Open Citizen Comment Procedure

1) Public Hearings – Any citizen is allowed to ask questions and/or make comments during any public hearing scheduled for a particular issue.

2) “Citizen Communication” – Public comment can be provided on any item on the agenda or on issues affecting the City not on the agenda. Public comments should generally be limited to 3-5 minutes. Citizens are encouraged (but not required) to contact City Administration one week prior to the meeting, preferably in writing, to be placed on the agenda. Doing so provides Council an opportunity to give consideration to the issue/comment.

Rolla City Council Meeting
Monday, June 15, 2015
901 North Elm Street
City Hall Council Chambers
6:30 P.M.

COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE
Councilman Kelly Long

I. PUBLIC HEARINGS
None.

II. SPECIAL PRESENTATIONS
A) Review of Fiscal Year 2014 City of Rolla Independent Audit
   A.1) Motion Accepting Fiscal Year 2014 Independent Audit
B) Bi-Annual Citizen Survey – ETC Leisure Vision – Mr. Jason Morado
C) Rolla Historic Preservation Commission - Mr. Randy Stratman

III. OLD BUSINESS
A) Ordinance Amending Certain Provisions of Chapter 42 of the Rolla City Code Pertaining to the Definition of “Dwelling, Attached Single Family Dwelling & Townhouse” – (Community Development Director John Petersen) – Final Reading
B) Ordinance Amending Certain Provisions of Chapter 42 of the Rolla City Code Pertaining to Area Requirements” for Maximum Number of Bedrooms Permitted in R-2 & R-3 Districts – (Community Development Director John Petersen) – Final Reading
C) Ordinance Amending Certain Provisions of Chapter 42 of the Rolla City Code Pertaining to Required Parking Spaces – (Community Development Director John Petersen) – Final Reading
D) Ordinance Authorizing the Mayor to Enter into a Contract with Don Maggi, Inc., for Project 367- Osage, Longview & Second Street Improvements – (Public Works Director Steve Hargis) – Final Reading
E) Ordinance Authorizing the Mayor to Enter into a Contract with Rolla Asphalt, LLC. for 2015 Phase III Asphalt Improvements – Pine Street Overlay – (Public Works Director Steve Hargis) – Final Reading
F) Ordinance Amending Section 14-44(a) of the Rolla City Code Pertaining to Discharging of Fireworks – (City Administrator John Butz) – Final Reading
IV. **NEW BUSINESS**
   A) **Ordinance** Repealing Section 35-180 of the Rolla City Code and Enacting a New Section 35-180 in Lieu Thereof Pertaining to Fluoride – (City Administrator John Butz) – **First Reading**
   
   B) **Motion** Authorizing the Formation and Process for the Fire Chief Search – (City Administrator John Butz) - **Motion**

V. **CLAIMS and/or FISCAL TRANSACTIONS**
   None.

VI. **MAYOR/CITY COUNCIL COMMENTS**

VII. **CITIZEN COMMUNICATION**
   A) Open Citizen Communication

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

IX. **CLOSED SESSION**
   Pursuant to RSMo. 610.021, the Rolla City Council will discuss the following in Closed Session: **None**

X. **ADJOURNMENT**
CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT: Steffanie D. Rogers  
Finance Director

ACTIONS REQUESTED: Motion

DATE:     June 10, 2015       BUDGET APPROPRIATION: $ 0.00

SUBJECT: Consider Motion to Approve Fiscal Year 2014 Independent Audit

COMMENTARY:

Tammy Alsop of Hochschild, Bloom & Company, LLP will present an overview of the fiscal year 2014 independent audit. This year’s management letter contains two (2) informational recommendations. Please see the attached letter from Hochschild, Bloom & Company, LLP, as well as the following for a comment overview and corresponding explanation:

1. Federal and State Grant Reimbursement Requests – This recommendation suggests that the City review its system for tracking the amount of grant receivable dollars and timely requesting the appropriate related grant revenue. In order to comply with this recommendation, the City will continue to review and submit grant reimbursement requests close to the fiscal year end to insure the proper recording on the final statements.

2. GASB Statement Number 54 Implementation – This recommendation suggests that the City adopt its fund balance policy in accordance with GASB 54, tailored to the City’s needs. In order to comply with this recommendation, the City will continue to work within the current practices and adopt a formal policy reflecting procedures compliant with GASB 54.

Staff is recommending a motion to accept the independent audit for fiscal year 2014.
Findings for the year ended September 30, 2014:

1. COMMENT

   We noted grant program amounts were not requested from the state and federal agencies in a timely manner and, therefore, the City was not able to collect the grant reimbursements.

   RECOMMENDATION

   We recommend the City review its system for tracking the amount of grant receivable and timely request the appropriate related grant revenue.

2. COMMENT

   We noted the City did not approve a fund balance policy in accordance with GASB Statement No. 54 (GASB 54), Fund Balance Reporting and Governmental Fund Type Definitions.

   RECOMMENDATION

   We recommend the City adopt its fund balance policy in accordance with GASB 54, tailored to the City's needs.
Overview and Methodology

The City of Rolla conducted its eighth DirectionFinder® survey during the spring of 2015 to assess citizen satisfaction with the delivery of major city services and to help determine priorities for the community as part of the City’s ongoing planning process.

The seven-page survey was administered by phone to a random sample of 415 households in the City. The results for the random sample of 415 households have a 95% level of confidence with a precision of at least +/- 4.8%. The percentage of “don’t know” responses has been excluded from the graphs shown in this report to facilitate valid comparisons with previous surveys that were conducted in 2008 and 2013.

This report contains:

- an executive summary of the methodology and major findings
- charts depicting the overall results of the survey along with comparisons to the results from previous surveys (years 2008 and 2013)
- benchmarking data that shows how the survey results for Rolla compare to other cities in the United States and in Kansas and Missouri
- importance-satisfaction analysis to help the City use survey data to set priorities
- tabular data that shows the overall results for each question on the survey
- a copy of the survey instrument

Interpretation of “Don’t Know” Responses. The percentage of persons who gave “don’t know” responses is important because it often reflects the level of utilization of City services. For graphical purposes, the percentage of “don’t know” responses has been excluded to facilitate valid comparisons with data from previous years. The percentage of “don’t know” responses for each question is provided in the Tabular Data (Section 4) of this report. When the “don’t know” responses have been excluded, the text of this report will indicate that the responses have been excluded with the phrase “who had an opinion.”
Quality of Life in the City
Sixty-seven percent (67%) of the residents surveyed, who had an opinion, were “very satisfied” or “satisfied” with the overall quality of life in the City; 23% were neutral and 10% were dissatisfied.

Overall Satisfaction with City Services
Seventy percent (70%) of the residents surveyed, who had an opinion, were “very satisfied” or “satisfied” with the overall quality of services provided by the City; 20% were neutral and 9% were dissatisfied. The highest levels of satisfaction with the Major Categories of City services, based upon the combined percentage of “very satisfied” and “satisfied” responses of residents who had an opinion, were: refuse collection services (90%), police and fire services (88%), City water/sewer utilities (78%), and customer service received from City employees (78%).

Top Priorities
The major categories of City services that residents thought should receive the most emphasis from City leaders over the next two years based on the percentage of residents who selected the item as one of their top choices were: (1) the maintenance of City streets/buildings/facilities, (2) the flow of traffic/congestion management and (3) parks and recreation programs/facilities.

Satisfaction with Specific City Services

- **Public Safety.** The highest levels of satisfaction with Public Safety services, based upon the combined percentage of “very satisfied” and “satisfied” responses of residents who had an opinion, were: the overall quality of the local fire protection (90%), how quickly the fire department responds to emergencies (90%), emergency medical services (88%), local police protection (85%), and how quickly police respond to emergencies (80%).

- **Parks and Recreation.** The highest levels of satisfaction with Parks and Recreation services, based upon the combined percentage of “very satisfied” and “satisfied” responses of residents who had an opinion, were: walking/biking trails in the City (90%), the location of City parks (78%), and outdoor athletic fields (75%).

