

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

**COUNCIL PRAYER**  
Ministerial Alliance

**AGENDA OF THE ROLLA CITY COUNCIL**  
**Monday, July 17th, 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

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**PLEDGE OF ALLEGIANCE**  
Councilwoman Victoria Steen

**I. CONSENT AGENDA**

- A. Consider Approval of the City Council Minutes of:
1. City Council Meeting – June 5<sup>th</sup>, 2023
  2. Closed Session Minutes – June 5<sup>th</sup>, 2023
  3. City Council Meeting – June 19<sup>th</sup>, 2023

**II. PUBLIC HEARINGS –**

- A. **Public Hearing and Ordinance** approving the rezoning of a portion of 514 Keeton Rd from R-1, Single-family district to the R-2, Two-family district. (City Planner Tom Coots)  
**Public Hearing and First Reading**
- B. **Public Hearing and Ordinance** approving text amendment to Chapter 42, Sections 42.141 definitions and 52.233.01-42.233.03, pertaining to zoning regulations of Marijuana businesses. (City Planner Tom Coots) **Public Hearing and First Reading**

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

- a. Environmental Services Department Monthly Report – May 2023
- b. Building Codes monthly report – June 2023
- c. Police Department Monthly Report – May 2023
- d. Animal Control Division Report – May 2023
- e. RMU Financial Statistics for May 2023
- f. Rolla Board of Public Works Minutes for April 25<sup>th</sup>, 2023
- g. The Centre Income Statement ending June 2023
- h. Municipal Court Summary Reporting for June 2023
- i. P&Z Commission Minutes for May 9<sup>th</sup> and June 13<sup>th</sup>, 2023
- j. DRC Minutes for June 20<sup>th</sup> and July 11<sup>th</sup>, 2023
- k. City of Rolla Financial Report ending May 2023

July 17<sup>th</sup>, 2023

IV. **ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS** –

- A. Shawn Landers – GovDeals: Presentation of certificate for joining the \$1M Club – cumulative surplus sales through GovDeals since January of 2009.

V. **OLD BUSINESS** –

- A. **Ordinance** to amend Section 41-2 of the City Code – Concealed Weapons. (Police Chief Sean Fagan)  
**Final Reading**
- B. **Ordinance** adopting final version of proposed Chapter 42 – Planning and Zoning. (City Planner Tom Coots) **First Reading**

VI. **NEW BUSINESS** –

- A. **Ordinance** to subdivide one residential lot into two lots at 514 Keeton Rd. (City Planner Tom Coots)  
**First Reading**
- B. **Ordinance** revising Chapter 31-37 of the Rolla City Codes pertaining to Parks and Recreation Enforcement. (Chief Fagan) **First and Final Reading Requested.**
- C. **Ordinance** amending current marijuana ordinance to match Missouri State Law. (Chief Fagan)  
**First Reading**
- D. **Discussion** on draft of Obscenity Ordinance. (City Administrator John Butz)

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

- A. **Motion** to award bid to McQueen Emergency for Turnout Gear. (Fire Chief Jeff Breen)

VIII. **CITIZEN COMMUNICATION**

- A. Ellie Pickell: The Rolla Pride event and subsequent public comments
- B. Mark Murphey: Support of the LGBTQ Community including Drag Queens.
- C. Shasta Johnson: Support of the LGBTQ+ Rolla and Drag community.
- D. Terris Cates: Ordinances to protect minors in City public places
- E. Ron Sluder: Ordinances to protect minors in City public places
- F. Darren Facen: Ordinances to protect minors in City public places.

IX. **MAYOR/CITY COUNCIL COMMENTS**

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

XI. **CLOSED SESSION** –

Closed Session per RSMo 610.021- None

XII. **ADJOURNMENT** -

**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JUNE 5TH, 2023; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor Louis J. Magdits IV

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

**Council Members Absent:** Matt Fridley

**Council Ward Vacancy:** Ward 5 - Carolyn Bolin

**Department Directors and Other City Officials in Physical Attendance:** PW Director Darin Pryor, Police Chief Sean Fagan, Fire Chief Jeff Breen, Asst. Fire Chief John Marti, Community Development Director Steve Flowers, City Planner Tom Coots, Interim Env. Services Director Roger Pankey, Centre Recreation Director Marci Fairbanks, and City Counselor Lance Thurman.

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

**I. CONSENT AGENDA**

A. Consider Approval of the City Council Minutes of:

1. City Council Meeting – May 1, 2023
2. Closed Session Minutes – May 1, 2023
3. City Council Meeting – May 15th, 2023
4. Closed Session Minutes – May 15<sup>th</sup>, 2023

A motion was made by Johnson and seconded by Higgins to accept the minutes. A voice vote showed 9 Ayes, zero Nays, and 2 Absent (Fridley and Steen)

B. **Motion** to accept a Sewer Easement from Neil Investments LLC for 904 Oak Lane Drive. (PW Director Darin Pryor) A motion was made by Higgins and seconded by Johnson to accept the Sewer Easement. A voice vote showed 9 Ayes, zero Nays, and 2 Absent (Fridley and Steen).

**II. PUBLIC HEARINGS –**

Note: Councilwoman Victoria Steen joined the meeting at 6:37 pm.

A. **Public Hearing** for the Re-adoption and revision to Chapter 42 (Planning and Zoning of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning

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districts; and Amendments to sections pertaining to land use and zoning in Chapters 15, 20,28, 29, 39, 40, and 41 of the City of Rolla Ordinances. City Planner Tom Coots explained for Council that the current zoning code was adopted in 1988 and hadn't had a comprehensive overview since 2000. Revisions and additions have created issues with organization, duplication, and conflict with other parts of the code. The Zoning Ad-Hoc Committee was formed in February 2022 to review the codes, subdivision codes, and any other land use regulations to make recommendations for change to the City Code. The proposed changes should make the code more understandable, and will correct errors while removing unnecessary requirements. There were questions and comments about who received letters regarding zoning changes and what was actually required for notification per state law and city code. The use of the words urban/suburban verses rural were also discussed.

At 7:10 pm the Mayor opened the public hearing for citizen comment.

Alfred Chapman, property owner of 106 Bookridge asked for a letter pertaining to his property rights.

Nick Roshan, property owner of 506 E. 13<sup>th</sup> Street spoke in favor of the zoning changes which he felt would make the code more inclusive, allowing more options for property owners.

Dale Krutchers, property owner of 1301 Hwy O spoke in favor of the zoning changes and commended Mr. Coots for going above and beyond what city code required for notification to the public. He urged Council the change the process and mandate better public input processes.

Regarding public notification: Mayor Magdits asked Mr. Coots to consider a more inclusive system of notification.

Ray Schwaghardt, 1342 S. Rolla asked if the change in zoning code affected the tax rate. City Administrator John Butz replied that the Assessor's Office doesn't consider zoning when determining property assessment.

At 7:43 pm, Mayor Magdits closed the Public Hearing. An ordinance for first reading to approve the zoning code changes will be presented to Council at a later date.

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

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

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

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## V. OLD BUSINESS –

- A. **Ordinance** to approve an agreement with Brownwood Estates Homeowners Association for the lease of a containment pond for recreational use. (PW Director Darin Pryor) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4739: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LAND LEASE AGREEMENT WITH THE BROWNWOOD ESTATES HOMEOWNERS ASSOCIATION. A motion was made by Johnson and seconded by Kessinger to approve the lease. A roll call voted showed the following: Ayes: Kessinger, Johnson, Florence, Hall, Steen, Vroman, Balch, Higgins, Mayberry, and Chirban. Nays: none. Absent: Fridley.
- B. **Ordinance** to approve vacation of easement at 1906/1908 N Bishop Ave. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4740: AN ORDINANCE APPROVING THE VACATION OF A PORTION OF AN EASEMENT LOCATED AT 1906/1908 N BISHOP AVE. A motion was made by Vroman and seconded by Balch to approve the vacation of easement. A roll call vote showed the following: Ayes: Hall, Kessinger, Balch, Higgins, Mayberry, Florence, Johnson, Steen, Vroman, and Chirban. Nays: none. Absent: Fridley.
- C. **Ordinance** to approve the vacation of the rights-of-way of Park Street between 2<sup>nd</sup> Street and the railroad. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4741: AN ORDINANCE APPROVING THE VACATION OF PARK STREET BETWEEN 2<sup>ND</sup> STREET AND THE RAILROAD RIGHTS-OF-WAY. A motion was made by Kessinger and seconded by Balch to approve the vacation of rights-of-way. A roll call vote showed: Ayes: Chirban, Vroman, Johnson, Higgins, Hall, Steen, Florence, Mayberry, Balch, and Kessinger. Nays: none. Absent: Fridley.
- D. **Ordinance** to approve the rezoning of the SW corner of Richard Dr. and Curtis Dr. from the C-1, Neighborhood Commercial to R-3, Multi-family. (City Planner Tom Coots) City Counselor Lance Thurman read the ordinance for its final reading, by title: ORDINANCE 4742: AN ORDINANCE TO APPROVE THE RE-ZONING OF CERTAIN PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RICHARD DRIVE AND CURTIS DRIVE FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE R-3 MULTI-FAMILY DISTRICT. A motion was made by Johnson and seconded by Chirban to approve the re-zoning. A roll call vote showed: Ayes: Vroman, Higgins, Johnson, Chirban, Florence, Hall, Kessinger, Mayberry, Steen, and Balch. Nays: none. Absent: Fridley.

## VI. NEW BUSINESS –

- A. **Resolution** to approve the purchase of a 2023 Rescue Pumper from Pierce/Macqueen dealership for \$952,000 utilizing the HGAC program. Fire Chief Jeff Breen explained to Council the current vehicle replacement program of Rolla City Fire and the factors that affect the ISO rating scale. Rolla City Fire is currently in the top 3% nationwide with an ISO rating of 2. City Counselor Lance Thurman read the resolution for one reading, by title: RESOLUTION 2021: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF ROLLA, MISSOURI AND MACQUEEN EQUIPMENT, LLC FOR THE PURCHASE OF A 2023 PIERCE RESCUE PUMPER. A motion was made by Chirban and seconded by Johnson to approve the purchase of the 2023 Pierce Rescue Pumper for \$952,000. A voice vote showed 10 Ayes, zero Nays, and 1 Absent (Fridley).

- B. **Resolution** to select General Code to provide codification services. City Counselor Lance Thurman read the resolution for one reading, by title: RESOLUTION 2022: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SERVICE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND GENERAL CODE FOR CODIFICATION SERVICES. A motion was made by Vroman and seconded by Johnson to accept the proposal by General Code. A voice vote showed 10 Ayes, zero Nays, and 1 Absent (Fridley).
- C. **Motion** authorizing City Administrator John Butz to sign the Sovereign Immunity Preservation Rider. City Administrator John Butz explained to Council that each year the City obtains insurance quotes for renewal of general liability, property coverage, and workers comp. Beginning this year and moving forward, carriers are requiring an official motion preserving sovereign immunity. A motion was made by Kessinger and seconded by Higgins to authorize the signing of the Sovereign Immunity Preservation Rider. A voice vote showed 10 Ayes, zero Nays, and 1 Absent (Fridley).
- D. **Ordinance** to amend Section 41-2 of the City Code – Concealed Weapons. (Police Chief Sean Fagan) This item was changed to a discussion only. Legal is reviewing this topic further. An amended ordinance will be presented for Council approval at a future date.

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

VIII. **CITIZEN COMMUNICATION**

IX. **MAYOR/CITY COUNCIL COMMENTS**

- A. Discussion on July 3<sup>rd</sup>/4<sup>th</sup> Council Meeting-consider cancelling? (City Administrator John Butz) A motion was made by Chirban and seconded by Balch to cancel the July 3<sup>rd</sup>/4<sup>th</sup> Council meeting. A voice vote showed 10 Ayes, zero Nays, and 1 Absent (Fridley).
- B. Motion to approve the appointment of Kevin Greven to the vacant Ward 5 Council position for the unfulfilled term currently ending April 2024. A motion was made by Johnson and seconded by Hall to postpone the appointment till the June 19<sup>th</sup> meeting to give the public time to review the bio of the candidate. After some discussion, A motion was then made by Vroman and seconded by Mayberry to approve the appointment. After further discussion, Vroman withdrew his motion and the Mayor agreed to postpone the appointment until the June 19<sup>th</sup> meeting.

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

- A. Councilwoman Balch reminded citizens of the food distribution at the Dream Center on Wednesday from 10:00 -12:00.
- B. Councilman Kessinger commented on the success of the Summerfest event.

**XI. CLOSED SESSION –**

At 8:48 pm a motion was made by Johnson and seconded by Higgins to go into closed session. A roll call vote showed the following: Ayes: hall, Kessinger, Balch, Higgins, Mayberry, Florence, Johnson, Steen, Vroman, and Chirban. Nays: none. Absent: Fridley.

Closed Session per RSMo 610.021- (2) Real Estate

At 9:00, Council returned from closed session where a discussion of real estate was had with no final action taken.

**XII. ADJOURNMENT -**

Having no further business, the meeting adjourned at approximately 9:00 p.m.  
Minutes respectfully submitted by City Clerk Lorri Thurman.

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CITY CLERK

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MAYOR

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**ROLLA CITY COUNCIL MEETING MINUTES  
MONDAY, JUNE 19TH, 2023; 6:30 P.M.  
ROLLA CITY HALL COUNCIL CHAMBERS  
901 NORTH ELM STREET**

**Presiding:** Mayor Louis J. Magdits IV

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

**Council Members Absent:** None

**Department Directors and Other City Officials in Physical Attendance:** Police Chief Sean Fagan, Fire Chief Jeff Breen, Community Development Director Steve Flowers, City Planner Tom Coots, Interim Env. Services Director Roger Pankey, Finance Director Steffanie Rogers, Park's Director Floyd Jernigan, and City Counselor Lance Thurman.

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

**I. Mayoral Appointment-**

- A. Motion to approve the appointment of Kevin Greven to the vacant Ward 5 Council position for the unfulfilled term ending April 2024; Swearing in Ceremony. A motion was made by Johnson and seconded by Higgins to approve the appointment. A voice vote showed 11 Ayes, zero Nays, none absent. City Clerk Lorri Powell administered the Oath of Office to Mr. Greven who then took his seat as active Council.

**II. PUBLIC HEARINGS –**

- A. **Public Hearing and Ordinance** to rezoning 71 Rose Ct. From the R-1, Single-family district to the R-2, Two family district. (City Planner Tom Coots) The applicant wishes to construct an addition in the place of the former garage to include a garage with a dwelling unit above the garage. At 6:38 the Mayor opened the public hearing. There were none that spoke for or against the zoning change and at 6:39 the hearing was closed. City Counselor Lance Thurman read the ordinance for its first reading, by title: AN ORDINANCE TO APPROVE THE RE-ZONING OF PROPERTY ADDRESSED AS 71 ROSE COURT FROM THE R-1, SINGLE-FAMILY DISTRICT TO THE R-2, TWO-FAMILY DISTRICT. A motion was made by Hall and seconded by Kessinger to suspend the rules for final reading. A voice vote showed 10 Ayes, 2 Nays (Chirban and Johnson), none absent. City Counselor Lance Thurman read the ordinance for its final reading. A motion was made by Higgins and seconded by Vroman to approve the rezoning. A roll call vote showed the following: Ayes: Higgins, Greven, Steen, Vroman, Mayberry, Chirban, Balch, Johnson, Kessinger, Florence, Hall, and Fridley. Nays: none. Absent: none.

JUNE 19th, 2023

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

IV. **OLD BUSINESS** – none

V. **NEW BUSINESS** –

- A. **Ordinance** to amend Section 41-2 of the City Code – Concealed Weapons. Police Chief Sean Fagan explained for Council that the proposed changes would bring the City Code regarding concealed weapons into compliance with state law. City Counselor Lance Thurman read the ordinance for its first reading, by title: AN ORDINANCE REPEALING SECTIONS 41-2 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI AND ENACTING NEW SECTIONS 41-2 IN LIEU THEREOF PERTAINING TO CARRYING CONCEALED WEAPONS.
- B. **Discussion** about conducting a neighborhood plan, to be known as the Old Town Neighborhood Plan. City Planner Tom Coots explained a neighborhood plan would allow for neighborhood residents to assist in deciding how they would like to see their neighborhood change in the future. Planning efforts will continue until late summer or early fall when the proposed final plan will be brought back to Council for approval. Mayor Magdits requested the Schuman recommendations and outcomes be shared with Council.
- C. **Ordinance** adopting final version of proposed Chapter 42 – Planning and Zoning. (City Planner Tom Coots) After discussion regarding the removal of C-2 zoning for overnight shelters, a motion was made by Johnson and seconded by Chirban to amend the proposal to remove overnight shelter from being permitted in C-2 from 42-222 subsection 2(f) on page 16 of the proposed chapter 42. A roll call vote showed the following: Ayes: Chirban, Balch, and Johnson. Nays: Hall, Mayberry, Greven, Vroman, Steen, Kessinger, Higgins, and Fridley. Absent: none. Abstention: Florence. A motion was then made by Chirban and seconded by Balch to see a pictorial of impact reflecting the change at several distances. A roll call vote showed the following: Ayes: Vroman, Steen, Greven, Higgins, Chirban, Fridley, Johnson, Kessinger, Mayberry, Hall, and Balch, Nays: none. Absent: none. Abstention: Florence.

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

- A. **Resolution** to award Financing Bids for a 2023 Pierce Rescue Pumper Truck to Town & Country Bank. Finance Director Steffanie Rogers requested the award of financing to Town and County Bank over 10 years with an interest rate of 4.74% for the 2023 Rescue Pierce Pumper Truck. A motion was made by Johnson and seconded by Balch to award the financing. A voice vote showed 12 Ayes, zero Nays, none absent.
- B. **Review** of the Proposed Budget for the Forum Plaza Community Improvement District (CID). City Administrator John Butz explained this was just a disclosure and no action was required by Council since the CID acts independently of Council. The CID provided \$4 million of the \$14 million project cost to eliminate and reverse blighted conditions and has a current “Principal Balance” of \$3.3 million. The one-cent CID tax will run through 2039 unless paid off sooner.

- C. **Motion** to ratify emergency change order for asbestos removal on Ransdall building Demolition. City Administrator John Butz explained that during the demolition of the Ransdall building the contractor encountered suspect asbestos containing materials on the roof tar. The removal is estimated between \$25,000 and \$30,000. Administration approved the emergency change order prior to the June 19<sup>th</sup> meeting to expedite the work. A motion was made by Greven and seconded by Johnson to ratify the emergency change order. A voice vote showed 12 Ayes, zero Nays, and none Absent.
- D. **Motion** to approve the purchase of Genesis Extrication equipment from Fire Master Equipment. Fire Chief Jeff Breen requested the approval of a sole source purchase of Genesis extrication equipment from Fire Master Fire Equipment for \$35,853.00. A motion was made by Johnson and seconded by Kessinger to approve the purchase. A roll call vote showed the following: Ayes: Greven, Higgins, Steen, Fridley, Mayberry, Chirban, Balch, Johnson, Kessinger, Florence, Hall, and Vroman. Nays: zero. Absent: none.

## VII. CITIZEN COMMUNICATION

- A. Terris Cates - 1706 E 10<sup>th</sup> St.: Mr. Cates expressed his concern for the innocence of youth and the impression and confusion caused by the Drag Queen show on June 10<sup>th</sup>.
- B. Ron Sluder - Rolla 1<sup>st</sup> Church of the Nazarene: Spoke on the need for the community to take a stand to promote a better community.
- C. Darren Facen - 12719 CR 5110: Spoke on the moral obligation to protect the innocence of the children of our community.
- D. Melissa Jones - Rolla 1<sup>st</sup> Church of the Nazarene: Spoke on the horror of what the children were exposed to on June 10<sup>th</sup>.
- E. Chris Barrett – Independence, MO – Mo Chapter Leader of Gays Against Groomers: Spoke against the indoctrination and sexualization of children.
- F. Greg Bipps – 1604 October Place: Stated that there are laws about movies, public decency and public nudity that are being ignored.
- G. Denise McClanahan – 10328 Cr 3010: Attended the June 10<sup>th</sup> event and prayed over the children and was horrified at what the children were exposed to.
- H. John Thompson – Life Church: Reminded Council of past changes that were made in order to protect citizens.
- I. John Streeby – Salem, Mo: Mr. Streeby was present at the June 10<sup>th</sup> event to watch his son preform and felt there was nothing pornographic or inappropriate that had occurred.
- J. Heather Hagen – 1606 Amber Place: Was present for the event with a child who commented it was the only time he felt loved and accepted. She spoke in support of future Pride events.
- K. Scott Wisdom – 18205 Hwy 72: Shared religious beliefs.
- L. Johnathan Kimble- 601 Southview: Recognized theological differences and spoke in favor of the event stating there was nothing at Pride that wasn't already on TV.
- M. Lance Langenberg - 1<sup>st</sup> Assembly of God: Reminded Council that it isn't just about the decision you make but what you allow as civic leaders.
- N. Patrick Wilson – 209 Sooter: Shared that he was at the Pride event representing the Trever Project and reminded Council that all lives matter regardless of sexual orientation.
- O. Karen Harris – Rolla resident: Asked Council to address the indecency issue. There have been multiple Pride events in the last few years with no incident.
- P. Scott McBride – Rolla resident: Urged Council to protect children in a way that makes sense.

