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, November 16, 2015
901 North Elm Street
City Hall Council Chambers
6:30 P.M.

COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE
Councilman Monty Jordan

I. PUBLIC HEARINGS
A) Ordinance Rezoning Property Located at 407 North Olive Street from C-2 (General Retail District) Zoning to R-3 (Multi-Family District) Zoning (Woolf) – First Reading
   (Community Development Director John Petersen) – First Reading
B) Ordinance Rezoning Property Located at 1621 Martin Springs Drive from C-2 (General Retail District), R-1 (Single Family District), and C-3 (Highway Commercial District) Zoning to All C-3 Highway Commercial District) Zoning (Sakelaris) – First Reading
   (Community Development Director John Petersen) – First Reading
C) Ordinance Rezoning Property Located at Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing District) Zoning to C-3 (Highway Commercial District) Zoning (West) – First Reading
   (Community Development Director John Petersen) – First Reading
D) Ordinance Rezoning All of Lots 1 and 2 of Vienna Hills Subdivision from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning (Brown-Vienna Hills) – First Reading
   (Community Development Director John Petersen) – First Reading
E) Kohl’s TIF (Tax Increment Financing) Five-Year Public Hearing Per RSMo. 99.865 –
   (City Administrator Joan Butz)

II. SPECIAL PRESENTATIONS
A) 2015 Third Quarterly Tourism Report –
   (Ms. Stevie Karse, Executive Director, Rolla Area Chamber of Commerce)
B) Rolla Municipal Utilities (RMU) FY 2015 Fourth Quarter Report –
   (Mr. Rodney Bourne, RMU General Manager)

III. OLD BUSINESS
A) Ordinance Approving Amendment #002 to the Supervised Work Release Program Agreement – (Public Works Director Steve Hargis) – Final Reading
IV. NEW BUSINESS
A) Motion Authorizing the Closing of Certain Streets During the Christmas Parade and Christkindl Market – (Public Works Director Steve Hargis) – Motion
B) Resolution Authorizing the Mayor to Execute a Sewer Use Agreement with Missouri S&T – (Public Works Director Steve Hargis) – Resolution
C) Ordinance Approving the Final Plat of Vienna Hills Subdivision (Brown) – (Community Development Director John Petersen) – First Reading
D) Ordinance Approving the Replat of Lots 73, 74 and 75 of Block 3, James Addition (Woolf’s Second Addition) – (Community Development Director John Petersen) – First Reading
E) Ordinance Authorizing the Mayor to Execute a Technical Assistance Contract with the Edgar Springs Rural Fire Protection District – (Finance Director Steffanie Rogers) – First Reading

V. CLAIMS and/or FISCAL TRANSACTIONS
A) Motion Awarding Bid for Police Department Building Repairs – (Police Chief Sean Fagan) – Motion

VI. MAYOR/CITY COUNCIL COMMENTS
A) Endorsement of “Small Business Saturday” Proclamation – (Mayor Louis J. Magdits, IV)

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: Community Development

ACTION REQUESTED: Public Hearing / First Reading

SUBJECT: Request to rezone property located at 407 North Olive Street from C-2 (General Retail District) zoning to R-3 (Multi-Family District) zoning.
(Woolf)

GENERAL INFORMATION

CASE #: 10-18-15

Applicant(s)/Owner(s): Larry and Darlan Woolf, 801 South Rolla Street, Rolla Mo 65401, 573-341-8344, email - Larry Woolf 5@gmail.com. Information provided is based on real property tax assessment records and the signed Application for Rezoning of Real Estate form.

Current Zoning/Use: The current zoning of this tract is C-2 (General Retail District) zoning which does not allow residential development of any type or density. Other uses, such as churches and group homes, would be eligible without a change in zoning. The subject property is vacant, all structures having been removed over the past several years.

Location: The subject property is located at the southwest corner of 5th Street and Olive Street. Please see attached Trustee Deed. Check Account # 7,606 at the Phelps County Assessor’s Office for additional information.

Proposed Zoning/Use: The applicant requests that the Planning and Zoning Commission and the City Council approve the rezoning of the subject property (Lot 3) from C-2 to R-3 zoning. Once the subject property is rezoned, the applicant may combine Lot 75, 74, and a fractional part of Lot 73, Block 3, of the James Addition to the City of Rolla, Missouri to permit the development of a maximum of 8-two story dwelling units containing a maximum of 32 bedrooms.

R-3 zoned properties require a minimum lot size of 7,500 square feet for the first two units and an additional 1,500 square feet for each additional unit. Once Lot 75, 74 and 73 are combined, the total site will contain 17,570 sq. ft. and consequently will meet all required standards for lot frontage, setbacks and lot width. Maximum lot coverage is limited to 40 percent (2,811 sq. ft.) and may be accommodated on site. An open space reserve of (25% of total area) can also be met as required (1,343 sq.ft.).

Tract Size: The subject property totals 5,372.50 sq.ft. or .13 acre in total area (please refer to the attached map).

Surrounding Zoning/Land Use: 

I. A. l.
North--- C-2 / Commercial
South--- R-3 Vacant
East--- R-3/ Institutional
West--- R-3/ Residential & Commercial

**Regulatory History:**

None

**FINDINGS:** The Rolla Planning and Zoning Commission may consider the following factors in their recommendation to **approve**, **approve with conditions** or **deny** the rezoning request

1. **Neighborhood character/impact:** The proposed development will have a minimal adverse impact on the existing neighborhood, given the surrounding development and existing zoning pattern. There is no question that the neighborhood has been and is undergoing a transition to more intense land uses such as multi-family and commercial development. The lot, once rezoned to R-3 and subdivided could accommodate up to 8 dwelling units with 32 bedrooms.

2. **Consistency with the Rolla 2020 Comprehensive Plan Update:** The Future Land Use Map found in the Rolla 2020 Comprehensive Plan Update adopted by the City Council in 2006, depicted the subject property as continuing to be suitable for residential land use. The proposed project will consist of 8 dwelling units with 32 bedrooms.

   It should be noted that the Rolla 2020 Future Land Use Map is not intended to remain static or unchanging over time, but should be revised by the Planning and Zoning Commission and the City Council to reflect changing development trends considered desirable. The future land use map did address policy regarding the importance of infill development and redevelopment stating: *The City will encourage infill development and redevelopment on vacant or underutilized parcels where infrastructure and services are readily available...* The subject property meets this policy guideline.

3. **Adequacy of utilities & public services:** All public utilities and services are available to the subject property to support the development plan as outlined in this report. The developer will be required to carry the cost of extending utilities in to the building site.

4. **Impact on streets and parking:** The proposed development will rely on vehicular access to Fifth and Olive Streets for traffic generated by this project. R-3 development of the type indicated generates 5.4 trips per unit daily. Therefore, assuming full occupancy, the 8 unit project proposed for this development would generate roughly 43 trips per day for each of the individual dwelling units. The Public Works Director has determined that the proposed project would not have an adverse impact on traffic flow or vehicle capacity. The developer will be required to provide 21 paved, off-street parking spaces, as specified in City Code as building construction is completed. Traffic flow is an important consideration when examining potential neighborhood impact. The proposed development would not increase traffic flow significantly through any existing neighborhood.

   I. A. 2.
Please list factors you consider important to your recommendation.

**ATTACHMENTS:**
Zoning area map
List of property owners
Affidavit of publication
CC: West
APPLICATION FOR REZONING OF REAL ESTATE

Submit to:
Community Development Department
PO Box 979 901 North Elm St
Rolla, MO 65402 Rolla, MO 65401
Phone: 573-364-5333 Fax: 573-426-6978

Applicant's Name: Larry D. & Darlauna K. Woelf
Address: 801 S. Rolla St.
Phone Number: 573-465-3020
E-mail address: Larry.Woelf f5@gmail.com
Address of subject property: Corner of Olive & 5th St.

The undersigned hereby state they are the legal owner(s) or have a financial or contractual interest in the real estate described herein (legal description must be printed below or attached as an exhibit):

Sea Attached Legal Description

Current zoning is: C-2a
Proposed zoning is: R-3
Current land use is: Vacant
Proposed land use is: R-3

A check for $62.50, payable to the Rolla Daily News for advertising, will be provided when this application is filed.

Signatures of the owner(s) or those parties with financial or contractual interest in the above described real estates. (All signatures must be notarized)

Larry D. Woelf
Signature
Darlauna K. Woelf
Signature

Subscribed and sworn before me this ___ day of ___ in the year ___.

Catherine Sorbeillo
Notary Public

An Equal Opportunity Employer
Request to rezone all of the C-2 (General Retail District) Zoning located at 407 North Olive Street from C-2 (General Retail District) Zoning to R-3 (Multi-Family District) Zoning (Wooff)
WOOLF APARTMENTS.
2 BUILDINGS, 2 STORIES EACH.
32 UNITS, 320 SQUARE FEET EACH.

R-3 ZONING

27 PARKING SPACES.
0.85 PARKING REQUIREMENT.

DRAWN BY JIM LARSON
10/11/75
ORDINANCE NO. ____________

AN ORDINANCE REZONING PROPERTY LOCATED AT 407 NORTH OLIVE STREET FROM C-2 (GENERAL RETAIL DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING (WOOLF).

WHEREAS, a petition was duly filed requesting that the basic zoning ordinance of the City of Rolla, Missouri, be amended so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published on October 24, 2015 in the Rolla Daily News for this rezoning according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, in the City of Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on November 10, 2015 and recommended the City Council approve the rezoning of the subject property as proposed by the applicant without conditions; and

WHEREAS, City Council, during its November 16, 2015 meeting, conducted a public hearing concerning the proposed rezoning.

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the City Council at said hearing by those citizens favoring said change of zoning and by those citizens opposing said change in zoning, the City Council found that the proposed change of zoning 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 said zoning ordinance adopts zoning regulations, use districts, and a zoning map in accordance with a comprehensive plan, be and the same is hereby amended by changing the zoning and classification of the following property situated within the City of Rolla, Missouri, and described as follows: A fractional part of Lot 73 and a fractional part of the north 7.0 feet of Lot 74, all in Block 3, James Addition, Rolla, Missouri per plat survey 1674, Tract B, dated March 11, 1987 by Elgin Surveying & Engineering, Inc., (407 North Olive Street) from C-2 (General Retail District) zoning to R-3 (Multi-Family District) zoning.