- **City Maintenance.** The highest levels of satisfaction with City Maintenance services, based upon the combined percentage of “very satisfied” and “satisfied” responses of residents who had an opinion, were: the maintenance of traffic signals/street signs (80%), the adequacy of the sewer service (78%), the maintenance of City buildings (75%), and water quality/supply (75%).
- **Code Enforcement.** The Code Enforcement services that residents were most satisfied with, based upon the combined percentage of "very satisfied" and "satisfied" responses of residents who had an opinion, were: the enforcement of codes designed to protect public safety (58%), the enforcement of sign regulations (53%) and the enforcement of zoning regulations (47%).

- **City Leadership.** Fifty-five percent (55%) of the residents surveyed who had an opinion, were "very satisfied" or "satisfied" with the effectiveness of the City Administrator/appointed staff; 52% of residents were satisfied with the leadership provided by the City's elected officials and 49% were satisfied with the effectiveness of appointed boards/commissions.

- **City Communications.** The highest levels of satisfaction with City Communication services, based upon the combined percentage of "very satisfied" and "satisfied" responses of residents who had an opinion, were the availability of information about City programs/services (55%) and City efforts to keep residents informed about local issues (47%).

**Trends in Satisfaction Ratings**
There were no items that showed significant increases in satisfaction ratings from 2013 to 2015 (changes of 5% or more are considered significant). The areas that showed the most significant decreases from 2013 to 2015 are listed below:

**Short-Term Trends – Significant Decreases from 2013 to 2015:**

- The City's municipal court (-27%)
- Enforcing sign regulations (-23%)
- Enforcing City zoning regulations (-21%)
- Enforcing the maintenance of residential property (-21%)
- Enforcing codes designed to protect public safety (-20%)
- Effectiveness of Administrator and appointed staff (-20%)
- Overall image of the City (-20%)
- Enforcing the mowing and trimming of lawns (-19%)
- Effectiveness of appointed boards and commissions (-19%)
- Safety from property crime (-18%)
- Enforcing the maintenance of business property (-18%)
- Enforcing the clean-up of litter, junk, and derelict cars (-18%)
- Leadership provided by the City's elected officials (-18%)
- The City's adult athletic programs (-17%)
- Efforts to keep residents informed about local issues (-17%)
- Overall quality of life in the City (-16%)
The areas that showed the most significant long-term increases and decreases from 2008 to 2015 are listed below:

**Long-Term Trends – Significant Increases from 2008 to 2015:**

- Walking and biking trails in the City (+13%)
- City electric utility (+9%)
- City water and sewer utilities (+8%)

**Long-Term Trends – Significant Decreases from 2008 to 2015:**

- Safety from property crime (-20%)
- Enforcing the maintenance of business property (-18%)
- Fees charged for recreation programs (-17%)
- Efforts to keep residents informed about local issues (-17%)
- Parks and recreation programs and facilities (-17%)
- Safety in Rolla’s parks after dark (17%)
- Enforcing City zoning regulations (-16%)
- Enforcing the maintenance of residential property (-16%)
- Information about City programs and services (-16%)
- Enforcing the mowing and trimming of lawns (-15%)

**How the City of Rolla Compares to Other Communities**

**Overall Satisfaction.** The City of Rolla is setting the standard with regard to the overall quality of City services. Seventy percent (70%) of the residents surveyed were satisfied (ratings of 4 or 5 on a 5-point scale) with the overall quality of City services compared to a national average of just 57% and a Missouri/Kansas regional average of 54%.

**Satisfaction with Specific Areas.** The City of Rolla rated at or above the U.S. and Missouri/Kansas regional averages in 30 of the 48 areas that were assessed on the survey. The individual areas where the City of Rolla is setting the standard for service delivery (rating 10% or more above the national average) among other U.S. communities are listed below and on the next page:

- Walking and biking trails in the City (+35%)
- Customer service from City employees (+23%)
- Stormwater runoff/management system (+14%)
- Overall quality of services provided (+13%)
- City communication with the public (+11%)
- Value received for city tax dollars and fees (+11%)
- Local police protection (+11%)
- Safety in neighborhoods after dark (+11%)
- The City’s adult athletic programs (+11%)
- Police response time to emergencies (+10%)

The individual areas where the City of Rolla is setting the standard for service delivery (rating 10% or more above the regional average) among Missouri and Kansas communities are listed below:

- Walking and biking trails in the City (+36%)
- Customer service from City employees (+28%)
- Overall quality of services provided (+16%)
- Value received for City tax dollars and fees (+15%)
- Local police protection (+12%)
- Quality of animal control (+12%)
- Visibility of police in neighborhoods (+12%)
- Stormwater runoff/management system (+11%)
- The City’s adult athletic programs (+11%)

Other Findings

- The areas of the City where residents felt most safe, based upon the combined “very safe” and “safe” ratings among residents who had an opinion, were: in neighborhoods during the day (94%), in the downtown area during the day (93%) and in Rolla’s parks during the day (91%). Residents felt least safe in Rolla’s parks after dark (39%).

- The parks and recreation system improvements that residents were most supportive of, based upon on the combined “very supportive” and “supportive” ratings among residents who had an opinion, were: developing/improving restrooms within the parks (73%), upgrading existing parks/shelters/playground areas (68%) and developing new walking/biking trails (59%). Residents were least supportive of adding indoor basketball/volleyball courts (26%). The parks and recreation system improvements residents were most willing to fund with tax dollars were the same three areas they were most supportive of.

- Fifty-four percent (54%) of residents were supportive of replacing the current park sales tax with a 1/4 cent park sales tax to help ensure the long-term viability of the City’s park system.
- Sixty percent (60%) of residents surveyed were “very willing” or “willing” to financially donate or support a new animal shelter; 26% indicated they were not willing to support a new animal shelter, and 15% did not know.

- The top ways that residents received information about City news and events were: newspaper (64%), local radio stations (54%) and City newsletters (35%).

- Nearly half (47%) of the residents surveyed indicated the traffic congestion on Highway 63/Bishop Avenue and Kingshighway is a serious problem which will only get worse as Rolla grows; 38% view the traffic congestion in this area as a minor problem or nuisance, 12% indicated it is not a problem and 2% did not know.

- Fifty-seven percent (57%) of residents surveyed believe major roadways like Highway 63/Bishop Avenue and Kingshighway should be the City’s top priority for transportation improvements; 21% indicated other collector streets such as Tenth Street, Forum, Salem and Rolla Street should be the City’s top priority, 9% felt the neighborhood streets should be a priority, and 13% do not think transportation improvements are needed.

- More than half (52%) of residents surveyed were “very willing” or “willing” to provide additional tax funds to make significant transportation improvements in Rolla; 29% were not willing to provide additional tax funds, and 20% did not know.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  ACTION REQUESTED: Final Reading

ITEM/SUBJECT: An Ordinance to amend certain provisions of Chapter 42 of the Rolla City Code, Article III, known as the Planning and Zoning Code, by amending Division 1, Section 42-141, Definitions pertaining to the definition of “Dwelling, Attached Single Family Dwelling, and Townhouse.

BUDGET APPROPRIATION (IF APPLICABLE) $ 0    DATE: 6-15-2015

COMMENTARY:

The subject ordinance deals primarily with the definition of an “Attached Single Family Home or Townhouse” under Division 1, Section 42-141, Definitions. The City has a definition for “single-family semi-detached dwelling” (A dwelling unit attached to one or more dwelling units by common vertical walls without opening, each unit located on a separate lot of record) and “single-family detached dwelling” (A detached building surrounded by open space on the same lot designed exclusively for occupancy by one family or a foster home which provides 24-hour care for seven or less unrelated children) but we do not have a definition for a “Townhouse or single-family attached dwelling” – a type of housing that is allowed by building codes. This type of housing has become popular with some developers wishing to provide a lower cost residential housing primarily for students due to strong demand for off-campus housing. As a “single-family dwelling”, these units currently do not require fire sprinklers, an engineer’s seal, or a second primary means of egress as typical multi-family/apartment facilities would require.