**VIII. MAYOR/CITY COUNCIL COMMENTS**

- A. Councilman Josh Vroman – Offenses concerning pornography.  
Councilman Vroman asked Council if they were interested in creating an ordinance to show where they stood on obscene and pornographic material. A motion was made by Kessinger and seconded by Johnson to pursue an ordinance to bring to the attention of the local area of where Council stands on the subject of obscene material in public places. A voice vote showed 12 Ayes, zero Nays.
- B. Councilman Florence reminded citizens of the upcoming 88<sup>th</sup> Lions Club Carnival on June 30<sup>th</sup> through July 3<sup>rd</sup>.
- C. Councilman Chirban reminded citizens of the cancellation of the July 3<sup>rd</sup> meeting and next Council meeting on July 17<sup>th</sup>.
- D. City Administrator John Butz invited the public to the next open house on July 13<sup>th</sup> from 4:00 pm -6:00 pm at the Eugene Northern Community Hall.
- E. Councilman Kevin Greven invited the public to the Vietnam Era Pinning Ceremony on June 27<sup>th</sup> at the Columbia Collage in Rolla at 9:00 am.

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

**X. CLOSED SESSION –**

Closed Session per RSMo 610.021- None

**XI. ADJOURNMENT -**

Having no further business, the meeting adjourned at approximately 9:27 p.m.  
Minutes respectfully submitted by City Clerk Lorri Thurman.

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CITY CLERK

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MAYOR

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**CITY OF ROLLA  
CITY COUNCIL AGENDA**

**DEPARTMENT:** Community Development

**ACTION REQUESTED:** Public Hearing/First Reading

**SUBJECT:** Map Amendment (rezoning): A portion of 514 Keeton Rd from the R-1, Single-family district to the R-2, Two-family district

(ZON23-05)

**MEETING DATE: July 17, 2023**

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**Application and Notice:**

Applicant/Owner - Shawn Coverdell  
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 construct a duplex on the subject property. The applicant has submitted a minor subdivision for concurrent review. Only the northern lot of the subdivision is proposed to be rezoned.

**Property Details:**

Current zoning - R-1, Single-family to be rezoned to R-2, Two-family  
Current use - Vacant/undeveloped  
Proposed use - Two-family  
Land area - About 12,600 Sq. Ft.

**Public Facilities/Improvements:**

Streets - The subject property has frontage on Lions Club Rd, a major arterial road.  
Sidewalks - Sidewalks are not located adjacent to the property. Sidewalks may required at the time of development.  
Utilities - The subject property should have access to all needed public utilities.

**Comprehensive Plan:** The Comprehensive Plan designates the property as being appropriate for Medium/High Density Residential uses.

**Discussion:** The subject property is located adjacent to Lions Club Road, in an area of residential uses, but between commercial lots at the ends of the block. Public Works will allow direct access to Lions Club Rd in this area.

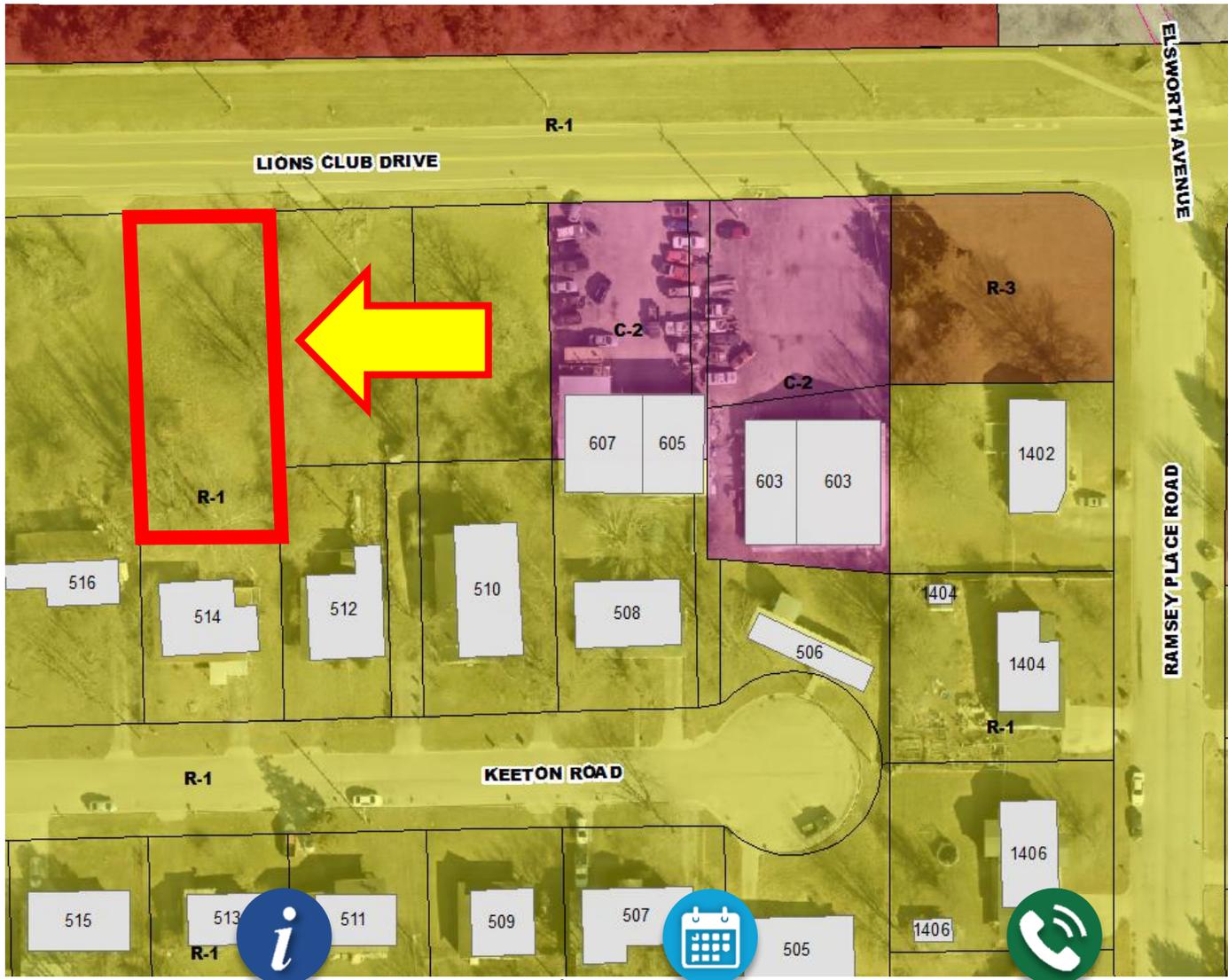
Single-family uses may not be appropriate adjacent to a major roadway. Given the location between commercial uses, it is possible that the strip along Lions Club Road may also be appropriate for commercial uses. However, the adopted Comprehensive Plan indicates that higher density residential uses should be appropriate in this location. Other duplex lots fronting on Lions Club Rd are located about a block away.

**Planning and Zoning Commission Recommendation:**

The Rolla Planning and Zoning Commission conducted a public hearing on July 11, 2023 and voted 5-0 to recommend the City Council approve the request.

**Prepared by:** Tom Coots, City Planner

**Attachments:** Public Notice Letter; Ordinance



**Project Information:**

Case No: ZON23-05  
 Location: 514 Keeton Rd  
 Applicant: Shawn Coverdell  
 Request:  
 Rezoning from R-1, Single-family Residential to R-2, Two-family Residential

**Public Hearings:**

Planning and Zoning Commission  
 July 11, 2023  
 5:30 PM  
 City Hall: 1<sup>st</sup> Floor  
  
 City Council  
 July 17, 2023  
 6:30 PM  
 City Hall: 1<sup>st</sup> Floor

**For More Information Contact:**

Tom Coots, City Planner  
 tcoots@rollacity.org  
  
 (573) 426-6974  
 901 North Elm Street  
 City Hall: 2<sup>nd</sup> Floor  
 8:00 – 5:00 P.M.  
 Monday - Friday

II.A.3



**Who and What is the Planning and Zoning Commission?**

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

**What is a Rezoning (Map Amendment)?**

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

**What is Zoning?**

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

**How Will This Impact My Property?**

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

**What If I Have Concerns About the Proposal?**

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

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

**What If I Cannot Attend the Meeting?**

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

**What If I Have More Questions?**

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

**LEGAL DESCRIPTION**

Lot 13A, Ozark Terrace  
Third Addition, Rolla,  
Phelps County, Missouri



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO APPROVE THE RE-ZONING OF A PORTION OF A PROPERTY  
ADDRESSED AS 514 KEETON RD FROM THE R-1, SINGLE-FAMILY DISTRICT TO  
THE R-2, TWO-FAMILY DISTRICT**

**( ZON23-05)**

**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 July 11, 2023 and recommended the City Council approve the rezoning of the subject property; and

**WHEREAS**, the Rolla City Council, during its July 17, 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 R-1 (Single-family Residential) to R-2 (Two-family Residential) Zoning described as follows:

Lot 13A, Ozark Terrace Third Addition, 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 7<sup>th</sup> 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:** Text Amendment to Chapter 42, Sections 42.141 Definitions and 42.233.01-42.233.03, pertaining to zoning regulations of Marijuana businesses

(TXT23-01)

**MEETING DATE: July 17, 2023**

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**Application and Notice:**

Applicant - City of Rolla

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

**Background:**

Medical Marijuana was approved in Missouri in 2019. The zoning code was amended in 2019 to include medical marijuana uses and delineate zoning districts in which such businesses are allowed. Since that time, two medical marijuana dispensaries opened in Rolla.

Adult Use Marijuana was approved in Missouri in 2022. The state laws allowed for a process for existing medical marijuana dispensaries to be converted into dispensaries which could sell both medical marijuana and adult use marijuana. Both existing dispensaries in Rolla have received the state licenses to allow the conversion and currently sell marijuana and marijuana products as allowed by state law.

The Missouri Department of Health and Senior Services, which is charged with regulation of marijuana businesses, will begin issuing licenses for additional marijuana business locations in October, 2023.

The amendments to the zoning code are intended to modify the codes to essentially treat both medical marijuana businesses and adult use marijuana businesses the same by creating a definition to combine them together.

The state statutes also require that the adult use business separation requirements be measured in a certain way. The proposed amendment clarifies how each is measured in the event that a dispensary that only sells medical marijuana is proposed. The separation distance for adult use marijuana businesses is measured as one can legally walk, rather than a straight line. This makes producing city-wide maps to show where such uses may or may not be located almost impossible. Potential sites will have to be reviewed on a case-by-case basis.

**Discussion:** The proposed amendment would allow for new marijuana businesses to be located in the city much the same as had been allowed for the medical marijuana businesses a few years ago. Additional businesses may be approved by the state later this year. The amendment will clarify where those businesses may locate in the city.

The timing of this amendment is complicated by the timing of the major amendments to the zoning codes, also under consideration. If comfortable with the proposed verbiage, the City Council may elect to fold these revisions into the zoning code update to reduce confusion, depending on the timing of the ordinance readings for the zoning code update. The ordinance for second reading for one or both items may need to be revised, depending on the timing.

**Planning and Zoning Commission Recommendation:**

The Rolla Planning and Zoning Commission conducted a public hearing on June 13, 2023 and tabled the discussions to allow additional time to consider the separation distance requirements. At the July 11, 2023 meeting, the Commission voted 5-0 to recommend that the text amendment not be approved by the City Council, with a 1,000 foot separation distance from daycares, churches, and schools following the state statutes.

**Action:** City Council is recommended to conduct the public hearing. Whether or not the Council should hold the first reading of the ordinance will depend on how the zoning code update ordinance proceeds and how the Council would like to proceed with this amendment.

**Prepared by:** Tom Coots, City Planner

**Attachments:** Proposed Text Amendment; Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 42, ARTICLE III OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI REGARDING MARIJUANA USES.

WHEREAS, the City of Rolla acknowledges that the State of Missouri Constitution has been amended based on voter approval to permit ‘Adult Use’ marijuana use and related businesses with some time, place, and manner restrictions to be imposed by local jurisdiction; and

WHEREAS, the Rolla Planning and Zoning Commission did hold a public hearing 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, the Rolla City Council did find that the requested action is 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:** Section 42-141 “Definitions,” is hereby amended to add the following definitions and replace the following existing definitions, as appropriate:

*Marijuana Cultivation Facility:* a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Dispensary Facility, Marijuana Testing Facility, or to a Marijuana-Infused Products Manufacturing Facility.

*Marijuana Dispensary Facility:* A facility licensed by the State of Missouri where Marijuana and/or Marijuana-Infused Products are dispensed for Medical or adult use. Dispensary Facilities may receive transaction orders at the Dispensary directly from the consumer in person, by phone, or via the internet, including from a third party as set forth in Article XIV of the Missouri State Constitution.

*Marijuana-Infused Products Facility:* a facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Marijuana Dispensary Facility, a Marijuana Test Facility, or to another Marijuana-Infused Projects Facility.

*Medical Marijuana:* Marijuana that is available only to a qualified patient under the Missouri State Constitution to receive Medical Marijuana.

*Medical Marijuana Patient:* a person qualifying under the Missouri State Constitution to receive Medical Marijuana.

*Marijuana Testing Facility:* a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

*Marijuana Use* means any facility or premises which is used for a Marijuana Dispensary, Infused Products Facility, or Cultivation Facility.

*Medical Marijuana Use* means any facility or premises which is used for a Dispensary, Infused Products Facility, or Cultivation Facility which only provides services or produces products intended only for Medical Marijuana Patients or the primary caregiver of a Medical Marijuana Patient.

*“Then existing”* (Marijuana Use) means any school, child day-care center, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time the prospective state applicant for a Marijuana Use first notifies the City of Rolla of the applicant's contingent legal right to operate at the proposed location by putting the subject property under contract.

**SECTION 2:** Division 15, Sections 233.01 – 233.03 “Standards for Medical Marijuana Dispensaries”, “Standards for Medical Marijuana Infused-products Facilities”, and “Standards for Medical Marijuana Cultivation Facilities” is hereby repealed and replaced with Section 233 “Marijuana Uses”, to read as follows:

**Sec. 42-233. Marijuana Uses.**

1. General. The following generally applies to Marijuana Uses:
  - a. In determining compliance with the measured separation, the distance shall be determined by the nearest building corner of the Medical Marijuana Use applicant to the nearest building corner of any school, church or regular place of worship as measured in a straight line.
  - b. In determining compliance with the measured separation, the distance shall be determined by the nearest building corner of the Marijuana Use applicant to the nearest building corner of any school, church or regular place of worship as measured by the shortest path between the demarcation points that can be lawfully traveled by foot; or pursuant to guidance provided by the Missouri Department of Health and Senior Services.
  - c. Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Marijuana Use facility during regular business hours.
  - d. Display of Licenses Required. The Marijuana Use license issued by the State of Missouri shall be displayed in a prominent place in plain view near the front entrance of the facility.
  
2. Marijuana Dispensaries. No Building shall be constructed, altered or used for a Marijuana Dispensary without complying with the following regulations in this section:
  - a. No Marijuana Dispensary shall be located within 1,000 (one thousand) feet of a “then existing” elementary or secondary school, child daycare center, or church.
  - b. Hours of Operation. All sales or distribution of Marijuana and any other products sold to the public through a Marijuana Dispensary shall take place between the hours of 8:00 a.m. and 8:00 p.m., Monday – Sunday. Marijuana Dispensaries shall be secured and closed to the public after the hours listed in this subsection and no persons not employed by the Marijuana Dispensary may be present in such a facility at any time it is closed to the public.
  - c. Site Plan Review. Any plans for a Marijuana Dispensary shall meet the standard new construction requirements.
  - d. Spacing. No Marijuana Dispensary shall be operated or maintained within 500 (five-hundred) feet of another Marijuana Dispensary except when marijuana sales represent less than 5% of the dollar volume of sales.
  
3. Marijuana-Infused Products Facility. No building shall be constructed, altered or used for a Marijuana-Infused Products Facility without complying with the following regulations:

- a. Distance Requirement. No Marijuana-Infused Products Facility using any shall be located within 1,000 (one thousand) feet of a then existing elementary or secondary school, licensed child day care center, or church.
  - b. Outdoor Operations or Storage. All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a razor wire fence at least ten (10) feet in height, not including the razor wire.
  - c. Hours of Operation. All Marijuana-Infused Products Facilities shall be closed to the public, between the hours of 10:00 p.m. and 8:00 a.m. No persons not employed by the business shall be on the premises at any time without being approved entry and logged in by building security personnel and are required to obtain a visitor pass.
  - d. Site Plan Review Required. Any plans for a Marijuana-Infused Products Facility shall meet standard new construction requirements.
4. Marijuana Cultivation Facility. No building shall be constructed, altered or used for a Marijuana Cultivation Facility without complying with the following regulations:
- a. Distance requirement. No Marijuana Cultivation Facility shall be located within 1,000 (one thousand) feet of a then existing elementary or secondary school, state-licensed child daycare center or church.
  - b. Outdoor Operations or Storage. All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a razor wire fence at least 10 feet in height, not including the razor wire.
  - c. Hours of Operation. All Marijuana Cultivation Facilities shall be closed to the public, between the hours of 10:00 p.m. and 8:00 a.m. No persons not employed by the business shall be on the premises at any time without being approved entry and logged in by building security personnel and are required to obtain a visitor pass.
  - d. Site Plan Review Required. Any plans for an indoor "Marijuana Cultivation Facility" shall meet the standard new construction requirements of the "Manufacturing District" outlined in this Title. Any outdoor "Marijuana Cultivation Facility" shall meet the standard requirements for any other crop, except as otherwise set forth herein.
  - e. Location. No outdoor "Marijuana Cultivation Facility" shall be permitted within 1,000 (one thousand) feet of a then existing elementary or secondary school, state-licensed child daycare center or church, or within 1,000 (one thousand) feet from any residentially zoned property.

**SECTION 3:** Division 9 "C-2, General Commercial District" is hereby amended to change references to "Medical Marijuana Dispensary Facility" to "Marijuana Dispensary Facility" and "Medical Marijuana Testing Facility" to "Marijuana Testing Facility".

**SECTION 4:** Division 10 "C-3, Highway Commercial District", is hereby amended to change references to "Medical Marijuana-Infused Products Facility" to "Marijuana-Infused Products Facility".

**SECTION 5:** Division 11 "CC, Center City District", is hereby amended to change references to "Medical Marijuana Dispensary" to "Marijuana Dispensary Facility".

**SECTION 6:** Division 12 “M-1 Light Manufacturing District”, is hereby amended to change references to “Medical Marijuana Cultivation Facility” to “Marijuana Cultivation Facility” and “Medical Marijuana-Infused Products Facility” to “Marijuana-Infused Products Facility”.

**SECTION 7:** 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.

**SECTION 8:** 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 7<sup>TH</sup> DAY OF AUGUST 2023.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

## Sec 42.454 ~~Medical~~ Marijuana Uses

Definitions. The following definitions apply to the ~~Medical~~ Marijuana Uses section:

*Marijuana or Marihuana:* Cannabis Indica, Cannabis sativa, and Cannabis ruderals, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as seed thereof and resin extracted from the plant and marijuana-infused products. Marijuana does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

*Marijuana-Infused Products:* products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures, and concentrates.

~~*Medical Marijuana Cultivation Facility:* a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a ~~Medical~~ Dispensary Facility, ~~Medical~~ Marijuana Testing Facility, or to a ~~Medical~~ Marijuana-Infused Products Manufacturing Facility.~~

~~*Medical Marijuana Dispensary Facility:* A facility licensed by the State of Missouri where Marijuana and/or Marijuana-Infused Products are dispensed for Medical or adult use. Dispensary Facilities may receive transaction orders at the Dispensary directly from the consumer in person, by phone, or via the internet, including from a third party as set forth in Article XIV of the Missouri State Constitution.~~

~~a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Projects Manufacturing Facility.~~

~~*Medical Marijuana-Infused Products Facility:* a facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a ~~Medical~~ Marijuana Dispensary Facility, a ~~Medical~~ Marijuana Test Facility, or to another ~~Medical~~ Marijuana-Infused Projects Facility.~~

~~*Medical Marijuana:* Marijuana that is available only to a qualified patient under the Missouri State Constitution to receive Medical Marijuana.~~

~~marijuana that is available only by prescription and used to treat a variety of medical conditions.~~

~~*Medical Marijuana Patient:* a person qualifying under the Missouri State Constitution to receive Medical Marijuana.~~

~~*Medical Marijuana Testing Facility:* a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.~~

~~*Medical Marijuana Use* means any facility or premises which is used for a ~~Medical~~ Marijuana Dispensary, Infused Products Facility, or Cultivation Facility.~~

Medical Marijuana Use means any facility or premises which is used for a Dispensary, Infused Products Facility, or Cultivation Facility which only provides services or produces products intended only for Medical Marijuana Patients or the primary caregiver of a Medical Marijuana Patient.

"Then existing" means any school, child day-care center, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time the prospective state applicant for a Medical Marijuana Use first notifies the City of Rolla of the applicant's contingent legal right to operate at the proposed location by putting the subject property under contract.

General. The following generally applies to ~~Medical~~ Marijuana Uses:

- a. In determining compliance with the measured separation, the distance shall be determined by the nearest building corner of the Medical Marijuana Use applicant to the nearest building corner of any school, church or regular place of worship as measured in a straight line.
- b. In determining compliance with the measured separation, the distance shall be determined by the nearest building corner of the Marijuana Use applicant to the nearest building corner of any school, church or regular place of worship as measured by the shortest path between the demarcation points that can be lawfully traveled by foot; or pursuant to guidance provided by the Missouri Department of Health and Senior Services.
- c. Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of any ~~Medical~~ Marijuana Use facility during regular business hours.
- d. Display of Licenses Required. The ~~Medical~~ Marijuana Use license issued by the State of Missouri shall be displayed in a prominent place in plain view near the front entrance of the facility.