SECTION 2: That once the subject property is rezoned and before the owner shall obtain an occupancy permit from the Codes Administrator the owner shall file a re-subdivision to combine Lots 75 and 74, and a fractional part of Lot 73, Block 3 of the James Addition to the City of Rolla, Missouri to permit the development of a maximum of two separated (2) apartment buildings, limited to two (2) stories in height and a total of thirty two (32) dwelling units not to exceed a single resident per dwelling and a maximum area of three hundred and twenty square feet (320 sq. ft) per unit.

SECTION 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.
PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 16th DAY OF NOVEMBER 2015.

APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development
ACTION REQUESTED: Public Hearing / First Reading

SUBJECT: Request to rezone property located at 1621 Martin Springs Drive from C-2 (General Retail District) zoning, R-1(Single Family District) zoning, and C-3 (Highway Commercial District) zoning to all C-3 zoning. (Sakelaris)

GENERAL INFORMATION

Case # 10-19-15

Applicant(s): Mr. Steve Sakelaris, Sakelaris Ford/Lincoln of Rolla, Inc., Box 2300, Lake Ozark 65401. (618) 530-5500) Rolla, MO 65402, (573)-364-0865). Steve@Sakelaris.com.

Status of Applicant: The applicants have a signed sales agreement with Citizens Bank of Newburg for the land located at 1621 Martin Springs Drive. The sales agreement specifies an agreement that the sale is subject to the approval of the rezoning by the City of Rolla as C-3 Highway Commercial District zoning to meet with the Purchasers Application for their intended use of the property.

Current Zoning/Use: The subject property contains a mixture of zoning categories, ranging from R-1 to C-3. (Please review the attached zoning map). The site is currently undeveloped having been cleared of improvements several years ago. The former use of the subject property was as a motel and restaurant. Commercial development is considered highest and best use of this property given the volume of traffic, site visibility and the adjoining commercial land uses within the area surrounding the subject property.

Proposed Use: The applicant is proposing to rezone the entire property to highway commercial development to permit the development of a car dealership. The dealership will contain a showroom and service department with a total building footprint of 45,020 Sq. Ft.

Location: The legal description for this property is attached. The assessor’s parcel account number is 9626.

Tract Size: The subject property has a total site area is 9.77 acres (425,519 sq. ft.) in area.

Surrounding Zoning/ Use:
North--- C-2 zoning / Commercial
South--- R-1 zoning / vacant
East --- C-3 zoning / Institutional
West --- C-2 zoning / Multi-family & hospitality uses

Zoning History: There is no recent zoning history for the subject property.
APPLICANTS PROPOSAL: The applicant is requesting approval for the rezoning of a nine Acre (+-) parcel from -2, R-1, including a remnant parcel zoned C-3, but not buildable due to its lot configuration (see site concept plan).

FINDINGS: The Rolla Planning and Zoning Commission may consider the following factors in their recommendation to approve or approval with conditions or deny the rezoning request.

1. Neighborhood character/impact: This rezoning will not adversely impact the character of the adjoining district because of the existing mixture of commercial, retail, institutional and residential uses found in the area. This rezoning should aid in the re-development of the Martin Springs Drive by attracting new investment to the area and by eliminating blight conditions that will boost economic growth.

2. Consistency with the 2020 Comprehensive Plan Update: This rezoning is consistent with the Future Land Use Map and the policies of the Rolla 2020 Comprehensive Plan Update that supports the development of commercial development in this area. Development further supports private sector investment to promote revitalization and promote growth in Rolla.

3. Adequacy of utilities & public services: All utilities and services are available to the subject property sufficient to support a commercial development of the type and scale proposed.

4. Impact on streets and parking: The availability of off-street parking spaces to serve the Sakelaris Ford car dealership project is an important requirement. The Sakelaris shows a total of 341 striped spaces for customers/employees and 43 striped spaces for service department use. The City’s Off Street Parking Ordinance (Sec.42-240. Required Spaces) has a provision that commercial uses must have 1 space for each 150 sq. ft. of project area. There is a sufficient number of spaces for off-street parking on site (306 spaces required, 384 spaces provided. The surrounding streets provide access to the site with adequate capacity to accommodate additional traffic flow generated by this development.

5. Physical characteristics: The subject property has no natural features that would adversely impact the proposed redevelopment project.

6. Suitability for development if rezoned: The subject property is suitable for commercial development.

PUBLIC COMMENT / ISSUES: The proposed rezoning was advertised in the RDN on October 24/25, 2015. Property owners within 185’ were notified by mail. No comments were made and no issues raised.

STAFF RECOMMENDATION: Planning and Zoning Commission members met on September 29, 2015 to consider the rezoning request. It was the opinion of planning staff that the
Planning and Zoning Commission should recommend approval of the proposed rezoning to the City Council.

The Commission voted unanimously to recommend approval.

**ACTION REQUIRED:** Motion to recommend (approval/approval with conditions or denial) of the request to rezone property located at 1621 Martin Springs Drive

Please list factors you consider important to your recommendation.

**ATTACHMENTS:**
Zoning area map
List of property owners
Affidavit of publication
CC: Sakelaris
APPLICATION FOR REZONING OF REAL ESTATE

Submit to:
Community Development Department
PO Box 979
Rolla, MO 65402
Phone: 573-364-5333
Rolla, MO 65401
Fax: 573-426-6978

Applicant's Name: Sakelaris Ford Lincoln of Rolla Inc.
Address: PO Box 2300, Lake Ozark, MO 65049
Phone Number: (618) 530-5500
E-mail address: steve@sakelaris.com
Address of subject property: 1621 Martin Springs Drive, Rolla, MO

The undersigned hereby state they are the legal owner(s) or have a financial or contractual interest in the real estate described herein (legal description must be printed below or attached as an exhibit): See Attached

Current zoning is: C-3
Proposed zoning is: C-3

Current land use is: Vacant
Proposed land use is: Car Dealership

A check for $62.50, payable to the Rolla Daily News for advertising, will be provided when this application is filed.

Signatures of the owner(s) or those parties with financial or contractual interest in the above described real estate. (All signatures must be notarized.)

Steven W. Sakelaris
Type or print name
Signature

Type or print name
Signature

Type or print name
Signature

Subscribed and sworn before me this 22nd day of September in the year 2015.

JOY A. COOK
Notary Public - Notary Seal
State of Missouri
Commissioned for Camden County
My Commission Expires: May 10, 2017
Commission Number: 13704653

An Equal Opportunity Employer
Request to rezone 1621 Martin Springs Drive from C-2 (General Retail District) Zoning, R-1 (Single Family District) Zoning and C-3 (Highway Commercial District) Zoning to C-3 (Highway Commercial District) Zoning (Sakelaris)
ORDINANCE NO.___________

AN ORDINANCE REZONING PROPERTY AT 1621 MARTIN SPRINGS DRIVE FROM C-2 (GENERAL RETAIL DISTRICT) ZONING, R-1 (SINGLE FAMILY DISTRICT) ZONING, AND C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING TO ALL C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING (SAKELARIS).

WHEREAS, a petition was duly filed requesting that the Basic Zoning ordinance of the City of Rolla, Missouri, be amended so as to change the class of the real property hereinafter described; and,

WHEREAS, a public notice was duly published on October 24, 2015, in the Rolla Daily News for this rezoning according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, in the City of Rolla, Missouri; and,

WHEREAS, the City of Rolla Planning and Zoning Commission met on November 10, 2015 and recommended the City Council approve the rezoning of the subject property as proposed by the applicant without conditions; and,

WHEREAS, the City Council, during its November 16, 2015 meeting, conducted a public hearing concerning the rezoning.

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the City Council at said hearing by those citizens favoring said change of zoning and by those citizens opposing said change in zoning, the City Council found that the proposed change of zoning 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 said zoning ordinance adopts zoning regulations, use districts, and a zoning map in accordance with a comprehensive plan, be and the same is hereby amended by changing the zoning and classification of the following property situated within the City of Rolla Missouri, and described as follows: 1621 Martin Springs Drive from C-2 (General Retail District) zoning, R-1 (Single Family District) zoning, and C-3 (Highway Commercial District) zoning to all C-3 (Highway Commercial District) zoning.

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 16th DAY OF NOVEMBER 2015.

APPROVED:

__________________________________________
Mayor

ATTEST:

__________________________________________
City Clerk

APPROVED AS TO FORM:

__________________________________________
City Counselor

I. B. 7.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development
ACTION REQUESTED: Public Hearing / First Reading

SUBJECT: Request to rezone property located at Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing District) Zoning to C-3 (Highway Commercial District) Zoning (West)

GENERAL INFORMATION

Case # 10-23-15

Applicant(s): Mr. Lawrence West, Jr. 2600 North Bishop Avenue, (Kingdom Kia) Rolla, Missouri 65401. Phone: (314) 220-8893 Lawrence West@yahoo.com.

Status of Applicant: The applicants own the property at 2585, North Bishop Avenue, Rolla, Missouri 65401.

Current Zoning/Use: The subject property is zoned M-2 (Heavy Manufacturing District) Zoning. (Please review the attached zoning map). The site is currently undeveloped having been cleared of improvements. The subject property best used for commercial development is considered highest and best use of this property given the volume of traffic, site visibility and the adjoining commercial land uses within the area surrounding the subject property.

Proposed Use: The applicant is proposing to rezone the entire property to highway commercial development to permit the development of a car dealership.

Location: The legal description for this property is Lot 2, RSBR Subdivision. The assessor's parcel account number is 4041 may also be used to locate records.

Tract Size: The subject property has a total site area is 2.1 acres (92,727.60 sq. ft.) in area.

Surrounding Zoning/Use:
- North --- M-2 zoning / Vacant
- South --- M-2 zoning / Vacant
- East --- C-2 zoning / Commercial
- West --- NZ/ Vacant

Zoning History: There is no recent zoning history for the subject property.

APPLICANTS PROPOSAL: The applicant is requesting approval for the rezoning of a 2.1 Acre (+-) parcel from M-2 zoning to C-3 highway commercial district.

FINDINGS: The Rolla Planning and Zoning Commission may consider the following factors in their recommendation to approve or approval with conditions or deny the rezoning request.
1. **Neighborhood character/impact:** This rezoning will not adversely impact the character of the adjoining district because of the existing mixture of commercial, and retail. This rezoning should aid in the re-development of the North Bishop by attracting new investment to the area and by eliminating blight conditions that will boost economic growth.

