

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

AMENDED AGENDA OF THE ROLLA CITY COUNCIL
Monday, August 21th, 2023; 6:30 P.M.
City Hall Council Chambers
901 North Elm Street

PRESIDING: Mayor Louis J. Magdits IV

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

PLEDGE OF ALLEGIANCE
Councilman Vroman

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

II. **PUBLIC HEARINGS** –

- A. **Public Hearing and Ordinance** to consider Setting 2023 Tax Rate. (Finance Director Steffanie Rogers) **First and Final Reading.**
- B. **Public Hearing and Ordinance** to rezone 708 N Main Street from C-1, Neighborhood Commercial district to the C-3, Highway Commercial district. (Comm Dev Director Steve Flowers) **Public Hearing and First Reading**

III. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** –

- A. Celebration of Nations – Jeff Sandquist; Motion to approve street closings September 23rd for the parade. (PW Director Darin Pryor)
- B. RMU GM Rodney Bourne – RMU 3rd Quarter Report

IV. **OLD BUSINESS** –

- A. **Ordinance** adopting final version of proposed Chapter 42 – Planning and Zoning. (Comm Dev Director Steve Flowers) **Final Reading**
- B. **Discussion/Resolution** on RSMo 573 pertaining to Pornography and Related Offenses. (City Administrator John Butz)
- C. **Ordinance** to remove parking on Lions Club Drive from Route 63 to Ramsey Place. (PW Director Darin Pryor) **Final Reading**
- D. **Ordinance** to add a stop condition on State Street at the 10th Street intersection. (PW Director Darin Pryor) **Final Reading**
- E. **Ordinance** to remove the one-way traffic designation on Elm Street from 14th Street to 12th Street. (PW Director Darin Pryor) **Final Reading**

August 21st, 2023

V. **NEW BUSINESS** –

- A. **Ordinance** to approve Service Agreement between the City of Rolla and the Phelps County Landfill Board. (Finance Director Steffanie Rogers) **First Reading**
- B. **Resolution** to authorize the application for TAP Grant funding for the construction of approximately 77 ADA compliant curb ramps. (PW Director Darin Pryor)
- C. **Ordinance** to approve an Archer-Elgin professional services agreement Task Order #2. (PW Director Darin Pryor) **First Reading**
- D. **Ordinance** to approve an Archer-Elgin professional services agreement Task Order #3. (PW Director Darin Pryor) **First Reading**

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

- A. **Motion** to award bid for the purchase of a 2023 zero turning mower. (Parks Director Floyd Jernigan)
- B. **Motion** to award health insurance excess coverage. (Finance Director Steffanie Rogers)
- C. **Motion** to allow the unbudgeted purchase of a 2019 Crafcoc Sealer from United Rental. (PW Director Darin Pryor)

VII. **CITIZEN COMMUNICATION**

- A. Karen Harris regarding the drag show ordinance.
- B. Jonathan Kimball regarding public facilities.
- C. Reginald Brigham regarding civil rights.

VIII. **MAYOR/CITY COUNCIL COMMENTS**

- A. **Motion** to appoint Josh Vroman as Council Representative to the Airport Committee for a 2 year term expiring August 2025.
- B. **Discussion** on 2008 Resolution adoption guidelines of conduct for Council Meetings. (Councilwoman Johnson)

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

X. **CLOSED SESSION** –

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

XI. **ADJOURNMENT** -

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Steffanie D. Rogers
Finance Director

ACTION REQUESTED: Public Hearing/Ordinance – 1st & Final Reading

DATE: August 21, 2023 **BUDGET APPROPRIATION:** \$ 1.81 M

SUBJECT: Consider Public Hearing & Ordinance Setting 2023 Tax Rate

COMMENTARY:

Council is asked to consider the proposed ordinance establishing the 2023 real estate tax levy for the City of Rolla. State law requires that the tax rates be certified to the County Clerk by September 1. Due to the State time requirements, a first and final reading of the proposed ordinance is requested.

<u>Tax Levy Rates:</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>
General Municipal Purposes	\$ 0.4320	\$ 0.4320	\$ 0.4284
Public Library Purposes	\$ 0.1803	\$ 0.1803	\$ 0.1788
Public Park Purposes	\$ 0.1064	\$ 0.1064	\$ 0.1055
TOTAL LEVY	▼ \$ 0.7187	▼ \$ 0.7187	▼ \$ 0.7127

Projected revenues budgeted in 2023 for 2022 Assessed Valuation:

	<u>Budgeted</u> <u>Revenues</u>	<u>Increase from</u> <u>Current Year</u>
General Fund	\$ 1,085,126	\$ 29,024
Library	\$ 452,889	\$ 12,120
Parks	\$ 267,263	\$ 7,257

Staff is recommending a motion to approve the ordinance to set the 2023 tax rates.

ORDINANCE NO. _____

AN ORDINANCE FIXING THE TAX LEVY FOR GENERAL REVENUE, LIBRARY AND PARK BY THE CITY OF ROLLA, MISSOURI, FOR THE YEAR 2023.

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

Section 1: There is hereby levied a tax on every one hundred dollars (\$100.00) assessed valuation of all taxable real property within the corporate limits of the City of Rolla, Missouri, made taxable by law, for the year 2023, the following sums and amounts:

General Municipal Purposes	\$ 0.4320
Public Library Purposes	0.1803
Park Purposes	<u>0.1064</u>
TOTAL	\$ 0.7187

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 21ST DAY OF AUGUST 2023.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing/First Reading

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

(ZON23-06)

MEETING DATE: August 21, 2023

Application and Notice:

Applicant - Ashley Brooks of The Rolla Mission
Owner - Jacqui Timer of Vineyard Church
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property; <https://www.rollacity.org/agenda.shtml>

Background:

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

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

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

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

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

Property Details:

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

Public Facilities/Improvements:

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

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

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

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

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

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

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

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

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

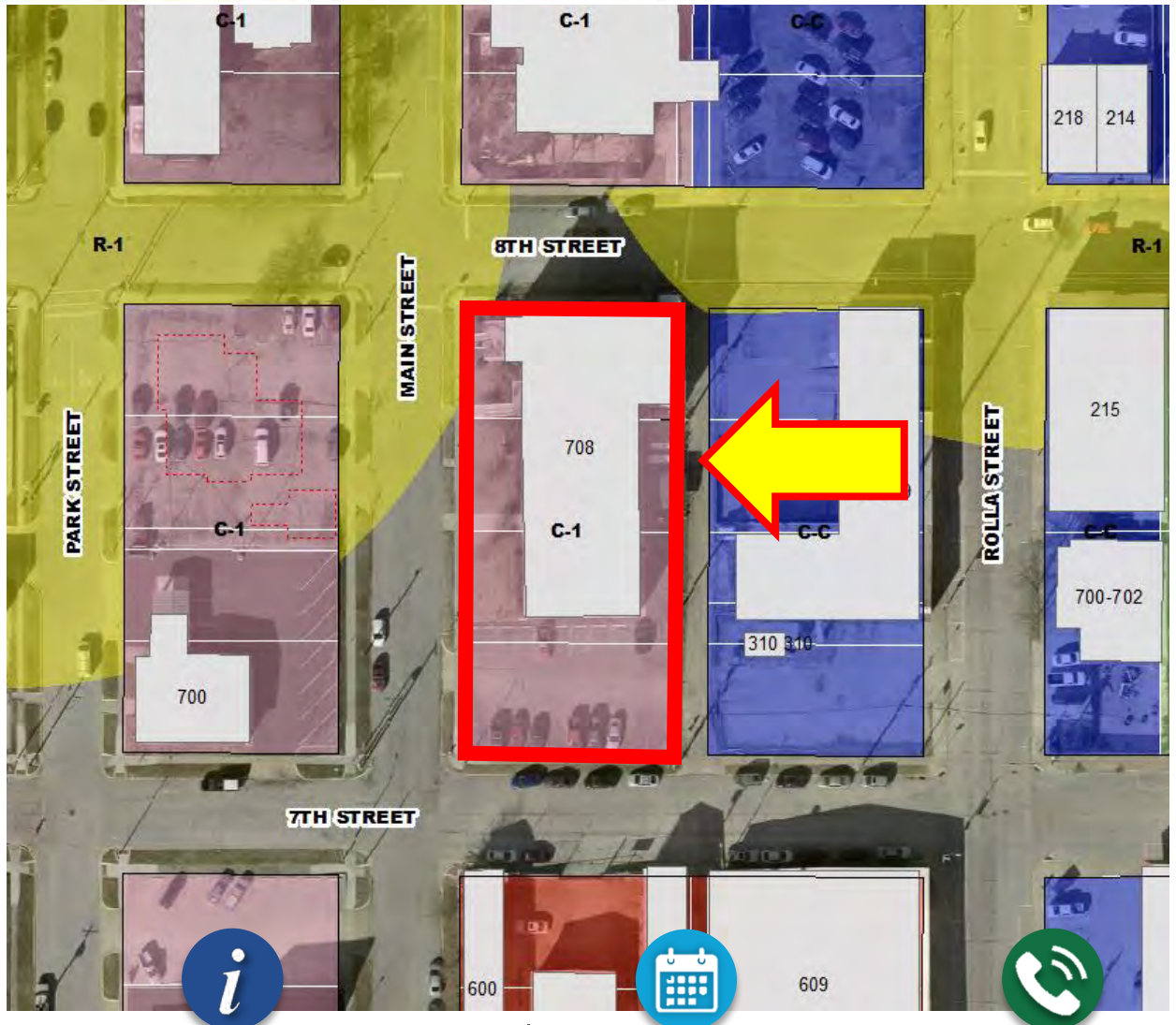
1. Carefully and clearly explain the reasons for the decision.
2. Review the criteria for approval of a rezoning and ensure the request is not in conflict.
3. Review the Comprehensive Plan for consistency. In this case, the Comprehensive Plan does not provide direct guidance. The specific location of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

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

Planning and Zoning Commission Recommendation:

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

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



Project Information:

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

Public Hearings:

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

 City Council
 August 21, 2023
 6:30 PM
 City Hall: 1st Floor

For More Information Contact:

Tom Coots, City Planner
 tcoots@rollacity.org

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

I.B.4



Who and What is the Planning and Zoning Commission?