~~Medical~~ Marijuana Dispensaries. No Building shall be constructed, altered or used for a ~~Medical~~ Marijuana Dispensary without complying with the following regulations in this section ~~subchapter~~:

- 1) No ~~Medical~~ Marijuana Dispensary shall be located within 1,000 (one thousand) of a then existing elementary or secondary school, child daycare center, or church. ~~Measurement shall be in a method consistent with the city's existing liquor license measurement standard.~~
- 2) \* ~~"Then existing" shall mean any school, child day-care center, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time the prospective state applicant for a Medical Marijuana Dispensary first notifies the City of Rolla of the applicant's contingent legal right to operate at the proposed location by putting the subject property under contract.~~
- 3) ~~Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of a Medical Marijuana Dispensary building.~~
- 4) Hours of Operation. All sales or distribution of ~~Medical~~ Marijuana and any other products sold to the public through a ~~Medical~~ Marijuana Dispensary shall take place between the hours of 8:00 a.m. and 8:00 p.m., Monday – Sunday. ~~Medical~~ Marijuana Dispensaries shall be secured and closed to the public after the hours listed in this subsection and no persons not employed by the ~~Medical~~ Marijuana Dispensary may be present in such a facility at any time it is closed to the public.
- 5) ~~Display of License Required. The Medical Marijuana Dispensary license issued by the State of Missouri shall be prominently displayed in a highly visible location, easily seen by patients on the dispensary's sales floor.~~
- 6) Site Plan Review. Any plans for a ~~Medical~~ Marijuana Dispensary shall meet the standard new construction requirements.

- 7) Spacing. No ~~Medical~~ Marijuana Dispensary shall be operated or maintained within 500 (five-hundred) feet of another ~~Medical~~ Marijuana Dispensary except when marijuana sales represent less than 5% of the dollar volume of ~~sales a state or federally licensed pharmacy.~~

~~Medical~~ Marijuana-Infused Products Facility. No building shall be constructed, altered or used for a ~~Medical~~ Marijuana-Infused Products Facility without complying with the following regulations:

1. Distance Requirement. No ~~Medical~~ Marijuana-Infused Products Facility using any shall be located within 1,000 (one thousand) feet of a then existing elementary or secondary school, licensed child day care center, or church.
2. Outdoor Operations or Storage. All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a razor wire fence at least ten (10) feet in height, not including the razor wire.
3. ~~Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Medical Marijuana-Infused Products Facility during regular business hours.~~
4. Hours of Operation. All ~~Medical~~ Marijuana-Infused Products Facilities shall be closed to the public, between the hours of 10:00 p.m. and 8:00 a.m. No persons not employed by the business shall be on the premises at any time without being approved entry and logged in by building security personnel and are required to obtain a visitor pass.
5. ~~Display of License Required. The Medical Marijuana-Infused Products Facility license issued by the State of Missouri shall be displayed in a prominent place in plain view near the front desk of the facility.~~
6. Site Plan Review Required. Any plans for a ~~Medical~~ Marijuana-Infused Products Facility shall meet standard new construction requirements.

~~Medical~~ Marijuana Cultivation Facility. No building shall be constructed, altered or used for a ~~Medical~~ Marijuana Cultivation Facility without complying with the following regulations:

1. Distance requirement. No ~~Medical~~ Marijuana Cultivation Facility shall be located within 1,000 (one thousand) feet of a then existing elementary or secondary school, state-licensed child daycare center or church.
2. Outdoor Operations or Storage. All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a razor wire fence at least 10 feet in height, not including the razor wire.
3. ~~Onsite Usage Prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Medical Marijuana Cultivation Facility during regular business hours.~~
4. Hours of Operation. All ~~Medical~~ Marijuana Cultivation Facilities shall be closed to the public, between the hours of 10:00 p.m. and 8:00 a.m. No persons not employed by the business shall be on the premises at any time without being approved entry and logged in by building security personnel and are required to obtain a visitor pass.
5. ~~Display of Licenses Required. The Medical Marijuana Cultivation Facility license issued by the State of Missouri shall be displayed in a prominent place in plain view near the front entrance of the facility.~~
6. Site Plan Review Required. Any plans for an indoor "~~Medical~~ Marijuana Cultivation Facility" shall meet the standard new construction requirements of the "~~Heavy~~ Manufacturing District" outlined in this Title. Any outdoor "~~Medical~~ Marijuana Cultivation Facility" shall meet the standard requirements for any other crop, except as otherwise set forth herein.

7. Location. No outdoor "~~Medical~~ Marijuana Cultivation Facility" shall be permitted within 1,000 (one thousand) feet of a then existing elementary or secondary school, state-licensed child daycare center or church\* or within 1,000' (one thousand feet) from any residentially zoned property.

**DIVISION 9. "C-2" GENERAL RETAIL DISTRICT**

**Sec. 42-189.1. Uses Permitted.**

- (18) ~~Medical~~ Marijuana Dispensary Facility.

**Sec. 42-189.2. Conditional uses that may be permitted by the Planning and Zoning Commission and the City Council in accordance with Section 42-234.**

- (8) ~~Medical~~ Marijuana Testing Facility.

**DIVISION 10. "C-3" HIGHWAY COMMERCIAL DISTRICT**

**Sec. 42-192.2. Conditional Uses.**

In accordance with Division 16 of this Article and with the issuance of a Conditional Use Permit, the following uses are permitted in the C-3 zoning district.

- (10) ~~Medical~~ Marijuana-Infused Products Facility

**DIVISION 11. "CC" CENTER CITY DISTRICT**

**Sec. 42-194.1. Uses Permitted.**

- (4) ~~Medical~~ Marijuana Dispensary Facility.

**DIVISION 12. "M-1" LIGHT MANUFACTURING DISTRICT**

**Sec. 42-196.1 Uses Permitted.**

- (54) ~~Medical~~ Marijuana Cultivation Facility; ~~Medical~~ Marijuana-Infused Products Facility.

# MAY MATERIALS COLLECTED & SHIPPED FROM RECYCLING CENTER

(Based on Calendar Year)

Material	May 2023	Apr 2023	May 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Cardboard	150.0 ton	124.0 ton	123.9 ton	614.2 ton	678.9 ton	1,481.9 ton
Newspaper	34.0 ton	35.5 ton	69.7 ton	164.2 ton	210.7 ton	455.6 ton
High Grade Paper	0.0 ton	20.0 ton	0.0 ton	20.0 ton	20.0 ton	63.5 ton
Aluminum	0.0 ton	0.0 ton	2.0 ton	5.0 ton	8.9 ton	16.1 ton
Steel Cans/Scrap Metal	5.7 ton	6.2 ton	5.4 ton	26.4 ton	28.8 ton	69.7 ton
Plastic	0.0 ton	0.0 ton	20.5 ton	38.2 ton	51.9 ton	98.2 ton
Glass	18.0 ton	0.0 ton	0.0 ton	104.1 ton	90.5 ton	201.7 ton
Batteries	0.0 ton	0.0 ton	0.0 ton	0.8 ton	0.8 ton	2.1 ton
Electronic Waste	0.0 ton	7.5 ton	0.0 ton	11.1 ton	14.4 ton	39.3 ton
Household HW	2.5 ton	0.0 ton	0.0 ton	2.5 ton	0.0 ton	0.0 ton
<b>TOTAL</b>	<b>210.2 ton</b>	<b>193.2 ton</b>	<b>221.4 ton</b>	<b>986.6 ton</b>	<b>1,104.9 ton</b>	<b>2,428.1 ton</b>

## SERVICES PROVIDED

Type of Service	May 2023	Apr 2023	May 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Special Pick-ups	43	40	70	191	248	639
Paper Shredding	4.5 hours	4.0 hours	5.8 hours	25.0 hours	29.3 hours	59.5 hours
Reported Trash Nuisances	0	0	0	0	0	0
Households Dropping Off Hazardous Waste	96	80	73	358	388	953

## DISPOSAL TONNAGE

(Sanitation Division)

Material	May 2023	Apr 2023	May 2022	Year-to-Date 2023	Year-to-Date 2022	Yearly Total 2022
Refuse	1,566.8 ton	1,314.8 ton	1,555.8 ton	6,763.4 ton	7,104.4 ton	16,383.3 ton



Management Report  
FISCAL YEAR 2023

June 2023

BUILDING PERMITS ISSUED	JUNE FY 2023		JUNE FY 2022		YTD FY 2023		YTD FY 2022		Δ CHANGE FY 22 - FY 23	
	#	Value	#	Value	#	Value	#	Value	# ISSUED	\$ VALUE
PERMITS ISSUED	50	\$ 5,057,098	44	-	388	-	307	-	26.4%	-
Electric, Plumbing, etc. Only	18	\$ -	15	\$ -	187	\$ -	116	\$ 100,000	61.2%	-100.0%
Single Famil Detached	1	\$ 227,998	-	\$ -	9	\$ 1,755,474	11	\$ 3,152,895	-18.2%	-44.3%
Single Family Attached	-	\$ -	-	\$ -	30	\$ 3,332,000	8	\$ 1,437,000	275.0%	131.9%
Duplexes	-	\$ -	-	\$ -	-	\$ -	1	\$ 291,800	-100.0%	-100.0%
3-or-4 family	-	\$ -	-	\$ -	6	\$ 3,241,000	9	\$ 3,818,480	-33.3%	-15.1%
5-or-more family	-	\$ -	-	\$ -	2	\$ 4,300,000	1	\$ 2,057,200	100.0%	109.0%
Hotels, Motels	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Other nonhousekeeping shelter	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Amusement, social, recreational	-	\$ -	-	\$ -	-	\$ -	2	\$ 291,500	-100.0%	-100.0%
Churches, other religious	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Industrial	1	\$ 3,225,000	-	\$ -	1	\$ 3,225,000	-	\$ -	-	-
Parking garages	-	\$ -	2	\$ 1,400,000	5	\$ 67,883	5	\$ 1,486,500	0.0%	-95.4%
Service stations, repair garages	-	\$ -	-	\$ -	2	\$ 1,795,125	1	\$ 1,204,750	100.0%	49.0%
Hospitals, institutional	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Hospitals, professional	-	\$ -	1	\$ 250,000	1	\$ 1,100,000	2	\$ 1,245,000	-50.0%	-11.6%
Offices, banks, professional	-	\$ -	-	\$ -	-	\$ -	1	\$ 500,000	-100.0%	-100.0%
Public Works, utilities	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Schools, other educational	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Stores, customer	1	\$ 750,000	-	\$ -	2	\$ 1,564,650	1	\$ 1,850,000	100.0%	-15.4%
Towers, antennas	-	\$ -	-	\$ -	1	\$ 170,000	-	\$ -	-	-
Signs, attached and detached	8	\$ 30,700	18	\$ 99,750	45	\$ 168,164	52	\$ 569,200	-13.5%	-70.5%
Residential addition, remodel	8	\$ 105,400	7	\$ 57,115	55	\$ 1,193,028	50	\$ 1,294,865	10.0%	-7.9%
Commercial addition, remodel	5	\$ 718,000	1	\$ 300,000	25	\$ 2,617,100	23	\$ 3,524,216	8.7%	-25.7%
Residential garage, carport	-	\$ -	-	\$ -	1	\$ 10,000	-	\$ -	-	-
Demolition, single family	4	\$ -	-	\$ -	9	\$ -	17	\$ -	-47.1%	#DIV/0!
Demolition, 2-family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, 3-or-4 family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, 5-or-more family	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-
Demolition, all other	4	\$ -	-	\$ -	7	\$ -	6	\$ -	16.7%	-
Total Residential Units	1	\$ 227,998.00	-	\$ -	111	\$ 12,628,474	107	\$ 10,757,385	3.7%	17.4%
EST. CONSTRUCTION COSTS	\$	\$ 5,057,098	\$	\$ 2,106,865	\$	\$ 24,539,424	\$	\$ 22,823,416	#DIV/0!	7.5%
Building Permit Fees	\$	\$ 21,199	\$	\$ 11,808	-	\$ 104,421	-	\$ 85,712	#DIV/0!	21.8%
FEES	\$	\$ 33,549	\$	\$ 18,158	-	\$ 195,396	-	\$ 181,212	#DIV/0!	7.8%

INSPECTIONS PERFORMED	JUNE FY 2023		JUNE FY 2022		YTD FY 2023		YTD FY 2022		Δ CHANGE FY 22 - FY 23	
	#	Value	#	Value	#	Value	#	Value	# ISSUED	\$ VALUE
Building Inspections	148	\$ -	201	\$ -	1043	\$ -	1,499	\$ -	-30%	-
Electrical Inspections	60	\$ -	78	\$ -	534	\$ -	638	\$ -	-16%	-
Excavation Inspections	0	\$ -	0	\$ -	0	\$ -	0	\$ -	#DIV/0!	-
Plumbing Inspections	44	\$ -	55	\$ -	397	\$ -	428	\$ -	-7%	-
Mechanical Inspections	22	\$ -	30	\$ -	165	\$ -	190	\$ -	-13%	-
Code Inspections	219	\$ -	274	\$ -	1591	\$ -	2,226	\$ -	-29%	-
Nuisance Inspections	151	\$ -	259	\$ -	1160	\$ -	1,335	\$ -	-13%	-
Business License Inspections	15	\$ -	26	\$ -	76	\$ -	126	\$ -	-40%	-
TOTAL INSPECTIONS	659	\$ -	923	\$ -	4966	\$ -	6,442	\$ -	-2.3%	-

Building	Elec.	Plumb	Mech.	Gen Com	Nuis.	BL	Daily #	N/R	30 Day P	30 Day F	Grass P	Grass F	Trash P	Trash F	Abate Grass	Abate Trash	Summons	# of Inspect	
6/1	1	0	0	10	5	0	24	0	0	2	4	28	0	0	0	0	0	0	3
6/2	2	3	0	9	12	0	31	0	0	0	4	0	0	0	0	0	0	0	3
6/5	3	3	0	12	23	3	52	0	3	0	5	21	5	0	0	0	0	0	3
6/6	4	2	2	11	16	0	44	0	2	1	5	0	0	0	0	0	0	0	3
6/7	3	1	2	9	7	2	29	0	0	0	1	11	1	0	0	0	0	0	3
6/8	4	2	1	8	6	0	26	0	1	1	1	13	0	1	0	0	0	0	3
6/9	0	0	1	12	4	0	27	0	0	2	0	0	0	0	0	0	0	0	3
6/12	2	2	1	11	11	0	37	0	3	0	4	3	0	0	0	0	0	0	3
6/13	1	1	1	10	2	2	27	0	1	1	0	0	0	0	0	0	0	0	3
6/14	3	1	0	6	2	0	13	0	0	1	0	10	0	2	0	0	0	0	2
6/15	1	1	0	15	0	0	28	0	0	0	0	0	0	0	0	0	0	0	2
6/16	4	4	3	12	7	1	41	1	1	0	8	0	0	0	0	0	0	0	3
6/19	3	4	1	8	11	0	34	0	1	0	6	2	1	0	0	0	1	0	3
6/20	3	1	0	6	13	0	26	0	0	0	6	0	0	0	0	0	0	0	3
6/21	7	3	1	12	5	0	34	1	0	0	0	5	1	5	0	0	0	0	3
6/22	3	4	2	1	9	0	19	0	0	4	0	5	0	0	0	0	0	0	3
6/23	3	4	0	3	5	0	24	0	1	0	0	1	0	0	0	0	0	0	3
6/26	1	4	0	10	6	0	26	0	2	0	0	1	0	0	0	0	0	0	3
6/27	7	4	4	15	1	1	44	0	1	1	0	4	0	0	0	0	0	0	3
6/28	5	2	4	1	10	4	28	0	1	1	1	0	0	0	0	0	0	0	3
6/29	11	0	2	0	12	3	31	0	0	1	1	0	0	0	0	0	0	0	3
6/30	1	1	0	0	3	8	1	14	0	1	2	0	0	0	0	0	0	0	2
148	60	44	22	219	151	15	659	2	18	17	46	104	8	8	0	0	0	1	

# Rolla Police Department Monthly Report

## YTD 2023

### Calls for Service

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

Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2022 YTD	% Increase
Abandoned/Recovered Property	11	13	17	19	21								81	89	-8.99%
Abandoned Vehicle	26	15	16	14	22								93	92	1.09%
Accident - Fatality	0	0	0	0	0								0	0	#DIV/0!
Accident - Injury	11	17	15	19	18								80	96	-16.67%
Accident - Leave The Scene	5	16	23	6	14								64	72	-11.11%
Accident - No Injury	40	41	34	39	26								180	227	-20.70%
Accident - Private Property	22	16	13	20	26								97	121	-19.83%
Accident - Road Blocked	7	2	10	9	3								31	29	6.90%
Adult Abuse	1	0	0	0	0								1	0	#DIV/0!
Alarm LE	68	63	68	79	65								343	343	0.00%
Animal Bite/Attack	2	0	1	4	3								10	18	-44.44%
Animal Control	93	75	86	120	135								509	520	-2.12%
Arson	0	0	0	0	0								0	0	#DIV/0!
Assault	14	8	6	8	15								51	76	-32.89%
Assist Agency Non-LEA	81	64	74	61	60								340	368	-7.61%
Assist Citizen	6	7	6	2	5								26	38	-31.58%
Assist LEA	10	13	11	13	9								56	73	-23.29%
Assist Motorist	25	18	26	18	23								110	132	-16.67%
Bomb Threat	0	0	0	0	0								0	2	-100.00%
Building Lockout	1	0	0	1	2								4	1	300.00%
Burglary	11	9	7	15	14								56	73	-23.29%
Business/Building Check	205	227	202	161	180								975	1,132	-13.87%
Call for Police	61	60	62	44	52								279	372	-25.00%
Check Well Being	97	96	107	129	133								562	546	2.93%
Child Abuse	1	2	3	2	4								12	8	50.00%
Child Exploitation/Pornography	2	0	0	0	0								2	0	#DIV/0!
Confidential Investigation	0	0	0	0	0								0	2	-100.00%
Conservation Violation	0	0	0	1	0								1	1	0.00%
Court	10	10	6	11	11								48	49	-2.04%
Crossing Guard (Officer coverage)	5	3	2	5	3								18	47	-61.70%
CWB 911 Hangup	209	228	269	315	402								1,423	1,078	32.00%
Death	1	0	0	0	1								2	10	-80.00%
Destruction of Property	15	18	16	19	13								81	84	-3.57%
Disturbance-Fireworks	0	0	0	0	1								1	4	-75.00%
Disturbance-Liquor	2	0	0	0	1								3	2	50.00%
Disturbance-Other	71	57	77	67	65								337	341	-1.17%
Domestic Violence	25	33	32	48	35								173	221	-21.72%
Driving While Intoxicated	6	10	9	7	11								43	51	-15.69%
Drown/Water Rescue	0	0	0	0	0								0	1	-100.00%
Drug Paraphernalia	6	11	10	8	6								41	43	-4.65%
Escort - Bank	0	1	0	0	0								1	1	0.00%
Escort - Courtesy	12	9	5	5	9								40	28	42.86%
Escort - Funeral	12	4	11	4	6								37	32	15.63%
Exparte Violation	14	3	13	5	9								44	32	37.50%
Field Interview	49	35	24	42	55								205	204	0.49%
Fight	5	1	3	2	5								16	23	-30.43%
Fingerprints	0	4	3	5	10								22	40	-45.00%
Follow-up	117	128	164	119	150								678	594	14.14%
Foot Patrol	0	1	1	1	0								3	3	0.00%
Forgery-Counterfeiting	1	0	1	6	2								10	4	150.00%
Found Body	0	1	1	1	0								3	1	200.00%
Fraud - Checks/Credit Card	14	19	27	17	25								102	92	10.87%
Harassment	30	19	19	22	24								114	103	10.68%
Identity Theft	3	3	5	6	0								17	8	112.50%
Information Request	331	322	360	281	307								1,601	1,224	30.80%
Intoxicated Person	6	5	11	5	6								33	63	-47.62%
Jail Incident	0	0	0	0	0								0	0	#DIV/0!
Juvenile Complaint	9	20	17	13	19								78	73	6.85%
Keep the Peace/Standby	9	8	12	15	11								55	69	-20.29%
Kidnapping	2	0	0	0	0								2	1	100.00%

Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2022 YTD	% Increase
Leave without Pay	0	2	0	0	0								2	2	0.00%
Liquor Violation	0	1	0	0	0								1	2	-50.00%
Littering/Dumping	4	0	3	0	0								7	16	-56.25%
Loitering	2	2	1	2	8								15	36	-58.33%
Lost or Stolen Property	7	11	10	4	8								40	29	37.93%
Loud Noise Complaint	24	17	33	32	29								135	150	-10.00%
Malicious Mischief	1	1	4	3	5								14	8	75.00%
Mental Health	28	15	16	22	28								109	141	-22.70%
Missing Person	4	4	7	9	7								31	42	-26.19%
Murder	0	1	0	0	0								1	0	#DIV/0!
Narcotics Violation	14	21	14	14	15								78	129	-39.53%
Negotiation Callout	0	0	0	0	0								0	0	#DIV/0!
No Business License	0	0	1	0	0								1	1	0.00%
Open Door	7	4	3	3	10								27	39	-30.77%
Overdose	8	6	5	2	9								30	48	-37.50%
Paper Service	14	22	32	24	19								111	150	-26.00%
Prisoner Transport	8	0	4	1	0								13	10	30.00%
Property Damage-Non Criminal	1	1	0	3	3								8	5	60.00%
Prostitution	0	0	0	1	0								1	1	0.00%
Prowler	1	1	6	0	2								10	15	-33.33%
Public Indecency	0	2	2	4	3								11	0	#DIV/0!
Public Relations	3	4	11	7	9								34	33	3.03%
Pursuit	0	0	1	1	0								2	2	0.00%
Rape/Sexual Assault	2	0	1	1	1								5	5	0.00%
Robbery	2	0	0	0	0								2	1	100.00%
Runaway	7	3	6	8	10								34	39	-12.82%
Search Warrant	2	1	1	2	0								6	2	200.00%
Vacation/Security Check	18	2	11	11	22								64	114	-43.86%
Selective Enforcement	0	0	0	0	0								0	1	-100.00%
Sewer Alarm	0	0	1	0	1								2	2	0.00%
Sex Offenses	3	2	6	1	5								17	32	-46.88%
Shots Fired	0	3	3	6	3								15	9	66.67%
Soliciting	2	4	1	2	1								10	7	42.86%
Stabbing	0	0	0	0	0								0	0	#DIV/0!
Stabbing or Shooting with Injury	2	0	0	0	0								2	1	100.00%
Stalking	3	0	2	0	1								6	0	#DIV/0!
Stealing	61	58	107	75	93								394	338	16.57%
Stolen Vehicle	9	9	14	12	5								49	33	48.48%
Suicide	0	0	0	1	0								1	1	0.00%
Suspicious Activity	100	81	61	80	86								408	446	-8.52%
Suspicious Package/Item	1	0	0	2	1								4	2	100.00%
SWAT Callout	0	0	0	1	0								1	2	-50.00%
Tampering	4	2	5	4	5								20	27	-25.93%
Telephone Harassment	6	11	19	14	18								68	40	70.00%
Tow Sticker Expired	17	14	12	5	12								60	79	-24.05%
Traffic Complaint	109	130	130	125	129								623	763	-18.35%
Traffic Stop	401	350	282	349	219								1,601	1,792	-10.66%
Trespassing	56	42	36	45	65								244	229	6.55%
Try to Contact	6	14	9	20	18								67	72	-6.94%
Vehicle Identification	35	38	25	49	39								186	259	-28.19%
Vehicle Lockout	2	3	1	1	0								7	7	0.00%
Vehicle Repossession	8	8	2	7	2								27	25	8.00%
Veterinary Call	3	3	1	5	6								18	24	-25.00%
Weapons Violation	3	5	4	3	7								22	26	-15.38%
<b>Totals</b>	<b>2,752</b>	<b>2,613</b>	<b>2,778</b>	<b>2,774</b>	<b>2,921</b>	<b>0</b>	<b>13,838</b>	<b>14,194</b>	<b>-2.51%</b>						

**Rolla Police Department Monthly Report**  
YTD 2023

**Part I Crimes**

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

	<u>Criminal</u> <u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Felony</u> <u>Assault</u>	<u>Burglary</u>	<u>Larceny</u>	<u>Auto Theft</u>	<u>Arson</u>	<u>Total</u>	<u>Change from</u> <u>Previous Yr</u>
May	0	0	0	0	7	54	2	0	63	
YTD 2023	0	3	1	12	33	230	22	2	303	
2022	0	7	6	93	118	526	45	4	799	-1.48%
2021	0	15	9	68	119	564	35	1	811	-23.20%
2020	1	12	1	99	172	711	59	1	1056	13.92%
2019	0	16	6	87	164	604	46	4	927	14.59%
2018	0	30	7	84	102	547	34	5	809	-5.49%

**Overdoses**

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

	<u>Overdose Calls for Service</u>	<u>Narcan Administered by RPD</u>	<u>Overdose Deaths</u>
May	11	4	1
YTD 2023	26	15	5
2022	132	42	11



# ANIMAL CONTROL MONTHLY TOTALS

May 2023

## ANIMALS IMPOUNDED

	Canine	Feline	Other	Wildlife	Monthly	2023	2022
	Domestic				Total	YTD Total	YTD Total
City of Rolla	17	11	0	14	42	154	174
Rolla Area	1	0	0	0	1	10	5
City of Newburg	0	0	0	0	0	0	0
Newburg Area	0	0	0	0	0	0	0
Edgar Springs Area	0	0	0	0	0	0	1
Other Agencies	0	0	0	0	0	0	0
St. James Area	0	0	0	0	0	0	7
Ft. Leonard Wood	0	0	0	0	0	0	0
<b>Monthly Total</b>	<b>18</b>	<b>11</b>	<b>0</b>	<b>14</b>	<b>43</b>		
<b>2023 YTD Total</b>	<b>79</b>	<b>31</b>	<b>0</b>	<b>54</b>		<b>164</b>	
<b>2022 YTD Total</b>	<b>113</b>	<b>29</b>	<b>0</b>	<b>45</b>			<b>187</b>
<b>Total Phelps County</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>10</b>	<b>10</b>

## ANIMAL DISPOSITION

	Canine	Feline	Other	Wildlife	Monthly	2023	2022
	Domestic				Total	YTD Total	YTD Total
Animals Adopted ①	6	0	0	0	6	30	57
Animals Claimed	15	1	0	0	16	45	49
Euthanized(III/Injured)	0	1	0	0	1	7	3
Euthanized(Dangerous)	0	4	0	0	4	16	18
Euthanized(Un-Placed)②	0	0	0	0	0	0	0
Deceased on Arrival	0	1	0	9	10	46	37
Transferred to Rescue ③	0	0	0	0	0	0	7
Wildlife Relocated	0	0	0	4	4	13	8
Other Died under care)	1	0	0	0	1	0	1
<b>Monthly Total</b>	<b>32</b>	<b>7</b>	<b>0</b>	<b>13</b>	<b>52</b>		
<b>2023 YTD Total</b>	<b>89</b>	<b>19</b>	<b>0</b>	<b>60</b>		<b>157</b>	
<b>2022 YTD Total</b>	<b>112</b>	<b>30</b>	<b>0</b>	<b>38</b>			<b>180</b>

## ADDITIONAL STATISTICS

	Monthly Total	2023 YTD Total	2021 YTD Total
Adoption Rate (① + ③) ÷ (① + ② + ③)	100.00%	100.00%	100.00%
PR Programs	0	4	5
Calls for Service	195	594	478
Written Warnings	0	0	0
Citations	1	3	11
Total Incinerator Hours	0	0	





**FINANCIAL STATEMENT  
MAY 2023**

<b>RECEIPTS:</b>		
Electric, Water, Tax, Sewer and Refuse Charge	\$3,305,923.36	
Accounts Receivable - Miscellaneous	\$44,155.11	
Customer's Deposits - Refundable	\$50,695.35	
Misc Non-Operating Revenue	<u>\$3,680.96</u>	
Total Receipts	\$3,404,454.78	
Southern Bank Electronic Payment Account Interest (April 30, 2023)	\$73.24	
Southern Bank General Fund Account Interest (April 30, 2023)	\$214.07	
Southern Bank Payroll Account Interest (April 30, 2023)	\$0.00	
FSCB ICS Sweep Account Interest (April 30, 2023)	\$8,603.53	
FSCB Super-Now Account Interest (April 30, 2023)	\$5,562.04	
FSCB Electronic Payment Account Interest (April 30, 2023)	\$1,441.05	
PCB Super-Now Account Interest (April 30, 2023)	\$0.21	
Miscellaneous Interest	\$0.00	
Public Utility Cash In Bank (April 30, 2023)	<u>\$32,314,860.95</u>	
Total Receipts and Cash In Bank		<u><b>\$35,735,209.87</b></u>
<b>DISBURSEMENTS:</b>		
Power Purchased	\$1,637,289.20	
Operating Expenses	\$141,389.92	
Administrative and General Expenses	\$568,904.95	
Payroll	\$211,657.94	
Capital Expenditures	\$24,724.00	
Construction in Progress	\$166,126.61	
Stock Purchases (Inventory)	\$115,862.40	
Balance of Customer's Deposits after Finals	\$21,858.93	
Medical, Dental, Vision and Life Insurance Paid by Employees	\$16,207.01	
Support Payments	\$1,414.00	
457 Plan Employee Contributions	\$10,516.84	
Flexible Spending Account Contributions	\$1,133.28	
U.S. Withholding Tax	\$27,866.64	
Missouri Dept. of Revenue (Sales Tax)	\$40,473.04	
Missouri Dept. of Revenue (Income Tax)	\$11,158.00	
First State Community Bank (Social Security)	\$42,529.94	
Sewer Service Charge	\$412,258.46	
Refuse Service Charge	\$221,914.47	
PILOT to City of Rolla	\$122,774.68	
Standpipes Lease/Purchase	\$100,376.70	
Utility Incentives	\$0.00	
Unclaimed Deposits to State	\$0.00	
Primacy Fees	\$0.00	
Void General Fund Check:	\$0.00	
Void Working Fund Check:	\$0.00	
	<u>\$3,896,437.01</u>	
Cash in Bank (May 31, 2023)	<u>\$31,838,772.86</u>	
Total Disbursements and Cash In Bank		<u><b>\$35,735,209.87</b></u>
<b>BALANCE OF OTHER FUNDS:</b>		
<b>PUBLIC UTILITY ACCOUNTS:</b>		
Citizens Bank of Newburg, Ck#1287 for \$57.58	\$2,000.00	
First State Comm Bk-Electronic Payment Account, Ck#1080 for \$1,878,472.07	\$295,899.93	
First State Comm Bk-General Fund, Cks #36717-36852 for \$3,896,437.01	\$2,825,395.76	
First State Comm Bk-ICS Sweep Account and Certificates of Deposit	\$811,776.65	
Southern Bank-General Fund, Ck#38054 for \$2,355.71	\$414.07	
Southern Bank-Electronic Payment Account, Ck #1259 for \$16,894.62	\$2,135.85	
Southern Bank-Payroll Account	\$59.16	
PCB-Super Now, Ck #26369 for \$30,269.47	\$2,000.21	
Town & Country Bank, Ck#1276 for \$1,103.28	<u>\$3,508.23</u>	
Total Public Utility Accounts	\$3,943,189.86	
<b>ELECTRIC RESERVES:</b>		
Certificates of Deposit	\$0.00	
Money Market Account	\$10,195,583.00	FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>	
Total Electric Reserves	\$10,195,583.00	
<b>RESTRICTED ELECTRIC RESERVES:</b>		
Certificates of Deposit	\$0.00	
Money Market Account	\$14,151,791.00	FY21 Funded
U.S. Treasury Bills	<u>\$0.00</u>	
Total Electric Reserves	\$14,151,791.00	
<b>WATER RESERVES:</b>		
Certificates of Deposit	\$0.00	
Money Market Account	\$3,548,209.00	FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>	
Total Water Reserves	\$3,548,209.00	
<b>TOTAL RESERVES:</b>		<u><b>\$27,895,583.00</b></u>
<b>TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:</b>		<u><b>\$31,838,772.86</b></u>



STATISTICS

May 2023

PRODUCTION

Date of Demand	05/08/2023
Time of Demand	05:00 PM
Scada Demand	52.0 MWH
kWh Purchased	23,517,700
Total Cost	\$1,451,943.55 *
Cost per kWh	0.061738 *
Load Factor	68.6%

Pumped #2 Well	0
Pumped #3 Well	0
Pumped #4 Well	2,440,000
Pumped #5 Well	2,455,000
Pumped #6 Well	3,146,000
Pumped #7 Well	1,659,000
Pumped #8 Well	2,017,000
Pumped #9 Well	3,132,000
Pumped #10 Well	3,166,000
Pumped #11 Well	0
Pumped #12 Well	2,352,000
Pumped #13 Well	5,863,000
Pumped #14 Well	7,332,000
Pumped #15 Well	2,834,000
Pumped #16 Well	9,003,000
Pumped #17 Well	4,710,000
Pumped # 1 Ind Park Well	4,466,000
Pumped # 2 Ind Park Well	4,162,000
Pumped # 3 Ind Park Well	0
Total Gallons	58,737,000

METERS IN SERVICE	Electric	Water
Residential - Single Phase	8,014	6,392
Residential - Three Phase	22	20
Commercial - Single Phase	933	516
Commercial - Three Phase	492	311
Power Service	104	90
Industrial	6	2
Area Lighting	15	7
Street Lighting	27	1
Missouri S&T		5
PWSD #2		585
Total	9,613	7,929

ELECTRIC SALES

Residential - Single Phase kWh	5,616,860
Residential - Three Phase kWh	108,584
Commercial - Single Phase kWh	1,010,086
Commercial - Three Phase kWh	2,461,521
Power Service kWh	5,520,640
Industrial kWh	5,021,920
Area Lighting kWh	15,025
Street Lighting kWh	24,183
Rental Lights kWh	78,141
Total kWh Sold	19,856,960
Demand kW	27,554
Revenue	\$1,863,091.07
Monthly Loss	15.57%
Fiscal Year to Date Loss	4.63%

WATER SALES

Residential - Single Phase Gallons	23,073,000
Residential - Three Phase Gallons	335,000
Commercial - Single Phase Gallons	5,605,000
Commercial - Three Phase Gallons	4,635,000
Power Service Gallons	9,806,000
Industrial Gallons	3,564,000
Missouri S&T Gallons	2,716,000
PWSD #2 Gallons	1,726,000
Total Gallons Sold	51,460,000
Revenue	\$272,449.93
Pumping Cost, Electric	\$32,008.12
Monthly Unidentified Loss	5.89% **
Fiscal Year to Date Unidentified Loss	7.86% ***

PILOT	\$105,441.21
Sewer Service Charge	\$385,407.36
Refuse Service Charge	\$218,563.79

Gross Payroll \$301,602.95

\* Energy losses are not included in this statistic and are estimated at an additional 12%.  
 \*\* Loss includes 3,819,400 gallons per water main flushing records.  
 \*\*\* FY loss includes 24,704,400 gallons per water main flushing records.

**REGULAR SESSION – April 25, 2023**

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

The meeting was called to order at 4:30 p.m. by Rolla Board of Public Works ("RBPW" or "Board") President, Nick Barrack presiding. The following were present:

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

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

\* \* \* \* \*

**I. APPROVAL OF MINUTES**

Crump made a motion, seconded by Read, the minutes of the March 28, 2023 Board meeting Regular session be approved as presented. Motion passed unanimously.

**II. CITIZEN COMMUNICATION (None)**

**III. SPECIAL PRESENTATION**

**A. PRESENTATION OF FY2022 AUDIT**

Cresswell introduced Michael Keenan with Hood and Associates, CPA's who was in attendance by teleconference. Keenan presented the Annual Audit Report for the fiscal year ending on September 30, 2022 noting that they encountered no difficulties in dealing with management in performing and completing the audit and no illegal acts came to their attention. Mr. Keenan reported that two significant deficiencies were identified in internal control. First, the audit procedures identified where quantities reported on RMU's yearend inventory listing did not agree with the actual quantities of certain items that were selected for testing. They also determined that the Fiber inventory items were not counted and verified during the annual physical inventory count. Management is reviewing inventory control policies and procedures to ensure inventory items are properly accounted for. The second deficiency was concerning key employees and cross training. The auditors recommend that management evaluate and identify the exposure to risking the loss of key employees through retirement or some unforeseen circumstance. They are making this recommendation with all of their reviews. A plan should be developed to mitigate such risks. While succession planning and cross-training is an ever-continuing process, management finds the recommendation reasonable and will strive to ensure the recommended plans and programs are developed and maintained. Keenan thanked Bourne, Cresswell and the RMU staff who assisted during the FY2022 audit. There were no questions or concerns from Board members. Read made a motion, seconded by Crump, to accept the FY2022 Audit as presented. Motion passed unanimously.

**IV. STAFF REPORTS**

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

1. The Board received the Statement of Income & Expenses reports for March 2023 (FY23).

Cresswell reviewed March reports (FY23):

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

- March shows operating income of \$2,510,000 which is about \$200,000 less than the previous March. Our operating income for the year is \$15,650,000 which is an increase of \$73,000 compared to this time last year.
- Purchased power expenses for the month of March were \$1,762,000 which is about even with March 2022. Year-to-date purchased power is \$11,506,000. We are still showing an overall increase of \$716,000 for purchased power expense over last year.

- Total operating expenses for March were \$2,721,000 which includes purchased power. This is up \$303,000 from March 2022 and up over \$1,077,000 year-to-date. The bulk of this increase is purchased power.
  - This gives us a total net loss for the month of \$86,167 and a net loss of \$250,627 for the year.
2. Cresswell presented RMU's Financial Statement, Statistics report, and the Disbursement Summary for March 2023.

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

3. RMU Service Center Expansion  
Cresswell mentioned management met with the architect and engineers on April 11<sup>th</sup>. Parking and warehouse areas are being finalized and then a meeting with the full committee will be planned.
4. GBS Insurance  
Cresswell reported that as of March 31<sup>st</sup>, Group Benefit Services (GBS) is showing we are out of money in our account. As a reminder, the same thing occurred in 2021 and we deposited \$75,000 in additional funds to cover the claims. This is a self-funded insurance plan and if this trend continues, we may have to put additional funds, over and above the current premiums, into the account to cover claims. This also means that increasing premiums for health insurance may become reality in the near future as healthcare costs have increased.
5. Trucks  
Cresswell reminded the Board that we have had four trucks on order from Putnam Chevrolet since June 2022. We received two of these trucks from Putnam and replaced one of them with a truck from Ed Morse Chevrolet that they had in stock. The fourth truck is still on order. Ed Morse Chevrolet currently has a work truck on their lot that we could purchase at the price of \$37,635 which is about \$600 less than the original approved price. Staff is seeking approval from the Board to purchase the truck from Ed Morse. In addition, staff would like to approve leaving the one outstanding truck with Putnam on order due to the problems and time lags in purchasing fleet trucks. There has been no indication when we may get that vehicle. After discussion, the Board recommends purchasing the truck from Ed Morse Chevrolet and when the truck that is on order from Putnam comes in, action will be taken at that time.

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

1. Public Power Customer Satisfaction Survey  
Grunloh reminded the Board of the customer satisfaction survey. The survey has been extended to May 15<sup>th</sup>. A web address was included on customer bills, a QR code and link included on the RMU website, and postings on social media. The survey is short and included questions about the following topics: Communicating with customers, providing good service and value for the cost, providing consistent and reliable electric service, satisfaction with customer service, restoring power after an outage, and overall satisfaction with the utility. The data collected from the survey is available to us in real time. The data will then be used to assess how the citizens of Rolla feel we are doing and will allow us to continue improving the customer experience.
2. Social Media Video Demonstration  
Grunloh reported over the last several months, we have been focusing our social media campaign on the hard work RMU staff does to keep the Rolla community functioning. We have been releasing videos on social media and have tried to feature as many crews and staff as possible. Grunloh played a series of four short videos to the Board. The videos have been favorably received by staff and customers. If Board members have any ideas for additional videos, please contact Grunloh.
3. Drinking Water Week  
Grunloh announced the week of May 8-12 is safe drinking water week. Management will take the opportunity to thank our water department for their hard work by cooking lunch for the staff from 11:00-1:00 at the Service Department on Wednesday, May 10<sup>th</sup>. Board members are invited to attend.

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

1. Updates on:
- a. Development Review Committee Meetings (DRC).  
Davis reviewed the agenda items from the DRC meeting on April 18, 2023. A complete summary and details of the DRC meetings was included in Board packets.
- VAC23-01: Vacation of Park Street north of 2<sup>nd</sup> Street to railroad, adjacent to Phelps County Courthouse and Sheriff's Department/Jail.
    - A utility easement needs to be retained for the existing water line in the street to be vacated. RMU does not expect there to be an easement for the water service line from the water main to the structure since the water service line is owned by the customer.
    - RMU is neutral concerning the prospect of retaining the entire 60-foot width of Park Street as an easement, so long as easement for the water main as previously mentioned is retained.
  - ZON23-03: Rezoning property at the SW corner of Richard Dr and Curtis Dr from C-1, Neighborhood Commercial to R-3, Multi-family.

- RMU is neutral to this agenda item.
- Easement Vacation: Vacation of utility easement at 1908 N. Bishop Avenue.
  - There are no RMU utilities within this easement; therefore, RMU is neutral on this proposal.

b. Current RMU projects

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

- McCutchen Drive from 18<sup>th</sup> Street to Harvey Lane – Davis reported work is in progress to relocate existing overhead 34 kV sub-transmission and 12kV overhead distribution and rebuild some overhead distribution. The 34kV line was energized on December 14, 2022.
- Installation of conduits by means of horizontal directional drilling on Mercy Parkway (new roadway lighting), in Lions Club Park (replacement of primary electric) and McCutchen Drive (multiple distribution system changes is in progress.
- RMU Generators: Beginning installation of louvers over openings in containers to better retain heat in the units when not in operation. This will help with better operations during winter. A purchase order has been issued for installation at one unit.
- Davis mentioned that as telecommunications infrastructure expands in Rolla, it involves more poles for additional pole attachments for multiple companies.
- Davis noted the replacement of old water main on Sycamore drive from Highway O to Cypress Drive as well as Cypress Drive from Sycamore Drive to Turkey Run is complete.
- Replacement of water main in conjunction with new residential development on Bardsley Road from 14<sup>th</sup> Street to 16th Street is in progress.
- Work to improve sidewalk and street appearances on Elm Street from 14<sup>th</sup> Street to Bishop Avenue is in progress.