2. **Consistency with the 2020 Comprehensive Plan Update:** This rezoning is consistent with the Future Land Use Map and the policies of the Rolla 2020 Comprehensive Plan Update that supports the development of commercial development in this area. Development further supports private sector investment to promote revitalization and promote growth in Rolla.

3. **Adequacy of utilities & public services:** All utilities and services are available to the subject property sufficient to support a commercial development of the type and scale proposed.

4. **Impact on streets and parking:** The availability of off-street parking spaces to serve Kingdom Kia used car dealership project is an important requirement. City of Rolla parking standards for retail and mercantile establishments require one paved parking space for each 150 sq. ft. of gross floor area used or intended to be used for service to the public. The plans provided by the applicant indicate a net demand of 67 spaces on site based on the parking demand formula. The surrounding streets provide access to the site with adequate capacity to accommodate additional traffic flow generated by this development.

5. **Physical characteristics:** The subject property has no natural features that would adversely impact the proposed redevelopment project.

6. **Suitability for development if rezoned:** The subject property is suitable for commercial development of this type.

**PUBLIC COMMENT / ISSUES:** The proposed rezoning was advertised in the RDN on October 24/25, 2015. Property owners within 185' were notified by mail. No comments were made and no issues raised.

**STAFF RECOMMENDATION:** Planning and Zoning Commission members met on November 10, 2015 to consider the rezoning request. It was the opinion of planning staff that the Planning and Zoning Commission should recommend approval of the proposed rezoning to the City Council.

The Commission voted unanimously to recommend approval.

**ACTION REQUIRED:** A. Motion to recommend (approval/approval with conditions or denial) of the request to rezone property located at 2535 North Bishop Avenue.
Please list factors you consider important to your recommendation.

**ATTACHMENTS:**
Zoning area map
List of property owners
Affidavit of publication
CC: Whitehead
APPLICATION FOR REZONING OF REAL ESTATE

Submit to:
Community Development Department
PO Box 979 901 North Elm St
Rolla, MO 65402 Rolla, MO 65401
Phone: 573-364-5333 Fax: 573-426-6978

Applicant’s Name: Laury West, Jr, Kingdom Kia
Address: 2400 N Bishop Ave, Rolla, MO 65401
Phone Number: 314-230-8893
E-mail address: lawrence-west@ymail.com
Address of subject property: 2535 North Bishop, Rolla, MO 65401

The undersigned hereby state they are the legal owner(s) or have a financial or contractual interest in the real estate described herein (legal description must be printed below or attached as an exhibit): Lots 1 & 2 RSBR Subdivision

Current zoning is: Lot 2 - M-2
Proposed zoning is: Lot 1 - C-3

Current land use is: Vacant
Proposed land use is: Used car dealership

A check for $62.50, payable to the Rolla Daily News for advertising, will be provided when this application is filed.

Signatures of the owner(s) or those parties with financial or contractual interest in the above described real estates. (All signatures must be notarized)

(Handwritten signature)

Subscribed and sworn before me this 15 day of Oct in the year 2015.

Notary Public

An Equal Opportunity Employer

I.C.I.
Request to rezone all of Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing) Zoning to C-3 (Highway Commercial District) Zoning (West)
ORDINANCE NO. ____________

AN ORDINANCE APPROVING THE REZONING OF LOT 2, RSBR SUBDIVISION FROM M-2 (HEAVY MANUFACTURING DISTRICT) ZONING TO C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING (WEST).

WHEREAS, a petition was duly filed requesting that the Basic Zoning ordinance of the City of Rolla, Missouri, be amended so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published on October 24, 2015, in the Rolla Daily News for this rezoning according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, in the City of Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on November 10, 2015 and recommend City Council approve the rezoning of the subject property as proposed by the applicant without conditions; and

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the City Council at said hearing by those citizens favoring said change of zoning and by those citizens opposing said change in zoning, the City Council found that the proposed change of zoning 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 said zoning ordinance adopts zoning regulations, use districts, and a zoning map in accordance with a comprehensive plan, be and the same is hereby amended by changing the zoning and classification of the following property situated within the City of Rolla Missouri, and described as follows: Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing District) zoning to C-3 (Highway Commercial District) zoning.

SECTION 2: 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

I.C.G.
CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  
ACTION REQUESTED: Public Hearing / First Reading

SUBJECT: Request to rezone all of Lots 1&2 of Vienna Hills Subdivision from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning  
(Vienna Hills)

GENERAL INFORMATION

CASE #: 10-21-15

APPLICANTS(S)/OWNER(S): John Brown Construction, Inc. 603 KingsHighway, Rolla, Missouri 65401, LLC. (573-364-2787). Rentals@rolla-rentals.com

CURRENT ZONING/USE: The property is currently zoned R-1 (Single Family District). The property is vacant and consists of .7 acres or 30,264.85 sq. ft.

PROPOSED ZONING/USE: The applicant, John Brown Construction, Inc. is requesting consideration by the Rolla Planning and Zoning Commission to recommend rezoning the subject property (Lots 1 & 2 Vienna Hills Subdivision) from R-1 to R-3 to the City Council. The applicant will construct 2- four-plexes.

LEGAL DESCRIPTION: The following legal description applies to lots 1 and 2, Vienna Hills Addition being a part of the Southwest Quarter of the Southeast Quarter of Section 35, Township 38, Range 8 West in Rolla, Missouri, Lot 1 (.35 acre) and Lot 2 (.35 acre) comprising a total .70 acres, prepared by and signed by Lortz Surveying LLC. Dated: September 8, 2015.

LOCATION: The Vienna Hills Subdivision tract consisting of two lots is located east of Lexington Place PUD and Lanes End Road. No street addresses have been assigned. The property is surrounded by multi-family housing units and single-family detached dwelling units. The Phelps County account number is 4018 which further defines the location of the subject property.

PUBLIC COMMENT/ISSUES: The Development Review Committee will meet on October 27, 2015 to review the rezoning request. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees will be paid before the rezoning is resolved and submitted to City Council. All required public improvements, storm water management, easement dedication and park land dedication (or fee- in- lieu) shall be satisfied.

CITY ACTION: The Planning and Zoning Commission will review the rezoning on November, 10, 2015 and will make a recommendation to the City Council following this review.

I.  S. 1.
APPLICATION FOR REZONING OF REAL ESTATE

Submit to:
Community Development Department
PO Box 979 901 North Elm St
Rolla, MO 65402 Rolla, MO 65401
Phone: 573-364-5333 Fax: 573-426-6978

Applicant's Name: John Brown
Address: 603 Kingshighway St Rolla, MO 65401
Phone Number: 573-364-3787
E-mail address: rentals@rolla-rentals.com
Address of subject property:

The undersigned hereby state they are the legal owner(s) or have a financial or contractual interest in the real estate described herein (legal description must be printed below or attached as an exhibit):

Current zoning is: R1
Proposed zoning is: Multi-family R-3
Current land use is: Vacant
Proposed land use is: 2-4-plexes

A check for $62.50, payable to the Rolla Daily News for advertising, will be provided when this application is filed.

Signatures of the owner(s) or those parties with financial or contractual interest in the above described real estates. (All signatures must be notarized.)

John Brown Construction, Inc
Type or print name
Signature

John Brown
president

Signature

Type or print name
Signature

Type or print name
Signature

Subscribed and sworn before me this 15th day of October in the year 2015.

Carolyn S. Roach, Notary Public
P Kleps County, State of Missouri
My Commission Expires 12/26/2016
Commission Number 12647123

An Equal Opportunity Employer
Request to rezone all of Lots 1 & 2 of Vienna Hills Subdivision from R-1 (Single Family District) Zoning to R-3 (Multi-Family District) Zoning (Vienna Hills)

Location Map

Area of Interest

Zoning Classification

NZ - No Zone
C-O - Office District
C-1 - Neighborhood Business District
C-2 - General Retail District
C-3 - Highway Commercial District
M-1 - Light Manufacturing
M-2 - Heavy Manufacturing
GI - Government and Institutional
CC - Center City
R-1 - Single Family District
R-2 - Two Family District
R-3 - Multi-Family District
R-R - Rural Residential District
PUD - Planned Unit Development
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE REZONING OF LOTS 1 AND 2 OF VIENNA HILLS SUBDIVISION FROM R-1 (SINGLE FAMILY DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING (BROWN – VIENNA HILLS).

WHEREAS, a petition was duly filed requesting that the Basic Zoning ordinance of the City of Rolla, Missouri, be amended so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published on October 24, 2015 in the Rolla Daily News for this rezoning according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, in the City of Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on November 10, 2015, and the Planning and Zoning Commission recommended the City Council approve the rezoning of the subject property as proposed by the applicant without conditions; and

WHEREAS, the City Council, during its November 16, 2015 meeting, conducted a public hearing concerning the rezoning; and

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the City Council at said hearing by those citizens favoring said change of zoning and by those citizens opposing said change in zoning, the City Council found that the proposed change of zoning 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 said zoning ordinance adopts zoning regulations, use districts, and a zoning map in accordance with a comprehensive plan, be and the same is hereby amended by changing the zoning and classification of the following property situated within the City of Rolla, Missouri, and described as follows: Lots 1 & 2 of Vienna Hills Subdivision from R-1 (Single Family District) zoning to R-3 (Multi-Family District) zoning.

SECTION 2: That once the subject property is rezoned and before the owner shall obtain an occupancy permit from the Codes Administrator, the owner shall limit development to a maximum of two (2) apartment buildings, limited to two (2) stories in height, and permitting a total of eight (8) dwelling units.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 16th DAY OF NOVEMBER 2015.

APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor
ITEM/SUBJECT: Kohl’s TIF (Tax Increment Financing) Public Hearing

BUDGET APPROPRIATION: 

DATE: Nov. 16, 2015

COMMENTARY:

Per State Statute in addition to filing an annual report with the Dept. of Revenue, the City is required to hold a public hearing on the TIF project’s status every five years from the year the Redevelopment Plan was approved. The Kohl’s TIF Plan was approved in 2010, the Redevelopment Agreement was approved in 2011, and the store opened in 2012.

As a stand-alone store, we are not able to share actual sales data but overall the project is underperforming on both the incremental property taxes paid (PILOT-Payment in Lieu of Tax) and incremental sales taxes (EATS Economic Activity Taxes) based on initial projections.