In addition, provisions for Building Design Standards for “Attached Single Family units” are proposed. While the City has generally stayed away from building design standards, the definition of “Attached Single Family Home or Townhouse” also proposes some basic design standards that reflect the nature of single-family buildings. Per building code the only real distinguishing characteristic is full firewall separation. Without some distinguishing characteristics in the separate building, they give the functional appearance of dense multi-family apartments rather than individual buildings. Staff has proposed some basic distinctions for each attached dwelling unit – minor building setbacks and differentiating exterior features. How the buildings are distinguished from one another remains the decision of the builder but with Staff review in the building permit itself.

The Planning and Zoning Commission met on May 12, 2015 and recommends this definition clarification. During its June 1, 2015, meeting the City Council amended the subject ordinance by adding an additional story (three stories), provided a secondary means of egress be constructed on the third floor with an automatic sprinkler system throughout the building. The City operates off the 2000 International Building Code (IBC). The current IBC requires a fully automatic sprinkler system in multi-family units with three or more stories. Wording was added to the attached ordinance to clarify the sprinkling requirements in attached single family and townhouse developments.

III. A.1.
ORDINANCE NO. ________

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 42, OF THE ROLLA CITY CODE, KNOWN AS THE PLANNING AND ZONING CODE, ARTICLE III, ZONING DEALING WITH ATTACHED SINGLE FAMILY/TOWNHOUSE UNITS.

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

Section 1: That Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Article III, Zoning, Division 1, Section 42-141, Definitions, is hereby amended by adding and amending the following definitions:

Sec. 42-141. Definitions.

Attached Single Family or Townhouse: An attached single family dwelling unit or townhouse with at least one private exterior entrance, constructed in a group of two or more attached single family units or townhouse in which each unit extends from the foundation to roof with open space on at least two sides. Attached single family or townhouse shall be limited to 35 (thirty-five) feet in height (2 stories) or 45 (forty-five) feet in height (3 stories), provided a secondary means of egress shall be constructed on the third floor with an automatic sprinkler system throughout the building as required per International Building Code (IBC), Residential Group R-2.

Building Design Standards. Buildings designed for Attached Single Family or Townhouse

1. Buildings shall not exceed (150) one hundred fifty linear feet in total frontage;
2. The building fronts of attached townhomes that exceed groups of four (4) units that have unbroken wall and roof planes surfaces of (60) sixty feet or more are prohibited. At least every 60 linear feet, wall or roof planes shall contain offsets or setbacks of at least two (2) feet.
3. A change in texture, material or the use of architectural features to differentiate individual units to ensure that buildings have a multi-faceted exterior in which building fronts are combined with window and door placements as well as other architectural details, such as the use of dormers, gabled roof front stoops, flower boxes, and or shutters may be used in lieu of 2 above.

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


APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

Ill. A. 2.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development    ACTION REQUESTED: Final Reading

ITEM/SUBJECT:
An Ordinance to amend certain provisions of Chapter 42 of the Rolla City Code, Article III, known as the Planning and Zoning Code, by amending Divisions 4 and 5 pertaining to "Area Requirements" for the maximum number of bedrooms permitted in R-2 (duplex) and R-3 (multi-family) districts.

BUDGET APPROPRIATION (IF APPLICABLE) $ 0    DATE: 6-15-2015

COMMENTARY:

This ordinance addresses the maximum number of bedrooms that may be permitted in R-2 (duplex) and R-3 (multi-family units). Currently City Code does not establish a maximum number of bedrooms in R-2 and R-3 zoning districts (generally rental properties) but Code does specify that there be no more than eight (8) occupants per dwelling unit. Several of the newer units built in and around the University and downtown area have been built with as many as 8 bedrooms per unit. This change establishes a maximum of 4 bedrooms per unit in R-2 zones (often considered a transitional zone in R-1 single-family zones) and 8 bedrooms per unit in R-3 zones. This clarification establishes a density standard that is very consistent with existing development projects. The City does not currently have a mechanism for inspecting/monitoring the number of bedrooms (occupancy) in residential units so inspection would only be triggered by complaint/invitation from a person with interest in the property (owner or renter).

The Planning and Zoning Commission met on May 12, 2015 and recommends this change to City Code. On June 1, the City Council had the first reading of this ordinance without change.
ORDINANCE NO___________

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 42, OF THE ROLLA CITY CODE, KNOWN AS THE PLANNING AND ZONING CODE, ARTICLE III, ZONING DEALING WITH NUMBER OF BEDROOMS.

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

Section 1: That Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, ARTICLE, III, ZONING, DIVISION 4. “R-2” TWO FAMILY DISTRICT is hereby amended by adding the following:

Sec. 42-174.3. Area Requirements.

Maximum Number of Bedrooms Permitted:
4 Bedrooms per unit

Section 2: That Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, ARTICLE, III, ZONING, DIVISION 5. “R-3 or R-3b” MULTI-FAMILY DISTRICT is hereby amended by adding the following:

Sec. 42-177.2. Area Requirements.

Maximum Number of Bedrooms Permitted
8 Bedrooms per unit

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


APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor

III . B. 2.
ITEM/SUBJECT: An Ordinance to amend certain provisions of Chapter 42 of the Rolla City Code, Article III, known as the Planning and Zoning Code, by amending Division 17, Section 42-240, Required Parking Spaces.

BUDGET APPROPRIATION (IF APPLICABLE) $ 0 DATE: 6-15-2015

COMMENTARY:

The availability of parking in and around Downtown Rolla and MS&T is an on-going issue for property owners, residents, visitors, and the University. Surprisingly the City does not get a great deal of complaints on parking in and around campus primarily because those areas are in transition – people and vehicles always coming and going. Rolla’s regulations pertaining to off street parking can be found in the Planning and Zoning Code, Article III, Division 17, Off-Street Parking. A significant part of this ordinance, particularly Section 42-240 Required Parking Spaces.

Sec. 42-240, Subsection (a) addresses “Residential and Lodging Uses”. Current Rolla parking standards provide that for each single-family, attached single-family, duplex, multi-family and manufactured home unit there must be at least 2 paved, off-street parking spaces per unit. As previously discussed many dwelling units, particularly those in and around Downtown and the University where higher density units exist, often have 4 – 8 bedrooms. When those traditionally single-family homes transition from owner-occupied properties to rental properties with much greater densities on-street parking becomes an even greater challenge – including commuter-parking conflicts. In reviewing a number of MO communities, we found off-street parking requirements from 2 spots per unit (Rolla, Columbia, and Springfield) to 1 off-street parking spot per bedroom (Warrensburg, Kirksville). There is no consistent approach to parking from community to community.

In March 2015, Staff convened a focus group made up of a number of builders/developers and University Officials to discuss the need and availability of additional housing units to support continued University and community growth. Based on University estimates 2 in 3 students likely have a vehicle. Similarly, experience from local builders affirmed that the ratio of 2 in 3 tenants likely had vehicles confirmed same. During that focus group, the suggestion was made to increase off-street parking requirements from 2 spaces per unit to .66 spaces per bedroom (min of 2 spaces for 2 bedroom units). On May 12, 2015, the Planning & Zoning Commission voted to modify Staff’s recommendation from .66 spaces per bedroom to 1 parking space per bedroom. The reality is there is no magic number that will completely address on and off street parking. Ultimately, the City and/or University may be willing to add additional off-street parking spaces for a fee but as long as there are cheaper options, many students/renters will find other options. There are college towns that issue on-street parking permits to area residents with very aggressive enforcement but that generally works better in areas with substantial owner-occupied properties where constant turnover does not occur. Private parking lots have the option of permitting or denying persons from using their lots through trespass/enforcement efforts. And of course there are options of limited parking (one-side only) or one-way streets but generally those efforts are rather drastic.