D. GENERAL MANAGER'S REPORT (none)

V. UNFINISHED BUSINESS (none)

VI. NEW BUSINESS

A. RFB #23-114 Meter Equipment

Davis reported that RMU solicited bids for the acquisition of equipment to field test electric meters. The equipment we currently use for this process is nearly 20 years old and failed earlier in the month. The preliminary budget for FY2024 includes \$50,000 for equipment. Management decided to obtain bids for a new unit and proceed with the purchase now. Davis reviewed the three bids that were submitted. After reviewing the bids, considering the equipment and technology utilized, management recommends approval of the proposal from Powermetrix for \$37,875.00. Read made a motion, seconded by Showalter, to award the bid for meter testing equipment to Powermetrix for \$37,875.00. Motion passed unanimously.

Crump made a motion, seconded by Read, that the Board adjourn to Executive Session to discuss Real Estate under RSMo Section 610.021(2). Roll call vote was taken at 5:20 p.m. Votes: Barrack, yes; Crump, yes; Showalter, yes; Read, yes.

VII. EXECUTIVE SESSION (None)

A. Real Estate under RSMo Section 610.021(2).

Read made a motion, seconded by Crump that the meeting return to open session. Roll call vote taken at 5:57 p.m. Votes: Barrack, yes; Crump, yes; Showalter, yes; Read, yes.

Bourne announced the Board discussed real estate matters in executive session with no action taken.

VII. ADJOURNMENT

With no further business to discuss, Read made a motion, seconded by Showalter to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 6:00 p.m.

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Nicholas Barrack, President

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Dr. Wm. Eric Showalter, Secretary

III.f.3

The Board's next meeting is tentatively scheduled for Thursday, June 1, 2023 at 4:30 p.m.



**FINANCIAL STATEMENT  
APRIL 2023**

<b>RECEIPTS:</b>		
Electric, Water, Tax, Sewer and Refuse Charge	\$3,108,203.69	
Accounts Receivable - Miscellaneous	\$19,831.08	
Customer's Deposits - Refundable	\$28,570.00	
Misc Non-Operating Revenue	<u>\$14,202.85</u>	
<b>Total Receipts</b>	<b>\$3,188,607.61</b>	
Southern Bank ICS Sweep Account Interest (March 31, 2023)	\$33,940.98	
Southern Bank Money Market Account Interest (March 31, 2023)	\$0.00	
Southern Bank Electronic Payment Account Interest (March 31, 2023)	\$1,345.90	
Southern Bank General Fund Account Interest (March 31, 2023)	\$2,355.71	
Southern Bank Payroll Account Interest (March 31, 2023)	\$2.99	
FSCB ICS Sweep Account Interest (March 31, 2023)	\$3,443.42	
FSCB Super-Now Account Interest (March 31, 2023)	\$1,873.85	
FSCB Electronic Payment Account Interest (March 31, 2023)	\$404.89	
PCB Super-Now Account Interest (March 31, 2023)	\$0.18	
Miscellaneous Interest	\$0.00	
Public Utility Cash in Bank (March 31, 2023)	<u>\$32,410,684.61</u>	
<b>Total Receipts and Cash in Bank</b>		<b><u>\$35,622,640.14</u></b>
<b>DISBURSEMENTS:</b>		
Power Purchased	\$1,734,945.97	
Operating Expenses	\$208,528.49	
Administrative and General Expenses	\$188,918.09	
Payroll	\$204,898.84	
Capital Expenditures	\$40,801.00	
Construction in Progress	\$58,437.58	
Stock Purchases (Inventory)	\$17,990.18	
Balance of Customer's Deposits after Finals	\$18,085.58	
Medical, Dental, Vision and Life Insurance Paid by Employees	\$18,487.74	
Support Payments	\$1,406.77	
457 Plan Employee Contributions	\$10,267.29	
Flexible Spending Account Contributions	\$1,118.28	
U.S. Withholding Tax	\$28,977.35	
Missouri Dept. of Revenue (Sales Tax)	\$38,603.82	
Missouri Dept. of Revenue (Income Tax)	\$10,773.00	
First State Community Bank (Social Security)	\$41,183.88	
Sewer Service Charge	\$384,882.99	
Refuse Service Charge	\$218,094.50	
PILOT to City of Rolla	\$138,224.77	
Standpipes Lease/Purchase	\$365.30	
Utility Incentives	\$0.00	
Unclaimed Deposits to State	\$0.00	
Privacy Fees	\$0.00	
Void General Fund Check:	\$391.05	
Void Working Fund Check:	-\$4,359.14	
	<u>\$3,307,779.19</u>	
Cash in Bank (April 30, 2023)	<u>\$32,314,860.95</u>	
<b>Total Disbursements and Cash in Bank</b>		<b><u>\$35,622,640.14</u></b>
<b>BALANCE OF OTHER FUNDS:</b>		
<b>PUBLIC UTILITY ACCOUNTS:</b>		
Citizens Bank of Newburg, Ck#1288 for \$214.48		\$2,000.00
First State Comm Bk-Electronic Payment Account, Ck#1079 for \$1,726,806.57		\$227,045.49
First State Comm Bk-General Fund, Cks #38593-38718 for \$3,307,779.19		\$3,377,197.83
First State Comm Bk-ICS Sweep Account and Certificates of Deposit		\$704,884.12
Southern Bank-General Fund, Ck#38053 for \$177,931.71		\$2,555.71
Southern Bank-Electronic Payment Account, Ck #1258 for \$73,484.73		\$1,545.90
Southern Bank-Money Market		\$0.00
Southern Bank-ICS Sweep Account		\$0.00
Southern Bank-Payroll Account		\$59.18
PCB-Super Now, Ck #28388 for \$27,883.75		\$2,597.48
Town & Country Bank, Ck#1275 for \$552.37		<u>\$3,103.28</u>
<b>Total Public Utility Accounts</b>		<b>\$4,321,068.95</b>
<b>ELECTRIC RESERVES:</b>		
Certificates of Deposit	\$0.00	
Money Market Account	\$10,195,583.00	FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>	
<b>Total Electric Reserves</b>	<b>\$10,195,583.00</b>	
<b>RESTRICTED ELECTRIC RESERVES:</b>		
Certificates of Deposit	\$0.00	
Money Market Account	\$14,250,000.00	FY21 Funded
U.S. Treasury Bills	<u>\$0.00</u>	
<b>Total Electric Reserves</b>	<b>\$14,250,000.00</b>	
<b>WATER RESERVES:</b>		
Certificates of Deposit	\$0.00	
Money Market Account	\$3,548,209.00	FY20 Funded
U.S. Treasury Bills	<u>\$0.00</u>	
<b>Total Water Reserves</b>	<b>\$3,548,209.00</b>	
<b>TOTAL RESERVES:</b>		<b><u>\$27,993,792.00</u></b>
<b>TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:</b>		<b><u>\$32,314,860.95</u></b>



STATISTICS

April 2023

PRODUCTION

Date of Demand	04/07/2023
Time of Demand	09:00 AM
Scada Demand	43.2 MWH
kWh Purchased	22,382,000
Total Cost	\$1,605,082.41 *
Cost per kWh	0.071777 *
Load Factor	72.1%

Pumped #2 Well	0
Pumped #3 Well	0
Pumped #4 Well	2,848,000
Pumped #5 Well	3,400,000
Pumped #6 Well	3,782,000
Pumped #7 Well	1,587,000
Pumped #8 Well	1,290,000
Pumped #9 Well	3,575,000
Pumped #10 Well	4,372,000
Pumped #11 Well	0
Pumped #12 Well	2,965,000
Pumped #13 Well	6,549,000
Pumped #14 Well	8,984,000
Pumped #15 Well	2,721,000
Pumped #16 Well	11,523,000
Pumped #17 Well	5,017,000
Pumped # 1 Ind Park Well	7,249,000
Pumped # 2 Ind Park Well	4,088,000
Pumped # 3 Ind Park Well	1,000
Total Gallons	69,911,000

METERS IN SERVICE	Electric	Water
Residential - Single Phase	8,022	6,423
Residential - Three Phase	22	20
Commercial - Single Phase	928	514
Commercial - Three Phase	491	310
Power Service	104	90
Industrial	6	2
Area Lighting	15	7
Street Lighting	27	1
Missouri S&T	0	5
PWSD #2	0	573
Total	9,613	7,945

ELECTRIC SALES

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

WATER SALES

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

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

Gross Payroll \$292,077.04

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

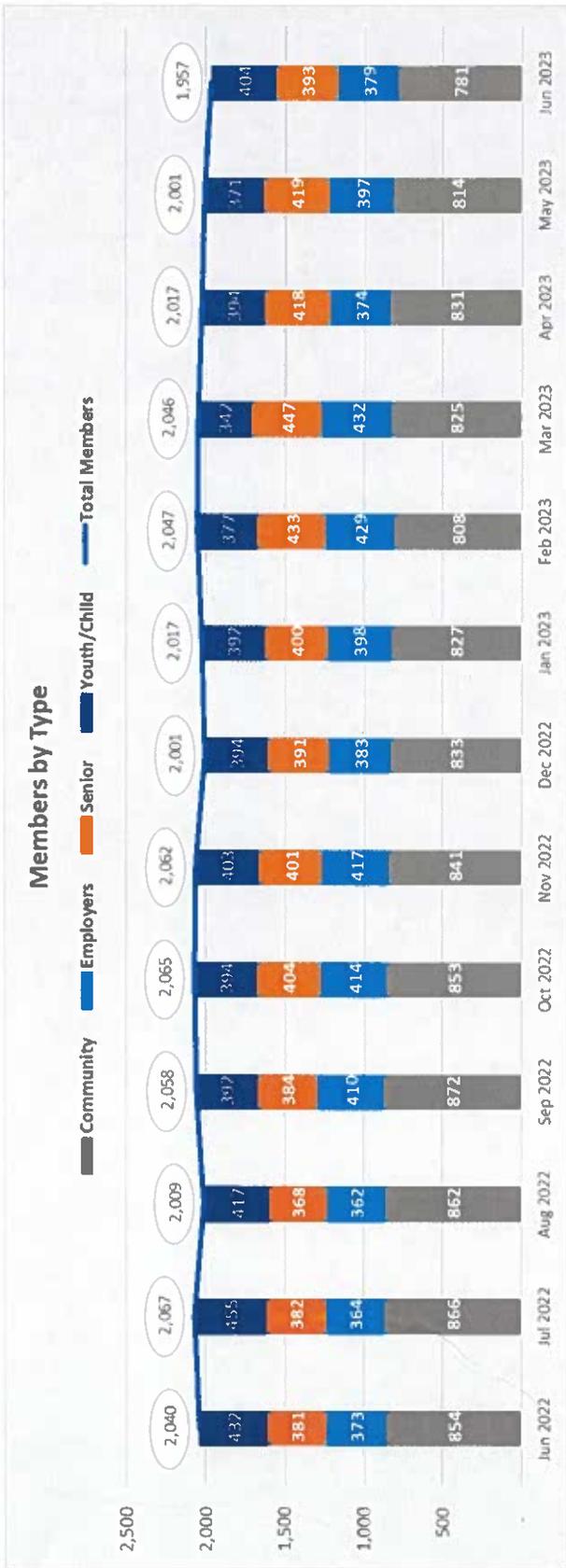
\*\* Loss includes 2,774,000 gallons per water main flushing records.

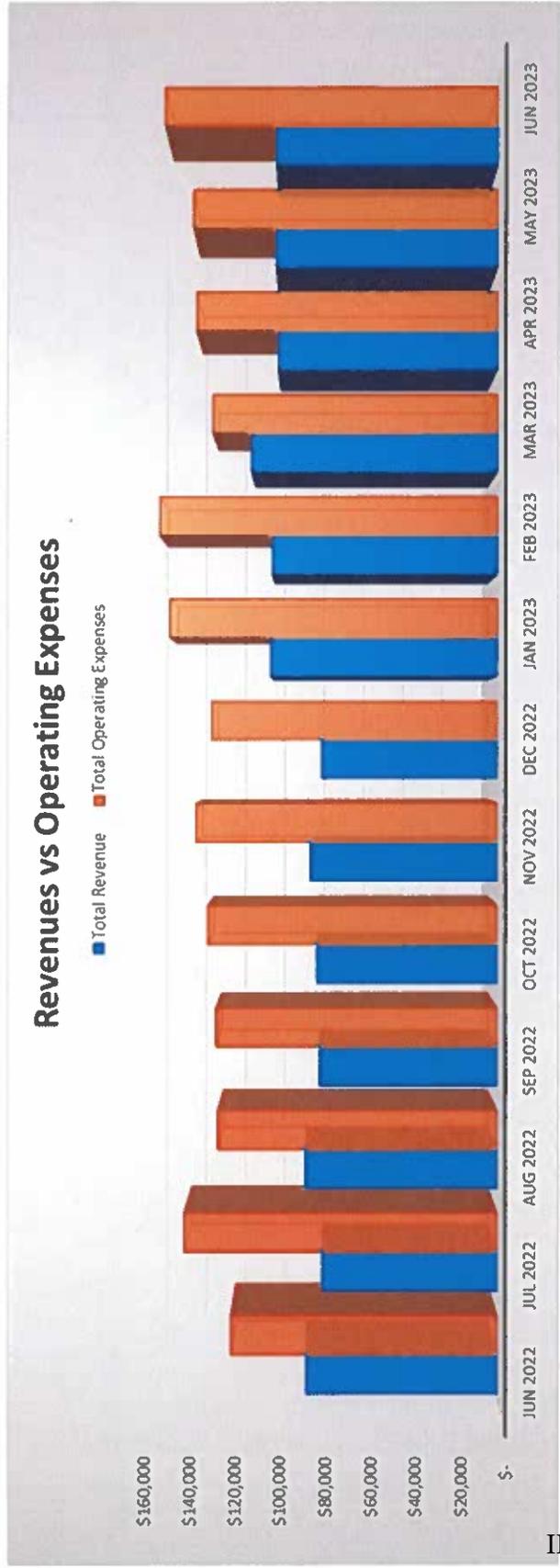
\*\*\* FY loss includes 20,885,000 gallons per water main flushing records.



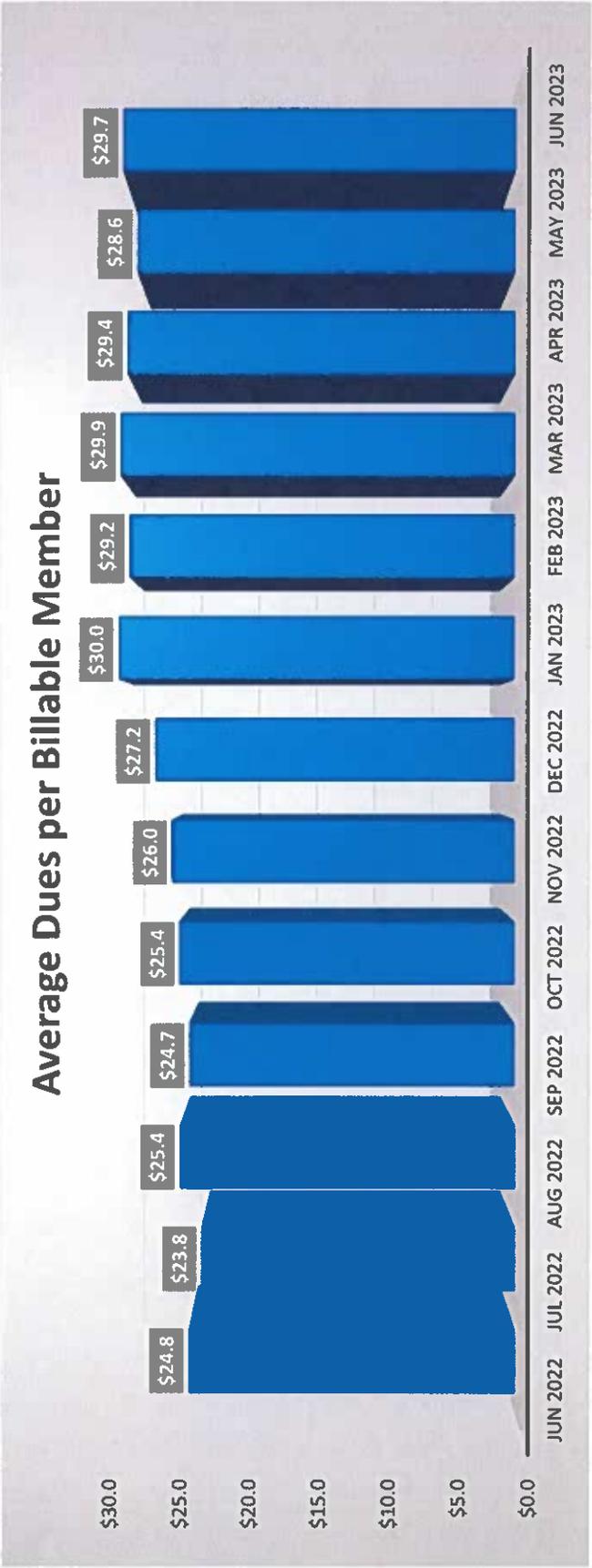
*The Centre Rolla's Health & Recreation Complex*  
*Income Statement*  
*For the 9 Months Ending*  
*June 30, 2023*

	<u>Period To Date</u>	<u>PTD Budget</u>	<u>Variance</u>	<u>Last Year</u>	<u>Year To Date</u>	<u>YTD Budget</u>	<u>Variance</u>	<u>Last Year</u>
<b>Members:</b>								
New	125	109	15%	142	1,104	1,347	-18%	1,335
Net New & Reactivated Bridge/Freezes	(30)			(6)	(127)			(95)
Cancelled	139	79	-76%	89	1,078	688	-57%	744
Net	(44)	30	-247%	47	(101)	659	-115%	496
<b>Total Members</b>	<b>1,957</b>	<b>2,809</b>	<b>-30%</b>	<b>2,040</b>	<b>1,957</b>	<b>2,809</b>	<b>-30%</b>	<b>2,040</b>
<b>Revenues</b>								
<b>Rental &amp; Other</b>								
Conference Room & Other Rental	\$60	\$300	(\$240)	\$250	\$6,773	\$2,700	\$4,073	\$2,285
	60	300	(240)	250	6,773	2,700	4,073	2,285
<b>Member Services</b>								
Membership Dues	58,142	82,986	(24,844)	50,504	516,549	652,202	(135,653)	411,785
Guest Fees	7,788	8,000	(212)	7,044	70,042	72,000	(1,958)	68,342
Special Programs	0	350	(350)	0	0	3,150	(3,150)	1,990
Locker Rent	178	75	103	215	948	675	273	847
	66,108	91,411	(25,303)	57,763	587,539	728,027	(140,488)	482,964
<b>Fitness</b>								
Enrollment Fees/Health Assessments	1,411	2,725	(1,314)	2,531	8,920	33,675	(24,755)	7,786
Special Programs	860	410	450	559	4,518	3,690	828	3,835
	2,271	3,135	(864)	3,090	13,437	37,365	(23,928)	11,620
<b>Ancillary</b>								
Swim Programs	9,091	11,000	(1,909)	10,714	85,766	99,000	(13,234)	93,189
General Medical Integration	248	2,066	(1,818)	347	4,414	12,175	(7,761)	1,588
Recreation	12,650	10,000	2,650	8,708	74,084	66,000	8,084	68,247
Cafe	1,568	350	1,218	433	10,544	3,150	7,394	3,190
Pro Shop	184	400	(216)	88	1,084	3,600	(2,516)	752
Personal Training/Pilates	6,391	7,023	(632)	4,908	67,999	57,663	10,336	36,013
Children's Area	3,668	1,500	2,168	2,125	27,248	13,500	13,748	14,002
	33,800	32,339	1,461	27,323	271,139	255,088	16,051	216,979
<b>Total Revenue</b>	<b>102,239</b>	<b>127,185</b>	<b>(24,946)</b>	<b>88,425</b>	<b>878,888</b>	<b>1,023,180</b>	<b>(144,292)</b>	<b>713,849</b>
<b>Expenses</b>								
Salaries & Burden	103,342	97,550	(5,792)	81,401	873,092	859,659	(13,433)	769,641
Other Employee Expenses	4,069	2,000	(2,069)	1,830	20,569	18,000	(2,569)	20,995
General Supplies & Services	921	442	(479)	328	7,488	3,978	(3,510)	3,120
Program Supplies	0	200	200	0	719	1,800	1,081	1,491
Environmental Supplies	2,361	1,500	(861)	1,710	22,047	13,500	(8,547)	12,310
Cost of Goods Sold	515	280	(235)	53	5,916	2,520	(3,396)	473
Minor Equipment	1,405	817	(588)	1,560	18,866	7,353	(11,513)	9,085
Repairs & Maintenance/Service Contracts	13,111	6,129	(6,982)	7,745	92,225	55,161	(37,064)	65,219
Marketing & Collateral	6,953	5,950	(1,003)	7,421	48,256	53,550	5,294	46,309
Utilities	15,369	15,125	(244)	15,964	135,480	136,125	645	141,265
Bank Fees & Miscellaneous	3,557	2,851	(706)	3,164	28,522	25,659	(2,863)	18,779
CAM, Taxes & Fees	2,220	2,665	445	1,904	24,306	23,985	(321)	19,025
<b>Total Expenses</b>	<b>153,825</b>	<b>135,509</b>	<b>(18,316)</b>	<b>123,081</b>	<b>1,277,485</b>	<b>1,201,290</b>	<b>(76,195)</b>	<b>1,107,713</b>
<b>Net Operating Income</b>	<b>(\$1,586)</b>	<b>(\$8,324)</b>	<b>(\$43,262)</b>	<b>(\$34,655)</b>	<b>(\$398,597)</b>	<b>(\$178,110)</b>	<b>(\$220,487)</b>	<b>(\$395,864)</b>
Management Fees	8,000	10,000	2,000	8,000	72,000	90,000	18,000	77,000
<b>Net Income (Loss)</b>	<b>(\$59,586)</b>	<b>(\$18,324)</b>	<b>(\$41,262)</b>	<b>(\$42,655)</b>	<b>(\$470,597)</b>	<b>(\$268,110)</b>	<b>(\$202,487)</b>	<b>(\$470,864)</b>
<b>Ancillary Services Net Income (Loss)</b>								
Swim Programs (Net)	\$4,509	\$6,600	(\$2,091)	\$6,794	\$42,621	\$59,400	(\$16,779)	\$55,891
Recreation (Net)	\$5,025	\$5,800	(\$775)	\$2,440	\$50,244	\$37,800	\$12,444	\$40,751
Cafe (Net)	\$1,156	\$350	\$806	\$433	\$5,378	\$3,150	\$2,228	\$3,190
Pro Shop (Net)	\$81	\$120	(\$39)	\$35	\$334	\$1,080	(\$746)	\$279
Personal Training/Pilates (Net)	\$2,009	\$2,107	(\$98)	\$1,253	\$23,918	\$17,300	\$6,618	\$9,571
Children's Area (Net)	\$532	(\$101)	\$633	\$448	\$4,263	(\$909)	\$5,172	\$1,090
<b>Total Ancillary Services Net Income (Loss)</b>	<b>\$13,311</b>	<b>\$14,876</b>	<b>(\$1,565)</b>	<b>\$11,403</b>	<b>\$126,758</b>	<b>\$117,821</b>	<b>\$8,937</b>	<b>\$110,772</b>