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

What is a Rezoning (Map Amendment)?

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

What is Zoning?

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

How Will This Impact My Property?

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

What If I Have Concerns About the Proposal?

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

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

What If I Cannot Attend the Meeting?

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

What If I Have More Questions?

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

LEGAL DESCRIPTION

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



ORDINANCE NO. _____

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

(ZON23-06)

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

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

WHEREAS, the City of Rolla Planning and Zoning Commission met on August 15, 2023 and recommended the City Council approve the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its August 21, 2023 meeting, conducted a public hearing concerning the proposed rezoning to hear the first reading of the attached ordinance;

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

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

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

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

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

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

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

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

Presiding: Russell Schmidt, Chairperson

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

Commission Members Absent: Monte Shields, Robert Anderson

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

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

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

III. NEW BUSINESS: NONE

IV. PUBLIC HEARING:

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

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

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

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

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

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

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

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

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

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

Schmidt asks if a representative is present to those opposing.

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

Schmidt opens the public hearing.

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

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

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

Schmidt closes the public hearing.

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

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

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

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

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

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

V. OLD BUSINESS: NONE

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

VII. CITIZEN COMMENTS: NONE

Meeting adjourned: 6:41 p.m.

Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, September 12, 2023

This page is intentionally left blank

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Motion

ITEM/SUBJECT: Street / Parking Lot Closing for Celebration of Nations Parade

BUDGET APPROPRIATION

DATE: 8/21/23

COMMENTARY:

Attached is a map depicting the route for this year's Celebration of Nations Parade including street closures for the parade line-up. The event will be held on Saturday, September 23rd. 9th Street from Pine to Oak, Elm from 9th to 10th will be closed for the event. The Downtown Festival lots will be closed beginning 5PM on Friday September 22nd for the event.

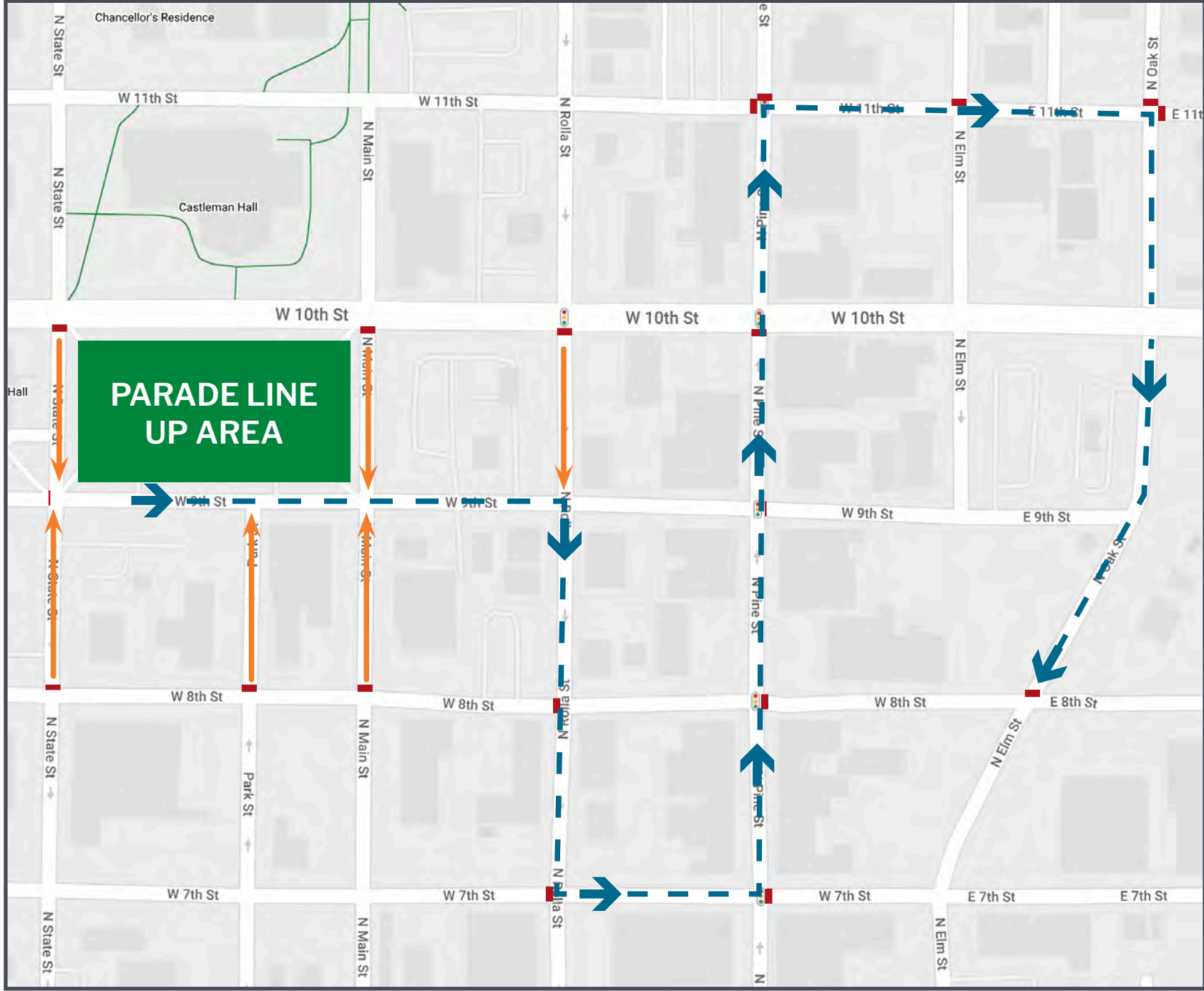
A representative from S&T will be at the meeting to provide the City Council with further information and answer any questions.

Staff recommends approval of the request.

II.A.1

ITEM NO. _____

Proposed Parade Route 2023



2023

Fiscal Year 3rd Quarter Report



Rolla Municipal Utilities

Provided to Rolla City Council

August 21, 2023

TABLE OF CONTENTS

<i>Board of Public Works Statement</i>	3
<i>Third Quarter Financial Recap</i>	4
<i>Status of Pending Projects</i>	5-6
<i>Miscellaneous</i>	7
<i>FY2024 Budget</i>	8
<i>Planned Water & Electric Rate Adjustments</i>	9



A STATEMENT BY THE BOARD OF PUBLIC WORKS

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

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

The Board has three primary obligations:

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

Regarding Service Interruptions:

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

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

No merchandise will be sold in competition with local merchants.

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

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

Rolla Board of Public Works

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

THIRD QUARTER FINANCIAL RECAP (Unaudited)

OPERATING INCOME and EXPENSES

	3rd Quarter FYTD 2022	3rd Quarter FYTD 2023	CHANGE
OPERATING REVENUES	\$22,921,751	\$23,017,880	\$96,129
OPERATING EXPENSES	(\$23,356,019)	(\$23,870,659)	\$514,640
OPERATING INCOME	(\$434,269)	(\$852,779)	(\$418,510)
OTHER INCOME & EXP.	\$650,388	\$807,347	\$156,959
NET INCOME	\$216,119	(\$45,432)	(\$261,551)

At the end of the 3rd quarter of Fiscal Year 2023, we are showing a total operating income of \$23,017,880. This is an increase of \$96,129 compared to Fiscal Year 2022.

Total operating expenses through the 3rd quarter of 2023 is \$23,870,659. Our operating expenses increased \$514,640 from the end of 3rd quarter of 2022.

Total Net Loss year-to-date through the 3rd quarter of 2023 is (\$45,432). The overall loss is largely due to an increase in wholesale cost and an increase in MWh purchased.



STATUS OF WORK PROJECTS



ELECTRIC DEPARTMENT

- RMU Pole Audit
Each pole owned by RMU and others to which RMU is attached is reviewed for its current condition. At this point, of the 6,700 poles in the GIS system, approximately 4,245 have been audited. RMU has 314 poles so far that have been identified as needing attention. Repairs to poles include anchoring, crossarms, insulators or replacement of the entire pole system if necessary. Some work will be completed on an emergency basis while others will take place over time depending upon the severity of the problem.
- McCutchen Drive
Relocate existing overhead. Added underground feed to St. Maria's Subdivision. New lines are in service and the demolition of old lines is in progress.
- RMU Generators
Installation of louvers over openings to better retain heat in the units during winter when not in operation. Improvements for air flow. Quarterly testing and preventative maintenance completed.
- Pole Attachment Agreements
Additional pole attachments by multiple companies expanding telecommunication infrastructure in Rolla area.
- Alley west of Rolla Street between 8th & 9th Streets
New underground service south of 9th Street is in service, and existing transformer replaced. Removed all overhead lines to accommodate new multi-story residential housing unit. Waiting on other communication companies to remove their lines to remove RMU poles.

WATER DEPARTMENT

- HyPoint Well 3
 - HyPoint Well 3 has been put into operation. Installed motor and pump, new electric service to building. Refurbish electrical, control and chemical feed systems.
- Completed Projects
 - Replacement of old water main
 - Holloway Street from Arkansas Avenue to 18th Street
 - 18th Street from Maxwell Street to Farrar Drive
 - Service lines replaced on:
 - east portion of Green Acres Drive
 - 7th Street from Holloway Street to Murry Lane
- Upcoming Projects – Replacement of old water main
 - Eastwood Drive
 - Elmwood Drive
 - Sycamore Drive from Cypress to Cedar Hill Court
 - Cedar Hill Court
 - Mimosa Court
 - South Olive Street

FIBER

- Completed installation of fiber service to new MO S&T General Services Building
- Well 7 – Converted SCADA connectivity from radio to fiber.



