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.

AGENDA OF THE ROLLA CITY COUNCIL
Monday, December 7, 2015
City Hall Council Chambers
901 North Elm Street
6:30 P.M.

PRESIDING: MAYOR PRO-TEM MONTY JORDAN

COUNCIL ROLL: JONATHAN HINES, MONTY JORDAN, MATTHEW CROWELL, MATTHEW MILLER, KELLY LONG, SUSAN EUDALY, DON MORRIS, JOHN MEUSCH, JIM WILLIAMS, BRIAN WOOLLEY, STEVEN JUNG AND WALT BOWE

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COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE
Councilman Matthew Crowell

I. CONSENT AGENDA
A) Consider Approval of the City Council Minutes of:
   1) City Council Meeting – November 2, 2015
   2) City Council Closed Session – November 2, 2015
   3) City Council Meeting – November 16, 2015

II. PUBLIC HEARINGS
None.

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS
A) Recognition of Parks and Recreation Staff for ASA National Softball Tournament Award

IV. REPORT OF MAYOR and COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS
A) Environmental Services Department Monthly Report – October 2015
B) Police Department Monthly Report – October 2015
C) Animal Control Division Monthly Report – October 2015
E) Rolla Board of Public Works Meeting Minutes – October 27, 2015
F) Development Review Committee Meeting Minutes – November 24, 2015
I) Municipal Court Monthly Reports – October and November 2015
Rolla City Council Meeting
December 7, 2015
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V. **OLD BUSINESS**
A) **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) –
   (Community Development Director John Petersen) – **Final Reading**
B) **Ordinance** Rezoning Property Located at Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing District) Zoning to C-3 (Highway Commercial District) Zoning (West) -
   (Community Development Director John Petersen) – **Final Reading**
C) **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) –
   (Community Development Director John Petersen) – **Final Reading**
D) **Ordinance** Approving the Final Plat of Vienna Hills Subdivision (Brown) –
   (Community Development Director John Petersen) – **Final Reading**
E) **Ordinance** Approving the Replat of Lots 73, 74 and 75 of Block 3, James Addition –
   (Community Development Director John Petersen) – **Final Reading**

VI. **NEW BUSINESS**
A) **Ordinance** Authorizing the Mayor and Police Chief to Enter Into a Mutual Aid Agreement with the Pulaski County Sheriff’s Department – (Police Chief Sean Fagan) - **First & Final Readings**
B) **Ordinance** Banning the Use of Lead Materials in Public and Private Drinking Water Plumbing –
   (Public Works Director Steve Hargis) – **First Reading**
C) **Motion** Authorizing New Hangar Rental Rates at Rolla National Airport –
   (City Administrator John Butz) - **Motion**

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

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

IX. **MAYOR/CITY COUNCIL COMMENTS**
A) Appointment of Councilman Kelly Long to the Tax Increment Financing Commission (TIF)

X. **COMMENTS FOR THE GOOD OF THE ORDER**
A) Fidelity Communications Update –
   Mr. Craig Montgomery, Public Relations Manager, Fidelity Communications

XI. **CLOSED SESSION**
Pursuant to Section 610.021 RSMo. the City Council will discuss the following issues in Closed Session:

XII. **ADJOURNMENT**
ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 2, 2015; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET

Presiding: Mayor Louis J. Magdits, IV

Council Members in Attendance: Jonathan Hines, Monty Jordan, Matthew Crowell, Matthew Miller, Kelly Long, Susan J. Eudaly, Don Morris, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: None.

Department Directors in Attendance: Public Works Director Steve Hargis, Police Chief Sean Fagan, Environmental Services Director Brady Wilson, Interim Fire Chief Ron Smith, Finance Director Steffanie Rogers, and Community Development Director John Petersen

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lance Thurman, Parks Superintendent Stan Busch, and City Clerk Carol Daniels

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked a member of the Rolla Ministerial Alliance to give the invocation.

