OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI AND ENACTING NEW SECTIONS 41-2~~(a)~~ IN LIEU THEREOF PERTAINING TO CARRYING CONCEALED WEAPONS.

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

Section 1: That Section ~~41-2(a)~~ 41-2 of the General Ordinances of the City of Rolla, Missouri, known as the code of the City of Rolla, Missouri is hereby repealed and new Section ~~41-2(a)~~ 41-2 is hereby enacted in lieu thereof as follows:

Sec. 41-2. Concealed weapons – Carrying, etc., prohibited.

- a) No person under the age of 19 (18 if serving in the military or honorably discharged) shall knowingly carry concealed on or about his person, any firearm, knife, blackjack or other weapon readily capable of lethal use. ~~provided, however, that legally qualified sheriffs, police officers, and other law enforcement officers, persons whose bona fide duty is to execute process, civil or criminal, make arrests, or aid in conserving the public peace may carry concealed weapons in the performance of their duties; persons traveling in a continuous journey peaceably through the city may carry a weapon in their automobile as well as instructors or students of the martial arts traveling to or from classes of instruction, or demonstration, so long as the travel to or from the classes of instruction or demonstration are that of a continuous trip peacefully through the city, nor shall this Section apply to any person who has a valid concealed carry endorsement issued pursuant to Sections 571.101 to 571.121, Revised Statutes of Missouri, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.~~
- b) No person shall possess or discharge any firearm while intoxicated, nor shall any person carry a firearm or other weapon readily capable of lethal use in any church or any school building or in any school grounds or to any election precinct or in any agency of the federal, state or local government, or to any public assemblage of any persons for any lawful purpose except a legally qualified sheriff, police officer or other law enforcement officer in the performance of their duty.
- c) For the purpose of this Section, the term "firearm" means any weapon that is designed or adapted to expel or eject a projectile by the action of an explosive.
- d) For the purpose of this Section, "knife" means any dagger, dirk, stiletto, butterfly knife, throwing darts, knuckle knife or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For the purpose of this Section, "knife" does not include any ordinary pocket knife with a blade less than three and one-half (3 ½) inches in length.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 19th DAY OF JUNE 2023.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTIONS 41-2 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI AND ENACTING NEW SECTIONS 41-2 IN LIEU THEREOF PERTAINING TO CARRYING CONCEALED WEAPONS.

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

Section 1: That Section 41-2 of the General Ordinances of the City of Rolla, Missouri, known as the code of the City of Rolla, Missouri is hereby repealed and new Section 41-2 is hereby enacted in lieu thereof as follows:

Sec. 41-2. Concealed weapons

- a) No person under the age of 19 (18 if serving in the military or honorable discharged) shall knowingly carry concealed on or about his person, any firearm, knife, blackjack or other weapon readily capable of lethal use.
- b) No person shall possess or discharge any firearm while intoxicated, nor shall any person carry a firearm or other weapon readily capable of lethal use in any church or any school building or in any school grounds or to any election precinct or in any agency of the federal, state or local government, or to any public assemblage of any persons for any lawful purpose except a legally qualified sheriff, police officer or other law enforcement officer in the performance of their duty.
- c) For the purpose of this Section, the term "firearm" means any weapon that is designed or adapted to expel or eject a projectile by the action of an explosive.
- d) For the purpose of this Section, "knife" means any dagger, dirk, stiletto, butterfly knife, throwing darts, knuckle knife or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For the purpose of this Section, "knife" does not include any ordinary pocket knife with a blade less than three and one-half (3 ½) inches in length.

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

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PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 19th DAY OF JUNE 2023.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

VI.D.5

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