During its June 1, 2015, meeting the Council voted to amend the subject ordinance from one parking space per bedroom to 0.66 spaces per bedroom with a minimum of two parking spaces for two bedroom units and above.
ORDINANCE NO._______

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 42, OF THE ROLLA CITY CODE, KNOWN AS THE PLANNING AND ZONING CODE, ARTICLE III, ZONING.

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

Section 1: That Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Article III, Zoning, Division 17, Section 42-240 Required Parking Spaces, is hereby amended to read as follows:

Sec. 42-240. Required Parking Spaces
(a) Residential and Lodging Uses:

Single-family attached and detached, two family, manufactured homes where permitted: 0.66 parking spaces for each bedroom with a minimum of two parking spaces for two bedroom units and above. Actual parking spaces will be rounded up over .5 spaces and rounded down under .5 spaces.

Multi-family dwellings: 0.66 spaces for each bedroom with a minimum of two parking spaces for two bedroom units and above. Actual parking spaces will be rounded up over .5 spaces and rounded down under .5 spaces.

Boarding, rooming and lodging houses: One (1) for each lodging room.

Dormitories fraternities, single student housing, and sororities: Two (2) for each three (3) occupants based on the capacity of the building plus any additional parking required for public assembly requirements of this Section.

Hotels and motels: One (1) for each sleeping room, plus any spaces required for accessory uses such as restaurants, cocktail lounges, meeting rooms, etc.

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


APPROVED:

________________________
Mayor

ATTEST:

________________________
City Clerk

APPROVED AS TO FORM:

________________________
City Counselor
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Bid Award/Ordinance 2nd Reading

ITEM/SUBJECT: Project 367 – Osage, Longview & 2nd Street Improvements

BUDGET APPROPRIATION (IF APPLICABLE) DATE: 06/15/15

************************************************************************************************************

COMMENTARY:

City staff asked for and received bids for Osage, Longview and 2nd Street Improvements. The following bids were:

Don Maggi, Inc. $228,745.00
PO Box 66
Rolla, MO 65402

Staff recommends award of the bid to Don Maggi, Inc. for $228,745.00. A copy of Bid Tab is attached. In addition, staff is requesting the first reading of the ordinance authorizing the Mayor to enter into the contract with the low bidder, Don Maggi, Inc. for $228,745.00
ORDINANCE NO.__________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND DON MAGGI, INC. FOR PROJECT 367.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a certain agreement between the City of Rolla, Missouri and Don Maggi, Inc., a copy of said agreement being attached hereto and marked Exhibit A.


APPROVED:

________________________
MAYOR

ATTEST:

________________________
CITY CLERK

APPROVED AS TO FORM:

________________________
CITY COUNSELOR

III. S. 2.
<table>
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<th>DESCRIPTION</th>
<th>QTY</th>
<th>UNIT PRICE</th>
<th>EXTENDED TOTAL</th>
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<td><strong>OSAGE DRIVE</strong></td>
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<tr>
<td>1a.</td>
<td>Concrete curb &amp; gutter - 2' wide</td>
<td>8,100 LF</td>
<td>$15.70</td>
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<td>4,100 SF</td>
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<td><strong>LONGVIEW DRIVE</strong></td>
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<tr>
<td>1b.</td>
<td>Concrete curb &amp; gutter - 2' wide</td>
<td>1,300 LF</td>
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<td>$42,975.00</td>
</tr>
<tr>
<td></td>
<td><strong>2ND STREET</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1c.</td>
<td>Concrete curb &amp; gutter - 2' wide</td>
<td>1,300 LF</td>
<td>$15.75</td>
<td>$20,475.00</td>
</tr>
<tr>
<td>2c.</td>
<td>6&quot; thick concrete driveway - 6 Bag*</td>
<td>2,000 SF</td>
<td>$6.25</td>
<td>$12,500.00</td>
</tr>
<tr>
<td></td>
<td>TOTAL 2ND STREET</td>
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<td></td>
<td>$32,975.00</td>
</tr>
<tr>
<td></td>
<td>GRAND TOTAL</td>
<td></td>
<td></td>
<td>$228,745.00</td>
</tr>
</tbody>
</table>

* 6" Driveway requiring 8 Bag Mix will be paid by adding 10% to 6 Bag Price.
CONTRACT AGREEMENT

THIS AGREEMENT, made and entered into this _____ Day of _____________ by and between the City of Rolla, Missouri, Party of the First Part and hereinafter called Owner, and ___________________________ Party of the second Part and hereinafter called the Contractor.

WITNESSETH:

THAT WHEREAS, the Owner has caused to be prepared, in accordance with law, specifications, plans, and other Contract Documents for the work herein described, and has approved and adopted said documents, and has caused to be published and advertised for and in connection with the construction of "OSAGE, LONGVIEW & 2ND STREET IMPROVEMENTS, PROJECT 367", in complete accord with the Contract Documents and the said plans and specifications; and

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

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

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

ARTICLE I. That the Contractor shall (a) furnish all tools, equipment, supplies, superintendent, transportation, and other construction accessories, services and facilities; (b) furnish all materials, supplies, and equipment specified and required to be incorporated in, and form a permanent part of the completed work except the items specified to be furnished by the Owner; (c) provide and perform all necessary labor, and (d) in a good, substantial, and workmanlike manner, and in accordance with the provisions of the General Conditions and the Special Conditions of the Contract, which are attached hereto and made a part hereof, and in conformity with the Contract Plans and Specifications designated and identified therein, execute, construct, and complete all work included in, and covered by the Owner's official award of this Contract to the said Contractor, such award being based on the acceptance by the Owner of the Contractor's proposal, for the construction of "OSAGE, LONGVIEW & 2ND STREET IMPROVEMENTS, PROJECT 367".

III. 124.
It is further stipulated that not less than the prevailing hourly rate of wages as found by the Department of Labor and Industrial Relations of the State of Missouri, or determined by the Court of Appeal shall be paid to all workers performing work under this Contract.

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

**ARTICLE III.** Occupational Safety and Health Administration (OSHA)

**Safety Training:**

a. Contractor shall provide a ten (10) hour Occupational Safety and Health Administration (OSHA) construction safety program for all employees who will be on-site at the project. The construction safety program shall include a course in construction safety and health that is approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program as required by Section 292.675, R.S.Mo.

b. Contractor shall require its on-site employees to complete a construction safety program within sixty (60) days after the date work on the project commences.

c. Contractor acknowledges and agrees that any of Contractor’s employees found on the project site without the documentation of the successful completion of a construction safety program shall be required to produce such documentation within twenty (20) days, or will be subject to removal from the project.

d. Contractor shall require all of its subcontractors to comply with the requirements of this Section and Section 292.675, R.S.Mo.

**Notice of Penalties for Failure to Provide Safety Training**

a. Pursuant to Section 292.675, R.S.Mo, Contractor shall forfeit to City as a penalty two thousand five hundred dollars ($2,500.00), plus one hundred dollars ($100.00) for each on-site employee employed by Contractor or its Subcontractor, for each calendar day, or portion thereof, such on-site employee is employed without the construction safety training required in Safety Training section of Article III above.

b. The penalty described in above subsection A of this section shall not begin to accrue until the time periods described in Sections B and C Safety Training of Article III above have elapsed.

c. Violations of Article III – Safety Training above and imposition of the penalty described in this Section shall be investigated and determined by the Missouri Department of Labor and Industrial Relations.

**ARTICLE IV.** That the Contractor shall construct and complete the work designated and described in the foregoing proposal and attached specifications in accordance with the Notice to Bidders, Instruction to Bidders, Proposal, Bond, General Conditions, Special Conditions, Technical Specifications, Drawings, Addenda, and other component parts of the Contract
Documents hereto attached, all of which documents from the Contract and are as fully a part hereto as if repeated verbatim herein.

ARTICLE V. That the Owner shall pay to the Contractor for the performance of the work described as follows: Complete construction of the improvements in accordance with plans and specifications; and the Contractor will accept as full compensation therefore, the sum (subject to adjustment as provided by the Contract) of $228,745.00 for All work covered by and included in the contract award and designated in the foregoing Article I. Payment therefore shall be made in the manner provided in the General Conditions attached hereto.