Councilman Jonathan Hines then led in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Long to approve the consent agenda as submitted. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. The consent agenda consisted of the following:

(A) Approval of the Rolla City Council Minutes for the following:
1) City Council Meeting – October 5, 2015
2) City Council Workshop – October 12, 2015
3) City Council Meeting – October 19, 2015
4) City Council Meeting Closed Session – October 19, 2015

II. PUBLIC HEARINGS
None.

NOVEMBER 2, 2015

I.A.I.
III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) MIRMA Presentation: Mr. Kelly Beets, Senior Loss Control Consultant with MIRMA (Missouri Intergovernmental Risk Management Association) presented Police Chief Sean Fagan with an award in recognition of the Police Department's participation in MIRMA's Risk Management Awards Program. Mr. Beets explained a check for $3,222 would be issued to the Police Department to help offset the costs of less lethal rounds funded at $1,232 and several tire deflation devices for $1,990.

(A) Veterans Park Update: Mr. Jerry Bumpus, Chairman of the South Central Regional Veterans Group (SCRVG), provided an update of the ongoing construction at the Veterans Memorial Park, located at 575 Southview Drive.

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

Mayor Magdits referred the Council to (A) the September 2015 Environmental Services Department Monthly Report; (B) the September 2015, Police Department Monthly Report; (C) the September 2015 Animal Control Division Monthly Report; (D) the September 2015, Rolla Municipal Utilities Monthly Report; (E) the September 22 and October 7, 2015, Rolla Board of Public Works Meeting Minutes; (F) the September 29, 2015 Development Review Committee Meeting Minutes; (G) the October 13, 2015, Planning and Zoning Commission Preliminary Meeting Minutes; and (H) the October 2015 Fire Department Monthly Report.

V. OLD BUSINESS

(A) Ordinance Rezoning 911 South Rolla Street, Lots 1-3 of Happy Jack's Subdivision (Frost): Community Development Director John Petersen asked the Council to consider the final reading of the subject ordinance, which would rezone the property, located at 911 South Rolla Street and consists of three lots. The applicant is requesting the property be rezoned from R-R (Rural Residential District) to R-1 (Single Family District). He reported the Planning and Zoning Commission recommends approval of the rezoning request.

City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4238: AN ORDINANCE APPROVING THE REZONING OF HAPPY JACK'S SUBDIVISION, LOT 1 THROUGH LOT 3, FROM

NOVEMBER 2, 2015
V. OLD BUSINESS (continued)

(A) Ordinance Rezoning 911 South Rolla Street, Lots 1-3 of Happy Jack’s Subdivision (Frost) (continued): R-R (RURAL RESIDENTIAL DISTRICT) ZONING TO R-1 (SINGLE FAMILY DISTRICT) ZONING, BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 37, PHELPS COUNTY, MISSOURI (FROST). A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Jordan, Williams, Jung, Hines, Woolley, Miller, Bowe, Crowell, Meusch, Long, Morris, and Eudaly. Nays; None. Absent; None. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Ordinance Approving Amendment #002 to the Supervised Work Release Program Agreement: Public Works Director Steve Hargis informed the Council the subject ordinance would authorize the Mayor to extend an existing contract with the Missouri Department of Corrections. He explained a City employee picks up eight individuals from the Licking Correctional Center Monday through Thursday, and they are used to do manual labor tasks such as cutting grass, clearing brush, and picking up litter on City-owned property. Mr. Hargis said each prisoner receives $1.00 per hour and half goes to the prisoner for use in the commissary and the other half goes into a savings account for the prisoner, which is given to them upon their release. He told the Council this has been a very successful program for the past ten years.

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: 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.

(B) Resolution Authorizing a Lease with the A.B.L.E. Commission for the Holloway House: Parks Superintendent Stan Busch asked the Council to consider the renewal of a lease for the Holloway House with the A.B.L.E. (Achievement of Better Lifestyles for the Elderly) Commission. He noted this is the same contract the City has had with them for years. Mr. Busch said staff recommends approval.
VI. NEW BUSINESS (continued)

(B) Resolution Authorizing a Lease with the A.B.L.E. Commission for the Holloway House (continued): City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1847: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A LEASE BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE A.B.L.E. COMMISSION, INC., FOR THE HOLLOWAY HOUSE. A motion was made by Williams and seconded by Morris to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(C) Resolution Authorizing a Contract for Services with the A.B.L.E. Commission Pertaining to Senior Citizen Services: Parks Superintendent Stan Busch explained the subject Contract for Services with the A.B.L.E. (Achievement of Better Lifestyles for the Elderly) Commission, to serve local senior citizens through various activities at the Holloway House. The contract provides for $5,000 annually, pending appropriation by the City Council and payable to A.B.L.E. Mr. Busch indicated the contract is for a three-year period.