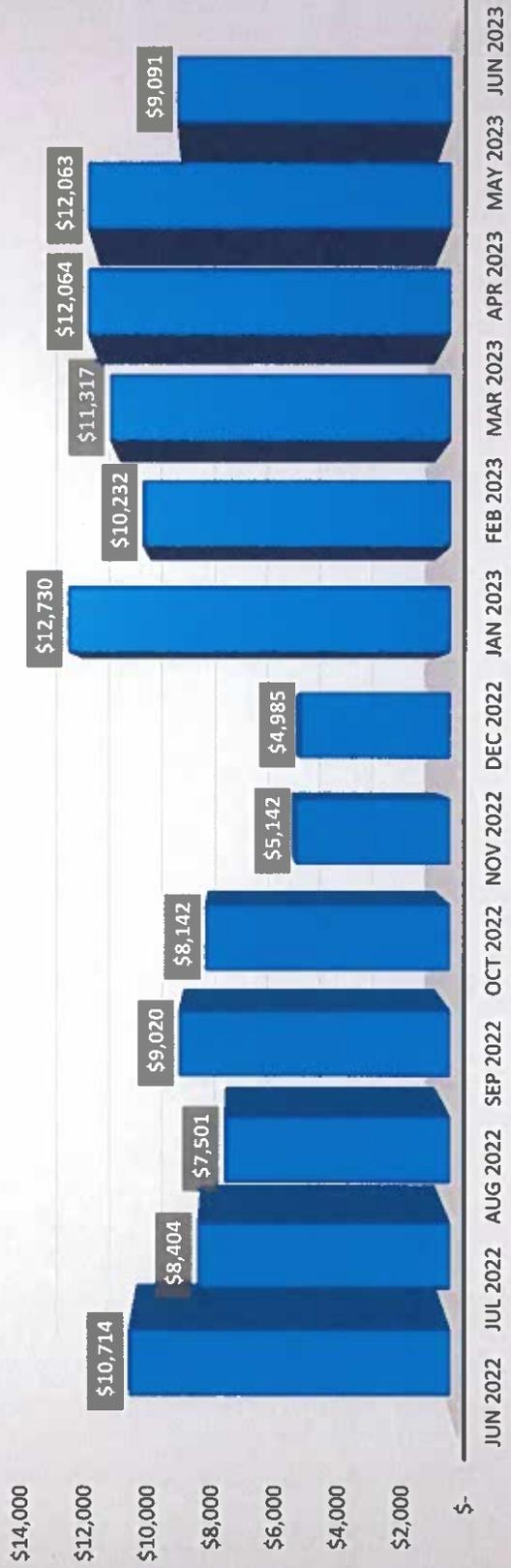




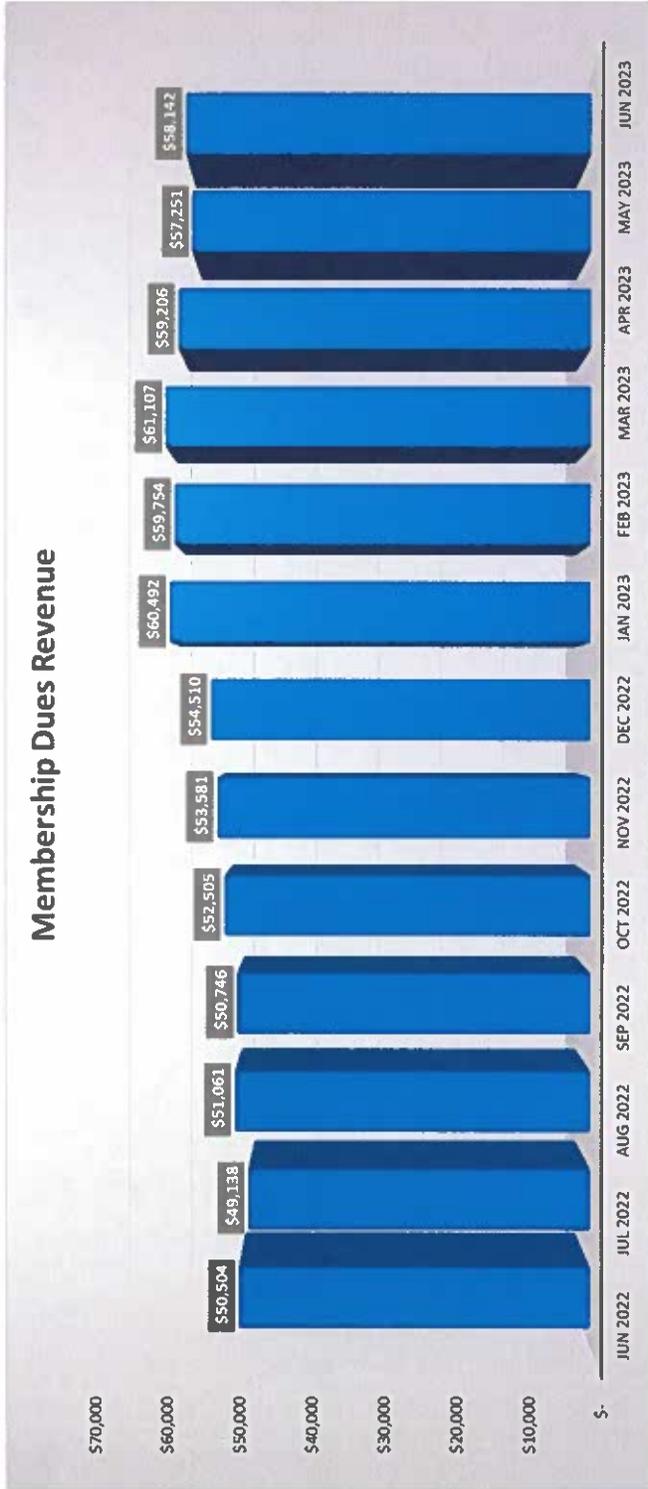
III.g.3



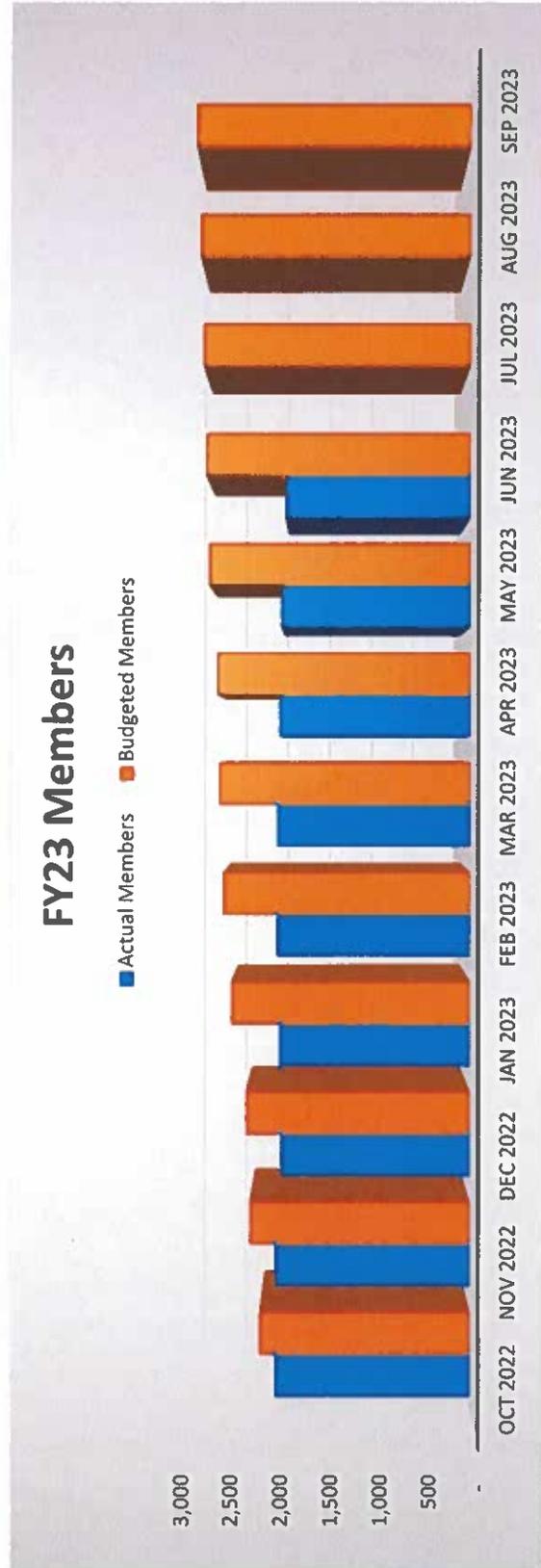
# Swim Revenue



### Membership Dues Revenue



### FY23 Members



## MUNICIPAL DIVISION SUMMARY REPORTING FORM

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

<b>I. COURT INFORMATION</b>		Municipality: Rolla Municipal	Reporting Period: Jun 1, 2023 - Jun 30, 2023	
Mailing Address: 901 NORTH ELM, ROLLA, MO 65401				
Physical Address: 901 NORTH ELM, ROLLA, MO 65401			County: Phelps County	Circuit: 25
Telephone Number: (573)3648590		Fax Number:		
Prepared by: LESLIE YOAKUM		E-mail Address:		
Municipal Judge: James T. Crump				
<b>II. MONTHLY CASELOAD INFORMATION</b>				
		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations/informations) pending at start of month		17	1,097	190
B. Cases (citations/informations) filed		0	293	10
C. Cases (citations/informations) disposed				
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0
2. court/bench trial - GUILTY		0	0	0
3. court/bench trial - NOT GUILTY		0	0	0
4. plea of GUILTY in court		0	44	6
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	197	2
6. dismissed by court		0	0	2
7. <i>nolle prosequi</i>		0	101	14
8. certified for jury trial (not heard in Municipal Division)		0	0	0
<b>9. TOTAL CASE DISPOSITIONS</b>		0	342	24
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		17	1,048	176
E. Trial de Novo and/or appeal applications filed		0	0	0
<b>III. WARRANT INFORMATION (pre- &amp; post-disposition)</b>		<b>IV. PARKING TICKETS</b>		
1. # Issued during reporting period	43	1. # Issued during period	177	
2. # Served/withdrawn during reporting period	111	<input type="checkbox"/> Court staff does not process parking tickets		
3. # Outstanding at end of reporting period	1,042			

III.h.1

## MUNICIPAL DIVISION SUMMARY REPORTING FORM

<b>COURT INFORMATION</b>	Municipality: Rolla Municipal	Reporting Period: Jun 1, 2023 - Jun 30, 2023
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<b><u>V. DISBURSEMENTS</u></b>			
<b>Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)</b>		<b>Other Disbursements:</b> Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Fines - Excess Revenue	\$3,145.00	Court Automation	\$728.38
Clerk Fee - Excess Revenue	\$480.65	DO NOT USE (Brd Bill-ER Dft)	\$171.50
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$14.83	Law Enf Arrest-Local	\$33.50
		Overpayment-E/R	\$7.00
Bond forfeitures (paid to city) - Excess Revenue	\$100.00	Overpayments Detail Code	\$49.50
<b>Total Excess Revenue</b>	<b>\$3,740.48</b>	<b>Total Other Disbursements</b>	<b>\$989.88</b>
<b>Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)</b>		<b>Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited</b>	<b>\$13,352.74</b>
Fines - Other	\$6,464.74	<b>Bond Refunds</b>	<b>\$184.50</b>
Clerk Fee - Other	\$768.00	<b>Total Disbursements</b>	<b>\$13,537.24</b>
Judicial Education Fund (JEF) <input checked="" type="checkbox"/> Court does not retain funds for JEF	\$0.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$104.05		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$741.91		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$23.68		
Law Enforcement Training (LET) Fund surcharge	\$208.50		
Domestic Violence Shelter surcharge	\$211.50		
Inmate Prisoner Detainee Security Fund surcharge	\$0.00		
Restitution	\$0.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$100.00		
<b>Total Other Revenue</b>	<b>\$8,622.38</b>		

III.h.2

**MINUTES  
ROLLA PLANNING AND ZONING COMMISSION MEETING  
ROLLA CITY HALL COUNCIL CHAMBERS  
TUESDAY, MAY 9, 2023**

**Presiding:** Russell Schmidt, Chairperson

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

**Commission Members Absent:** Steve Davis

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, April 11, 2023. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** NONE
- III. NEW BUSINESS:** NONE
- IV. PUBLIC HEARING:**
1. **ZON23-03:** Rezoning of property at the SW Corner of Richard Dr and Curtis Dr from the C-1, Neighborhood Commercial district to the R-3, Multi-family district

**Tom Coots** presents the staff report. **Schmidt** opens the public hearing.

**Debbie Castle**, residing at 16800 State Route O, is the applicant. She presents her request.

**Schmidt** closes the public hearing.

**A motion was made by Monte Shields, seconded by Robert Anderson, to recommend approval to City Council to rezone the subject property from C-1 to R-3. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.**

2. **VAC23-01:** Vacation of the rights-of-way of Park Street between 2<sup>nd</sup> Street and the railroad

**Coots** presents the staff report. **Schmidt** opens the public hearing.

**Sherry Stites**, residing at 16900 County Road 1100 in Saint James, represents the County Commission. She presents her request.

**MINUTES  
ROLLA PLANNING AND ZONING COMMISSION MEETING  
ROLLA CITY HALL COUNCIL CHAMBERS  
TUESDAY, JUNE 13, 2023**

**Presiding:** Russell Schmidt, Chairperson

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

**Commission Members Absent:** Monte Shields, Steve Davis

**I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, May 9, 2023. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**

**II. REPORT ON RECENT CITY COUNCIL ACTIONS:**

1. **ZON23-03:** Rezoning of property at the SW Corner of Richard Dr and Curtis Dr from the C-1, Neighborhood Commercial district to the R-3, Multi-family district
2. **VAC23-01:** Vacation of the rights-of-way of Park Street between 2<sup>nd</sup> Street and the railroad

**III. NEW BUSINESS:** NONE

**IV. PUBLIC HEARING:**

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

Tom Coots presents the staff report.

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

Nathan Chirban asks if there was any opposition to the rezoning in that neighborhood. Coots states he did not hear from any citizens that were against the request.

**A motion is made by Monty Jordan, seconded by Janece Martin, to recommend approval to the City Council to rezone the subject property from R-1 to R-2. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Jordan and Martin. Nays: None. The motion passes unanimously.**

**DEVELOPMENT REVIEW COMMITTEE MINUTES  
TUESDAY, JUNE 20TH @ 1:30 P.M.  
MEMBERS AND OTHERS IN ATTENDANCE**

Tom Coots, Com. Dev.  
Brian Turner, Com. Dev.  
Roger Pankey, Env. Services  
John Marti, Fire  
Shawn Coverdell, Applicant

Sarah West, Com. Dev.  
Chad Davis, RMU  
Dale Brown, RMU  
Jason Smith, Police

**NEW BUSINESS:**

1. **ZON23-05:** Rezoning property at 514 Keeton Rd from R-1, Single-family Residential to R-2, Two-family Residential

Committee had no comments.

2. **SUB23-02:** Minor Subdivision to subdivide 514 Keeton Rd into two residential lots

**Coots** explains the applicant wishes to divide the property into two lots. The new lot fronts on Lions Club Dr and the applicant has applied for a rezoning to R-2 to allow for a duplex. There is an existing easement on the property that divides the lot. The applicant may need to relocate the sewer or move the property line further south to ensure the proposed duplex will fit. The other lot should still meet the minimum lot size requirements.

**Davis** comments that the electric in that area is served by InterCounty. RMU is the required provider and utilities will get served from Lions Club Drive. Committee had discussion about utilities.

**Coots** mentions that the current house encroaches on the existing easements and will look into vacating a portion of those easements. The surveyor will be revising the survey to show the existing sewer line.

Minutes Prepared By: Sarah West

**NEXT MEETING:**

**Wednesday, July 5<sup>th</sup> @ 1:30 P.M.**

**DEVELOPMENT REVIEW COMMITTEE MINUTES  
TUESDAY, JULY 11 @ 1:30 P.M.  
MEMBERS AND OTHERS IN ATTENDANCE**

Tom Coots, Com. Dev.  
Roger Pankey, Env. Serv.  
Floyd Jernigan, Parks & Rec.  
Darin Pryor, Public Works

Sarah West, Com. Dev.  
Chad Davis, RMU  
Dale Brown, RMU

**NEW BUSINESS:**

1. **ZON23-06:** Rezoning property at 708 N Main Street from C-1, Neighborhood Commercial to C-3, Highway Commercial (Rolla Mission)

Committee had no comments.

2. **ZV23-02:** Variance from minimum lot size in the R-1, Single-family district and the minimum flag lot width at 1901 Vichy Rd

Committee had no comments.

Minutes Prepared By: Sarah West

**NEXT MEETING:**

**Tuesday, August 1 @ 1:30 P.M.**

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

**GENERAL FUND**

CASH IN BANK	\$	25,029.00
NIB GENERAL FUND	\$	15.00
CASH - BAIL BONDS	\$	-
ROLLA MUNICIPAL COURT	\$	5,133.50
ASI FLEX 125	\$	11,680.32
CASH - HEALTH ACCOUNT	\$	-
TIF ACCOUNT - EATS	\$	117,573.09
TIF ACCOUNT - PILOT	\$	34.05
CASH - PAID UNDER PROTEST	\$	-
INVESTMENTS - GENERAL FUND	\$	1,793,229.47
USE TAX MMA	\$	963,049.91
MMA - GENERAL FUND RESERVE REBUILD	\$	1,566,619.55
POLICE EVIDENCE FUNDS	\$	19,361.87
CITY SEIZURES & FORFEITURES	\$	9,790.59
TASKFORCE SEIZURES & FORFEITURES	\$	70,334.99
ANIMAL CONTROL SHELTER COMM PARTNER	\$	134,764.68
ANIMAL CONTROL SHELTER RESERVE	\$	265,826.41
PROPERTY FIRE DAMAGE ACCOUNT	\$	15.07
DISASTER RESPONSE	\$	-
GENERAL FUND CREDIT CARD ACCOUNT	\$	195,122.54
US BANK ESCROW	\$	-
INVESTMENT CLEARING ACCOUNT	\$	15.03
INVESTMENTS - CDS	\$	-
EAC ACCOUNT	\$	-
<b>GENERAL FUND TOTALS</b>	<b>\$</b>	<b>5,177,595.07</b>

**SEWER FUND**

CASH IN BANK	\$	265,434.51
NIB GENERAL FUND	\$	-
SEWER FUND MMA	\$	1,225,138.92
SEWER FUND DEPREC & RESERVE	\$	508,201.32
INVESTMENTS - GENERAL FUND	\$	4,051.32
GENERAL FUND CREDIT CARD ACCOUNT	\$	3,410.00
US BANK ESCROW	\$	-
INVESTMENT - CDS	\$	-
<b>SEWER FUND TOTALS</b>	<b>\$</b>	<b>2,006,236.07</b>

**ENVIRONMENTAL SERVICES FUND**

CASH IN BANK	\$	285,712.13
NIB ENV SVS FUND	\$	-
INVESTMENTS - GENERAL FUND	\$	-
GENERAL FUND CREDIT CARD ACCOUNT	\$	569.20
MMA PCB	\$	1,797,687.43
ENV SVS CC	\$	101,439.00
INVESTMENT - CDS	\$	-
<b>ENV SVS FUND TOTALS</b>	<b>\$</b>	<b>2,185,407.76</b>