MISCELLANEOUS

➤ Awards

American Public Power Association (APPA) Award – RMU received an award for achieving exceptional electric reliability in 2022 acknowledging that RMU’s reliability is above average nationwide.

MIRMA 100% Loss Prevention Evaluation Score – RMU was awarded a perfect loss prevention score for 2022, which is the 21st consecutive year to receive the award.

➤ MO S&T Electric Vehicle (EV) Charging Station

The City received grant information from MRPC regarding opportunities to apply for EV Charging grants as part of the massive Infrastructure Investment & Jobs Act (IIJA). We determined RMU would not be applying for this grant during this cycle due to the short window to apply. MS&T plans to apply for a station to be located on the west side of campus with up to ten chargers.

➤ MPUA/MoPEP Updates

A Community Solar Project for the Rolla/St. James area is being discussed. This would be an ongoing project with some MoPEP contract implications. No action has been taken.

An opportunity to convert the 51MW Plum Point PPA into an ownership position was explored. This could result in up to \$30M in savings through 2040 depending on financing options along with obtaining an additional 20MW of capacity to meet SPP capacity requirements. Action was taken by the MoPEP Board at the July 13th meeting.



FY2024 Budget

RMU Budget Timeline

- RMU's Fiscal Year is October 1 through September 30
- RMU starts the budget process in March with input from Board on:
 - Capital Projects
 - Operating Expenses
 - Rate Restructuring & Adjustments
 - Fees/Policy Changes
- Then staff completes:
 - Projections for Current Fiscal Year
 - Projections for the Upcoming Fiscal Year
- The Board reviews a preliminary budget in May
- Public Hearing on the budget and any proposed rate adjustments is held in June
- Final Budget Approval in July by RBPW
- RMU General Manager presents the approved budget and any approved rate changes to City Council for comment 30 days prior to effective date (Rolla City Code, Sec. 35-158)

BUDGET SUMMARY ANALYSIS - FY2024 BUDGETED

	FY2024 - BUDGETED		
	ELECTRIC & PWR PROD	WATER	TOTAL
OPERATING REVENUE	\$29,241,392	\$3,845,753	\$33,087,144
OPERATING EXPENSE	-\$31,355,761	-\$3,440,500	-\$34,796,261
BUDGETED OPERATING MARGIN	-\$2,114,369	\$405,253	-\$1,709,117
OTHER REVENUE & EXPENSE	\$1,105,125	\$368,375	\$1,473,500
BUDGETED NET INCOME	-\$1,009,244	\$773,628	-\$235,617
NON-CASH REVENUE			
Donated Capital Assets (Contractor Mains)	-----	\$0	\$0
NON-CASH EXPENSE			
Depreciation - RMU **	\$1,395,500	\$788,500	\$2,184,000
Depreciation - City	\$55,000	\$182,000	\$237,000
CAPITAL EXPENDITURES **	-\$3,482,500	-\$1,527,500	-\$5,010,000
LEASE OBLIGATIONS	\$0	\$0	\$0
BUDGETED RESERVE TRANSFER	-\$3,041,244	\$216,628	
<u>CASH ACCOUNT FOR FY2024</u>			
AS OF OCTOBER 1, 2024 - budgeted			\$28,111,963
Less OCTOBER 1, 2023 - projected			-\$30,936,579
CHANGE IN CASH			-\$2,824,617
<u>RESTRICTED ELECTRIC RESERVES</u>			
Available Funds			\$12,510,000
Identified Projects			-\$750,000
BALANCE			\$11,760,000

Planned Water & Electric Rate Adjustments

Water rates have been adjusted sporadically since the last water Cost of Service Study (COSS) in 2013, with the last increase occurring in October 2020. Because of the age of the last COSS, it was updated in May based on current costs and projections. Overall, the results indicate water rates should be increased in preparation of several projects that would collectively affect future reserve balances. Rate increases are planned over a two-year period.

In 2022, Toth and Associates completed an Electric Cost of Service Study. For FY2024, the Board is implementing electric rate adjustments based on the 2022 COSS and updated expense projections for FY2024. The Board approved the first of a tentative four-year plan to increase electric revenues.

If results indicate we should pause or modify adjustments, the plan will be modified annually. If completely implemented, RMU's residential retail electric energy rate will increase to \$0.091 after four years assuming no other changes. Essentially, this would bring us back to a similar rate which was in existence ten years ago.

RBPW approved the rate increases on August 1st to be implemented beginning October 1, 2023.

Suggested Rate Increases FY2024

Description	Rate Class	Rates	
		Current	FY2024
Water Service	All	\$3.75	\$4.05
SAF Water	< 1" meter	\$9.00	\$10.00
	1.0" meter	\$11.00	\$13.00
	1.5" meter	\$17.00	\$21.00
	2.0" meter	\$25.00	\$30.00
	3.0" meter	\$50.00	\$63.00
	4.0" meter	\$75.00	\$100.00
	6.0" meter	\$125.00	\$200.00
Fire Sprinkler Line	<or= 4"	\$30.00	\$35.00
	6"	\$35.00	\$50.00
	8"	\$40.00	\$75.00
	10"	\$45.00	\$125.00

Description	Rate Class	Rates	
		Current	FY2024
Electric Service	kWh	\$0.079	\$0.082
	SAF Single Phase	\$24.00	\$26.00
	SAF Three Phase	\$38.00	\$50.00
Commercial	kWh	\$0.079	\$0.082
	SAF Single Phase	\$24.00	\$26.00
	SAF Three Phase	\$38.00	\$50.00
Power Service	kWh	\$0.059	\$0.062
	Demand	\$8.00	\$8.50
	SAF	\$200.00	\$250.00
Industrial	kWh	\$0.057	\$0.060
	Demand	\$8.00	\$8.75
	SAF	\$500.00	\$1,000.00
Area Lighting	kWh	\$0.074	\$0.078
	LR10	\$4.55	\$4.90
	LR25	\$7.15	\$7.70
	LR40	\$18.70	\$20.00

This page is intentionally left blank



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

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: August 21, 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 City Council conducted a public hearing at the June 5, 2023 and June 19, 2023 City Council meetings. The City Council considered the proposal at the July 17, 2023. The City Council conducted the first ordinance reading at the August 7, 2023 meeting.

The ordinance and final version of the proposed Zoning and Subdivision Regulations and the proposed Official Zoning Map are presented for adoption by the City Council. The proposed Official Zoning Map has been revised to include all pertinent rezonings approved by City Council that have occurred since the last map version.

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

Prepared by:

Tom Coots, City Planner

Attachments:

Ordinance; Proposed Zoning and Subdivision Regulations August 2023; Proposed Official Zoning Map August 2023

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 42, OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE PLANNING AND ZONING CODE, BY REPEALING THE CHAPTER IN ITS ENTIRETY, AND ENACTING IN LIEU THEREOF A NEW CHAPTER, ZONING AND SUBDIVISION REGULATIONS; AND REPEALING IN ITS ENTIRETY CHAPTER 29, EXPLICIT SEXUAL MATERIALS DISPLAY, SEXUALLY ORIENTED BUSINESS; AND REPEALING IN ITS ENTIRETY CHAPTER 39, TRAILERS AND MOBILE HOMES; AND REPEALING IN ITS ENTIRETY CHAPTER 40, URBAN RENEWAL; AND AMENDING CHAPTER 15, STORMWATER AND FLOOD CONTROL; AND AMENDING CHAPTER 20, HOUSING; AND AMENDING CHAPTER 28, NUISANCES; AND AMENDING CHAPTER 41, WEAPONS; AND RE-ADOPTING THE OFFICIAL ZONING MAP.

WHEREAS, changes to the zoning code and city ordinances are needed to ensure well-planned growth and development; and

WHEREAS, the revisions should improve clarity and understanding of the zoning codes by the general public; and

WHEREAS, the revisions should increase flexibility and allow additional development in the city while retaining adequate provisions for preservation of existing properties; and

WHEREAS, the revisions were extensively reviewed by an ad-hoc committee created by the City Council consisting of citizens and representatives from the Board of Adjustment, Planning and Zoning Commission, City Council, and city staff; and

WHEREAS, the public was engaged for review and comment through a variety of means beyond the statutory and city ordinance requirements; and

WHEREAS, the Rolla Planning and Zoning Commission did hold a public hearing(s) following the provision of public notice pursuant to Section 42-143 and applicable state statutes; and

WHEREAS, the Rolla City Council did hold a public hearing(s); and

WHEREAS, based on the information received, including comments from the public, reports from city staff, review of the proceedings of the Planning and Zoning Commission, the Rolla City Council did find that the revisions to the city ordinances are in the best interest of the city:

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

SECTION 1: Chapter 42 of the City of Rolla Ordinances, known as the Planning and Zoning Code, is hereby amended by repealing Chapter 42 in its entirety, and enacting in lieu thereof, a new Chapter 42, Zoning and Subdivision Regulations. A copy of said new Chapter 42 is designated as EXHIBIT A and is on file in the office of the City Clerk, City Hall, Rolla, Missouri, and the same is hereby adopted and incorporated by reference as if set out at length herein.

SECTION 2: The Official Zoning Map, which divides the City of Rolla into zoning districts to control the regulation and restriction of the erection, construction, reconstruction, alteration, or use of buildings, structures, or land within such district; and controls the number, shape, and area of such zoning districts

on the Official Zoning Map; is hereby amended by adopting a new Official Zoning Map, attached to this ordinance as EXHIBIT B.

SECTION 3: Chapter 29 of the City of Rolla Ordinances, Explicit Sexual Materials Display, Sexually Oriented Business, is hereby repealed in its entirety.

SECTION 4: Chapter 39 of the City of Rolla Ordinances, Trailers and Mobile Homes, is hereby repealed in its entirety.