The total construction project (hence TIF assistance) came in under budget so the initial TIF note was $3,168,488 rather than $3,300,000. Kohl’s elected to finance the project directly rather than have the City issue TIF bonds at a fixed rate of 6.5% due to the reserve requirement on a bond letting. While the company has expressed satisfaction with the store’s performance, the outstanding debt to Kohl’s is $3,321,623. Store sales and property taxes will both need to rise considerably over the coming years to pay down the note. By law, a TIF project can run no more than 23 years at which point the financing is complete with no further obligations on the City’s part.

Another way of assessing this project is to look at the total and incremental effect of a new large clothing/household retailer on gross spending. We will need another 2-3 years to truly have the data to draw accurate conclusions but preliminary numbers seem to suggest the market grew considerably with Kohl’s. There was, of course, some “shifting” of sales, but total clothing sales definitely grew – even in a rather tight economy.
Good Afternoon!

Would it be possible to advertise the following “Notice of Public Hearing” in the legal section of the October 24, October 31, November 7, and November 14, 2015 editions of the Rolla Daily News? I would appreciate receiving a proof and invoice before printing. Thank you for your assistance.

Carol L. Daniels  
Rolla City Clerk  
573-426-6942; Fax 426-6947  
cdaniels@rollacity.org

NOTICE OF PUBLIC HEARING

“The City Council of the City of Rolla, Missouri, will hold a public hearing at 6:30 p.m. on November 16, 2015, at the Rolla City Hall, Council Chambers, 901 N. Elm Street, Rolla, Missouri. This hearing is being held pursuant to Section 99.865 of the Revised Statutes of Missouri. The purpose of the hearing is to determine if the redevelopment projects described in the I-44/US 63 TIF Redevelopment Plan & Project are making satisfactory progress within the proposed time schedule contained within such Redevelopment Plan. The Redevelopment Plan describes two redevelopment projects. The “RPA 1” redevelopment project includes the development of the Kohl’s department store located at 2200 N. Bishop Avenue in the City. The “RPA 2” redevelopment project includes the proposed redevelopment of City-owned property located east of the I-44/US 63 interchange. Tax increment financing has not yet been activated for the “RPA 2” redevelopment project. Please contact John Butz, City Administrator at (573) 426-6948 if you have any questions.”
Rolla TIF Annual Statement “I-44/US 63 TIF Redevelopment Plan & Project” (Kohl’s)

In accordance with Section 99.865.2 of the Real Property Tax Increment Allocation Redevelopment Act, Missouri provides the following information for the I-44/US 63 TIF Redevelopment Plan and Project” (Kohl’s) described therein.

The project included the acquisition of commercial property for redevelopment of the area for retail use. The project benefits improved conditions within what was a blighted area. The project was substantially completed in 2012 in accordance with the schedule set forth in the Plan.

The following table identifies the TIF revenues received and expended, the debt service payments and the outstanding indebtedness on an annual basis. The payments in lieu of taxes have been annually refunded back to the taxing jurisdictions in accordance with the Plan.

Any questions regarding this annual statement should be directed to Steffanie Rogers, Finance Director, at (573) 426-6980.

<table>
<thead>
<tr>
<th>Year</th>
<th>Payments in Lieu of in Lieu of Taxes</th>
<th>Debt Service</th>
<th>Outstanding Debt</th>
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<td>2012</td>
<td>$1</td>
<td>$33,892.71</td>
<td>$3,247,169.76</td>
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<td>2013</td>
<td>$42,483.33</td>
<td>$186,456.38</td>
<td>$3,256,983.75</td>
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<td>2014</td>
<td>$46,462.50</td>
<td>$169,583.84</td>
<td>$3,286,441.45</td>
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<td>2015</td>
<td>$46,353.84</td>
<td>$168,593.37</td>
<td>$3,356,746.72</td>
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</tbody>
</table>
2015 - 3rd Quarter Tourism Report
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Tourism Report 3rd Quarter 2015

Motel Tax Revenues

YTD Comparison to Budget

3rd Qtr Comparison (2011-2015)
<table>
<thead>
<tr>
<th>Tourism Income</th>
<th>Budget</th>
<th>Jan-Mar</th>
<th>Apr-June</th>
<th>July-Sept</th>
<th>YTD</th>
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<tr>
<td>Motel Tax</td>
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<td>$ 57,892.70</td>
<td>$ 63,652.89</td>
<td>$ 94,991.26</td>
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<td>$ 78.36</td>
<td>$ 72.28</td>
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<td>Miscellaneous</td>
<td>$ 25.00</td>
<td>$ -</td>
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<td>Account Transfers</td>
<td>$ 500.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Advertising</td>
<td>$ 500.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<td>Rolla Merchandise Sales</td>
<td>$ 500.00</td>
<td>$ 36.45</td>
<td>$ 111.87</td>
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<td>$ 409.77</td>
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<td>$ 45.65</td>
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<td>$ 3,416.45</td>
<td>$ (200.00)</td>
<td>$ -</td>
<td>$ 3,216.45</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$ 268,525.00</strong></td>
<td><strong>$ 61,888.96</strong></td>
<td><strong>$ 63,637.04</strong></td>
<td><strong>$ 95,330.33</strong></td>
<td><strong>$ 220,853.33</strong></td>
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<tr>
<th>Tourism Expenses</th>
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<td>Land Payment</td>
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<td>$ 6,387.39</td>
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<td>$ 600.00</td>
<td>$ 600.00</td>
<td>$ 1,800.00</td>
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<td>Cleaning Services</td>
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<td>$ 1,000.83</td>
<td>$ 1,500.00</td>
<td>$ 2,000.00</td>
<td>$ 4,500.00</td>
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<td>Utilities</td>
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<td>$ 1,280.91</td>
<td>$ 1,738.22</td>
<td>$ 4,827.96</td>
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<td>$ 500.00</td>
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<td>Brochure</td>
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<td>Tourism Partnership</td>
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<td>$ 500.00</td>
<td>$ 3,000.00</td>
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<td>Grant</td>
<td>$ 30,000.00</td>
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<td>Sports Grants</td>
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<td>$ 3,570.00</td>
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<td>Dues &amp; Subscriptions</td>
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<td>Insurance - Health</td>
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<td>Insurance - Work Comp</td>
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<td>Postage</td>
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<td>Professional Fees</td>
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<td>Signage</td>
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<td>Telephone</td>
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<td>Travel &amp; Meetings</td>
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<td>$ 286.65</td>
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<td>Web Maintenance/E-Newsletter</td>
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<td>Payroll/Taxes/Employee Retirement</td>
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<td>$ 24,594.61</td>
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<th>Other</th>
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<td>Account Transfers</td>
<td>$ 500.00</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>Special Events/Promotion</td>
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<td>Rolla Video</td>
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<td>Tourism Research</td>
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<td>Trade show Fees</td>
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<td>$ -</td>
<td>$ 270.00</td>
<td>$ 75.92</td>
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| TOTAL CASH OUTFLOW      | **$ 308,170.00** | **$ 69,505.01** | **$ 73,694.85** | **$ 71,409.04** | **$ 214,608.90** |
| CASH AT END OF PERIOD   | **(39,645.00)** | **69,505.01** | **73,694.85** | **71,409.04** | **6,247.43** |
Marketing Efforts

- Printed a coupon book for 2015.
- We placed ads in the Guidon, Kaleidoscope, Midwest Living Magazine, Missouri Life Magazine, Show-Me Missouri Magazine, Group Tour Magazine, Route 66 Association magazine, Day Trippin’ publication, surrounding community newspapers.
- We continue to promote Rolla, and area events, on our billboards along I-44.
- We promoted area events in the FLW Woodworks newsletter and attended their monthly meetings.
- We highlighted area events on Results Radio, Sunny, KMST, and KFLW.
- We attended the International Students welcome social and shared information on Rolla.
- We put together 250 packets for S&T.
- We once again partnered with Spring Hill Press to print the Phelps County map.
- We placed paid ads on Facebook to promote The Great Race.
- We started a blog on www.visitRolla.com. We feature Tourism related businesses, attractions, and events on the blog. These blog articles are also shared on our Facebook page.
- We placed an ad on the Missouri S&T flash drives that are distributed to new students.
- Rolla was featured in the Missouri Division of Tourism’s blog focused on Back to School in college towns. Our office provided information for this article.

Tourism Related Events

- We hosted the lunch stop of The Great Race on Saturday, June 20. Race participants, volunteers, and the set up crew ate lunch at Alex’s Pizza. We named our portion of the stop the Rolla Refuel and organized a local cruise in, art show, games, food and music. Over 100 race cars stopped for the event. We served lunch to over 275 race participants and staff.
- We hosted a FAM tour for tour group planners from the American Bus Association. The group toured the Experimental Mine, had lunch at Benton Square, and finished with dessert at Public House Brewing Company. The group stayed overnight in Rolla.
- We put together welcome packets for:
  - Phelps County Retired Teachers Association
  - Rolla Multisport Club
  - Ozark Actors Theatre
  - FLW Newcomers
  - Project Lead the Way
  - Missouri S&T
- We assisted the Rolla Multisport Club with lodging and meeting facilities for their Hellbender Adventure Race that features 16 hours of orienteering, mountain biking, and paddling.
- We attended the Missouri State Fair for their event, A Celebration of Women. Our booth had the theme of a Girls Getaway Weekend. We highlighted local businesses and things to do. Two local businesses attended with us and highlighted items they have for sale.
- We assisted the Missouri Division of Tourism with information for a travel writer from the St. Louis Post Dispatch. We suggested places for dining, lodging, and things to do. The writer stayed overnight in Rolla.

RACC 2015 3rd Quarter Tourism Report

II. A. 6.
• We assisted the Phelps for the Fort committee with hosting the FLW Night Out event at Ozark Actors Theatre.
• We assisted the Missouri ASA Southern District with lodging for their 2015 tournaments. We also served as a point of contact for details and information on lodging and restaurants.
• We hosted the annual FLW Spouses Tour of Rolla. We had 40 people attend the event.
• We are working with a few bank travel groups that are interested in planning a trip to Rolla in 2016. We provided sample itineraries for day trips, overnight trips, and 2 day trips to our area.