City Administrator John Butz explained generally the $5,000 covers the insurance costs in operating the facility and utilities. The A.B.L.E. Commission is responsible for the staffing, maintenance, and everything on the inside of the facility. He said the $5,000 helps cover some of the fixed overhead costs.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1848: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CONTRACT FOR SERVICES WITH THE A.B.L.E. COMMISSION, INC., PERTAINING TO SENIOR CITIZEN SERVICES. A motion was made by Williams and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(D) Resolution Granting Phelps County the Authority to Pursue the Westside Market Place Development: City Administrator John Butz explained the City has been working with UTW over the past several months on a development on the north side of the highway called the Westside Marketplace. Since the City was delayed in filing a TIF (Tax Increment Financing) filing, which has since been rectified, it would cause a delay
VI. NEW BUSINESS (continued)

(D) Resolution Granting Phelps County the Authority to Pursue the Westside Market Place Development (continued): in implementing a new TIF project. Mr. Butz said City staff had conversations with the County Commission and they are willing to take the lead in forming their own TIF Commission and, tomorrow, will have a presentation and potentially start the process of forming a TIF Commission and declare UTW as the preferred developer. He noted one of the requirements in the law is if a County Commission does this on a project entirely within the city limits, the City must consent. Mr. Butz indicated the subject resolution would grant consent for the County to proceed with a TIF project.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1849: A RESOLUTION AUTHORIZING PHELPS COUNTY, MISSOURI TO IMPLEMENT A TAX INCREMENT FINANCING PROJECT WITHIN THE BOUNDARIES OF THE CITY OF ROLLA. A motion was made by Long and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(E) Resolution Calling for the Joint Establishment of the MoveRolla TDD with Phelps County: City Administrator John Butz recalled the City has been discussing its transportation issues for about 20 years in some respects and the City has been working with its partners, (Missouri Department of Transportation (MoDOT), hospital, university, and County). For some time, the City has been talking about approaching its partners to do improvements on Highway 63 from Highway 72 north to I-44, and Kingshighway. Mr. Butz said the idea has been discussed about forming a TDD (Transportation Development District) that would impose a sales tax over a portion of the community that has direct benefit from those transportation improvements. He noted the subject resolution actually becomes a joint resolution because it requires two public entities to enact. Mr. Butz stated staff is asking the City Council to consider approval of the subject resolution and tomorrow the Phelps County Commission would consider approval. He pointed out staff knows a one cent TDD is not going to solve all the transportation problems, but would allow the completion of about half of those projects. Mr. Butz pointed out staff is focusing on the first phase, which entails the Highway 72 extension, improvements on Kingshighway, and access to the Rolla West north corridor.

Mr. Mark Spykerman with Gilmore & Bell, noted in discussions this summer, it was decided the TDD concept would be the best option for the City. He said it involves the City and County filing a joint petition in the circuit court. Mr. Spykerman indicated there would be notice and hearing opportunities through the court process. Ultimately the
VI. NEW BUSINESS (continued)

(E) Resolution Calling for the Joint Establishment of the MoveRolla TDD with Phelps County (continued): property owners within the proposed district would receive ballots in the mail to vote on whether to create the district and whether to have the district levy a sales tax. Assuming the votes go in the City's favor, the TDD would be created, the sales tax would be collected, and delivered to the TDD. Mr. Spykerman said he is envisioning the TDD would bond, be sold publicly, and the money from the bond would be used to complete the projects.

After much discussion, a motion was made by Crowell and seconded by Woolley that the Tenth Street overpass, as construed in Exhibit E, be removed. A voice vote on the motion showed two ayes, ten nays, and zero absent. Motion failed.

Following further discussion, a motion was made by Long and seconded by Hines to change the verbiage "from the Tenth Street overpass" to "an overpass in the vicinity of Tenth Street." A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title, as amended. RESOLUTION NO. 1850: A RESOLUTION CALLING FOR THE JOINT ESTABLISHMENT OF A TRANSPORTATION DEVELOPMENT DISTRICT WITH PHELPS COUNTY, MISSOURI, AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH, as amended. A motion was made by Eudaly and seconded by Morris to approve the proposed resolution, as amended. A hand count on the motion showed nine ayes, three nays, and zero absent. Motion carried.