SECTION 5: Chapter 40 of the City of Rolla Ordinances, Urban Renewal, is hereby repealed in its entirety.

SECTION 6: Chapter 15 of the City of Rolla Ordinances, Stormwater and Flood Control, Section 15-75, Authority and Scope, is hereby amended to read as follows:

Sec. 15-75. Authority and Scope.

- (a) This Chapter shall apply to all proposed development except for that development which meets waiver or variance criteria as outlined in Section 15-80 of this Chapter.
- (b) This Chapter shall apply to all timber harvesting activities, except those timber harvesting operations which are implementing a forest management plan that has been deemed to be in compliance with the regulations of the buffer Ordinance and has received approval from the Missouri Department of Conservation.
- (c) This Chapter shall apply to surface mining operations except that the design standards shall not apply to active surface mining operations that are operating in compliance with an approved state or federal surface mining permit issued by the appropriate governing agency.
- (d) Article V of this Chapter shall not apply to agricultural operations that are covered by an approved Natural Resources Conservation Service (NRCS) conservation plan that includes the application of BMPs.
- (e) Article V of this Chapter shall not apply to streams with a tributary drainage area of less than one hundred (100) acres.
- (f) This Chapter shall apply to all parcels of land, structures, and activities that are causing or contributing to:
 - (1) Pollution, including nonpoint source pollution, of the waters within the City of Rolla;
 - (2) Erosion or sedimentation of stream channels;
 - (3) Degradation of aquatic or riparian habitat.

SECTION 7: Chapter 20 of the City of Rolla Ordinances, Housing, Article 1, Property Maintenance Code, is hereby repealed.

SECTION 8: Chapter 28 of the City of Rolla Ordinances, Nuisances, is hereby renamed to Chapter 28, Nuisances and Property Maintenance; and is hereby amended to read as follows:

Sec. 28-1. Maintenance, etc., of nuisances prohibited.

No person shall cause, maintain or permit, on premises owned or controlled by him, a nuisance, as defined by the laws of this State or by this Chapter.

Sec. 28-2. Nuisances enumerated.

The following things are hereby declared to be nuisances; provided, that such listing shall not be deemed exclusive:

- a. Shrubs, hedges and limbs of trees projecting over a sidewalk or street at a height of less than seven (7) feet.
- b. All substances or things which cause an odor disagreeable to the surrounding neighborhood.
- c. Nuisances listed in the adopted International Property Maintenance Code.

Sec. 28-3 Abatement of Nuisances

1. If the person notified as provided in this Section shall fail, neglect or refuse to comply with the same within the time specified in such notice, the codes administrator or designated officer shall abate such nuisance upon receiving an order to do so from a court.
2. If the estimated cost of abatement of the nuisance is in excess of \$1,000.00, the codes administrator or designated officer shall report the same to the council of the city. Thereupon the council shall call and have a full and adequate hearing upon the matter, giving the affected parties at least fourteen days written notice of the hearing. At such hearing, any party may be represented by counsel, and all parties shall have an opportunity to be heard.
3. After the hearing, if the evidence supports a finding based upon competent and substantial evidence that a nuisance exists, that the person having an interest was notified, and that the person failed to abate the nuisance, the city council shall issue an order based upon its findings of fact to the codes administrator or its designated officer to proceed to abate the nuisance.

Sec. 28-4 Liens from Abatements

If the codes administrator or its designated official causes the nuisance to be abated by the city, the costs of the abatement and a reasonable charge for administering the abatement not less than one hundred dollars, shall be certified to the city clerk who shall cause a special tax bill therefore against the property to be prepared and collected by the Finance Director. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes.

Sec. 28-5 City council or designated officer to determine when weeds, etc., constitute public nuisance.

The growth of weeds, brush or rank vegetation shall constitute a public nuisance with the following exceptions:

- a. All lots or parcels or portions thereof not within one hundred (100) feet of any residence or street.
- b. All undeveloped lots, parcels or right-of-way owned by the City of Rolla and dedicated for park and open space use, as bird sanctuaries, riparian corridors, detention basins, or as dedicated but undeveloped public right-of-way.
- c. Undeveloped lots which do not abut development on at least three (3) sides (Including developed streets); however, in such case, areas within five (5) feet of an abutting

residential lot or within ten (10) feet of a street or within five (5) feet from a sidewalk must be maintained free from high weeds and grass.

- d. Undeveloped future phases of subdivisions that have been cleared or “brush hogged” shall be maintained in that condition until further development occurs.

Sec. 28-6 Weeds, etc., over ten inches in height declared nuisance per se.

The growth of weeds, brush or other rank vegetation in excess of ten (10) inches in height is declared to be a public nuisance, per se, detrimental to the health, safety and welfare of the public.

Sec. 28-7 Notice to owner to abate weeds, etc.

The Codes Administrator, or its designated official, must provide notice to any property owner of a property on which a nuisance of weeds, brush, or other vegetation is located. Such notice may be either by mail or by posting notice on the property. Such notice must allow for not less than fifteen (15) days for the property owner to appeal the determination. If the property owner does not appeal the determination, or if the appeal is denied, the property owner must be given an additional five (5) days to correct the violation(s) before the city may abate the violation(s).

Sec. 28-8 Owner of land liable for cost of cutting weeds.

If the Codes Administrator or its designated official abates a property by the cutting and removing weeds, brush and other rank vegetation is, the costs of the abatement and a reasonable charge for administering the abatement not less than one-hundred dollars, shall be certified to the City Clerk who shall cause a special tax bill therefore against the property to be prepared and collected by the Finance Director. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes.

Sec. 28-9. Reserved.

Sec. 28-10 2018 International Property Maintenance Code - Adopted.

That for the purpose of establishing minimum standards governing the condition and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to insure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; known as "International Property Maintenance Code, 2018 Edition" of the City of Rolla, Missouri, and each and all of the regulations of the International Property Maintenance Code, are hereby referred to, adopted and made a part hereof, as if fully set out at length herein.

Sec. 28-11 Amendments to adopted International Property Maintenance Code.

101.1 **Title**, City of Rolla, Missouri.

103.5 **Fees**. Delete.

106.4 **Violation Penalties**. Any person who shall violate a provision of this code or shall fail to comply therewith, or with any requirements thereof, shall be guilty of a Misdemeanor, punishable by a fine of not more than \$500.00, or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

111.1 **Applications for appeal.** Any person directly affected by a decision of the code official or a notice or order issues under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within thirty (30) days after the day the decision, notice, or order was served. An application for appeal shall be based on the claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

111.2 **Membership of board.** The board of adjustment shall serve as the board of appeals.

111.2.1 – 111.2.5. **Alternate members. Chairman. Disqualification of member. Secretary. Compensation of members.** Delete

111.3 – 111.6. **Notice of meeting. Open hearing. Procedure. Postponed hearing. Board decision. Records and copies. Administration.** Delete

112.4 **Failure to comply.** \$50.00; \$500.00.

302.4 **Weeds.** Ten (10) inches (Add: Premises and exterior property specifically includes adjacent streets. The property owner is required to maintain those areas between the street pavement and the property line.)

304.14 **Insect screens.** (Year round)

602.3 **Heat supply.** (Year round)

602.4 **Occupiable work spaces.** (Year round)

SECTION 9: Chapter 41 of the City of Rolla Ordinances, Weapons, Section 41-6, Discharge of bows and arrows and crossbows prohibited within the City Limits of Rolla, Missouri; exceptions, subsection (d), is hereby amended to read as follows:

- (d) The use of longbow, recurve and/or compound bows, or crossbows, and the discharge of broadhead or other hunting arrows or bolts is permitted within Rolla's City Limits for the purpose of taking game as regulated by the Missouri Department of Conservation and with the written permission of the property owner. Hunting using bows and arrows or crossbows shall only be permitted on land three (3) acres in size or larger, and subject to the provisions of subsection 41-6 (b).

SECTION 10: The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted the ordinance and exhibits hereto attached and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one section or sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 11: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 12: For a period of six (6) months after the passage and approval, the Community Development Director is authorized to issue building permits and allow uses of land which were permitted by city ordinance prior to adoption of this ordinance; with the provision that all portions of the review of said permit or approval be consistent with the previous codes. Such review and approval shall be at the request of the applicant and with the agreement of the Community Development Director. Any decision pertaining to this section of the ordinance may be appealed to the Board of Adjustment.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 21st DAY OF AUGUST, 2023.