**Grants**

**Tourism Partnership Grant**

• We awarded the following grants:
  o $5,000 to the Missouri Mine Association for their 2015 Mine Rescue Competition
  o $500 to Special Olympics for their 2015 Polar Plunge event that was held at The Fugitive Beach
  o $1,000 to the Missouri S&T Mining Department for their annual Haunted Mine
  o $2,000 to the Rolla Cruisin' Committee for their 2015 Cruise In Shows
  o $2,000 for Summerfest
  o $1,500 to Shots for their Summer Concert Series
  o $750 to Public House Brewing Company for Oktoberfest
  o $1,000 to the Shrine Clown Association for their Clown Training Seminar

**Sports Tourism Grant**

• We awarded the following grants:
  o $5,000 to Licking Summer Camps for their 2015 season
  o $500 to Superior Fastpitch Softball for their Bunny Run 5K
  o $5,000 to RHS Athletic Department for the 2015 Softball (2 days)/Basketball Tournaments (3 days)
  o $5,000 to Missouri ASA Southern District for the 2015 ASA Softball Tournaments
  o $500 to Bad Girl Bucking Bulls for their Buckin' for the Brave event that raised money for the Wounded Warrior Fund at FLW.
  o $1,500 to Grandmaster Han's Marshall Arts Tournament
  o $2,500 to the Kaleidoscope Discovery Center for their Camp 7 event
  o $1,000 to Missouri S&T Intramural Sports for their Miner Bowl Flag Football Tournament

**Land/Building Maintenance Issues**

• We have rented the building at 1301 Kingshighway to the local United Way office.
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A STATEMENT BY THE
BOARD OF PUBLIC WORKS

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

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

The Board has three primary obligations:

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

Regarding Service Interruptions:

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

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

No merchandise will be sold in competition with local merchants.

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

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

Rolla Board of Public Works

H. E. CASTLEMAN, President
F. H. FRAME, Vice-President
R. E. SCHUMAN, Secretary
F. A. CAMERON, Member
FOURTH QUARTER FINANCIAL RECAP (Unaudited)

OPERATING INCOME and EXPENSES

<table>
<thead>
<tr>
<th></th>
<th>4th Quarter FYTD 2014</th>
<th>4th Quarter FYTD 2015</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPERATING REVENUES</td>
<td>$31,075,924</td>
<td>$30,802,733</td>
<td>($273,191)</td>
</tr>
<tr>
<td>OPERATING EXPENSES</td>
<td>($31,787,522)</td>
<td>($30,564,668)</td>
<td>($1,232,854)</td>
</tr>
<tr>
<td>OPERATING INCOME</td>
<td>($711,598)</td>
<td>$248,065</td>
<td>$959,623</td>
</tr>
<tr>
<td>OTHER INCOME &amp; EXP.</td>
<td>$631,505</td>
<td>$586,917</td>
<td>$44,588</td>
</tr>
<tr>
<td>NET INCOME</td>
<td>($80,092)</td>
<td>$834,982</td>
<td>$915,074</td>
</tr>
</tbody>
</table>

Upon completion of the fourth quarter of FY 2015, Operating Revenues are down $273,191 as compared to last year. Operating Expenses are down $1,232,854 for the same period resulting in an Operating Income of $248,065, which is up $959,623. When combined with miscellaneous income and expenses, RMU experienced a Net Income of $834,982, which is up $915,074 as compared to the fourth quarter of FY2014.
STATUS OF PENDING PROJECTS

ELECTRIC DEPARTMENT

- ELECTRICAL EXTENSIONS/UPGRADES
  - Downtown North Substation - Replace two (2) existing underground feeder circuits. Started June 8, 2015. Ongoing.

- POWER PRODUCTION
WATER DEPARTMENT

- WATER MAIN INSTALLATION
  - Greentree Road from 10th Street to Whitney - Replace existing 6" ductile iron water main with 8" PVC. Started June 18, 2015. Completed August 26, 2015.
  - Foxcreek, Old English, Whitehall Roads - Replace existing 4", 6", & 8" ductile iron water main with 8" PVC. Started September 1, 2015. Ongoing.

- (9) WATER TAPS

- WELL MAINTENANCE
  - Well #3 - Installation of the column and pump was completed in September, 2015.
  - Well #14 - Construction of new well house building. Completed.
**MISCELLANEOUS**

- **TRANSFORMERS:**
  - Pacific Crest Transformer (Bridge School Substation) 12mVa transformer shipped to Jordan Transformer for untanking, inspection and test report. Shipped July 9, 2015. Received report on August 21, 2015. Report indicates insulation breakdown and requires rewinding.
  - RMU Substation Transformers - Transformer oil testing and analysis by United Power Services, Inc. Samples taken October 1-2, 2015. Results pending.

- **APPA RP3 APPLICATION:**
  - Vicki Cason, Staff Engineer, completed the application in August 2015 and submitted to APPA for approval.

- **TRAINING:**
  - Missouri Water and Wastewater Annual Technical Program was held August 18-19, 2015 in Jefferson City, MO. Three RMU employees attended.
  - Line Clearance Arborist Certification Workshop by ACRT held in Rolla, MO on September 28 thru October 2, 2015. Three RMU employees attended.
  - Electric Meter School by University of Arkansas held in Fayetteville, Arkansas on October 6 thru October 8, 2015. One RMU employee attended.
  - Safety and Productivity Workshop sponsored by SMC (PLC Systems/Automation Controls) held in Springfield, MO on October 7, 2015. One RMU employee attended.
  - MPUA Apprentice Lineman Training held in Kansas City, MO on September 2 & 3, 2015. Three RMU employees attended.

- **LAGERS REPORT:**
  - As of February 28, 2015, RMU has an Unfunded Accrued Liability of $377,786, which results in the retirement program being 95.2% funded. Additional payments have been budgeted for the next fiscal year with possible reduction or elimination of payments from the FY2017 budget.

- **MISCELLANEOUS:**
  - Street repair for RMU water projects (Forum Shopping Center) - 1,886.45 sq. ft. at $2.24 per sq. ft. Mobilization fee of $150. Total $4,375.64.
  - Leak Detection Survey - Significant leaks discovered at: Old St James Rd. with an estimated 6,048,000 gallons per month; Soest Rd with an estimated 432,000 gallons per month; Ridgeview with an estimated 864,000 gallons per month.
• **PRESENTATIONS:**
  - General Manager, Rodney Bourne was invited to be a guest speaker at MS&T November 5, 2015 for Civil Engineering 3842, "Fundamentals of Building Systems".
  - General Manager, Rodney Bourne was the presenter at Rolla Lions Club on September 24, 2015 regarding the Clean Power Plan.

• **MPUA/MJMEU CONFERENCE:**
  - MJMEUC has authorized MC Power for up to five additional solar projects for the MoPEP pool. MoPEP to determine if they have a need or desire for additional solar facilities.
  - MoPEP's Annual peak was on July 28th. RMU’s peak on that day was 56MW. This is down from 58MW currently being billed. RMU usually hits the highest peaks in the winter.
  - MPUA is creating a pole attachment agreement to be used as a model by members.
  - A presentation of the Clean Power Plan was made at the MPUA Conference which discussed the changes from the draft plan. In the final Plan, natural gas will no longer be considered a transition fuel. the Plan is gearing states to choose the mass-based implementation plan which has a hard cap in regard to CO2 emissions. Missouri’s plan must be enacted by September 2018. In order to get through the approval process, the state’s plan must be complete by March of 2017. All Missouri utilities will be participating in the development of the State Plan. It is anticipated that a Supreme Court hearing will be held in 2019 or 2020. Rates will increase but until the state plan is developed/approved, it will not be clear as to the rate impacts. The Midwest will be effected more than other areas since 75-80% of our power comes from coal.
DEPARTMENT HEAD: Steve Hargis ACTION REQUESTED: Ordinance-Final Reading

ITEM/SUBJECT: Work Release Program with the South Central Correctional Center

BUDGET APPROPRIATION

DATE: 11/16/2015

COMMENTARY:

Attached is an ordinance authorizing the Mayor to extend the contract with the Missouri Department of Corrections, Division of Adult Institutions, South Central Correctional Center for use of prisoners for labor in the City of Rolla. The eight individuals are picked up Monday thru Thursday. Four of them go to the Parks Department and the remaining four work for the Street Department.

The prisoners are used to do manual labor tasks such as cutting grass, clearing brush and picking up litter on City owned property and parks.

Each prisoner receives approximately $1.00 per hour. Half of that goes to the prisoner to use in the commissary in the prison and the other half goes into a savings account for the prisoner which is given to them upon their release.

This has been a very successful program for the last ten years.

Staff recommends passage of the ordinance.
STATE OF MISSOURI
MISSOURI DEPARTMENT OF CORRECTIONS
CONTRACT AMENDMENT

RETURN AMENDMENT NO LATER THAN October 28, 2015 TO:
Beth Lambert, Procurement Officer II
Beth.Lambert@doc.mo.gov
(573) 526-6494 (Phone)
(573) 522-1562 (Fax)
FMU/PURCHASING SECTION
P.O. BOX 238
JEFFERSON CITY, MISSOURI 65102

<table>
<thead>
<tr>
<th>DATE</th>
<th>VENDOR IDENTIFICATION</th>
<th>CONTRACT NUMBER</th>
<th>CONTRACT DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 9, 2015</td>
<td>The City of Rolla 901 N. Elm St. Rolla, MO 65401</td>
<td>Amendment #002 W14708095</td>
<td>Supervised Work Release Program Agreement For South Central Correctional Center</td>
</tr>
</tbody>
</table>

CONTRACT W14708095 IS HEREBY AMENDED AS FOLLOWS:

Pursuant to paragraph 2.1 on page 1, the Missouri Department of Corrections hereby exercises its option to renew the above-referenced contract for the period of March 2, 2016 through February 28, 2017.

All other terms, conditions and provisions of the previous contract period shall remain and apply hereto.

The contractor shall complete, sign, and return this document as acceptance on or before the date indicated above.

IN WITNESS THEREOF, THE PARTIES HERETO EXECUTE THIS AGREEMENT.

Company Name: The City of Rolla
Mailing Address: P.O. Box 979
City, State Zip: Rolla, MO 65401
Telephone: (573) 426-6948
E-Mail Address: Imadgit@rollacity.org
Authorized Signer's Printed Name and Title: Louis J. Magdits, IV - Mayor
Authorized Signature: ___________________________ Date: ___________________________

THIS AMENDMENT IS ACCEPTED BY THE MISSOURI DEPARTMENT OF CORRECTIONS AS FOLLOWS: In its entirety.