(F) Resolution Authorizing the Mayor to Execute an Interconnect and Operating Agreement Among the City, RMU, & MC Power (Solar Farm): City Administrator John Butz informed the Council that after months of exploring alternative locations, MC Power has reached a purchased contract with RCDC for 15+ acres on the east side of the HyPoint Industrial Park. He noted the attached Interconnect and Operating Agreement lays out the responsibilities of both MC Power Company and the City/Rolla Municipal Utilities (RMU).

RMU General Manager Rodney Bourne and Mr. Andrew Bohnstedt with MC Power addressed the Council regarding the proposed solar farm and entertained questions and comments.
VI. NEW BUSINESS (continued)

(F) Resolution Authorizing the Mayor to Execute an Interconnect and Operating Agreement Among the City, RMU, & MC Power (Solar Farm) (continued): City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1851: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, AN INTERCONNECTION AND OPERATING AGREEMENT BY AND BETWEEN THE CITY OF ROLLA, MISSOURI AND ROLLA MUNICIPAL UTILITIES AND MCP-ROLLA, LLC, FOR THE ROLLA, MISSOURI PHOTOVOLTAIC GENERATING FACILITY. A motion was made by Long and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried. The resolution passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Police Vehicles: Police Chief Sean Fagan asked the Council to consider awarding the bid for two new 2016-model year SUV’s from the low bidder, Hutcheson Ford, St. James, Missouri for $30,053 each. He noted Hutcheson Ford’s bid was lower than the State bid. A motion was made by Williams and seconded by Long to award the bid for two new 2016 model year, all wheel drive, pursuit package SUVs to Hutcheson Ford, St. James, Missouri for $30,053 each. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(B) Motion Awarding Bid for Dump Trucks: Public Works Director Steve Hargis requested the purchase of three dump trucks from the State bid, Vanguard Truck Center of St. Louis, Missouri, for $143,916.13 each. Upon delivery of the new dump trucks, the existing dump trucks would be surplused through GovDeals.com. Mr. Hargis said staff does not expect delivery of the new dump trucks until May 2016. He added staff plans to lease/purchase at least part of the dump trucks, along with a backhoe and some GPS equipment.

A motion was made by Williams and seconded by Eudaly to award the bid for three dump trucks to the State bid, Vanguard Truck Center, St. Louis, Missouri, for $143,916.13 each. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.
VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(C) Motion Awarding Bid for Backhoe: Public Works Director Steve Hargis reported bids were received for a large backhoe. He pointed out this particular unit is not available through State bid. Mr. Hargis stated staff is recommending the bid be awarded to Erb Equipment Company, Cuba, Missouri, for a John Deere Model 710K backhoe for $141,355.00. Although other bids were received, they did not meet specifications. Mr. Hargis informed the Council the current unit would be kept in reserve and used by the Wastewater Department. The one currently used by the Wastewater Department would be surplus through GovDeals.com.

A motion was made by Williams and seconded by Morris to award the bid for a John Deere Model 710K backhoe to Erb Equipment Company, Cuba, Missouri for $141,355.00. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VIII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Magdits opened the floor to anyone wishing to address the Council.

(1) Ms. Elaine Grover, 1203 Vista Drive, Rolla, Missouri, told the Council she is one of the many residents that has a problem with the way the Transportation Development District (TDD) was written. She said the residents of the area would have appreciated it if the Council had taken out the statement about the outer road and the overpass because if the project is not mentioned, the City cannot bring it up, which means there can be no action when and if the money becomes available for the overpass and outer road. Ms. Grover said there could be no discussion about options, because maybe there would be another place to put it or another way to do something, such as an underpass. However, by specifically putting it in there the way the way the Council did, now no options are available.

Mayor Magdits noted MoDOT and not the City first promoted the outer road. He also pointed out the overpass would only be done, if needed, after the other projects are completed and their effectiveness is determined. Mayor Magdits said if you look at the amount of money the TDD would have, there is not an expected amount of money to do it.

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VIII. CITIZEN COMMUNICATION (continued)

(A) Open Citizen Communication (continued):

(2) Ms. Cathy Keeney, 1002 Vista Drive, Rolla, Missouri, said she supports development in Rolla. She said there are many different people in her neighborhood under many different circumstances. Ms. Keeney told the Council she moved into her home about two years ago and has recently invested $30,000 in it and when she received the letter from the City, it was devastating. She said one of her neighbors has asked if real estate agents must disclose when their home is put on the market, about the proposed development.