ARTICLE VI. That the Contractor shall begin assembly of materials and equipment within ten (10) days after receipt from the Owner of executed copies of the Contract, and that the Contractor shall complete said work within one hundred eighty (180) consecutive calendar days from and after the date of receipt from the Owner of Notice to Proceed.

It is further stipulated that in the event that the Contractor fails in the performance of the work specified and required to be performed within the period of time specified, the Contractor shall pay the Owner, as and for liquidated damages, and not as a penalty, the sum of one hundred dollars ($100.00) per calendar day that the Contractor shall be in default.

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

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

ARTICLE IX. This Contract will not be binding and effective until confirmed by the Owner.
IN WITNESS-WHEREOF: The parties have executed this Contract as of the day and year first above written.

CITY OF ROLLA, MISSOURI  

BY ____________________________
Mayor, Owner, Party of the First Part

STATE OF MISSOURI  

SS  

County of Phelps  

CONTRACTOR

BY ____________________________
TITLE ____________________________

On this ______ day of __________ before me appeared

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

My commission expires: ____________________________

_______________________________
Notary Public

STATE OF MISSOURI  

SS  

County of Phelps  

On this ______ day of __________ before me appeared

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

My commission expires: ____________________________

_______________________________
Notary Public
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Bid Award/Ordinance 2nd Reading

ITEM/SUBJECT: Project 382 – 2015 Phase Ill Asphalt Improvements – Pine Street Overlay

BUDGET APPROPRIATION (IF APPLICABLE) DATE: 06/15/15

COMMENTARY:

City staff asked for and received bids for the 2015 Phase III Asphalt Improvements – Pine Street Overlay. The following bids were:

Rolla Asphalt, LLC
PO Box 1264
Rolla, MO 65402

$47,350.50

Staff recommends award of the bid to Rolla Asphalt, LLC for $47,350.50. A copy of Bid Tab is attached. In addition, staff is requesting the first reading of the ordinance authorizing the Mayor to enter into the contract with the low bidder for $47,350.50.
ORDINANCE NO.__________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND ROLLA ASPHALT, LLC., FOR PROJECT 382.

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

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


APPROVED:

___________________________
MAYOR

ATTEST:

___________________________
CITY CLERK

APPROVED AS TO FORM:

___________________________
CITY COUNSELOR

III E 2.
CONTRACT AGREEMENT

THIS AGREEMENT, made and entered into this ______ Day of ________________ by and between the City of Rolla, Missouri, Party of the First Part and hereinafter called Owner, and

Rolla Asphalt, L.L.C. Party of the second Part and hereinafter called the Contractor.

WITNESSETH:

THAT WHEREAS, the Owner has caused to be prepared, in accordance with law, specifications, plans, and other Contract Documents for the work herein described, and has approved and adopted said documents, and has caused to be published and advertised for and in connection with the construction of: 2015 Phase III Asphalt Improvements - Pine Street Overlay, PROJECT 382, in complete accord with the Contract Documents and the said plans and specifications; and

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

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

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

ARTICLE 1. That the Contractor shall (a) furnish all tools, equipment, supplies, superintendent, transportation, and other construction accessories, services and facilities; (b) furnish all materials, supplies, and equipment specified and required to be incorporated in, and form a permanent part of the completed work except the items specified to be furnished by the Owner; (c) provide and perform all necessary labor, and (d) in a good, substantial, and workmanlike manner, and in accordance with the provisions of the General Conditions and the Special Conditions of the Contract, which are attached hereto and made a part hereof, and in conformity with the Contract Plans and Specifications designated and identified therein, execute, construct, and complete all work included in, and covered by the Owner’s official award of this Contract to the said Contractor, such award being based on the acceptance by the Owner of the Contractor’s proposal, for the construction of 2015 Phase III Asphalt Improvements - Pine Street Overlay, PROJECT 382.
It is further stipulated that not less than the prevailing hourly rate of wages as found by the Department of Labor and Industrial Relations of the State of Missouri, or determined by the Court of Appeal shall be paid to all workers performing work under this Contract.

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

ARTICLE III. Occupational Safety and Health Administration (OSHA)

Safety Training:

a. Contractor shall provide a ten (10) hour Occupational Safety and Health Administration (OSHA) construction safety program for all employees who will be on-site at the project. The construction safety program shall include a course in construction safety and health that is approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program as required by Section 292.675, R.S.Mo.

b. Contractor shall require its on-site employees to complete a construction safety program within sixty (60) days after the date work on the project commences.

c. Contractor acknowledges and agrees that any of Contractor’s employees found on the project site without the documentation of the successful completion of a construction safety program shall be required to produce such documentation within twenty (20) days, or will be subject to removal from the project.

d. Contractor shall require all of its subcontractors to comply with the requirements of this Section and Section 292.675, R.S.Mo.

Notice of Penalties for Failure to Provide Safety Training

a. Pursuant to Section 292.675, R.S.Mo, Contractor shall forfeit to City as a penalty two thousand five hundred dollars ($2,500.00), plus one hundred dollars ($100.00) for each on-site employee employed by Contractor or its Subcontractor, for each calendar day, or portion thereof, such on-site employee is employed without the construction safety training required in Safety Training section of Article III above.

b. The penalty described in above subsection A of this section shall not begin to accrue until the time periods described in Sections B and C Safety Training of Article III above have elapsed.

c. Violations of Article III – Safety Training above and imposition of the penalty described in this Section shall be investigated and determined by the Missouri Department of Labor and Industrial Relations.

ARTICLE IV. That the Contractor shall construct and complete the work designated and described in the foregoing proposal and attached specifications in accordance with the Notice to Bidders, Instruction to Bidders, Proposal, Bond, General Conditions, Special Conditions, Technical Specifications, Drawings, Addenda, and other component parts of the Contract.
Documents hereto attached, all of which documents from the Contract and are as fully a part hereto as if repeated verbatim herein.

**ARTICLE V.** That the Owner shall pay to the Contractor for the performance of the work described as follows: Complete construction of the improvements in accordance with plans and specifications; and the Contractor will accept as full compensation therefore, the sum (subject to adjustment as provided by the Contract) of $47,350.50 for All work covered by and included in the contract award and designated in the foregoing Article I. Payment therefore shall be made in the manner provided in the General Conditions attached hereto.

**ARTICLE VI.** That the Contractor shall begin assembly of materials and equipment within ten (10) days after receipt from the Owner of executed copies of the Contract. Date of Completion of this project is September 13, 2015.

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

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

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

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

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

III. E. S.
CITY OF ROLLA, MISSOURI

BY
Mayor, Owner, Party of the First Part

CONTRACTOR

BY
TITLE

STATE OF MISSOURI )
SS )
County of Phelps )

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

My commission expires: __________________________

Notary Public

STATE OF MISSOURI )
SS )
County of Phelps )

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

My commission expires: __________________________

Notary Public
**BID TAB**

**PROJECT 382 - 2015 PHASE III ASPHALT IMPROVEMENTS - PINE STREET OVERLAY**

**MAY 20, 2015**

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>QTY</th>
<th>UNIT PRICE</th>
<th>EXTENDED TOTAL</th>
</tr>
</thead>
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<td>Asphalt Overlay - BP-2</td>
<td>450</td>
<td>$86.75</td>
<td>$39,037.50</td>
</tr>
<tr>
<td>Milling - 1 Inch</td>
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<td>$6,400.00</td>
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<tr>
<td>SS1-H</td>
<td>700</td>
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<td>$1,883.00</td>
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<tr>
<td>Manhole Adjustment</td>
<td>10</td>
<td>$1.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Water Valve Adjustment</td>
<td>20</td>
<td>$1.00</td>
<td>$20.00</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td></td>
<td></td>
<td>$47,350.50</td>
</tr>
</tbody>
</table>
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: John Butt, City Administrator  ACTION REQUESTED: Ordinance/
Final Reading

ITEM/SUBJECT: Ordinance Amending Section 14-44(a) Pertaining to Discharging of
Fireworks

BUDGET APPROPRIATION: N/A

DATE: June 15, 2015

COMMENTARY:

During its May 18, 2015, meeting the City Council approved a motion to amend the Rolla
City Code pertaining to the discharging of fireworks. Currently, fireworks may be discharged within
the city limits on July 1, 2, 3, 4, and 5, from 8 a.m. until midnight. The proposed ordinance would
amend the Code by allowing the discharge of fireworks on July 1, 2, 3, and 5, from 8 a.m. until 11
p.m. Discharging of fireworks on July 4, would be allowed from 8 a.m. until midnight.