Dave Dormire, Director, Division of Adult Institutions
Date
ORDINANCE NO. __________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI AMENDMENT #002 TO THE SUPERVISED WORK RELEASE PROGRAM AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE SOUTH CENTRAL CORRECTIONAL CENTER.

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 Amendment #002 to the Supervised Work Release Program Agreement between the City of Rolla, Missouri and the South Central Correctional Center, a copy of said agreement being attached hereto and marked Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 16th DAY OF NOVEMBER 2015.

APPROVED:

________________________
MAYOR

ATTEST:

________________________
CITY CLERK

APPROVED AS TO FORM:

________________________
CITY COUNSELOR

III A 3.
The Rolla Area Chamber of Commerce will be hosting the Christmas Parade on Pine Street Saturday, December 5th beginning at 10:00 a.m. In addition, the Rolla Area Sister City Association Sondershausen is requesting to close 7th Street between Rolla and Pine Street. They will be placing a tent in the street on Friday evening and keeping the street closed overnight. Saturday the Sister City Association will be hosting the Christkindl Market on 7th Street in conjunction with the Christmas Parade and celebration.

Staff from the Rolla Police Department and Rolla Public Works will assist with street closings for both events.

Staff recommends approval.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Resolution

ITEM/SUBJECT: MO S & T Sewer Use Agreement and Annexation

BUDGET APPROPRIATION (IF APPLICABLE) DATE: 11/16/15

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

COMMENTARY:

Attached is a sewer use agreement and annexation request from Missouri S & T for a tract of land located at the University’s Experimental Mine off Bridge School Road. Also included is a letter from the University’s consultant, Jack Mentink, PE.

This tract is not contiguous with City limits. It is only the area containing a proposed 15,000 sf classroom. The cost to connect the classroom’s sewer to the City’s sewer would be borne by the University. Based on the capacity of the building (395) and its use the connection fee would be $630.00. The water usage would be unmetered. We would use the non-metered residential rate increased 4.2 times to allow for the use and size for a total monthly rate of $107.82 per month.

Attached is a resolution authorizing the Mayor to approve the Sewer Use Agreement. The Petition for Annexation will be considered when the property becomes contiguous.

Planning and Zoning has reviewed the request and recommends it for approval. Staff also recommends approval.
RESOLUTION NO.__________

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND MISSOURI S & T.

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

Section 1: That the Mayor of the City of Rolla, Missouri is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a sewer use agreement between the City of Rolla, Missouri and Missouri S & T. A copy of said agreement being attached hereto and marked Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 16th DAY OF NOVEMBER 2015.

APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor
PETITION REQUESTING ANNEXATION
TO THE CITY OF ROLLA, MISSOURI

Submit To:
City of Rolla
Department of Public Works
PO Box 979
901 North Elm Street
Rolla, MO 65402
573-364-8659 Phone
573-364-8602 Fax

The undersigned hereinafter petitions and requests the City Council of the City of Rolla, Missouri to annex into the corporate limits of the City of Rolla, Missouri, any portion or part of the following tract of land, presently unincorporated non-contiguous to the corporate limits of the City of Rolla, Missouri.

All that certain parcel of land situated in the County of Phelps, State of Missouri, being known and designated as a fractional part of Railroad Lot 112 in Phelps County, Missouri, more particularly described as follows: Commencing at a found stone at the SW corner of Railroad Lot 112; Thence along the South line of said Lot 112, N 88°55'30" E (basis of bearing based on Archer-Elgin Survey J1157, dated September 22, 2015) 740.00 feet to the point of beginning; Then leaving said South line, N 01°04'30" W 140.00 feet; Thence N 88°55'30" E 250.00 feet; Thence S 01°04'30" E 140.00 feet to the South line of Railroad Lot 112; Thence along said South line, S 88°55'30" W 250.00 feet to the point of beginning. Description derived from Survey J1157 by Archer-Elgin under date of September 22, 2015, containing 0.80 acres, subject to survey, and any/all easements and/or restrictions existing and/or of record.

The undersigned represent that they are owners of all fee interest of record of the above tract of land.

This petition shall be a continuing obligation running with the land, and shall bind the subsequent owners, their heirs, executors, administrators, successors, assigns, or legal representatives. It is understood that this Instrument will be recorded in the Recorder of Deeds Office of Phelps County and shall be of record.

Walter J. Branson, Vice Chancellor
Finance & Administration
Signature

Mailing address: Design & Construction Management
901 Facilities Avenue, Rolla, MO 65409-209

Subscribed and sworn before me this 2nd day of November in the year 2015.

Joyce E. Abbott
Notary Public

IV. B.3.
Sewer Use Agreement

Grantee: MO University of Science & Technology
Grantor: City of Rolla, 901 North Elm Street, Rolla, MO 65401
Mailing Address: PO Box 979, Rolla, MO 65402
Legal Description: Page 2
Reference Book/Page: ____________________________
SEWER USE AGREEMENT

THIS SEWER USE AGREEMENT is entered into this _____ of ____________, 2015 by Missouri University of Science and Technology, Grantee(s) with the City of Rolla, Missouri, a municipal corporation hereinafter “City”), Grantor.

WHEREAS, Missouri University of Science and Technology has made a request for sewer service for their property located at 12350 Spencer Road, Rolla, MO. 65401.

WHEREAS, this property is located outside the city limits.

WHEREAS, Missouri University of Science and Technology has submitted an application for annexation of the property.

WHEREAS, by voluntarily entering into this agreement Missouri University of Science and Technology and the City, in accordance with Rolla City Code Section 35-133, intend to further define their duties and responsibilities to ensure that their respective actions are coordinated in order to meet the requirements of said Section 35-133; and

NOW THEREFORE, in consideration of the foregoing recitals and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The terms of this agreement apply to the following property and all portions thereof:

   All that certain parcel of land situated in the County of Phelps, State of Missouri, being known and designated as a fractional part of Railroad Lot 112 in Phelps County, Missouri, more particularly described as follows: Commencing at a found stone at the SW corner of Railroad Lot 112; Thence along the South line of said Lot 112, N 88°55'30" E (basis of bearing based on Archer-Elgin Survey J1157, dated September 22, 2015) 740.00 feet to the point of beginning; Then leaving said South line, N 01°04'30" @ 140.00 feet; Thence N 88°55'30" E 250.00 feet; Thence S 01°04'30" E 140.00 feet to the South line of Railroad Lot 112; Thence along said South line, S 88°55'30" @ 250.00 feet to the point of beginning. Description derived from Survey J1157 by Archer-Elgin under date of September 22, 2015, containing 0.80 acres, subject to survey, and any/all easements and/or restrictions existing and/or of record.

2. The parties agree that the following stipulations outlines in this agreement are necessary are reasonable as outlined below:

   (a) The owner of the land shall submit a petition for annexation of the land into the city;

   (b) The parcel of property shall be developed in accordance with city specifications and standards as though the property were within the city’s limits;

   (c) The sewer connection fees, as set forth in Section 35-131 of the Rolla City Code, shall be paid in advance;

   (d) The owner of the premises to be served is subject to a monthly sewer use as set forth in Section 35-127 of the Rolla City Code;

   IV. b. 5.
(e) The owner shall be responsible for obtaining easements and construction of all sewer mains, together with all individual service lines;

(f) The owner shall authorize right of entry by the city representative or agent, at any time, for the purpose of inspecting and testing the owner's sewer system or to perform work to correct or improve such sewer system;

(g) The owner shall correct, repair or alter, within a specified time period, any portion of the sewer line found to be defective by the city's representative or agent upon verbal or written notice by the Public Works Director or his representative. In the event the owner fails to meet the specified time schedule to correct such sewer system the city may perform such corrective work and the owner shall compensate the city for such work in an amount equal to the actual cost to the city or by a contractor;

(h) All sanitary sewer lines permitted by this section shall comply with all city ordinances governing the installation of sanitary sewers within the corporate limits of the city;

(i) The city reserves the right to cut off or disconnect any connection made under the provisions of this section in the event the charges or fees required by the chapter become delinquent or in the event of a violation of the provisions of the chapter. (Ord. 2197, §1; Ord. 2886, §3; Ord. 3436, §1)

3. Applicable Standards and Approvals. All of the improvements outlined herein shall be made in accordance with all applicable city ordinance requirements, except those outlined in this agreement. The Developer shall be responsible for obtaining approval for any portion of the improvements that require approval from another jurisdiction.

4. Recording of Agreement. City agrees to record this agreement with the Phelps County Recorder's Office and agrees to pay the costs of said recording. The Covenant herein shall run with the land as described above and shall be binding and inure to the benefit of the parties hereto and their successors and assigns and on any future and subsequent purchasers.

5. Complete Agreement. This agreement shall constitute the complete agreement between the parties and any modification shall be in writing and signed by both parties.

6. Severability. Any provision of this agreement which is not enforceable according to law will be served here from, and the remaining provisions shall be enforced to the fullest extent permitted by law.

7. Authority. The undersigned represent that they each have the authority and capacity from the respective parties to execute this agreement. This agreement shall not be valid until executed by the parties and approved by motion by the City Council of the City of Rolla, Missouri.

IV. B.
(e) The owner shall be responsible for obtaining easements and construction of all sewer mains, together with all individual service lines;

(f) The owner shall authorize right of entry by the city representative or agent, at any time, for the purpose of inspecting and testing the owner’s sewer system or to perform work to correct or improve such sewer system;

(g) The owner shall correct, repair or alter, within a specified time period, any portion of the sewer line found to be defective by the city’s representative or agent upon verbal or written notice by the Public Works Director or his representative. In the event the owner fails to meet the specified time schedule to correct such sewer system the city may perform such corrective work and the owner shall compensate the city for such work in an amount equal to the actual cost to the city or by a contractor;

(h) All sanitary sewer lines permitted by this section shall comply with all city ordinances governing the installation of sanitary sewers within the corporate limits of the city;

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4. Recording of Agreement. City agrees to record this agreement with the Phelps County Recorder’s Office and agrees to pay the costs of said recording. The Covenant herein shall run with the land as described above and shall be binding and inure to the benefit of the parties hereto and their successors and assigns and on any future and subsequent purchasers.

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6. Severability. Any provision of this agreement which is not enforceable according to law will be served here from, and the remaining provisions shall be enforced to the fullest extent permitted by law.