Mayor Magdits said he does not know if there is a requirement in the real estate industry to disclose this information. However, he stated it is not a requirement of the City.

(3) Mr. Earl Richards, 1000 Bluebird Lane, Rolla, Missouri, said the City should develop from the heart of Rolla outward, not on the fringe along the interstate. He said Rolla is really a small town and it is going to remain that way. He said this is all wrong, completely wrong.

(4) Mr. Tom Sager, 8 Laird Avenue, said if the TDD goes through, he said he must pay one cent more sales tax whether he shops in Kroger or Wal-Mart. If he goes to Price Chopper, he will already pay one more cent in sales tax. Mr. Sager noted he does not get to vote on this and does not feel this is right and thinks it is a subversion of democracy.

Regarding Buehler Park, Mr. Sager pointed out it is a dedicated park and the City is under an injunction not to do anything inconsistent with its use as a public park. He said he suspects transferring it to another political subdivision, namely a TDD, would put the City in contempt of court.

Mr. Mark Spykerman with Gilmore and Bell responded that no one is transferring the Park to the TDD. He stated a TDD is an overlay and a TDD by statute can only do transportation related things.

(5) Mr. Frank Furman, 403 Hutchinson, Rolla, Missouri, and a member of the Friends of the Rolla Free Public Library reported the Friends of the Library are having a book sale on November 12, 13, and 14, 2015, in the basement of the Library. Mr. Furman said all the money raised from this sale would go the Library. He encouraged everyone to attend.

NOVEMBER 2, 2015
IX. MAYOR/CITY COUNCIL COMMENTS

None.

X. COMMENTS FOR THE GOOD OF THE ORDER

(A) **Rolla Optimist Club Flapjack Day**: Councilwoman Sue Eudaly announced Saturday, November 7, 2015, is the Rolla Optimist Club Flapjack Day. She said it would be held at St. Patrick’s Church from 6 a.m. to 1 p.m.

XI. CLOSED SESSION

A motion was made by Williams and seconded by Woolley to adjourn into Closed Session pursuant to RSMo. 610.021 to discuss personnel. A roll call vote on the motion showed the following: Woolley, Bowe, Miller, Williams, Hines, Jung, Meusch, Long, Morris, Crowell, Eudaly, and Jordan. Nays: None. Absent: None. Motion carried.

The Council adjourned into Closed Session at approximately 8:39 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:47 p.m.

City Counselor Lance Thurman reported that during Closed Session the Council addressed an issue pertaining to personnel. A final announcement would be made within 72 hours.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:48 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

NOVEMBER 2, 2015
ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 16, 2015; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET

Presiding: Mayor Louis J. Magdits, IV

Council Members in Attendance: Monty Jordan, Matthew Miller, Matthew Crowell, Susan J. Eucaly, Don Morris, John K. Meusch, Jim Williams, Brian Woolley, Steven Jung, and Walt Bowe

Council Members Absent: Jonathan Hines and Kelly Long

Department Directors in Attendance: Public Works Director Steve Hargis, Environmental Services Director Brady Wilson, Police Chief Sean Fagan, Fire Chief Ron Smith, Community Development Director John Petersen, and Finance Director Steffanie Rogers

Other City Officials in Attendance: City Administrator John Butz, City Counselor Carolyn Buschjost and City Clerk Carol Daniels

Mayor Magdits called the meeting to order at approximately 6:30 p.m. and asked Councilman Monty Jordan to lead in the Pledge of Allegiance.

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 (Woof): Community Development Director John Petersen explained the subject property is currently zoned C-2 (General Retail District) and the applicants are requesting the property be rezoned to R-3 (Multi-Family District). Later in the meeting, Mr. Petersen noted the Council would be asked to consider combining three lots. Mr. Petersen reported the Planning and Zoning Commission recommend approval of the subject-rezoning request.

After a brief discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4239: AN ORDINANCE REZONING

NOVEMBER 16, 2015
I. PUBLIC HEARINGS (continued)

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

Mr. Jim Larson, project developer, asked the Council to consider the final reading of the subject ordinance. He said the two adjacent lots are currently zoned R-3 (Multi-Family District). To meet the parking capacity requirements, the subject lot would need to be zoned R-3 (Multi-Family District).

A motion was made by Eudaly and seconded by Morris to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Meusch, Eudaly, Jung, Woolley, Miller, Bowe, Crowell, Jordan, Morris, and Williams. Nays: None. Absent: Hines and Long. Motion carried. The ordinance passed.