Recommendation: Final reading of proposed ordinance.
ORDINANCE NO. 

AN ORDINANCE REPEALING SECTION 14-44(a) 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 14-44(a) IN LIEU THEREOF RELATING TO DISCHARGE OF FIREWORKS.

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

Section 1: That Section 14-44(a) of the Code of the City of Rolla, Missouri, is hereby repealed and a new Section 14-44(a) is hereby enacted in lieu thereof as follows:

Sec. 14-44. Discharge of Fireworks.

a. Any individual or organization may discharge fireworks as herein defined, without permit, on the 1st, 2nd, 3rd, and 5th days of July. No fireworks may be discharged without the fire department's special permit between the hours of 11 p.m. and 8 a.m. Any individual or organization may discharge fireworks as herein defined, without permit, on the 4th day of July. No fireworks may be discharged without the fire department's special permit between the hours of midnight and 8 a.m.

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


APPROVED:

ATTEST: 

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

III. F.2.
DEPARTMENT HEAD: John Butz, City Administrator  ACTION REQUESTED: 1st Reading

ITEM/SUBJECT: Ordinance to Amend Section 35-180 of City Code Pertaining to Fluoride

BUDGET APPROPRIATION (IF APPLICABLE) N/A  DATE: June 15, 2015

COMMENTARY:

After a few years of comment, the CDC and U.S. Department of Health and Human Services issued a final recommendation on revised recommended levels for optimal fluoride treatment in April 2015. The City has been adding Fluoride at 1 PPM since the 1960's. The new recommended level is .7 PPM. The RMU Board of Public Works has unanimously recommended the attached change at their June Board Meeting.

Staff recommends the first reading of the attached ordinance.
The importance of community water fluoridation to oral health
By John Luther, DDS, and Michael Monopoli, DMD, DrBicuspid.com contributing writers

June 2, 2015 -- A recent recommendation by the U.S. Department of Health and Human Services (HHS) has brought about a resurgence of support for community water fluoridation within the oral health community.

Dentists have consistently been strong advocates for the health benefits of fluoridating public water supplies, and fluoridation is widely regarded as one of the top public health achievements of the past century. Officials from both public health organizations and professional dentistry agree that water fluoridation and fluoride toothpaste are largely responsible for the significant decline in tooth decay in the U.S. over the past several decades.

Fluoride doesn't cure or medicate -- it simply prevents. Similar to a vitamin, the right amount of fluoride in our drinking water improves resistance to tooth decay and causes us no harm. By preventing tooth decay, community water fluoridation has been shown to save money, both for families and the healthcare system.

In 2000, the U.S. Task Force on Community Preventive Services examined 21 studies and concluded that fluoridated water reduces tooth decay by a median rate of 29% among children ages 4 to 17. While children are typically cited as the beneficiaries of this protection, a 2010 study in the American Journal of Public Health (October 2010, Vol. 100:10, pp. 1980-1985) found that the fluoridated water consumed as a young child makes the loss of teeth from decay less likely 40 or 50 years later when that child is a middle-aged adult.

Recently, HHS announced the first change in the recommended amount of fluoride for public drinking water supplies in more than 50 years. The new guidelines utilize the best evidence available to clarify the amount of fluoride needed to achieve the optimal amount of tooth decay prevention.
The department gave several reasons for the change, mainly citing that Americans have more access to sources of fluoride than they did when water fluoridation was first introduced in the 1940s, but water is just one of multiple sources. Consumers also have access to fluoride toothpastes, mouth rinses, and prescription fluoride supplements, as well as fluoride applied by dental professionals.

We, along with the Centers for Disease Control and Prevention, the American Dental Association, and many other organizations, know that community water fluoridation is one of the most cost-effective means of preventing dental caries. The new recommendation, along with other current findings, strengthens our understanding of the preventive effects of fluoride on oral health and reinforces the need for communities to continue to invest in keeping fluoride in community water.

After more than 70 years of studying fluoridation in drinking water, it is clear that this practice is one of the most important health-promoting policies that a community can offer all its residents. This is especially true for those who are low-income, those with limited access to regular dental care, and those who experience health disparities firsthand. It’s effective. It’s safe. And it’s the reason why both children and adults today have much less tooth decay than people had a generation ago.

John Luther, DDS, is the chief dental officer at DentaQuest. Michael Monopoli, DMD, is the director of policy and programs for the DentaQuest Foundation.

The comments and observations expressed herein do not necessarily reflect the opinions of DrBicuspid.com, nor should they be construed as an endorsement or admonishment of any particular idea, vendor, or organization.

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Forum Comments
1 comment so far ...

Post your comment ...
ORDINANCE NO. ____________

AN ORDINANCE REPEALING SECTION 35-180 OF CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION 35-180 IN LIEU THEREOF PERTAINING TO FLUORIDE.

Whereas, the Centers for Disease Control and Prevention (CDC) has proclaimed community water fluoridation one of 10 great public health achievements of the 20th century, and;

Whereas, fluoridation of community water supplies is supported by the American Dental Association, the American Academy of Pediatrics, the American Medical Association, the World Health Organization and more than 100 other national and international organizations, and;

Whereas, community water fluoridation is a public health measure that benefits individuals of all ages and socioeconomic groups, especially those without access to regular dental care, and;

Whereas, fluoridation was approved in Rolla by a vote of the public and was formalized into a Rolla City Ordinance in May 1968, and;

Whereas, on April 27, 2015, the U.S. Health and Human Services and Centers for Disease Control issued a Final Rule regarding Fluoride Concentrations lowering the recommended fluoride levels in community drinking water systems to 0.7 parts per million.

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

Section 1: That Section 35-180, of the Code of the City of Rolla, Missouri, pertaining to fluoride, is hereby repealed and a new Section 35-180 is hereby enacted in lieu thereof as follows:

Sec. 35-180. Introduction and regulation of fluoride in the public water supply system.

The city, acting by and through its legally constituted board of public works, is hereby authorized and directed to provide the means and to proceed with the introduction of a fluoride additive meeting applicable standards into the public water supply of the city in such quantities as are required to provide throughout the pipe distribution system a fluoride concentration of approximately 0.7 parts fluoride per million parts of water.
The city acting by and through its legally constituted board of public works, shall keep an accurate record of the amount of fluoride bearing chemical applied to the quantities of water treated, and cause such analytical tests to be made for fluoride (in terms of the element F) in the untreated and treated water as it shall be directed to do by the Missouri Division of Health. (Ord. 2136, §2; Ord. 2886, §3.)

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


APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor
CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT HEAD: John Butz, City Administrator  ACTION REQUESTED: Motion

ITEM/SUBJECT: Formation of Fire Chief Search Committee

BUDGET APPROPRIATION: $5,000±  

DATE: June 15, 2015

COMMENTARY:

With the retirement of Fire Chief Robert Williams, we need to start the process to finding the next City of Rolla Fire Chief. Administration prefers an open search process focusing on the Midwest. Our goal will be to identify the best 3-5 candidates from both within the Rolla Fire Department and from other external agencies. While formal executive searches can cost $20,000+, Staff plans to coordinate same internally.