**ARPA FUNDING**

CASH IN BANK	\$	-
ARPA FUNDING MMA	\$	1,417,824.26
<b>AIRPORT FUND TOTALS</b>	<b>\$</b>	<b>1,417,824.26</b>

III.k.1

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

<b><u>AIRPORT FUND</u></b>	
CASH IN BANK	\$ (8,731.20)
NIB GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 3,265.87
INVESTMENTS - MMA	\$ 4,549.31
INVESTMENTS - MMA (BREWER LEASE AGREE)	\$ 30,446.00
<b>AIRPORT FUND TOTALS</b>	<b>\$ 29,529.98</b>
<b><u>CEMETERY FUND</u></b>	
CASH IN BANK	\$ -
CASH - MMA	\$ 341,900.15
INVESTMENTS - RESTRICTED	\$ -
<b>CEMETERY FUND TOTALS</b>	<b>\$ 341,900.15</b>
<b><u>STREET FUND</u></b>	
CASH IN BANK	\$ 441,020.98
NIB GENERAL FUND	\$ -
GENERAL FUND MMA	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 7,596.62
CASH - MMA	\$ 2,587,487.16
MODOT RESERVE	\$ 2,021,811.44
INVESTMENT - CDS	\$ -
<b>STREET FUND TOTALS</b>	<b>\$ 5,057,916.20</b>
<b><u>RECREATION FUND</u></b>	
CASH IN BANK	\$ (212,857.67)
INVESTMENTS - GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ -
DEPR RES & EQUIP - MMA	\$ -
<b>RECREATION FUND TOTALS</b>	<b>\$ (212,857.67)</b>
<b><u>HEALTH INSURANCE FUND</u></b>	
HEALTH INSURANCE RESERVE	\$ 506,021.37
CASH - HEALTH ACCOUNT	\$ 121,260.63
GENERAL FUND CREDIT CARD ACCOUNT	\$ 4,494.64
<b>HEALTH FUND TOTALS</b>	<b>\$ 631,776.64</b>
<b><u>PARK FUND</u></b>	
CASH IN BANK	\$ 49,829.57
NIB GENERAL FUND	\$ -
GENERAL FUND CREDIT CARD ACCOUNT	\$ 10.00
INVESTMENTS - PARK SALES TAX	\$ 342,145.64
PARKS CC	\$ 74,605.26
<b>PARK FUND TOTALS</b>	<b>\$ 466,590.47</b>
<b><u>PARK LAND RESERVE FUND</u></b>	
CASH IN BANK	\$ 5,185.68
PARK LAND RESERVE ACCOUNT	\$ 9,523.14
<b>PARK LAND RESERVE FUND TOTALS</b>	<b>\$ 14,708.82</b>
<b>GRAND TOTAL ALL FUNDS</b>	<b>\$ 15,698,803.49</b>

ANY AND ALL FINANCIAL RECORDS ARE OPEN TO THE PUBLIC

III.k.2

**CITY OF ROLLA**  
**REVENUE/EXPENDITURE REPORT - UNAUDITED**  
**May 31, 2023**  
**67% of Year**

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<b><u>GENERAL FUND</u></b>				
REVENUES	\$ 14,938,885.00	\$ 8,948,306.08	\$ 5,990,578.92	59.9%
<b>EXPENDITURES</b>				
GENERAL ADMINISTRATIVE	\$ 709,485.00	\$ 484,750.78	\$ 224,734.22	68.3%
ADMINISTRATION	\$ 308,055.00	\$ 178,149.08	\$ 129,905.92	57.8%
LIBRARY	\$ 318,850.00	\$ 232,162.99		72.8%
FINANCE	\$ 729,200.00	\$ 510,760.91	\$ 218,439.09	70.0%
LEGAL	\$ 70,700.00	\$ 40,473.30	\$ 30,226.70	57.2%
COURT	\$ 133,450.00	\$ 78,783.60	\$ 54,666.40	59.0%
TELECOMMUNICATIONS	\$ 1,498,835.00	\$ 791,381.77	\$ 707,453.23	52.8%
ANIMAL CONTROL	\$ 335,740.00	\$ 129,009.54	\$ 206,730.46	38.4%
POLICE	\$ 4,993,225.00	\$ 3,826,196.90	\$ 1,167,028.10	76.6%
FIRE	\$ 4,655,462.00	\$ 2,063,789.85	\$ 2,591,672.15	44.3%
ROLLA RURAL FIRE	\$ -	\$ 375,539.93	\$ (375,539.93)	#DIV/0!
BUILDING SERVICES	\$ 105,715.00	\$ 84,106.27	\$ 21,608.73	79.6%
COMMUNITY DEVELOPMENT	\$ 518,500.00	\$ 338,589.40	\$ 179,910.60	65.3%
ECONOMIC DEVELOPMENT	\$ 57,075.00	\$ 61,146.00	\$ (4,071.00)	107.1%
TOTAL EXPENDITURES	<u>\$ 14,434,292.00</u>	<u>\$ 9,194,840.32</u>	<u>\$ 5,152,764.67</u>	63.7%
REVENUES OVER/UNDER EXPENDITURES	\$ 504,593.00	\$ (246,534.24)	\$ 837,814.25	
<b><u>SEWER FUND</u></b>				
REVENUES	\$ 5,451,717.00	\$ 3,484,888.21	\$ 1,966,828.79	63.9%
EXPENDITURES	<u>\$ 5,874,432.00</u>	<u>\$ 2,935,232.73</u>	<u>\$ 2,939,199.27</u>	50.0%
REVENUES OVER/UNDER EXPENDITURES	\$ (422,715.00)	\$ 549,655.48	\$ (972,370.48)	
<b><u>ENVIRONMENTAL SERVICES FUND</u></b>				
REVENUES	\$ 4,091,200.00	\$ 2,245,331.63	\$ 1,845,868.37	54.9%
<b>EXPENDITURES</b>				
RECYCLING	\$ 428,375.00	\$ 303,580.22	\$ 124,794.78	70.9%
SANITATION	\$ 3,072,950.00	\$ 1,579,380.39	\$ 1,493,569.61	51.4%
VEHICLE MAINTENANCE	\$ 496,230.00	\$ 320,514.99	\$ 175,715.01	64.6%
TOTAL EXPENDITURES	<u>\$ 3,997,555.00</u>	<u>\$ 2,203,475.60</u>	<u>\$ 1,794,079.40</u>	55.1%
REVENUES OVER/UNDER EXPENDITURES	\$ 93,645.00	\$ 41,856.03	\$ 51,788.97	
<b><u>ARPA FUNDING</u></b>				
REVENUES	\$ 750.00	\$ 447,730.35	\$ (446,980.35)	59697.4%
EXPENDITURES	<u>\$ 1,635,000.00</u>	<u>\$ 453,084.82</u>	<u>\$ 1,181,915.18</u>	27.7%
REVENUES OVER/UNDER EXPENDITURES	\$ (1,634,250.00)	\$ (5,354.47)	\$ (1,628,895.53)	

**CITY OF ROLLA**  
**REVENUE/EXPENDITURE REPORT - UNAUDITED**  
**May 31, 2023**  
**67% of Year**

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<b><u>AIRPORT FUND</u></b>				
REVENUES	\$ 800,728.00	\$ 637,850.69	\$ 162,877.31	79.7%
EXPENDITURES	\$ 794,560.00	\$ 611,539.42	\$ 183,020.58	77.0%
REVENUES OVER/UNDER EXPENDITURES	\$ 6,168.00	\$ 26,311.27	\$ (20,143.27)	
<b><u>CEMETERY FUND</u></b>				
REVENUES	\$ 10,500.00	\$ 11,274.48	\$ (774.48)	107.4%
EXPENDITURES	\$ 10,000.00	\$ 150.00	\$ 9,850.00	1.5%
REVENUES OVER/UNDER EXPENDITURES	\$ 500.00	\$ 11,124.48	\$ (10,624.48)	
<b><u>STREET FUND</u></b>				
REVENUES	\$ 6,719,200.00	\$ 5,881,302.26	\$ 837,897.74	87.5%
EXPENDITURES				
STREET	\$ 5,443,085.00	\$ 2,696,925.76	\$ 2,746,159.24	49.5%
TDD	\$ 1,660,000.00	\$ 191,927.59	\$ 1,468,072.41	11.6%
ENGINEERING	\$ 926,750.00	\$ 454,166.43	\$ 472,583.57	49.0%
TOTAL EXPENDITURES	\$ 8,029,835.00	\$ 3,343,019.78	\$ 4,686,815.22	
REVENUES OVER/UNDER EXPENDITURES	\$ (1,310,635.00)	\$ 2,538,282.48	\$ (3,848,917.48)	
<b><u>RECREATION FUND</u></b>				
REVENUES	\$ 450,000.00	\$ 571,008.22	\$ (121,008.22)	126.9%
EXPENDITURES				
AQUATICS	\$ -	\$ 1,981.07	\$ (1,981.07)	#DIV/0!
ADMINISTRATION	\$ 459,025.00	\$ 561,951.38	\$ (102,926.38)	122.4%
MAINTENANCE	\$ -	\$ 23,048.41	\$ (23,048.41)	#DIV/0!
TOTAL EXPENDITURES	\$ 459,025.00	\$ 586,980.86	\$ (127,955.86)	127.9%
REVENUES OVER/UNDER EXPENDITURES	\$ (9,025.00)	\$ (15,972.64)	\$ 6,947.64	
<b><u>PARK FUND</u></b>				
REVENUES	\$ 1,884,900.00	\$ 1,306,216.19	\$ 578,683.81	69.3%
EXPENDITURES				
ADMINISTRATION	\$ 238,075.00	\$ 149,064.00	\$ 89,011.00	62.6%
PARKS	\$ 1,135,145.00	\$ 807,347.04	\$ 327,797.96	71.1%
SPLASHZONE	\$ 254,420.00	\$ 74,493.76	\$ 179,926.24	29.3%
OUTDOOR RECREATION	\$ 184,410.00	\$ 50,920.67	\$ 133,489.33	27.6%
TOTAL EXPENDITURES	\$ 1,812,050.00	\$ 1,081,825.47	\$ 730,224.53	59.7%
REVENUES OVER/UNDER EXPENDITURES	\$ 72,850.00	\$ 224,390.72	\$ (151,540.72)	

CITY OF ROLLA  
 REVENUE/EXPENDITURE REPORT - UNAUDITED  
 May 31, 2023  
 67% of Year

	<u>CURRENT BUDGET</u>	<u>YTD ACTUALS</u>	<u>BUDGET BALANCE</u>	<u>% OF BUDGET</u>
<b><u>PARK LAND RESERVE FUND</u></b>				
REVENUES	\$ 40.00	\$ 119.96	\$ (79.96)	299.9%
EXPENDITURES	\$ 25,000.00	\$ 25,000.00	\$ -	100.0%
REVENUES OVER/UNDER EXPENDITURES	\$ (24,960.00)	\$ (24,880.04)	\$ (79.96)	

III.k.5



CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Police Chief Sean Fagan

ACTION REQUESTED: Final Reading

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

TOTAL BUDGET APPROPRIATION: NA      DATE: July 17th, 2023

\*\*\*\*\*

COMMENTARY:

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

Note:

We are proposing one amendment to Section 41-2(b) which deviates from the statutory language n that the City of Rolla does not prohibit the carrying of weapons in City (local government) facilities. Staff is recommending the following motion to amend the 3<sup>rd</sup> sentence of Sec. 41-2 (b):

“No person shall carry a firearm or other weapon readily capable of lethal use to any election precinct or in any agency of the federal or state government. The Rolla City Council reserves the right to restrict firearms or other weapons of lethal use to City public facilities by formal action of the governing body.”

Recommendation: Motion to amend and Final Reading.

V.A.1

ITEM NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

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

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

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

**Sec. 41-2. Concealed weapons**

- a) No person under the age of 19 (18 if serving in the military or honorably discharged) shall knowingly carry concealed on or about his person, any firearm, knife blackjack or other weapon readily capable of lethal use.
- b) No person shall possess or discharge any firearm while intoxicated. No person shall carry a firearm or other weapon readily capable of lethal use in any church or any school building or on any school grounds without the consent of the pastor, authorized representative or governing body, No person shall carry a firearm or other weapon readily capable of lethal use to any election precinct or in any agency of the federal, state, or local government. A legally qualified sheriff, police officer, or other law enforcement officer in the performance of their duty are exempt from this provision.
- c) For the purpose of this Section, the term "firearm" means any weapon that is designated or adapted to expel or eject a projectile by the action of an explosive.
- d) For the purpose of this Section, "knife" means any dagger, dirk, stiletto, butterfly knife, throwing darts, knuckle knife or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For the purpose of this Section, "knife" does not include any ordinary pocket knife with a blade less than three and one-half (3 ½) inches in length.

**Section 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 17th DAY OF JULY 2023.

APPROVED:

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Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Counselor

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**CITY OF ROLLA  
CITY COUNCIL AGENDA**

**DEPARTMENT:** Community Development

**ACTION REQUESTED:** First 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:** June 19, 2023

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**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 Council postponed the first reading of the ordinance to allow for additional time to consider the ordinance, particularly in relation to how the ordinance would impact the overnight shelter regulations.

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 text of the proposed Zoning and Subdivision Regulations has been revised to be in a final format, add clarification for notice for large-scale rezoning/text amendment actions, and to correct a few typos.

**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; Final version of proposed Zoning and Subdivision Regulations; Final version of proposed Official Zoning Map

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 7<sup>TH</sup> DAY OF AUGUST, 2023.

APPROVED:

ATTEST:

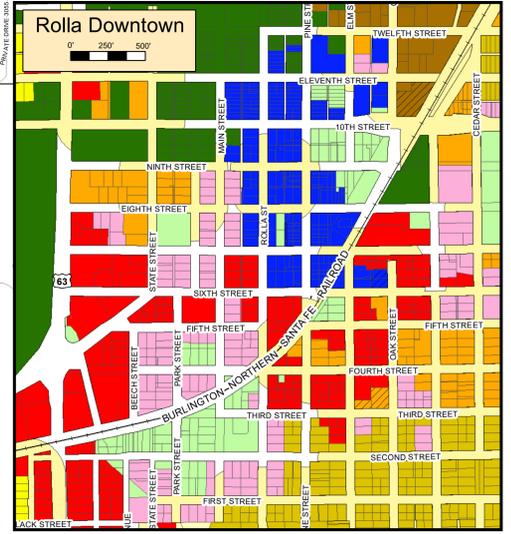
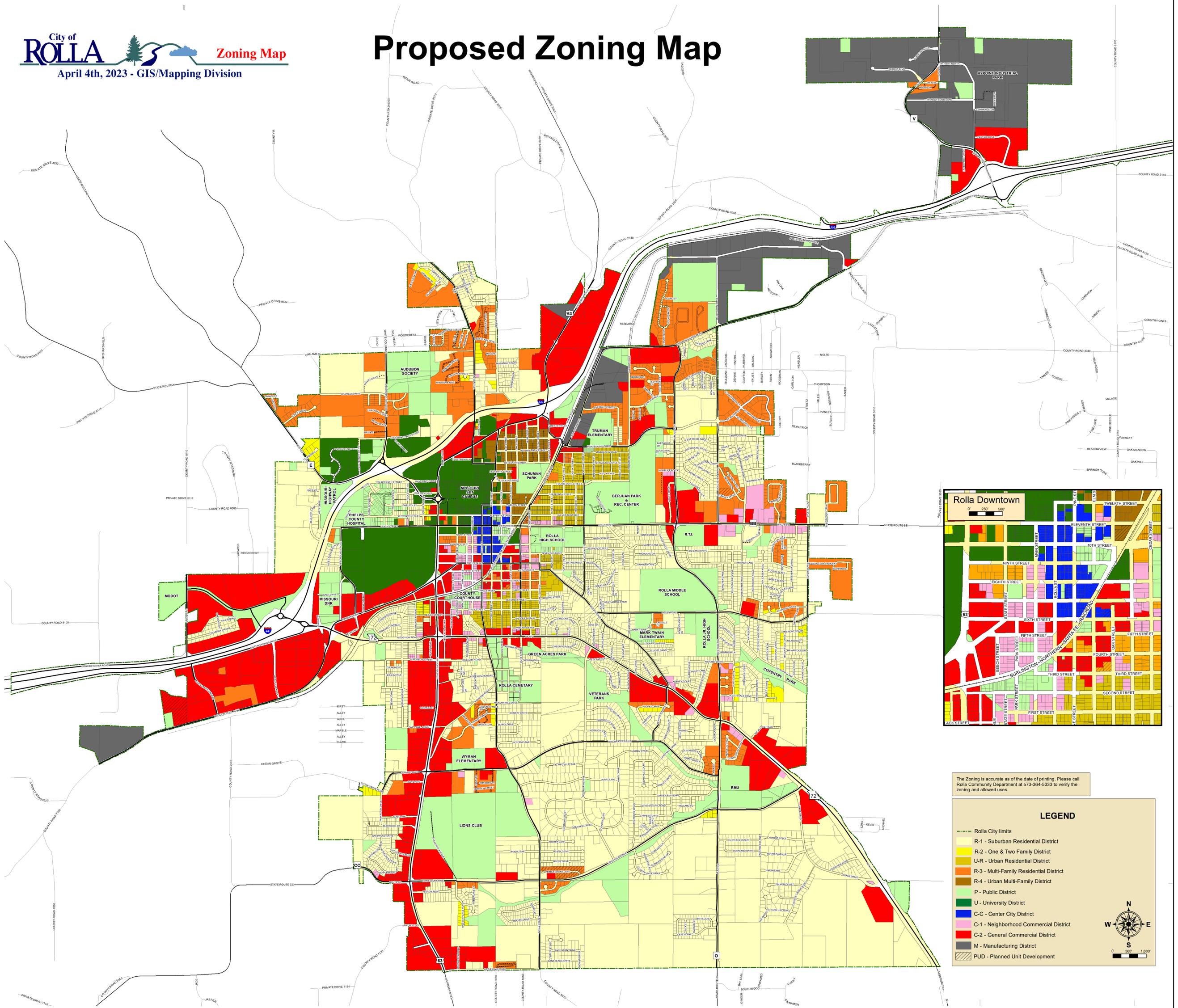
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
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



0' 500' 1,000'

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**CITY OF ROLLA  
CITY COUNCIL AGENDA**

**DEPARTMENT:** Community Development

**ACTION REQUESTED:** First Reading

**SUBJECT:** Ozark Terrace, 3<sup>rd</sup> Addition: A Minor Subdivision to subdivide one residential lot into two lots at 514 Keeton Rd

(SUB23-02)

**MEETING DATE: July 17, 2023**

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**Application and Notice:**

Applicant/Owner - Shawn Coverdell  
Public Notice - <https://www.rollacity.org/agenda.shtml>

**Background:** The applicant seeks to subdivide the lot into two lots. Lot 13B has the existing house and faces Keeton Rd.

Lot 13A would be intended for construction of a duplex facing Lions Club Rd. Lot 13A is also proposed to be rezoned from the R-1, Single-family district to the R-2, Two-family district. The rezoning and subdivision have been submitted concurrently because the rezoning is not necessary to subdivide the property. The lot is divided by an existing sewer line. The lot line between the two lots is located to allow for enough space for the proposed duplex and meet all setbacks.

**Property Details:**

Current zoning - R-1, Single-family (proposed to rezone Lot 13A to R-2, Two-family)  
Current use - Single-family and vacant/undeveloped  
Land area - Lot 13A: 0.29 (~12,600 SF); Lot 13B: 0.17 (~7,400 SF)

**Public Facilities/Improvements:**

Streets - The subject property has frontage on Lions Club Rd, a major arterial road; and Keeton Rd, a local street.  
Sidewalks - Sidewalks are not located adjacent to the property. Sidewalks may be required at the time of redevelopment.  
Utilities - The subject property should have access to all needed utilities, although utilities for Lot 1 are proposed to be provided by a utility easement.

**Comprehensive Plan:** The Comprehensive Plan designates the subject property as being appropriate for Medium/High Density Residential uses.

**Discussion:** The proposed plat appears to meet all zoning and subdivision requirements. Direct access to Lions Club Rd would be permitted at this location.

**Planning and Zoning Commission Recommendation:**

The Rolla Planning and Zoning Commission conducted a meeting on July 11, 2023 and voted 5-0 to recommend approval of the request.

**Prepared by:** Tom Coots, City Planner

**Attachments:** Area Map, Revised Plat, Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF OZARK TERRACE, 3<sup>RD</sup> ADDITION.**

**(SUB 23-02)**

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

**SECTION 1:** An ordinance approving the Minor Subdivision Final Plat of Ozark Terrace, 3<sup>rd</sup> Addition, a subdivision in City of Rolla, Phelps County, Missouri through the subdivision process.