APPROVED:

ATTEST:

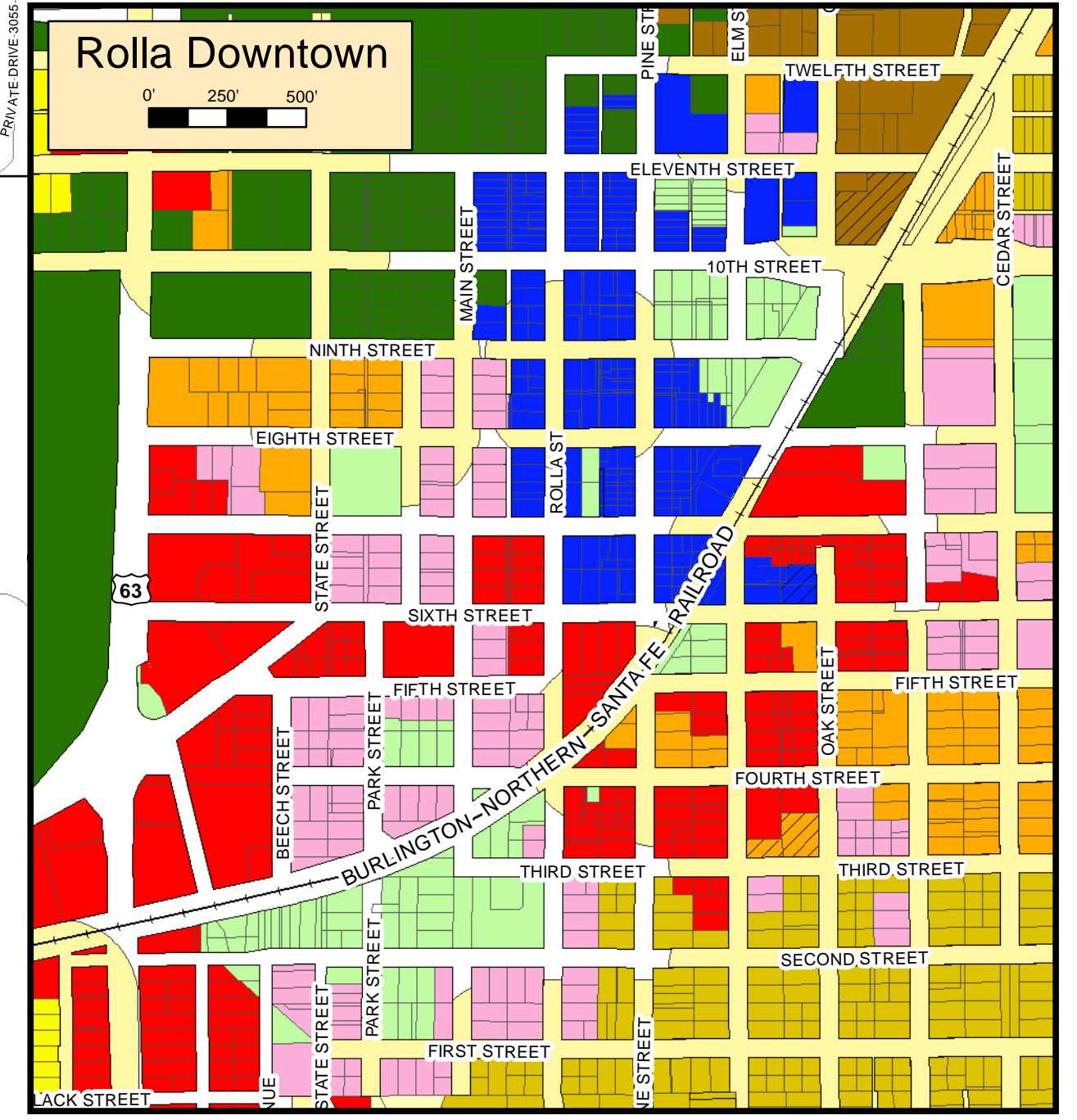
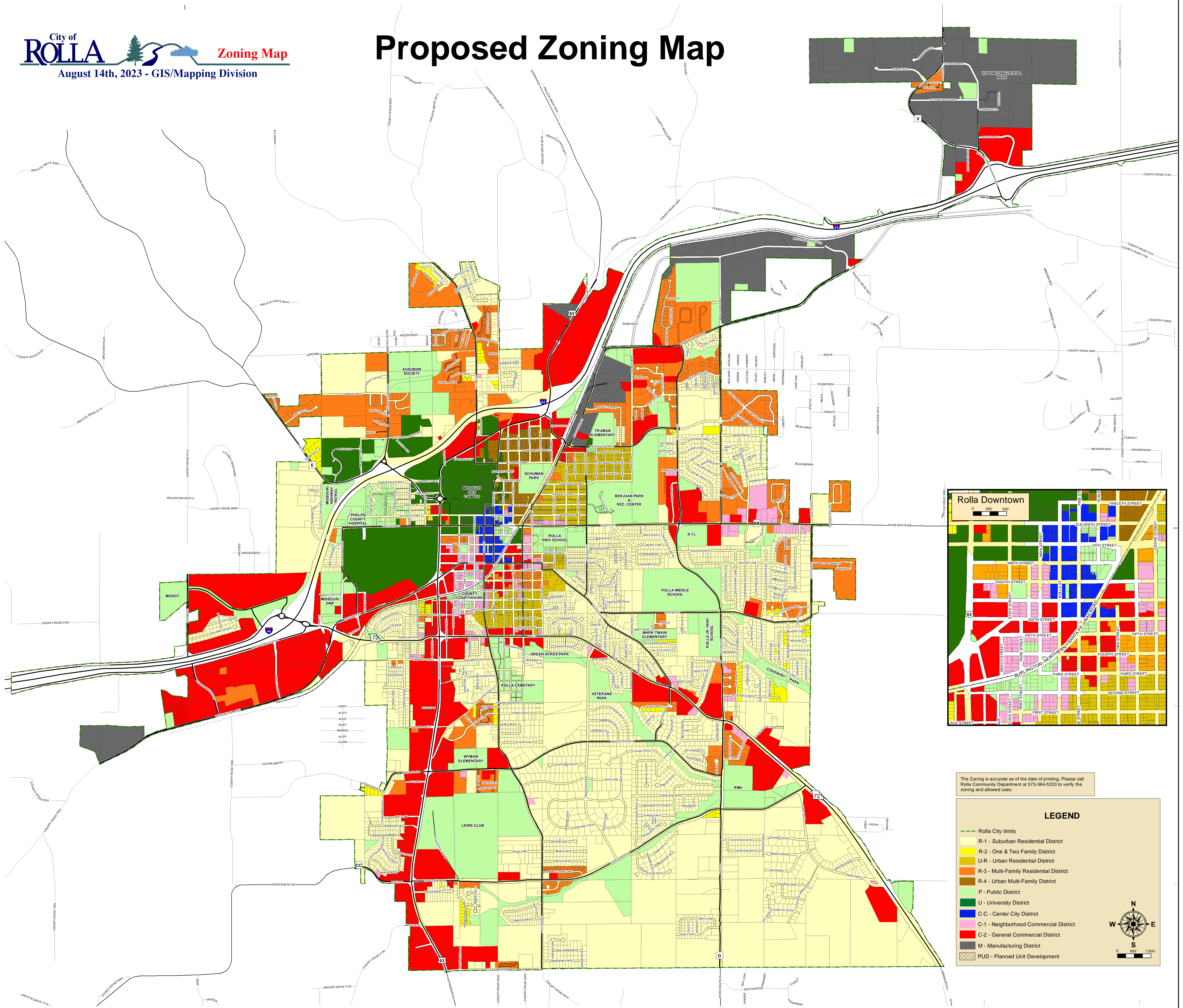
Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

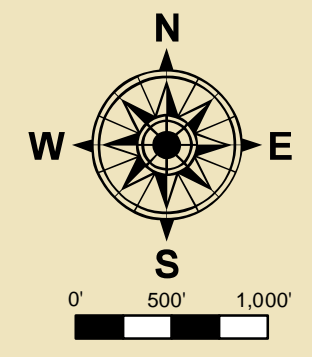
Proposed Zoning Map



The Zoning is accurate as of the date of printing. Please call Rolla Community Department at 573-364-5333 to verify the zoning and allowed uses.

LEGEND

- Rolla City limits
- R-1 - Suburban Residential District
- R-2 - One & Two Family District
- U-R - Urban Residential District
- R-3 - Multi-Family Residential District
- R-4 - Urban Multi-Family District
- P - Public District
- U - University District
- C-C - Center City District
- C-1 - Neighborhood Commercial District
- C-2 - General Commercial District
- M - Manufacturing District
- PUD - Planned Unit Development



This page is intentionally left blank

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: John Butz, City Administrator

ACTION REQUESTED: Discussion/Resolution

ITEM/SUBJECT: RSMo 573 pertaining to Pornography and Related Offenses

BUDGET APPROPRIATION (IF APPLICABLE) N/A

DATE: August 21, 2023

COMMENTARY:

Over the last few meetings there has been considerable discussion pertaining to obscenity and pornography as those issues could relate to the drag queen performances at the June 10th LBGTQ+ event on June 10th. Of particular concern was the "family-friendly" invitation that included some minors. Law enforcement at the event have indicated that no general activity took place that would have violated MO State Statutes (RSMo 573) though many citizens took offense to comments made and actions included by performers.

Council has discussed 3 or 4 related issues including

1. 2006 ordinance adopted in the City of Chesterfield pertaining to pornography and obscene performances prohibiting minors;
2. The City of Branson recently adopted a drag queen performance ordinance limited to their downtown zone (no children allowed);
3. A resolution to be drafted that reinforces the City of Rolla's full compliance with MO Law (RSMo 573);
4. And the possible assimilation of RSMo 573 into Rolla City Code (modified to reflect the "misdemeanor infractions" of enforcement.

Council requested a drafting of option C - a Resolution - which is attached. Council also investigated assimilation of RSMo 573 but that will require considerable legal review to outline the distinctions between municipal offenses and state law. Discussion needed.

III. B. 1

DRAFT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AFFIRMING THE FULL ENFORCEMENT OF PORNOGRAPHY AND RELATED OFFENSES AS DEFINED IN THE REVISED STATUTES OF THE STATE OF MISSOURI (RSMo 573).

WHEREAS, there is a need to control sexually provocative photographic, performances, written, printed and published materials that depict obscene materials; and

WHEREAS, it is in the best interest of the health, welfare, and safety of the citizens of this City and State, and especially of minors within the City and State, that dissemination of such sexually provocative photographic, performances, written, printed, or published materials deemed harmful to minors be restricted to persons at least 18 years old; if available to minors under the age of 18 years, that the availability of such materials be restricted to sources within established and recognized schools, religious institutions, museums, medical clinics and physicians, hospitals, public libraries, the minor’s home, or government sponsored organizations; and

WHEREAS, the Missouri General Assembly has passed comprehensive legislation to protect the citizens of Missouri from the harmful effects of pornography and pomographic materials that has been deemed “obscene” by both legislation and the Courts; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rolla hereby requests the City of Rolla Police Department undergo ongoing education and training on RSMo 573 and related legislation pertaining to sexual-related offenses and to diligently enforce all provisions thereto.