Key steps would include:
1) Position profile — review and edit current job description. Survey City Council, and Fire Department employees on primary values and desired qualifications. Create job flyer and position advertisement (2-3 weeks).
2) Advertisement – place ads in print and in on-line sources (MAFC, IFCA, MML, RDN) (5-6 weeks).
3) Screening Process – Preliminary screening of applicants to identify up to 10 most qualified candidates (2-3 weeks).
4) Interview Process – narrow search to no more than 5 candidates. Schedule and conduct personal interviews (2-3 weeks).
5) Vetting and Background – Reference checks using signed waivers (Livescan process during records, EMT-B National Registry Certification, transcripts, etc.) on top 3 candidates (2 weeks)
6) Psychological Testing (2 weeks)
7) Council Review and Recommendation (2 weeks)
8) Job offer extended (1 week)
9) Presentation and Start Date (2 – 4 weeks)

To assist in the entire process a Search Committee made up of the following is recommended:
Search Committee
1) City Administrator John Butz
2) Council Representatives Kelly Long and Jim Williams
3) Chief Robert Woody (Retired Fire Chief from Ft. Leonard Wood)
4) Larry Seest (Retired City Fire Marshall)
5) Jim Packard (S&T, RPS)  
   Ex-officio Chief Keith Kilmer (Kilmer Investigations)

Recommendation: Motion to approve the Search Committee and process.
POSITION DESCRIPTION

Job Title: Fire Chief
Department: Fire and Rescue
Date: June 9, 2015

GENERAL STATEMENT OF JOB

Under limited supervision, directs and coordinates all activities of the City Fire Department. This highly responsible and complex management position involves technical work in the direction of all employees and activities of the firefighting, codes and inspection, and training divisions. Work involves responsibility for the administration and the coordination of the fire department activities through the supervision of subordinate's officers and through review of their activities. The employee of this class makes administrative and operational decisions pertaining to firefighting, fire prevention standards, training and enforcement of personnel to laws, regulations, and established policies affecting the department. Oversees long-range departmental and budgetary planning.

SUPERVISION RECEIVED

Reports to the City Administrator.

SUPERVISION EXERCISED

Supervises administrative staff and fire personnel.

SPECIFIC DUTIES AND RESPONSIBILITIES

Approves all correspondence and press releases to the news media.

ESSENTIAL JOB FUNCTIONS

Supervises, directs and evaluates all Fire Department personnel, handling employee concerns and problems, directing work, counseling, disciplining and completing employee performance evaluations.

Evaluates fire prevention and fire control policies by keeping abreast of new methods regarding same, and conducting studies of the efficacy of departmental operations.

Assumes personal command at fire and/or emergency scenes; assumes incident command at hazardous materials incidents.

Maintains assigned vehicle and equipment

Oversees firefighters engaged in operation and maintenance of fire stations and equipment.

Oversees all maintenance and safety programs implemented by the department.

Coordinates mutual fire protection plans with surrounding municipalities.

Prepares and submits monthly reports to the City Administrator regarding the Department's activities and prepares a variety of other reports as appropriate including the annual report of activities.

Surveys buildings, grounds, and equipment to estimate needs of the department and to prepare annual departmental budget relating to personnel needs, fire station planning and location, equipment needs, etc.

Fire Chief

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Prepares and presents annual budgetary evaluations and related analysis to appropriate individuals.

Confers with officials and community groups and conducts public relations campaigns to present need for changes in laws and policies and to encourage fire prevention.

Oversees the purchase of major firefighting equipment and specifications of same.

Provides input regarding design specifications for new fire station construction and capital improvement projects; oversees construction management and evaluates and submits construction bids as required.

Performs numerous public relations duties for the department, interfacing on a regular basis with neighboring community fire departments, City Council, homeowners, business groups and various other organizations.

Researches, evaluates, and institutes new laws and governmental mandates which affect the Fire Department (OSHA, NFPA, EPA, EFD, Code Requirements).

Effects organizational planning for the department, which involves designing, evaluating, implementing, and amending policies and procedures as necessary through ongoing program analysis.

Designs, instructs, and attends ongoing professional and physical training courses, conferences and meetings; maintains awareness of changes in federal, state, and local fire service trends, ordinances and laws and dispenses pertinent information to subordinates; represents the City Fire Department in a variety of local, county, state, and other meetings.

ADDITIONAL JOB FUNCTIONS

Assists Fire Marshall with fire cause and determination.

Oversees Training Officer in implementation of RTC’s Firefighter Training Program.

Assists City Administrator in Union negotiations.

May be required to design and teach classes to fire personnel.

Accompanies fire crews dispatched out of city limits for mutual aid needs.

Performs other related duties as required.

JOB CONTEXT

The Fire Chief works regular, year-round hours with regular overtime. There is occasional night work associated with this position due to emergencies and meetings. There is no shift work and this person is on call. The stress level for this position varies from moderately low to very high depending on activities and circumstances. 75% of the work for this position is indoors; 25% is outdoors and requires working in all types of weather conditions. The Fire Chief is accountable for monetary, budgetary, fiscal, safety, and legal issues for which this position is responsible.

There is frequent exposure to chemical and/or hazardous materials associated with this position in the form of vehicle exhaust, smoke, fires, burning plastics, synthetics and rubber, blood, narcotics, and vehicle exhaust.
MINIMUM TRAINING AND QUALIFICATIONS

Education and Experience:

a) Bachelor’s Degree in Fire Science or Public Administration or a closely related course emphasis is strongly preferred.
b) Required to have been employed with a fire department for a period of not less than fifteen continuous years of progressive responsibilities; and
c) Any equivalent combination of education, specialized training, and experience which provides the requisite knowledge, skills, and abilities for this position.
d) Possess current EMT-B National Registry Certification or higher.

Prior to Promotion, Applicant Must Agree to the Following:

a) Be at least 21 years of age, and
b) Possess a valid Missouri Driver’s License without record of suspension or revocation in any state.
c) Never have been convicted of a felony, or a misdemeanor involving theft or giving false information, and
d) Live within five miles of the City Limits within 6 months of selection, and
e) Be in good physical condition as determined by medical examination, and
f) Meet minimum physical fitness requirements of the Fire Firefighter Professional Code as published by the National Fire Protection Association, and
g) Possess thorough knowledge of City geography and related laws, ordinance, rules, and relations.

(ADA) MINIMUM QUALIFICATIONS OF STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

PHYSICAL REQUIREMENTS: Must be physically able to operate a variety of firefighting equipment, such as a hacksaw, crescent wrench, chock blocks, hydrant wrench, foam nozzle, salvage cover, straight tip and licensed to operate a motor vehicle in the State of Missouri. Must be able to use body members to work, move or carry objects or materials. Must be able to exert up to one hundred pounds of force occasionally, and/or up to fifty pounds of force frequently. Physical demand requirements are at levels of those for physically active work. Must be able to lift and/or carry weights of 125 pounds at least one hundred feet.

DATA CONCEPTION: Requires the ability to compare and/or judge the readily observable functional, technical, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of date, people, or things.

INTERPERSONAL COMMUNICATION: Requires the ability of speaking and/or signaling people to convey or exchange technical and administrative information related to firefighting. Includes giving assignments and/or directions to staff.

LANGUAGE ABILITY: Requires ability to read a variety of informational documentation, directions, instructions, and methods and procedures related to firefighting. Requires the ability to write reports and essays with proper format, punctuation, spelling and grammar, using all parts of speech. Requires the ability to speak with and before others with poise, voice control, and confidence using correct English and well-modulated voice.

INTELLIGENCE: Requires the ability to learn and understand complex principles and techniques related to firefighting; to make independent judgments in absence of supervision; to acquire knowledge of topics related to the position of Fire Chief.
VERBAL APTITUDE: Requires the ability to record and deliver information to superior officers and elected officials; to explain procedures and policies; and to follow verbal and written instructions, guidelines and objectives.

NUMERICAL APTITUDE: Requires the ability to utilize mathematical formulas; add and subtract totals; multiply and divide; determine percentages; determine time and weight; and utilize statistical inference.