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 7<sup>TH</sup> DAY OF AUGUST, 2023.**

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

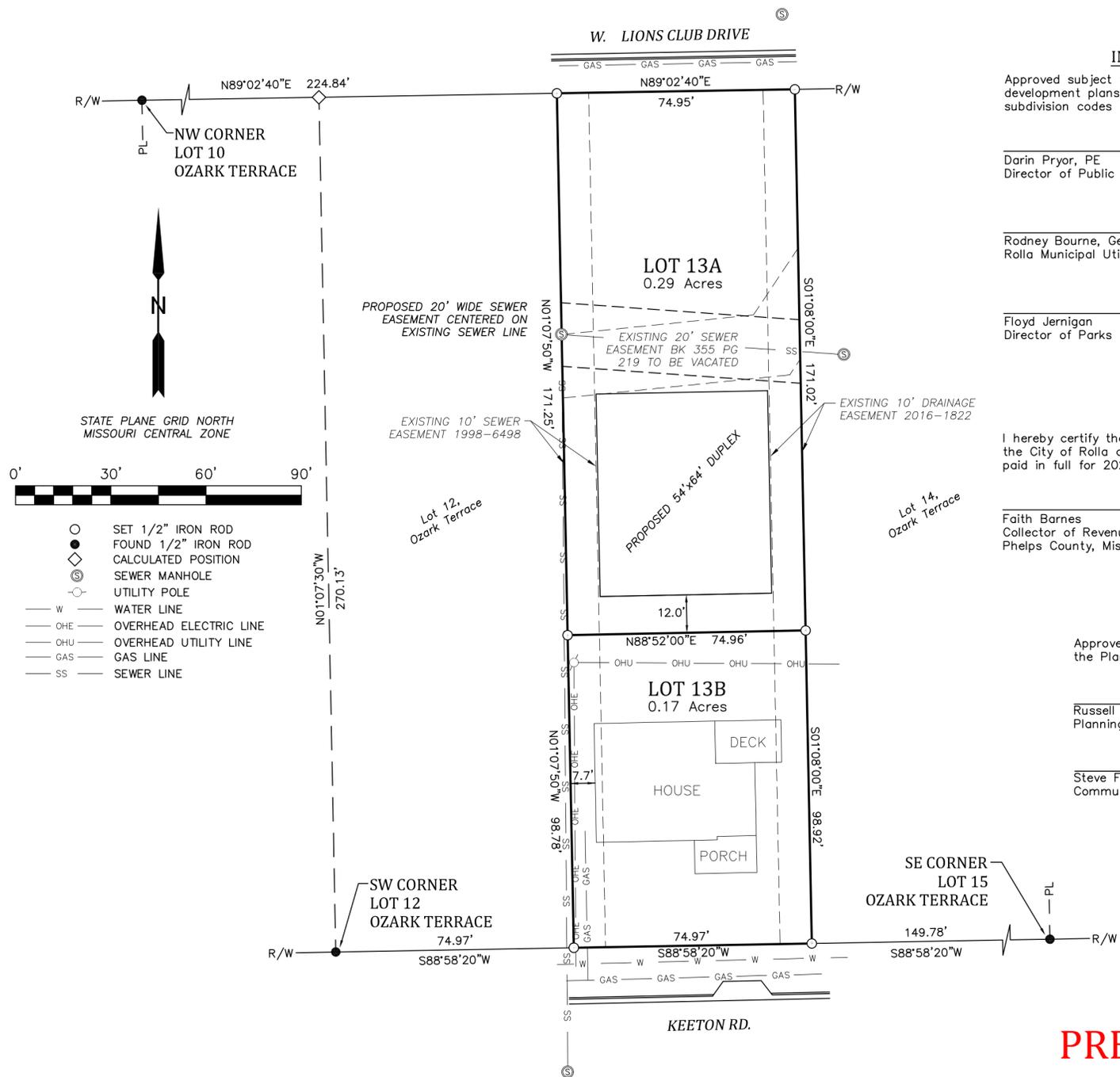
APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor



# OZARK TERRACE THIRD ADDITION

A Resubdivision of Lot 13 of Ozark Terrace Addition To  
The City of Rolla, Missouri



**SURVEYOR'S CERTIFICATION**

Know all men by these presents:  
That I, Jason Lortz, do hereby certify that this plat meets Missouri Minimum Standards for Property Boundary Surveys and was prepared under my supervision from actual survey of the land herein described prepared by Lortz Surveying, LLC dated June 16, 2023 and signed by Jason Lortz L.S. No. 2012000096 and that corner monuments and lot corner pins shown herein were placed under the personal supervision of Jason Lortz L.S. No. 2012000096 in accordance with Article II, Chapter 42, of the City Code of Rolla, Missouri.

Jason Lortz \_\_\_\_\_ Date \_\_\_\_\_  
PLS 2012000096

**DESCRIPTION**

Lot Thirteen (13) in Ozark Terrace Addition to the City of Rolla, Missouri.

**IMPROVEMENT ACCEPTANCE**

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

\_\_\_\_\_  
Darin Pryor, PE Director of Public Works Date \_\_\_\_\_

\_\_\_\_\_  
Rodney Bourne, General Manager Rolla Municipal Utilities Date \_\_\_\_\_

\_\_\_\_\_  
Floyd Jernigan Director of Parks Date \_\_\_\_\_

**COUNTY & CITY TAX RELEASE**

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2022 and all prior years.

\_\_\_\_\_  
Faith Barnes Collector of Revenue Phelps County, Missouri Date \_\_\_\_\_

**PLANNING AND ZONING APPROVAL**

Approved the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Planning and Zoning Commission of Rolla, Missouri.

\_\_\_\_\_  
Russell Schmidt, Chairman Planning and Zoning Commission

\_\_\_\_\_  
Steve Flowers Community Development Director

**PRELIMINARY**

**NOTES**

1. Type Urban Accuracy Standards.
2. Parent Title Reference: 2022-5187.
3. Field work performed in June 2023.
4. A current title report has not been furnished to the land surveyor by the client, and no investigation has been conducted as to the present status of easements or other restrictive conditions affecting the subject land.

VI.A.5

**DEDICATION**

Whereas, Shawn P. Coverdell, therein called ("DEDICATOR") is the owner of the premises described on this plat, and

Whereas, DEDICATOR desires to subdivide the land as shown on this plat with said subdivision to be named "OZARK TERRACE THIRD ADDITION".

DEDICATOR does hereby dedicate to the public use forever all easements shown upon this plat and subdivides the premises shown on this plat so that all of said premises will now be known as "OZARK TERRACE THIRD ADDITION".

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

In witness whereof, the DEDICATOR has executed this dedication this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

by: \_\_\_\_\_  
Shawn P. Coverdell

State of Missouri }  
County of Phelps } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared Shawn P. Coverdell, to me known to be the person described in and who executed the same as their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public My commission expires \_\_\_\_\_

**ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL**

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

\_\_\_\_\_  
Louis J. Magdits, IV Mayor, City of Rolla Date \_\_\_\_\_

\_\_\_\_\_  
Lorri Thurman City Clerk Date \_\_\_\_\_

**LORTZ SURVEYING**  
P.O. Box 767 • 231 W. Commercial Street Lebanon, Missouri 65536  
Phone 417-991-8115 • www.lortzsurveying.com • LS: 2012028494

  
**LORTZ SURVEYING, LLC**

Survey of Lot 13  
Ozark Terrace Addition  
Rolla, Missouri

Shawn P. Coverdell  
Rolla, Missouri

Drawn by EJL/SJM	Scale 1" = 30'	Survey No.
Checked by EJL	Date 6/16/2023	

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CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Chief Sean Fagan

ACTION REQUESTED: 1<sup>st</sup> and Final Reading

ITEM/SUBJECT: Revision of Ordinance 31-37(e) Relating to Parks and Recreation Enforcement

BUDGET APPROPRIATION (IF APPLICABLE): \$ N/A

DATE: July 17, 2023

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Commentary:

We are requesting the City Council take immediate action to amend section 31-37(e) of the city code. There is currently a typo that in that section that refers to section 1-8 of the Code for penalties, which is an ordinance about the city seal, when it should be pointing to section 1-7. Until that is amended, the court is not permitting our City Prosecutor to proceed on any tickets written in violation of any offenses contained in section 31, which include loitering, sleeping in parks, being present after hours, etc.

Recommendation:

As this has been an increased area of concern by City Council and enforcement emphasis by officers, we are requesting a motion to approve this ordinance for immediate revision.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 31-37(E) OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 31-37(E) IN LIEU THEREOF RELATING TO PARKS AND RECREATION ENFORCEMENT.

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

**Section 1:** That Section 31-37(e) of the Rolla City Code is hereby repealed and a new Section 31-37(e) is hereby enacted to read as follows:

**Sec. 31-37. Enforcement.**

(e) *Penalties for violation.* Any person violating the provisions of any section of this chapter shall be subject to the penalties provided in section 1-7 of the Code of Ordinances, except in the event the person violating the provisions of this chapter is, by reason of age, not subject to the jurisdiction of the municipal court of the city [sic].

**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 17th DAY OF JULY, 2023.

APPROVED:

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY COUNSELOR

CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Chief Sean Fagan

ACTION REQUESTED: 1<sup>st</sup> Reading

ITEM/SUBJECT: Marijuana Ordinance

BUDGET APPROPRIATION (IF APPLICABLE): \$ N/A

DATE: July 17, 2023

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Commentary:

We are amending our current marijuana ordinance to match Missouri State Law.

Recommendation:

First reading of the proposed ordinance change.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 30-16 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI, KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, PERTAINING TO MARIJUANA POSSESSION.

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

**Section 1:** That Section 30-16. Marijuana – Possession, of the General Ordinances of the City of Rolla, Missouri, known as the Code of the City of Rolla, Missouri, pertaining to marijuana possession, is hereby amended to read as follows:

**Sec. 30-16. Marijuana - Possession.**

(a) It is unlawful for any person under the age of 21 to have in their possession or under his control marijuana in any quantity, or to have in their possession drug paraphernalia commonly used for the consumption and/or manufacturing of marijuana.

(b) For the purposes of this Section, "marijuana" means all parts of the plant genus Cannabis in any species or form thereof, including, but not limited to Cannabis Sativa L., Cannabis Indica, Cannabis Americana, Cannabis, Ruderalis and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from stalks (except the resin extracted therefrom), fiber, oil or cake or the pound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake or the sterilized seed of the plant which is incapable of germination.

(c) For the purposes of this Section, "drug paraphernalia" means all equipment, products, substances and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance.

(d) Any person who violates the provisions of this Section is guilty of a civil infraction and, upon conviction, shall be punished by a fine not to exceed \$100.

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

Ordinance No. \_\_\_\_\_  
Page 2

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND  
APPROVED BY THE MAYOR THIS 17<sup>th</sup> DAY OF JULY 2023.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

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CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT HEAD: City Administrator John Butz

ACTION REQUESTED: Discussion

ITEM/SUBJECT: Obscenity Ordinance

TOTAL BUDGET APPROPRIATION: NA

DATE: July 17th, 2023

\*\*\*\*\*

COMMENTARY:

On June 19<sup>th</sup>, City Council heard considerable feedback from community representatives expressing both support and objection to the June 10<sup>th</sup> Pride Event held at the public Bandshell. City Council asked Staff to review the 2006 ordinance adopted in Chesterfield, MO to establish an obscenity ordinance and one that particularly addresses minors exposure to same.

RSMO Chapter 573 lays out Missouri’s laws pertaining to pornography and obscenity and some specific references to prohibition on the public exposure to minors. There is nothing in Missouri law, and in Chesterfield’s ordinance for that matter, that would prohibit minors from participating in “drag shows”. However the content of what could take place at such public venues could be a violation of state law. Rolla has adopted regulations regulating “sexually oriented businesses” but does not per se have an “obscenity ordinance”. Instead any violation of pornography/obscenity would pursue State law where penalty violations are generally more significant than municipal infractions or ordinance violations.

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

VI.D.1

ITEM NO. \_\_\_\_\_

Sample Ordinance – Public Display of Obscene material  
(based on City Chesterfield)

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

WHEREAS, There exists the need to prevent commercial exposure of minors to sexually provocative written, photographic, printed, or published materials as these are hereafter defined and which are hereby declared to be harmful to minors; 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 commercial dissemination of such sexually provocative written, photographic, printed, or published materials deemed harmful to minors be restricted to persons at least 17 years old; or if available to minors under the age of 17 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

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

**SECTION 1:** Definitions:

- a) **HARMFUL TO MINORS:** The quality of any description or representation, in whatever form, of nudity, sexual conduct, or sexual excitement, when it:
  - i. predominately appeals to the prurient, shameful, or morbid interest of minors in sex; and
  - ii. is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors; and
  - iii. taken as a whole, excepting a cover, which shall stand alone, lacks serious literary, artistic, political or scientific value.
  
- b) **KNOWINGLY:** Having a general knowledge of, or reason to know, or a belief or ground for belief, which warrants further inspection or inquiry or both:
  - i. the character and content of any material which is reasonably susceptible of examination by the defendant; and
  - ii. the age of the minor, provided however that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.

- c) MINOR: Any person under the age of 17 years.
- d) NUDITY: The showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernible turgid state.
- e) OBSCENE: Any material or performance is obscene, if:
  - i. the average person, applying contemporary adult community standards, would find that, taken as a whole, the material or performance appeals to the prurient interest in sex; and
  - ii. the average person, applying contemporary adult community standards, would find that, taken as a whole, the material or performance depicts, describes or portrays in a patently offensive way, human sexual intercourse, sodomy, bestiality, oral copulation, masturbation, urinary and defecatory functions, sadism, masochism, sado-masochistic abuse, lewd exhibition of the genitals or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone, or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification; and
  - iii. the reasonable person, when taking the material or performance as a whole, would find that it lacks serious social, literary, artistic, political or scientific value.
- f) PERFORMANCE: Any play, motion picture, dance or other exhibition performed before an audience.
- g) SEXUAL CONDUCT: Includes any of the following depicted sexual conduct:
  - i. Any act of sexual intercourse, actual or simulated, including genial-genital, anal-genital, or oral-genital intercourse, whether between human beings or between human being and an animal.
  - ii. Sadomasochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a revealing costume or the condition of being fettered, bound or otherwise physically restricted on the part of one so clothed.
  - iii. Masturbation or lewd exhibitions of the genitals including any explicit, close-up representation of a human genital organ
  - iv. Physical contact or simulated physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same sex or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

- v. Published or printed material depicting an act of sexual assault where physical violence or drugs are employed to overcome the will of or achieve the consent of a person to an act of sexual conduct and the effects or results of the violence or drugs are shown.
- h) **SEXUAL EXCITEMENT:** The condition of human male or female genitals when in a state of sexual stimulation or arousal.

## **SECTION 2:**

Public display of obscene sexual material or an obscene performance is unlawful. A person is guilty of the public display of obscene sexual material or an obscene performance when, with knowledge of its character and content, he displays or permits to be displayed in or on any window, showcase, newsstand, display rack, stage, performance area, public space, wall, door, billboard, display board, viewing screen, moving picture screen, marquee or similar place, in such a manner that the display is easily visible from or in any: public street, sidewalk or thoroughfare; transportation facility; or any place accessible to members of the public and including but not limited to schools, bars, restaurants, clubs, places of amusement, parks and playgrounds but excluding rooms or rooms \_ however may be displayed in a manner that would make the material easily visible from a public street, sidewalk or thoroughfare; any performance, pictorial, three-dimensional or other visual representation of a person or a portion of the human body that is obscene, and that:

- i. depicts nudity, or actual or simulated sexual conduct; or
- ii. depicts or appears to depict nudity, or actual or simulated sexual conduct, with the area of the male or female subject's unclothed or apparently unclothed genitals, pubic area or buttocks, or of the female subject's unclothed or apparently unclothed breast, unless obscured by a covering or mark placed or printed on or in front of the material displayed, or obscured or altered in any other manner.

## **SECTION 3:**

It is unlawful for any person commercially and knowingly to exhibit, display, sell, offer to sell, give away, circulate, distribute, or attempt to distribute any material which is harmful to minors in its content in any place where minors are or may be present or allowed to be present and where minors are able to view such materials unless each item of such material is at all times kept in a sealed wrapper.

- i. It is also unlawful for any person commercially and knowingly to exhibit, display, sell, offer to sell, give away, circulate, distribute, or attempt to distribute any material whose cover, covers or packaging, standing alone, is harmful to minors, in any place where minors are or may be present or allowed to be present and where minors are able to view such material unless each item of such materials is blocked from view by an opaque cover. The requirement of opaque cover shall be deemed satisfied concerning such material if those

portions of the cover, covers or packaging containing such materials harmful to minors is blocked from view by an opaque cover.

- ii. The provisions of this section shall not apply to distribution or attempt to distribute by the exhibition, display, sale, offer of sale, circulation, giving away of material harmful to minors where such material is sold, exhibited, displayed, offered for sale, given away, circulated, distributed, or attempted to be distributed under circumstances where minors are not present, not allowed to be present or are not able to view such materials or the cover, covers, or packaging of such material. Any business may comply with the requirements of this clause by physically segregating such material in a manner so as to physically prohibit the access to and view of the material by minors, by prominently posting at the entrance(s) to such restricted area, "Adults Only- You must be 17 to enter," and by enforcing said restriction.
- iii. All acts of distribution or attempt to distribute by the exhibition, display, sale, offer of sale, circulation, giving away of material harmful to minors where such material is sold, exhibited, displayed, offered for sale, given away, circulated, distributed, or attempted to be distributed under circumstances where minors are not present, not allowed to be present or are not able to view such materials or the cover, covers, or packaging of such material shall take place only in such areas as are permitted pursuant to Chapter 17, Article VII.

#### **SECTION 4:**

The following are exempt from criminal or other action hereunder:

- i. Recognized and established schools, religious institutions, museums, medical clinics and physicians, hospitals, public libraries, governmental agencies or quasi-governmental sponsored organizations, and persons acting in their capacity as employees or agents of such organization. For the purpose of this section, "recognized and established" shall mean an organization or agency having a full time faculty and diversified curriculum in the case of a school; a religious institution affiliated with a national or regional denomination; a licensed physician or psychiatrist or clinic of licensed physicians or psychiatrists; and in all other exempt organizations shall refer only to income tax exempted organizations which are supported in whole or in part by tax funds or which receive at least one third of their support from publicly donated funds.
- ii. Individuals in a parental relationship with the minor.

#### **SECTION 5:**

Violation of Section 2, public display of obscene sexual material or an obscene performance, shall be punishable by a fine of not less than Five Dollars (\$5.00) and not more than One Thousand Dollars (\$1,000.00) or by imprisonment for a period of not to exceed three (3) months or by both such fine and imprisonment. Each day of such public display of obscene material or an obscene performance may be considered as separate offenses.

Violation of Section 3 shall be punishable by a fine of not less than Five Dollars (\$5.00) and not more than One Thousand Dollars (\$1,000.00) or by imprisonment for a period of not to exceed three (3) months or by both such fine and imprisonment. Each sale or distribution may be considered as separate offenses.

**CITY OF ROLLA  
CITY COUNCIL AGENDA**

**DEPT. HEAD:** Jeff Breen, Fire Chief

**ACTION REQUESTED:** Motion

**ITEM/SUBJECT:** Purchase Turnout Gear

**BUDGET APPROPRIATION:** \$58,252.70

**DATE:** July 17, 2023

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On July 12, 2023, the City of Rolla Fire & Rescue received bids for the purchase of Firefighter Turnout Gear. The department solicited bids from five turnout gear manufactures.

The department received one bid from McQueen Emergency – Eureka, MO for the purchase of 11 sets of Athletics Turnout Gear – MSA Globe Manufacturing. Bid per set was \$5,295.70.

Currently, each of our Firefighters wear Athletics Turnout Gear manufactured by MSA Globe – Manufacturing. The Athletics Fit Turnout Gear is designed with unique stretch fabrics that allow closer, body-contoured fit to provide unprecedented range of motion with less bulk, more flexibility, and lighter weight.

Our personnel unanimously endorse the purchase of this specific gear as it provides greater comfort, lighter weight, and safety factors. Each set of gear is measured specifically for each firefighter. Due to the heavy use of the gear by our personnel, each firefighter receives a new set of turnout gear every three years.

In January 2023, the City of Rolla was awarded an ARPA grant through the Department of Homeland Security for the purchase of Turnout Gear. Most all fire departments in Missouri were awarded this grant.

Our agency received a \$20,000 grant that required a 50/50 hard match. The department will use approved funds from the 2022 – 2023 budget to match the grant requirements.

The department is recommending a motion to award the bid of \$5,295.70 per set to McQueen Emergency for a total amount of \$58,252.70

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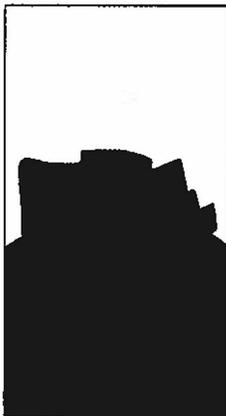
# Globe ATHLETIX™ Jacket



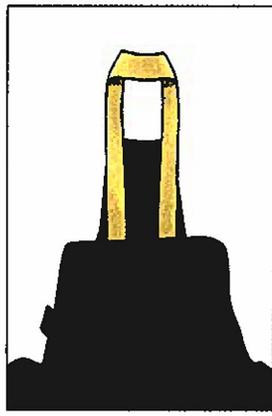
Innovative material technology enables an all-new athletic design with unique stretch fabrics that allow closer, body-contoured fit to provide unprecedented range of motion with less bulk, more flexibility, and lighter weight.

- More streamlined design with vertical seaming reduces oversize in front chest, bulk under SCBA, and stiffness in front closure
- PBI® STRETCH fabric with KEVLAR® allows closer, less bulky fit with unprecedented range of motion and more flexibility while providing premium thermal break open protection
- More flexible seams are safety-stitched and double-needle top-stitched for strength but are less bulky and lay flatter

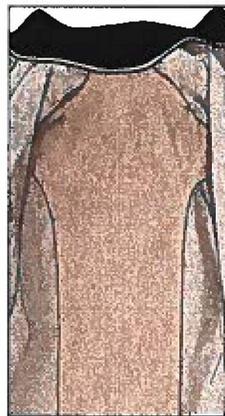
ASKA QUESTION



**Less Bulky, Softer, and More Adjustable Collar**  
Interfaces better with hood and helmet and reduces head restriction



**DRD Opening in the Collar**  
Takes bulk out of the upper back and allows better access above the SCBA



**Stretch Panels**  
In the thermal barrier work with the stretch outer shell to provide maximum range of motion and minimum



**Elasticized Side Panels**  
Provide flexible, more athletic fit at the waist



**Articulated Elbows**  
For body-contoured fit with minimum restriction



**Overlapping Front Closure with Optional Zippergripper™ (patent pending)**  
To reduce bulk and permit quicker and easier donning and doffing



**Cargo Pockets with Grip Tabs**  
For quicker and easier access to all your stuff in the minimum amount of time



**Telescoping Sleeve Band with Double Wristers**  
Keeps water out and adds thermal protection