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

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

111.B.2

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance **Final Reading**

ITEM/SUBJECT: Section 27-92 No Parking

BUDGET APPROPRIATION (IF APPLICABLE) - **DATE: 8/21/2023**

COMMENTARY:

Lions Club Drive has a bike lane from Route 63 to Ramsey Place. Staff recommends removing the parking in this area.

Staff recommends the final reading of an ordinance to remove the parking on Lions Club Drive from Route 63 to Ramsey Place.

ITEM NO. III.C.1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, RELATING TO PARKING.

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

Section 1: That Section 27-92 of the Code of the City of Rolla, Missouri, pertaining to parking is hereby amended as follows:

Sec. 27-92 Parking Prohibited – On certain streets or parts of streets.

It shall be unlawful for any person to cause or permit any motor vehicle registered in his/her name to be unlawfully parked as set out in this section.

Lions Club Drive, on either side, from the intersection of Bishop Avenue (U.S. Highway 63) to the intersection of Highway 72, except nineteen hundred and sixty feet on the south side east of the intersection of Bishop Avenue (U.S. Highway 63).

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 21st DAY OF August, 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

Location Map



View From Bishop Ave at Lions Club Drive Looking East

Section 27-92 Parking Prohibited – On certain streets or parts of streets



Lions Club Drive, on either side, from the intersection of Bishop Avenue (U.S. Highway 63) to the intersection of Highway 72, except an area on the south side, east from the intersection of Ramsey Place Road to a point six hundred feet east of the intersection of Ramsey Place Road.



This page is intentionally left blank

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance **Final Reading**

ITEM/SUBJECT: Section 27-89 Stop Intersections

BUDGET APPROPRIATION (IF APPLICABLE) - **DATE: 8/21/2023**

COMMENTARY:

The traffic signal equipment at the intersection of State and 10th Streets was at the end of its useful life. The traffic volumes at that intersection did not meet warrants for a traffic signal. In coordination with Missouri S&T the traffic signal was removed and replaced with a push button activated pedestrian crossing.

Staff recommends the final reading of an ordinance to add a stop condition on State Street at the 10th Street intersection.

ITEM NO. III.D.1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 27-89 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI, AND ENACTING AN AMENDED SECTION 27-89 RELATING TO STOP INTERSECTIONS AT STATE STREET.

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

Section 1: That Section 27-89, Stop intersections - Enumerated generally, of the General Ordinances of the City of Rolla, Missouri, known as the City Code of Rolla, Missouri is hereby amended as follows:

Sec. 27-89. Stop intersections - Enumerated generally.

The driver of a vehicle shall cause his vehicle to come to a full and complete stop before entering the intersections named below, and he shall then proceed cautiously, yielding the right of way to any pedestrian within any crosswalk adjacent to the intersection and to any vehicle either in the intersection or approaching so closely thereto, when not required to stop, as to constitute an immediate hazard. At those intersections labeled "Yield," the driver of a vehicle shall yield the right of way to any vehicle in either the intersection or approaching so closely thereto, when not required to stop, as to constitute an immediate hazard.

State Street, at Second Street, at Sixth Street (north side has two per one-way street), at Eighth Street (north side has two per one-way street), at Tenth Street, at Eleventh Street.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 21st DAY OF AUGUST, 2023.

APPROVED

ATTEST:

MAYOR

Ordinance No. _____
Page 2 of 2

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR



View From 10th/State Looking South

Section 27-89 Stop Intersections

Add: State Street at Tenth Street



ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 27-2 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CITY CODE OF ROLLA, MISSOURI RELATING TO ONE WAY TRAFFIC.

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

Section 1: That Section 27-2 One-way traffic designated on certain streets is hereby repealed and a new Section 27-2 is enacted in lieu thereof as follows:

Sec. 27-2. One-way traffic designated on certain streets.

All motor vehicles, and all other vehicles, including bicycles, carts and wagons, driven, operated or propelled on, over and along certain designated streets in the city, shall be driven, operated or propelled in one direction only, as follows:

Fourth Street, between the intersection of Rolla Street and Pine Street in an easterly direction only.

Twelfth Street, between the intersection of Twelfth Street and Pine Street and the intersection of Twelfth Street and Rolla Street, in a westerly direction only.

Elm Street, from the intersection of Tenth Street to the intersection of Ninth Street, in a southerly direction only.

Elm Street, between the intersection of Elm Street and Twelfth Street and the intersection of Elm Street and Fourteenth Street, in a southerly direction only.

Park Street, between the intersection of Park Street and Sixth Street and the intersection of Park Street and Ninth Street, in a northerly direction only.

Pine Street, between the intersection of Pine Street and Sixth Street and the intersection of Pine Street and Twelfth Street, in a northerly direction only.

Rolla Street, between the intersection of Rolla Street and Sixth Street and the intersection of Rolla Street and Twelfth Street, in a southerly direction only.

State Street, between the intersection of State Street and Sixth Street and the intersection of State Street and Ninth Street, in a southerly direction only.

(Ord. 3902, §2)

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 21st DAY OF AUGUST, 2023.

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor



Section 27-2 One Way Traffic

Remove: Elm Street between 12th Street and 14th Street



CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Steffanie Rogers
Finance Director

ACTION REQUESTED: Ordinance/1st Reading

DATE: August 21, 2023

BUDGET APPROPRIATION: \$ 15,000.00

SUBJECT: Service Agreement between the City of Rolla and Phelps County Landfill Board

COMMENTARY:

On August 9, 2023, the Phelps County Landfill Board (PCLB) approved the attached contract between the City of Rolla and PCLB. This agreement relates to the reimbursement of fiscal and management services, in addition to all related Landfill direct costs incurred by the City. This agreement fosters a continued working relationship with the Board, which has proven successful for over 25+ years. The proposed agreement can be amended but will last through September 30, 2026.

Staff recommends the approval of this proposed contract and ordinance.

IV.A.2

ORDINANCE NO. _____

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

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a Technical Assistance Contract between the City of Rolla, Missouri and the Phelps County Landfill Board, a copy of said agreement being attached hereto and marked Exhibit A.

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

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

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

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

This Agreement is made and entered into on the 9th day of August, 2024, by and between Phelps County Landfill Board, Rolla, Missouri, hereinafter referred to as "Board" and the City of Rolla, hereinafter referred to as "City".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PHELPS COUNTY LANDFILL BOARD

Chairman

Attest

CITY OF ROLLA, MO

Mayor

Attest

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor ACTION REQUESTED: RESOLUTION

ITEM/SUBJECT: AUTHORIZATION TO APPLY FOR GRANT FUNDING

BUDGET APPROPRIATION (IF APPLICABLE) \$ DATE: 08/21/23

COMMENTARY:

Staff is requesting a resolution to apply for a Transportation Alternatives Grant (TAP). The TAP funds would be utilized to construct approximately 77 ADA compliant curb ramps in the city. A map of the proposed locations is attached. The estimated cost of this project is \$320,000.00 of which \$64,000 (20%) would be required from the City of Rolla for matching funds.

MoDOT requires a resolution authorizing staff to submit an application for grant funding.

Staff recommends approval.

ITEM NO. IV.B.1

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR THE 2023 TRANSPORTATION ALTERNATIVES PROGRAM.

Whereas, the City of Rolla is submitting an application for 2023 Missouri Transportation Alternatives Program funds for Rolla ADA Accessibility Improvements with an estimated total cost of \$320,000; and,

Whereas, the City of Rolla is requesting Missouri Transportation Alternatives Program funds in the amount of \$256,000.00 representing 80% of total estimated project costs; and,

Whereas, the City of Rolla acknowledges availability of the required local match of 20% and the availability of funds to pay all costs up front, as Transportation Alternative Program is a cost reimbursement program; and,

Whereas, the City of Rolla agrees to pay any costs that exceed the project amount if the application is selected for funding; and,

Whereas, the City of Rolla agrees to maintain all project(s) constructed with Transportation Alternative Program funding for the useable life of project(s);

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

Section 1. The City of Rolla authorizes the Public Works Director to apply for Missouri Transportation Alternative funds in the amount of \$256,000.00 from the Missouri Department of Transportation on behalf of City of Rolla.

Section 2. That the City of Rolla assures the Missouri Department of Transportation that if funds are awarded, sufficient funding for the local match and for Transportation Alternative Program upfront costs are available, since Transportation Alternative Program is a reimbursement program, and that any costs exceeding the award amount will be paid for by City of Rolla.

Section 3. That the City of Rolla assures the Missouri Department of Transportation that if awarded Transportation Alternative Program funds, sufficient funding for the operation and maintenance of the project will be available for the life of the project.

Section 4. That the City of Rolla assures the Missouri Department of Transportation that the City of Rolla is willing and able to administer all activities associated with the proposed project.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 21st DAY OF AUGUST 2023.