FORM/SPATIAL APTITUDE: Requires the ability to inspect items for proper length, width, and shape visually with office equipment and firefighting equipment.

MOTOR COORDINATION: Requires the ability to coordinate hands and eyes in using automated office equipment and firefighting equipment.

MANUAL DEXTERITY: Requires the ability to handle a variety of items, firefighting and office equipment, control knobs, switches, etc. Must have the ability to use one hand for twisting or turning motion while coordinating other hand with different activities. Must have above average levels of eye/hand/foot coordination.

COLOR DISCRIMINATION: Requires the ability to differentiate colors and shades of color.

INTERPERSONAL TEMPERAMENT: Requires the ability to deal with people (i.e. staff, management, general public, and elected officials) beyond giving and receiving instructions such as interpreting departmental policies and procedures. Must be adaptable to performing under considerable stress when confronted with emergency situations, such as motor vehicle accidents, fires, etc.

PHYSICAL COMMUNICATION: Requires the ability to talk and/or hear: (Talking - expressing or exchanging ideas by means of spoken words.) (Hearing - perceiving nature of sounds by ear.)

PERFORMANCE INDICATORS

Knowledge of Job: Has extensive knowledge of the policies, procedures, and methods of the Department and firefighting practices as they pertain to the performance of duties relating to the position of Fire Chief. Has extensive knowledge of modern fire suppression and emergency medical principles, practices, and equipment. Has extensive knowledge of the geography of the City and is able to deliver complex oral and written instructions to subordinates. Is able to maintain good physical conditioning in order to perform strength and agility tasks. Is able to develop and administer operations and staff plans and objectives for the expedience and effectiveness of specific duties of the department. Is able to develop and implement long-term goals for the department as necessary in the promotion of effectiveness and efficiency. Knows how to keep abreast of any changes in policy, methods, computer operations, equipment needs and policies, etc. as they pertain to departmental operations and activities. Has the ability to perform duties necessary to promote the safety and welfare of the general public. Is able to react quickly and calmly in dangerous and emergency situations. Is able to use independent judgment and discretion as necessary in the performance of routine and non-routine activities. Has the ability to comprehend, interpret, and apply regulations, procedures, and related information. Is able to use independent judgment in a wide array of circumstances from routine tasks to extremely critical situations. Has the ability to work in stressful, high-risk conditions.

Quality of Work: Maintains high standards of accuracy in exercising duties and responsibilities. Exercises immediate remedial action to correct any quality deficiencies that occur in areas of responsibility. Maintains high quality communication and interacts with all departments and divisions, co-workers and the general public.

Quantity of Work: Performs described "Essential Functions" and related assignments efficiently and effectively in order to produce quantity of work which consistently meets standards and expectations of the organization.
Dependability: Assumes responsibility for doing assigned work and for meeting deadlines. Completes assigned work on or before deadlines in accordance with directives, policy, standards and prescribed procedures. Remains accountable to assigned responsibilities in the technical, human and conceptual areas.

Attendance: Attends and remains at work regularly and adheres to polices and procedures regarding absences and tardiness. Provides adequate notice to superiors with respect to vacation time and time-off requests.

Initiative and Enthusiasm: Maintains an enthusiastic, self-reliant and self-starting approach to meet job responsibilities and accountabilities. Strives to anticipate work to be done and initiates proper and acceptable direction for the completion or work with minimum of supervision and instruction.

Judgment: Exercises analytical judgment in area of responsibility. Identifies problems or situations as they occur and specifies decision objectives. Identifies or assists in identifying alternative solutions to problems or situations. Implements decision in accordance with prescribed and effective policies and procedures and with a minimum or errors. Seeks expert or experienced advise where appropriate and researches problems, situations and alternatives before exercising judgment.

Cooperation: Accepts supervisory instruction and direction and strives to meet the goals and objectives of same. Questions such instruction and direction when clarifications of results or consequences are justified; i.e., poor communications, variance with City/department policy or procedures, etc. Offers suggestions and recommendations to encourage and improve cooperation between staff persons and departments within the City.

Relationships with Others: Shares knowledge with superiors and staff for mutual and departmental benefit. Contributes to maintaining high morale among all depart employees. Develops and maintains cooperative and courteous relationships with department employees, staffers and managers in other departments, representatives from organizations, and the public so as to maintain good will toward the department and to project a good department image. Tactfully and effectively handles requests, suggestions and complaints from other departments and persons in order to maintain good will within the department. Emphasizes the importance of maintaining a positive image within the department. Interacts effectively with the City Administrator, other department heads, staff, elected officials, and the general public.

Coordination of Work: Plans and organizes daily work routine. Establishes priorities for the completion of work in accordance with sound time-management methodology. Avoids duplication of effort. An estimate expected time of completion of elements or work and establishes a personal schedule accordingly. Attends required meetings, planning sessions and discussions on time. Implements work activity in accordance with priorities and estimated schedules.

Safety and Housekeeping: Adheres to all safety and housekeeping standards established by the department and various regulatory agencies. Sees that the standards are not violated. Maintains a clean and orderly workplace.

Planning: Plans, directs and uses information effectively in order to enhance activities and production of the department. Knows and understands the expectations of the City regarding the activities of the department and works to see that these expectations are met. Designs and formulates ways, means, and timing to achieve the goals and objectives of the department and the City. Within constraints of City policy, formulates appropriate strategy and tactics for achieving departmental and City objectives. Effectively and efficiently organizes, arranges and allocates manpower, financial and other designated resources to achieve the goals and objectives of the department and the City.

Organizing: Organizes work and that of subordinate staff well. Ensures that staff members know what results are expected of them and that they are regularly and appropriately informed of all City and department matters affecting them and/or of concern to them.

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Staffing: Works with the department staff, and upper management where appropriate, to select and recommend employment of personnel for the department who are qualified both technically and philosophically to meet the needs of the department and the City. Personally directs the development and training of department personnel ensuring that they are properly inducted, oriented and trained.

Leading: Provides a work environment that encourages clear and open communications. Have a clear and comprehensive understanding of the principles of effective leadership and how such principles are to be applied. Provides adequate feedback to staff so they know whether their performance levels are satisfactory. Commends and rewards employees for outstanding performance yet does not hesitate to take disciplinary action when necessary. Exercises enthusiasm in influencing and guiding others toward the achievement of City goals and objectives.

Controlling: Provides a work environment that is orderly and controlled. Coordinates, audits, and controls manpower and financial resources efficiently and effectively. Coordinates, audits, and controls the utilization of materials and equipment efficiently and effectively. Has a clear and comprehensive understanding of City standards, methods, and procedures.

Delegating: Assignees duties to staff as necessary and/or appropriate to meet department goals, enhance staff abilities, build confidence on the job and assists staff members in personal growth. Has confidence in staff to meet new or additional expectations.

Decision Making: Uses discretion and judgment in developing and implementing courses of action affecting the department. When a particular policy, procedure or strategy does not foster the desired result, moves decisively and explicitly to develop and implement alternatives.

Creativity: Regularly seeks new improved methodologies, policies and procedures for enhancing the effectiveness of department and City. Employs imagination and creativity in the application of duties and responsibilities. Is not adverse to change.

Human Relations: Strives to develop and maintain good rapport with all staff members. Listens to and considers their suggestions and complaints and responds appropriately. Maintains the respect and loyalty of staff.

Policy Implementation: Has a clear and comprehensive understanding of City policies regarding the department and City function. Adheres to those policies in the discharge of duties and responsibilities and ensures the same from subordinate staff.

Policy Formulation: Keeps abreast of changes in operating philosophies and policies of the City and continually reviews department policies to ensure that any changes in City philosophy or practice are appropriately incorporated. Also understands the relationship between the operating policies and practices and department morale and performance. Works to see that established policies enhance same.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change but the employer as the needs of the employer and requirements of the job change.

Approval: ___________________________  Approval: ___________________________
Supervisor                                      Appointing Authority

Effective Date: ___________________________  Revision History: ___________________________

Fire Chief                                           updated: 6/9/15