(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): Community Development Director John Petersen pointed out the subject property, which consists of approximately ten-acres, is the former Zeno’s Restaurant and Motel site. He told the Council Sakelaris Ford plans to move its dealership to this location. The applicant is requesting the property be zoned all C-3 (Highway Commercial District) zoning. Mr. Petersen reported the Planning and Zoning Commission recommend approval.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE REZONING PROPERTY AT 1621 MARTIN SPRINGS DRIVE FROM C-2 (GENERAL RETAIL DISTRICT) ZONING,
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I. PUBLIC HEARINGS (continued)

(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) (continued): R-1 (SINGLE FAMILY DISTRICT) ZONING, AND C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING TO ALL C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING (SAKELARIS).

(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): Community Development Director John Petersen indicated the subject property is located off North Bishop Avenue. The property is currently zoned M-2 (Heavy Manufacturing District) and the applicant is requesting it be rezoned to C-3 (Highway Commercial District). Mr. Petersen said a J.D. Byrider franchise is planned to be constructed on the site. He informed the Council the Planning and Zoning Commission unanimously recommend approval of the requested rezoning.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: 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).

(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): Community Development Director John Petersen informed the Council the applicant is requesting the subject property be rezoned from R-1 (Single Family District) to R-3 (Multi-Family District) zoning. The applicant plans to construct two, four-plexes on the site.

After a brief discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject-rezoning request. No one present responded. Mayor Magdits closed the public hearing.
COUNCIL MEETING MINUTES
NOVEMBER 16, 2015
PAGE 4

I. PUBLIC HEARINGS (continued)

(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) (continued): City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: 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).

(E) Kohl’s TIF (Tax Increment Financing) Five-Year Public Hearing Per RSMo. 99.865: City Administrator John Butz explained the subject public hearing regarding the Kohl’s Department Store TIF project, is a requirement of State Statute. He said a public hearing must be held every five years from the year the Redevelopment Plan. Mr. Butz recalled the subject project was approved in 2010, the store opened in 2012, the City received its first full year of sales tax and property taxes paid in 2013, 2014, and most of 2015. He referred the Council to a copy of the TIF Annual Statement, which was published in the newspaper. Mr. Butz told the Council that Kohl’s corporate office is satisfied with their Rolla store. However, the store is not producing the projections that were laid out in the cost benefit analysis that is done prior to a TIF project being finally approved.

Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject TIF project.

Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, asked Mr. Butz if he would clarify a couple of comments he made. Mr. Sager asked Mr. Butz if it is fair to J.C. Penney to give Kohl’s money back and making it easy for Kohl’s to take business away from a store that has been in Rolla for many years.

Councilman Morris commented that when the City first considered the TIF project, the manager of J.C. Penney came out strongly in favor of Kohl’s because he thought it would bring more people to this community to shop.

No one else present addressed the Council. Mayor Magdits closed the public hearing.

II. SPECIAL PRESENTATIONS

(A) 2015 Third Quarter Tourism Report: Ms. Stevie Kearsle, Rolla Area Chamber of Commerce Executive Director, provided an overview of the Third Quarter Tourism Report.
II. SPECIAL PRESENTATIONS (continued)

(B) Rolla Municipal Utilities (RMU) FY 2015 Fourth Quarter Report: Rolla Municipal Utilities General Manager Rodney Bourne provided an overview of the Rolla Municipal Utilities’ (RMU) FY 2015 Fourth Quarter Report. He mentioned the complete report is available for review at www.rollamunicipalutilities.org.

III. OLD BUSINESS

(A) Ordinance Approving Amendment #002 to the Supervised Work Release Program Agreement: Public Works Director Steve Hargis explained the final reading of the subject ordinance would authorize the Mayor to enter into a contract with the South Central Correctional Center for day laborers from the Licking facility. He informed the Council these individuals work in the City’s parks and streets by cutting grass and brush. Mr. Hargis said the City has been in this program for ten years and it has been very successful.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4240: 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. A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Crowell, Miller, Eudaly, Jung, Woolley, Jordan, Morris, Bowe, Williams, and Meusch. Nays: None. Absent: Long and Hines. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Motion Authorizing the Closing of Certain Streets During the Christmas Parade and Christkindl Market: Public Works Director Steve Hargis announced the Rolla Area Chamber of Commerce would be hosting the Christmas Parade on December 5 on Pine Street. In addition, the Rolla Area Sister City Association – Sondershausen, would be hosting a Christkindl Market on Seventh Street. Mr. Hargis requested the closing of Pine Street on December 5 for the Christmas Parade and the closing of Seventh Street between Rolla and Pine Streets the evening of December 4 and during the day of December 5 for