APPROVED

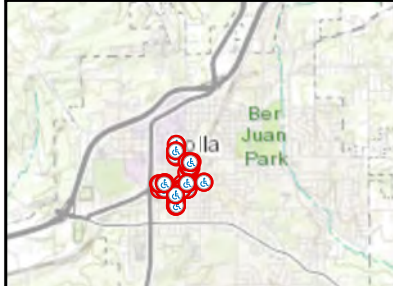
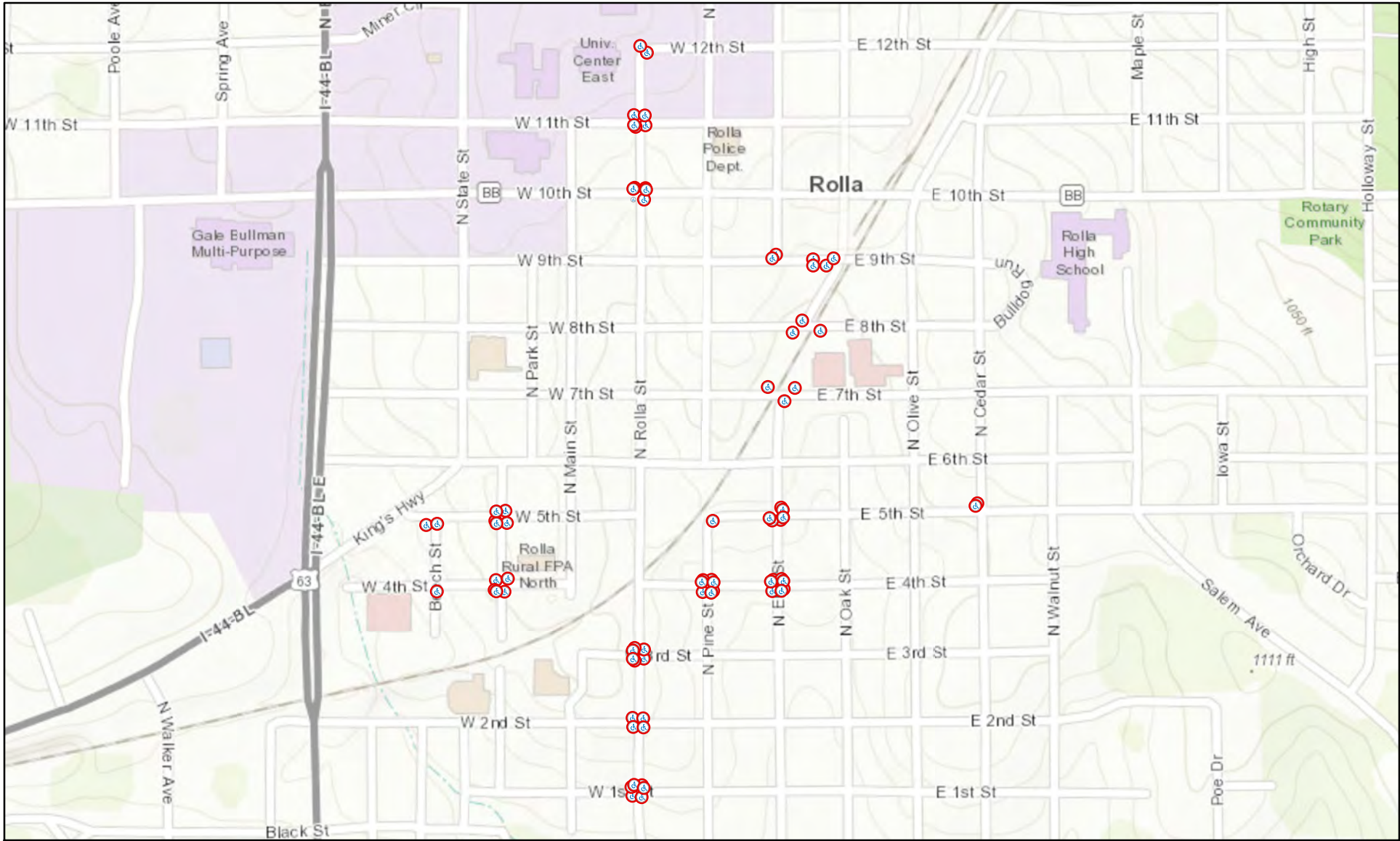
ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR




Project Area

Phelps County, Missouri Dept. of Conservation, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA, Phelps County, Missouri Dept. of Conservation, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS; S. VanBibber

2023

Legend

 Curb Ramp

77-Ramps

Current Totals
813- Compliant Ramps
564- Non-Compliant

This page is intentionally left blank

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance 1st Reading

**ITEM/SUBJECT: ARCHER-ELGIN PROFESSIONAL SERVICES AGREEMENT
TASK ORDER #2**

BUDGET APPROPRIATION (IF APPLICABLE) DATE: 08/21/23

COMMENTARY:

This agreement provides professional services in the design, bidding, and construction engineering of a redundant sewer force main serving the Hy Point industrial park. This will be funded with Legislative Priority Project ARPA funds and city ARPA funds.

Staff recommends approval.

ITEM NO. IV.C.1

This page is intentionally left blank

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CM ARCHER GROUP, P.C., DBA ARCHER-ELGIN FOR HYPOINT FORCE MAIN IMPROVEMENTS – TASK ORDER #2.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri an agreement between the City of Rolla, Missouri and CM Archer Group, P.C., dba Archer-Egin for Hy Point Force Main Improvements Task Order #2. A copy of said agreement being attached hereto and marked Exhibit "A".

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 5th DAY OF SEPTEMBER 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

EXHIBIT A

City of Rolla, Missouri

Hy Point Force Main Improvements

TASK ORDER NO. 2

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

PROJECT NAME: Hy Point Force Main Improvements

PART 1.0 PROJECT DESCRIPTION:

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

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

A. DESIGN PHASE

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

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

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

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

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

B. BIDDING PHASE SERVICES

ENGINEER shall perform Bidding Phase Engineering as follows:

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

C. CONSTRUCTION PHASE

ENGINEER shall perform Construction Phase Engineering as follows:

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

D. SURVEY, EASEMENTS, & ADDITIONAL CONSTRUCTION SERVICES

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

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

Preparation of operation and maintenance manuals

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

DELIVERABLES

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

PART 3.0 OWNER'S RESPONSIBILITIES:

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

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

PART 4.0 PERIODS OF SERVICE:

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

PART 5.0 PAYMENTS TO ENGINEER:

A. BASIC SERVICES

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

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

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

B. PAYMENTS TO ENGINEER

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

PART 6.0 ADDITIONAL SERVICES:

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

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

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

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

This Agreement is executed this _____ day of _____, 2023

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

This page is intentionally left blank

This page is intentionally left blank

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Ordinance

1st Reading

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

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 08/21/23

COMMENTARY:

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

Staff recommends approval.

ITEM NO. IV.D.1

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND CM ARCHER GROUP, P.C., DBA ARCHER-ELGIN FOR HIGHWAY V EAST FACILITY PLAN – TASK ORDER #3.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri an agreement between the City of Rolla, Missouri and CM Archer Group, P.C., dba Archer-Egin for Highway V East Wastewater Facility Plan - Task Order #3. A copy of said agreement being attached hereto and marked Exhibit "A".

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 5th DAY OF SEPTEMBER 2023.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

City of Rolla, Missouri
Highway V East Wastewater Facility Plan

TASK ORDER NO. 3

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

PROJECT NAME: Highway V East Wastewater Facility Plan

PART 1.0 PROJECT SCOPE:

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

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

DELIVERABLES

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

PART 3.0 OWNER’S RESPONSIBILITIES:

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

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

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

PART 4.0 PERIODS OF SERVICE:

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

PART 5.0 PAYMENTS TO ENGINEER:

A. BASIC SERVICES

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

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

B. PAYMENTS TO ENGINEER

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

PART 6.0 ADDITIONAL SERVICES:

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

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

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

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

This Agreement is executed this _____ day of _____, 2023

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

This page is intentionally left blank

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Floyd Jernigan, Parks & Rec Director ACTION REQUESTED: Bid Award
ITEM/SUBJECT: Park Mower

BUDGET APPROPRIATION (IF APPLICABLE) \$18,500 DATE: August 21, 2023

COMMENTARY:

The following bids were received for a 2023 zero turning radius diesel mower, with a 72-inch, hydraulic lift, floating mower deck. This will replace a 2014 mower with 1,307 hours and engine problems. Mowers typically have a 5-7 year life cycle, primarily due to mowing 218 acres of parkland and trails weekly, and being used for the cemetery’s 40 acres. Due to Prop P funding, we’ve been able to replace two-thirds of our mowing fleet. Notice to bid was sent to five local vendors and was also placed in the local newspaper. We spec out diesel due to better fuel efficiency and longevity. When feasible, used mowers are transferred to the airport where the usage and frequency aren’t as high. Older mowers are then sold on gov deals when surplus.

Company	Model	Price
Wayde’s Equipment Steelville, Mo..	ZD 1211-3-72	\$18,564.27
J&S Small Engine Rolla, Mo.	Hustler Diesel Z	\$19,883
Heritage Tractor Rolla, Mo.	Z994R	Didn’t meet specs



Staff recommends approving the low bid of Wayde’s Equipment.