7. Authority. The undersigned represent that they each have the authority and capacity from the respective parties to execute this agreement. This agreement shall not be valid until executed by the parties and approved by motion by the City Council of the City of Rolla, Missouri.
IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first written above.

APPROVED: 
Mayor Louis J. Magdits IV

ATTEST:

City Clerk Carol Daniels

Walter J. Branson
Vice Chancellor
MO University of Science & Technology

APPROVED AS TO FORM:

City Counselor
November 5, 2015

John Peterson
Planning Director
City of Rolla
P O Box 979
Rolla, MO 65401

RE: M S & T Experimental Mine Request for Sewer Service

Dear Mr. Peterson:

MS&T has recently received funding to design and construct a new education building which will be located on the experimental mine property adjacent to Bridge School Road, south of the Rolla City limits. The Mining program at S&T has seen tremendous growth over the last decade and is in desperate need of an educational building at the Experimental Mine site to house classrooms and laboratories. The University’s educational program at the experimental mine site is very hands on, allowing students to actually see and experience the specifics of an operating mine. The S&T Experimental mine is one of only two educational operating mines in the country which makes the facility very unique and provides for many visitors from across the country. The new 15,000 square foot educational facility which is being designed by Integrity Engineering, Inc., is scheduled to be constructed by the end of June in 2016. The size of the facility and the continually growing population of students, faculty and staff, has facilitated a need for wastewater treatment at the site that exceeds the capability of the present septic tank and drain field system. Because the area has very limited soil above solid rock, a larger scale on-site wastewater system that would serve the needs of the expanded educational program for the experimental mine would be very difficult, if not impossible to construct.

For this reason the University is requesting access to the City of Rolla sewer collection system to treat the wastewater from the experimental mine facility. The University would construct a lift station and force main to pump the wastewater from the site under the rail road and into the present collection system near Bridge School Road. The construction and maintenance of the lift station and force main would be at University expense and completed as part of our building construction. The University would be responsible for sewer user fees as determined by the City Public Works Department.

The operation of the Experimental Mine involves extensive use of explosives, heavy equipment, and machinery which are not conducive to being located in the City Limits of Rolla. The
University has signed the petition for annexation as a method of obtaining connection to the sewer system. The parcel for the building described in the petition is not contiguous with the present City Limits and could not be annexed unless additional property was also part of a larger scale annexation that was initiated by the City of Rolla. Because the operation of the experimental mine is not compatible with being in the City, it is the University's desire for this to not happen and to remain part of unincorporated Phelps County.

Thank you for your assistance in this matter.

Sincerely

[Signature]

Jack Mentink, P.E.
Principal
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development

ACTION REQUESTED:

SUBJECT: Final Plat of Vienna Hills, a subdivision in the Southwest quarter of the Southeast quarter of Section 35, Township 38 North, Range 8 West, Rolla, Missouri (Brown1)

GENERAL INFORMATION

CASE #: 10-20-15

APPLICANTS(S)/OWNER(S): John Brown Construction, Inc. 603 KingsHighway, Rolla, Missouri 65401, LLC. (573-364-2787). Rentals@rolla-rentals.com

CURRENT ZONING/USE: The property is currently zoned R-1 (Single Family District). The property is vacant and consists of .7 acres or 30,264.85 sq. ft.

PROPOSED ZONING/USE: The applicant, John Brown Construction, Inc. is requesting consideration by the Rolla Planning and Zoning Commission to recommend rezoning the subject property (Lots 1 & 2 Vienna Hills Subdivision) from R-1 to R-3 to the City Council. The applicant will construct 2- four-plexes.

LEGAL DESCRIPTION: The following legal description applies to lots 1 and 2, Vienna Hills Addition being a part of the Southwest Quarter of the Southeast Quarter of Section 35, Township 38, Range 8 West in Rolla, Missouri, Lot 1 (.35 acre) and Lot 2 (.35 acre) comprising a total .70 acres, prepared by and signed by Lortz Surveying LLC. Dated: September 8, 2015.

LOCATION: The Vienna Hills Subdivision tract consisting of two lots is located east of Lexington Place PUD and Lanes End Road. No street addresses have been assigned. The property is surrounded by multi-family housing units and single-family detached dwelling units. The Phelps County account number is 4018 which further defines the location of the subject property.

PUBLIC COMMENT/ISSUES: The Development Review Committee will meet on October 27, 2015 to review the rezoning request. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees will be paid before the rezoning is resolved and submitted to City Council. All required public improvements, storm water management, easement dedication and park land dedication (or fee- in- lieu) shall be satisfied.

CITY ACTION: The Planning and Zoning Commission will review the rezoning on November, 10, 2015 and will make a recommendation to the City Council following this review.
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE FINAL PLAT OF VIENNA HILLS, A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 8 WEST, ROLLA, MISSOURI. (VIENNA HILLS SUBDIVISION)

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

SECTION 1: That the final plat of Vienna Hills, a subdivision in the southwest quarter of the southeast quarter of Section 35, Township 38 North, Range 8 West, to the City of Rolla, Phelps County, Missouri, is hereby approved.

SECTION 2: 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 revised plat has been filed with the Phelps County Recorder of Deeds.


APPROVED:

ATTEST:

Mayor

________________________
City Clerk

APPROVED AS TO FORM:

________________________
City Counselor

IV. C.4.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development

ACTION REQUESTED: Public

SUBJECT: Request to re-plat property located at Lots 73, 74, & 75 of Block 3, James Addition to Rolla, Missouri addressed as 407 North Olive Street. (Woolf Second Addition)

GENERAL INFORMATION

CASE #: 10-18-15

APPLICANTS(S)/OWNER(S): Larry and Darlana Woolf, 801 South Rolla Street, Rolla, MO 65401, 573-341-8344, email-www.mypcb.com. Information provided is based on real property tax assessment records and the signed Application for Rezoning of Real Estate form.

CURRENT ZONING/USE: The zoning of this tract is C-2 (General Retail District) zoning which does not allow residential development of any type or density. Other uses, such as churches and group homes, parking lots, would be eligible without a change in zoning. The subject property is vacant, all structures having been removed over the past several years.

LOCATION: The subject property is located at the southwest corner of 5th Street and Olive Street. Please see attached Trustee Deed. Check Account # 7,606 at the Phelps County Assessor’s Office for additional information.

PROPOSED RE-PLAT / USE: The applicant requests that the Planning and Zoning Commission and the City Council approve the re-plat of the subject property Lots 73, 74, & 75 James Addition. Once the subject property is successfully re-platted, the applicant shall file a re-subdivision to combine Lot 75, 74, and a fractional part of Lot 73, Block 3, of the James Addition to the City of Rolla, Missouri to permit the development of a maximum of 2 buildings, both 2 stories in height with a total of 32 dwelling units consisting of a maximum of 320 sq. ft. per unit each. The two buildings will be detached with required separation distances.

The primary purpose of this re-subdivision is the ability to eliminate interior lot lines and unnecessary utility easements to allow greater development flexibility to combine and to reuse existing small lots for multi-family.

R-3 zoned properties require a minimum lot size of 7,500 square feet for the first two units and an additional 1,500 square feet for each additional unit. Once Lot 75, 74 and 73 combined, the total site will contain 17,570 sq. ft. and consequently will meet all required standards for lot frontage, setbacks and lot width. Maximum lot coverage is limited to 40 percent (7,028 sq. ft.)

IV. 8. 1.
and may be accommodated on site. An open space reserve of (25% of total area) can also be met as required.

**TRACT SIZE:** The subject property totals 5,372.50 sq. ft. or .13 acres in total area (please refer to the attached map).

**PUBLIC COMMENT/ISSUES:** The Development Review Committee will meet on October 27, 2015 to review the rezoning request. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees will be paid before the rezoning is resolved and submitted to City Council. All required public improvements, storm water management, easement dedication and park land dedication (or fee-in-lieu) shall be satisfied.

**PUBLIC COMMENT/ISSUES:** The Development Review Committee will meet on October 27, 2015 to review the rezoning request. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees will be paid before the rezoning is resolved and submitted to City Council. All required public improvements, storm water management, easement dedication and park land dedication (or fee-in-lieu) shall be satisfied.

The Planning and Zoning Commission voted unanimously to recommend approval.

**CITY ACTION:** The Planning and Zoning Commission will review the rezoning on November, 10, 2015 and will make a recommendation to the City Council following this review.

The Planning and Zoning Commission voted unanimously to recommend approval.

**CITY ACTION:** The Planning and Zoning Commission will review the rezoning on November, 10, 2015 and will make a recommendation to the City Council following this review.
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE REPLAT OF A FRACTIONAL PART OF LOTS 73, 74, AND 75, BLOCK 3, JAMES ADDITION, INTO LOT 1, TO THE CITY OF ROLLA, MISSOURI (407 NORTH OLIVE STREET) (WOOLF'S SECOND ADDITION).

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

SECTION 1: That the replat of a fractional part of Lots 73, 74, and 75, Block 3, James Addition, which is hereby consolidated into Lot 1, to the City of Rolla, Missouri is hereby approved.

SECTION 2: 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 revised 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 16th DAY OF NOVEMBER 2015.

APPROVED:

________________________   ______________________________
ATTEST:                     Mayor

________________________
City Clerk

APPROVED AS TO FORM:

________________________
City Counselor

IV. 6/5.
DEPARTMENT: Steffanie Rogers
Finance Director

DATE: August 15, 2011

SUBJECT: Service Agreement between the City of Rolla and Edgar Springs Rural Fire Protection District

ACTION REQUESTED: Motion

BUDGET APPROPRIATION: $3,000.00

COMMENTARY:

At their November 2015 meeting, the Edgar Springs Rural Fire Protection District (Edgar Springs Fire) authorized a contract between the City of Rolla and Edgar Springs Fire for limited accounting services. This agreement authorizes the City of Rolla to provide accounting services, as provided by the attached contract. All related costs including administrative time incurred by the City are reimbursed by the Edgar Springs Fire. The agreement can be amended but will last through 12/31/18. Staff is recommending the approval of this proposed contract.
ORDINANCE NO._________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A TECHNICAL ASSISTANCE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE EDGAR SPRINGS RURAL FIRE PROTECTION DISTRICT.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a Technical Assistance Contract between the City of Rolla, Missouri and the Edgar Springs Rural Fire Protection District, a copy of said agreement being attached hereto and marked Exhibit A.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 16th DAY OF NOVEMBER 2015.