This page is intentionally left blank

City of Rolla \$75K - 2023-2024 Renewal

Date: August 5, 2021	Current	Renew 10/1/23	10/1/2023	10/1/2023
Quote Based On:	Crum & Foster	Crum & Foster	Sunlife	Granular
Single Count	87	87	87	87
Family Count	82	82	82	82
Total Lives	169	169	164	169
Stop Loss Carrier	C&F	C&F	Sunlife	Granular
	Current	Renewal	Proposal 1	Proposal 2
Specific Deductible	\$75,000	\$75,000	\$75,000	\$75,000
Specific Contract Basis	Paid (24/12)	Paid (24/12)	Paid (24/12)	Paid (24/12)
Specific includes	Medical/Rx	Medical/Rx	Medical/Rx	Medical/Rx
SPECIFIC RATES				
Single	\$200.82	\$308.09	\$250.51	\$286.95
Family	\$587.65	\$862.41	\$576.35	\$608.99
Annual Specific Premium	\$787,903	\$1,170,251	\$828,651	\$898,825
Aggregate Premium/ee/mo	\$13.14	\$13.01	\$11.00	\$27.52
Annual Aggregate Premium	\$26,655	\$26,388	\$21,655	\$55,812
Total Stop Loss Premium	\$814,558	\$1,196,639	\$850,306	\$954,637
Administration - ee/mo	\$48.11	\$48.11	\$48.11	\$48.11
Stop Loss Fee - ee/mo	\$5.00	\$5.00	\$0.00	\$5.00
UMR RX credit	(\$22.00)	(\$22.00)	(\$22.00)	(\$22.00)
Utilization Management	\$0.00	\$0.00	\$0.00	\$0.00
NurseLine	\$0.50	\$0.50	\$0.50	\$0.50
Maternity	\$0.65	\$0.65	\$0.65	\$0.65
PBM Transfer - ee/mo	\$0.00	\$0.00	\$0.00	\$0.00
Total Administration Fee	\$32.26	\$32.26	\$27.26	\$32.26
PCORI Fee (annual estimate)	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00
Total Administration, PPO, UR Annual Costs	\$66,623	\$66,623	\$56,483	\$66,623
TOTAL FIXED COST (A)	\$881,181	\$1,263,262	\$906,789	\$1,021,260
Contract Type	Paid (24/12)	Paid (24/12)	Paid (24/12)	Paid (24/12)
Aggregate Covers	Medical/Rx	Medical/Rx	Medical/Rx	Medical/Rx
Aggregate Factors Expected Claims				
Single factor	\$636.54	\$873.33	\$738.83	\$905.53
Family factor	\$1,782.29	\$2,445.30	\$2,256.22	\$2,477.50
EXPECTED CLAIMS LIABILITY (B)	\$2,418,315	\$3,317,926	\$2,991,465	\$3,383,227
Aggregate Factors Maximum Claims				
Single factor	\$795.67	\$1,091.66	\$923.54	\$1,131.91
Family factor	\$2,227.86	\$3,056.62	\$2,820.28	\$3,096.87
Lasers	NO	NO	NO	YES
MAXIMUM CLAIMS LIABILITY (C)	\$3,022,894	\$4,147,407	\$3,739,331	\$4,229,034
Run-In-Limit***	\$0	\$0	\$0	\$0
Total Fixed Cost & Expected Claims (A+B)	\$3,299,496	\$4,581,188	\$3,898,254	\$4,404,488
Total Fixed Cost & Maximum Claims (A+C)	\$3,904,075	\$5,410,669	\$4,646,121	\$5,250,295
Percentage Change		38.6%	19.0%	34.5%
\$ Change (based on Maximum Claims)		\$1,506,594	\$742,046	\$1,346,220
Lasers	0	0	0	3
Firm	Yes	Yes	Yes	Yes

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Darin Pryor

ACTION REQUESTED: Bid Award

Motion

ITEM/SUBJECT: Crack Sealer Purchase

BUDGET APPROPRIATION: \$0.00

DATE: 08/21/23

COMMENTARY:

City staff was provided with the opportunity to purchase a used crack sealer from United Rentals of Rolla for \$40,000. This crack sealer has been rented by street department for the last 4 years (average \$7000 per year in rent). The purchase price of a new sealer similar to this one is \$68,890. Staff reviewed similar crack sealers for sale online and they were priced between \$45,000 and \$52,000.

Staff is requesting a motion for a bid award to United Rentals for \$40,000 for a 2019 Crafcoc Sealer.

ITEM NO. V.C.1

SASCO PAVEMENT COATING INC
City of Rolla, MO
Street Department
Mr. Tim Lewis
573-202-4945

AUGUST 1, 2023

Good afternoon Tim

Regarding: Budget Pricing for a New Crafc0 SS125D Melter.

Purchase Price off the SOURCEWELL Government Contract.

The City of Rolla's Sourcewell Contract Account (# 47718).

Brand New 2023 Crafc0 Super Shot 125 Diesel Melter Price.

Including the following options:

- Base Unit SS125D (One Axle)
- 2 5/16" Ball Hitch (3" & 2 1/2" Pintle also available)
- Seven Pin Flat Connector
- Beacon Light System
- 3/8" Safety Hooks with Latch (2)
- Gravity Feed Kit
- Spare Tire Kit
- Engine Cover - Insulated

Includes Shipping Cost / Training

Budget Price for all the above \$ 70,000.00

List Price \$ 76,859.00

Sourcewell Price \$ 68,890.00

Savings using Sourcewell \$ 7,969.00

Let me know if you have any questions.

Best regards,
Mark Cannefax
SASCO
c 417-840-8736
markcannefax@yahoo.com



UNITED RENTALS

United Rentals has agreed to sell the Crafcoc Crack Sealer to the City of Rolla in the amount of \$40,000.00

Make: CRAFCO

Model: SS125D

Unit #: 119980CC

Hours: 615.1

Chris Killebrew



08/04/2023

RESOLUTION NO. 1670

A RESOLUTION ADOPTING GUIDELINES OF CONDUCT FOR COUNCIL.

WHEREAS, a copy of this Resolution has been provided for public inspection prior to consideration by the Council.

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

Section 1: The Council hereby adopts "Guidelines of Conduct for the Rolla City Council" as described in Exhibit "A", which is attached hereto and made a part hereof.

Section 2: That this resolution shall be in full force and effect from and after the date of its passage and approval.

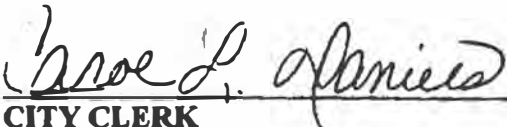
PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 4th DAY OF AUGUST 2008.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY COUNSELOR

EXHIBIT "A"

GUIDELINES OF CONDUCT FOR THE ROLLA CITY COUNCIL

INTRODUCTION

Excellence in performance by City Council members, employees and appointed board members is the best way to achieve our common goal of ensuring quality of life in Rolla. To be most effective, the efforts of all must be integrated. A special obligation of the City Council is to set an example of leadership, which encourages and promotes cooperation. The public expects the best communication, planning, and decision-making possible from its representatives and employees. The City Council will strive for high standards of behavior and performance, which we believe, will benefit all people in our community. We agree that adherence to the following set of principles will ensure effective guidance and operation of this Council and will accentuate a positive, open, and productive environment for all.

SECTION ONE – POSITIVE LEADERSHIP

The City Council recognizes that it is absolutely essential to remain positive in working together as a team. We shall:

- Strive to see the good in others.
- Look for, recognize, and promote the positive contributions of each Council member.
- Refrain from speaking negatively about the character of other Council members.
- Seek ways to turn obstacles into opportunities.
- Maintain a sense of optimism and humor in working together.
- Strive toward increasingly high levels of professionalism in dealing with one another.

SECTION TWO – COUNCIL COOPERATION

The City Council must work as a team to find the best ways to meet the needs of our residents. Trust and appreciation for one another, as well as a commitment to work together toward the resolution of problems, is essential. Each individual must have the freedom and opportunity to express his/her beliefs and has the responsibility to do so early in any discussion. Regular Council meetings and special work sessions should be designed to allow free and open discussion.

1670

SECTION TWO – COUNCIL COOPERATION (continued)

In any discussion each member has the right to speak twice on the agenda item on the same day (except on approval of Council), but cannot make a second speech on the same agenda item as long as any member who has not spoken on that item desires the floor. No one can speak longer than ten minutes at a time without permission of the Council.

SECTION THREE – RESPONSIBILITY OF CITY COUNCIL MEMBERS

Each person is accountable to the Council for his/her actions. Each Council member will keep an open and receptive mind toward the view and opinions of others. When a Council member has an idea on how the Council can work more effectively, the person is encouraged to present the idea to the Council.

SECTION FOUR – PLANNING, GOAL SETTING, AND ACCOUNTABILITY.

Council members must be committed to a comprehensive planning process leading to mutually developed goals and accountability. It is imperative that all members of the City Council participate fully in Council workshops and retreats to ensure the necessary commitment of all members to strategic planning processes.

SECTION FIVE – HUMAN RESOURCE DEVELOPMENT

The Council commits that the City will strive to hire the most qualified employees for the City staff. The Council supports specific plans, which will encourage the continued growth of all members, both in personal and professional development.

SECTION SIX – COMMUNICATIONS

Effective communication requires a high level of trust. The Council believes in open communication and the public's right to know. Open channels of communication must be maintained among all members of the Council. It is understood that information cited by statute to be discussed in closed sessions must remain confidential. Sharing of such information with unauthorized persons at any time is unacceptable.

If a public statement on any City matter is appropriate or necessary, the Council, as a whole, will agree upon a specific statement to be made by the/an official designee. While Council members, employees, and appointed board members may have their personal opinions, those personal opinions must be identified as personal opinions and not as representations of City policy.

1690

City government, while a critical element of a community's identity, is most effective when a spirit of mutual respect and cooperation exists with other major institutions. The effectiveness of the County, Hospital, University, Chamber, Rolla Municipal Utilities (RMU) and others entities is dependent upon the willingness of the City Council to foster consensus and unity. Council interaction with these entities should be based on sound public policy and consensus among the entire Council.

SECTION SEVEN – HANDLING OF PUBLIC CONCERNS (including City Council Meetings)

When a Council member is contacted by a constituent with a concern, he or she will:

- Listen to the individual's concern.
- Affirm the desire to reach a satisfactory solution.
- Assure the person that appropriate action will be taken.
- Express appreciation to the individual for presenting the concern.
- Follow up to determine if appropriate action has been taken.

SECTION EIGHT – COUNCIL DECISION MAKING

The Council will use the following guidelines prior to a Council decision:

- Gather pertinent facts concerning the situation.
- Receive input from persons to be affected by the decision.
- Analyze and organize collected data.
- Consider multiple solutions, including cost estimates, if necessary.
- Review any recommendation(s) from City staff or advisory committee.
- Make a collective, not a unilateral, decision, which will determine the course of action.
- Provide a plan containing an ongoing monitoring system, to implement the decision.
- Keep communications open with those having concerns about the issues.
- Acknowledge the decision and support its effective implementation.

SECTION NINE – MEETING AGENDAS

Council meeting agendas will be open and publicized. Surprises at meetings from the Council members or staff are unwelcome and counterproductive. Information upon which decisions are to be made must be communicated to all Council members equally and prior to decision-making meetings and in sufficient time for free discussion.

1670