APPROVED:

__________________________
MAYOR

ATTEST:

__________________________
CITY CLERK

APPROVED AS TO FORM:

__________________________
CITY COUNSELOR

N. E. 2.
TECHNICAL ASSISTANCE CONTRACT
by and between
EDGAR SPRINGS RURAL FIRE PROTECTION DISTRICT
and
THE CITY OF ROLLA

This Agreement is made and entered into on the 16th day of November, 2015 by and between Edgar Springs Rural Fire Protection District, Rolla, Missouri, hereinafter referred to as "Edgar Springs Fire" and the City of Rolla, hereinafter referred to as "City".

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

1. **Services to the Edgar Springs Fire.** City shall provide the following services to Edgar Springs Fire for purposes of providing technical assistance in the administration of the Edgar Springs Fire Board:

   A. Accounting Services: A qualified accountant and his/her assistants shall be provided to accomplish the following tasks:

      1) Prepare and maintain the necessary financial records of the Edgar Springs Fire Board, including appropriate journals and ledgers, using generally accepted accounting principles.

      2) Prepare financial statements (Balance Sheet and Statement of Revenues and Expenditures) and reports to the Edgar Springs Fire Board on the status of its financial position on a semi-annual basis, or as requested.

      3) Prepare for submission the necessary reports required of governmental/not-for-profit boards and employers to the Internal Revenue Service, if necessary.

      4) Maintenance and management of all necessary bank accounts.

      5) Prepare payroll, W-2 and 1099s and related responsibilities, including the monthly completion of Federal and FICA tax deposits and quarterly reporting, for Edgar Springs Fire personnel.

   B. Administrative Services: Qualified individuals shall be available at the request of the Edgar Springs Fire Board and/or its employee to accomplish the following tasks:

      1) Provide administrative assistance to the Edgar Springs Fire Board, its officers, committees and its employees as required and/or requested including staff support, phone and fax support, copying assistance and necessary and ordinary supplies.

      2) Assist the Edgar Springs Fire Board in the preparation and publication of agendas and any other materials necessary or required for those meetings, including telephone/e-mail
verification of members attending. This is in reference to financial, risk management and human resource matters.

3) Keep on file all minutes of Edgar Springs Fire Board meetings and all other pertinent documents for audit purposes.

4) Preparation of any desired correspondence and mailings.

5) Assist in various human resource and risk management functions, as needed.

2. **Edgar Springs Fire to Supply.** Edgar Springs Fire shall supply City with all needed information in order for it to completely and thoroughly do its job. Edgar Springs Fire shall pay to City an amount equal to the actual salary and benefits of the Edgar Springs Fire personnel, both full and part time, whose employment will be consistent with the rights and privileges of all City employees, except as otherwise provided by this agreement. The compensation provided in this paragraph shall be in addition to the consideration provided for in Section 7 of this agreement.

3. **Independent Contractor.** Both Edgar Springs Fire and City agree that City and its employees and representatives will act as independent contractors in the performance of its duties under this agreement. Neither City nor the Edgar Springs Fire Board shall have the authority to obligate or bind the other without the express written consent of the other party. Edgar Springs Fire personnel shall be under the supervision, direction and control of the Edgar Springs Fire Board and the Edgar Springs Fire Board shall determine compensation to be provided to all Edgar Springs Fire personnel. Edgar Springs Fire personnel shall be deemed to be employees of City only for purposes of payroll and compensation-related purposes as provided in this agreement.

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

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

6. **Time of Performance.** City will provide the services described in this agreement for the period commencing November 16, 2015 through December 31, 2018. The time and services of this contract may be terminated, extended or amended by Addendum hereto, containing the signatories of the parties.
7. **Consideration.** Edgar Springs Fire agrees to pay on a monthly basis the direct compensation and benefits of Edgar Springs Fire personnel. In addition Edgar Springs Fire shall pay the following amounts for indirect services (i.e. financial/accounting) to be billed on a monthly basis: $25 per hour for clerical support and $50 per hour for technical/management staff. Billing will include the date, name, rate of pay, and purpose of services provided.

8. **Termination of Agreement.** This agreement will terminate December 31, 2018, unless extended by Addendum hereto as provided in Section 6; however, City or the Edgar Springs Fire may terminate this contract without cause by giving the other party not less than ninety (90) days written notice thereof. In the event of termination prior to completion of the project, the Edgar Springs Fire shall pay the cost of services rendered by City and expenses incurred in the performance of this agreement to the effective date of termination.

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

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

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

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

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

14. **Notices.** All notices, requests, demands or other communications provided for herein shall be in writing and shall be deemed to have been given when sent by registered or certified mail, with return
receipt requested, addressed, as the case may be to City at City Hall, P. O. Box 979, Rolla, Missouri 65402; and to Edgar Springs Fire at PO Box 272, Edgar Springs, Missouri 65462; or to such address as any party shall designate to the other from time to time.

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

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

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

EDGAR SPRINGS RURAL FIRE PROTECTION DISTRICT

[Signature]
Chairman

CITY OF ROLLA, MO

[Signature]
Mayor

[Signature]
Attest

IV. E. 6.
City of Rolla
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Chief Sean P. Fagan
ACTION REQUESTED: Motion

ITEM/SUBJECT: Bids for Building Repairs

BUDGET APPROPRIATION (IF APPLICABLE): $30,000
DATE: November 16, 2015

Commentary:

1) On October 28, 2015, we solicited bids to repair approximately 20' X 20' of the rear (eastern) facing, EIFS exterior covering of the exterior wall, and cover approximately 105' X 20' of the side (southern) facing, exterior covering of the Rolla Police building. We expressed the need to use an EIFS or similar material that matches closely with the existing exterior covering and color. We also required that construction must meet City of Rolla building codes and all required permits must be obtained by the bidder.

The bid request was announced in the Rolla Daily News with an expiration date of Monday, November 9, 2015 at 11:00 am. On that date, City Clerk Carol Daniels opened the sole, sealed bid, which was submitted by Auxier Drywall of St. James.

There are two options on this bid, and in summary the main difference in the two options is the following:

Option 1 will have a foam covering over the existing concrete block that the EIFS product will cover. Price $23,922.00

Option 2 will have cement plaster covering the existing concrete block with an EIFS cover. This option is more durable and is recommended since there will be residents in the neighboring building parking vehicles near our wall. In the event of a minor collision, Option 2 will offer more protection and sustain less damage. Price $30,624.00

Recommendation:

It is staff recommendation that we award this project to Auxier Drywall as they are the only EIFS installer in our area, and that we opt for the cement plaster project for a total of $30,624.
INVITATION FOR BIDS

The City of Rolla will receive sealed bids until 11:00 am on November 9, 2015, at the City Clerk's office located at the Rolla City Hall, 901 N. Elm Street, Rolla Missouri, at which time and place all bids will be publicly opened and read aloud for the following:

To repair the rear (eastern) facing, EIFS exterior and cover the side (southern) facing, exterior covering of the Rolla Police building

The bids can be hand delivered to the above address, 901 N. Elm Street, Rolla, MO 65401 or mailed to City of Rolla P.O. Box 979 Rolla, Missouri 65402. The bids must be received prior to 11:00 am on November 9, 2015.

The envelopes containing the bids must be sealed, addressed to Carol Daniels, City Clerk, and must bear the following information:

Name of Bidder
Bidders Address
Date and Time of Bid Opening
Bid Enclosed: Repair/recover police building east and south exterior walls.

As approved through state law and Rolla City Council, the City will be seeking repair/recovery of police building through the bid contract.

All bids shall be in compliance with the bid documents. Bid documents, including instructions to bidders, bid proposal, and building specifications are on file and available at City Hall, 901 N. Elm Street, and at the Rolla Police Department, 1007 N. Elm St., Rolla Missouri. For further information contact Lt. Rick Williams (573) 308-1213.

The City of Rolla reserves the right to reject any and/or all bids and to waive any informality in bidding. The City of Rolla will determine the lowest and best bid.

Bids may be held by the City of Rolla for a period not to exceed sixty (60) days from the date of the opening for the purpose of reviewing the bids and investigating bid items prior to award.

Lieutenant Rick Williams
Rolla Police Department
1007 N. Elm St.,
Rolla, Mo. 65401
573-308-1213
email: rickwilliams@rollacity.org
PROPOSAL

PROPOSAL SUBMITTED TO:

NAME: Pilla Police Station
ADDRESS: Some
PHONE NO.

WORK TO BE PERFORMED AT:

ADDRESS: Some
DATE: 10/21/16
ARCHITECT:

We hereby propose to furnish the materials and perform the labor necessary for the completion of South Wall on Bid, Partial Lower 7' from corner of South Wall going North to Fence. 

**OPTION 1** 1¼" Foam, Base coat & Finish coat
Note we will waterblast Block wall

Hard System $23,922.00 (1)

**OPTION 2** 3.4 gal Latex Attached To Block Cement Plaster (Scratch & Brown) with EIFS Finish

Hard System $39,674.00 (2)

Opened 11-9-15
11:05 a.m.
Card

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of 

Dollars ($ )

with payments to be made as follows.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

Augie Clywell
Per

Note — This proposal may be withdrawn by us if not accepted within ___ days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature

Date

Signature

V.A.3.
WHEREAS: The City of Rolla, Missouri celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS: Small businesses form the backbone of our local economy, generating jobs and improving the quality of life for citizens; and

WHEREAS: Rolla, Missouri issues some 1,220 business licenses each year and supports the efforts of local small businesses and recognizes the critical role they play in our community; and

WHEREAS: Small Business Saturday is a nationwide campaign to cultivate business for small merchants on the Saturday after Thanksgiving. Small Business Saturday will stimulate economic growth for merchants in our community; and

WHEREAS: Rolla, Missouri values its local businesses and celebrates the diversity of the goods and services they provide.

NOW, THEREFORE, I, Louis J. Magdits, IV, Mayor of the City of Rolla, Missouri, do hereby proclaim Saturday, November 28, 2015 as

"SMALL BUSINESS SATURDAY"

in the City of Rolla, Missouri, and I encourage all residents to recognize and support small businesses within our community by shopping at these establishments as a way to boost the local economy and strengthen our small business community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Rolla to be affixed this 18th Day of November In the Year of Our Lord, Two-Thousand and Fifteen.