NOVEMBER 16, 2015
IV. NEW BUSINESS (continued)

(A) Motion Authorizing the Closing of Certain Streets During the Christmas Parade and Christkindl Market (continued): the Christkindl Market. He told the Council the Sister City Association would like to erect the tent on Friday evening and keep the street closed overnight. After a brief discussion, a motion was made by Eudaly and seconded by Morris to authorize the closing of the requested streets. A voice vote on the motion showed nine ayes, one nay, and two absent. Motion carried.

(B) Resolution Authorizing the Mayor to Execute a Sewer Use Agreement with Missouri S&T: Public Works Director Steve Hargis referred the Council to a proposed agreement and annexation request from Missouri S&T for a tract of land that is located within the complex of the University's Experimental Mine which is located off Bridge School Road. Mr. Hargis informed the Council this tract is not contiguous with the city limits and it only pertains to the area for a proposed 15,000 square foot classroom. He told the Council the cost to pump the sewage into the City's system would be borne by the University. Based on the building capacity of 395 and its use, the connection fee would be $630. Mr. Hargis said the water usage would be unmetered and the City is proposing to charge the University 4.2 times the residential rate for a monthly rate of $107.82. He reported that staff and the Planning and Zoning Commission recommend approval.

After some discussion, City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1852: 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. A motion was made by Morris and seconded by Eudaly to approve the proposed resolution. A voice vote on the motion showed eight ayes, two nays, and two absent. Motion carried. The resolution passed.

(C) Ordinance Approving the Final Plat of Vienna Hills Subdivision (Brown): Community Development Director John Petersen explained the subject property is being split into two lots (Lots 1 & 2). No public comments regarding the request have been received.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: 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).
IV. NEW BUSINESS (continued)

(D) Ordinance Approving the Replat of Lots 73, 74 and 75 of Block 3, James Addition: Community Development Director John Petersen indicated the applicant is requesting the consolidation of Lots 73, 74, and 75 into one lot to allow greater development flexibility. The subject property is located at 407 North Olive Street.

Following some discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: 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).

(E) Ordinance Authorizing the Mayor to Execute a Technical Assistance Contract with the Edgar Springs Rural Fire Protection District: Finance Director Steffanie Rogers referred the Council to the proposed contract between the Edgar Springs Rural Fire Protection District and the City of Rolla. She reported she was approached a few weeks ago by City Counselor Lance Thurman who requested consideration to provide accounting and financial services for the District. Ms. Rogers also reported the District would like the Council to consider the first and final reading of the subject ordinance.

After discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4241: 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. A motion was made by Williams and seconded by Morris to suspend the rules and the ordinance be read for its final reading, by title. A voice vote on the motion showed seven ayes, three nays, and two absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Eudaly to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Jordan, Williams, Jung, Woolley, Miller, Bowe, Meusch, Morris, and Eudaly. Nays; Crowell. Absent; Hines and Long. Motion carried. The ordinance passed.

Mayor Magdits asked City Administrator John Butz if staff would provide information to the Council as to how the City charges for these types of arrangements.
V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Police Department Building Repairs: Police Chief Sean Fagan reported only one bid was received to repair the exterior of the Police Department building. He said staff would like to refinish the side of the building so it matches the remainder of the building. Chief Fagan said the building is covered with material called EIFS. He informed the Council the sole bidder was Auxier Drywall, St. James, Missouri, for $23,922. However, the bid received does not cover the repair of the large cracks, which are located in a different part of the building. Chief Fagan said this would need to be repaired later. He asked the Council to consider awarding the bid to Auxier Drywall for Option 1, which would consist of a foam covering over the existing concrete block that the EIFS product would cover. A motion was made by Williams and seconded by Morris to award the bid for the subject project to Auxier Drywall, St. James, Missouri, for $23,922. A voice vote on the motion showed ten ayes, zero nays, and two absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) Endorsement of “Small Business Saturday” Proclamation: Mayor Magdits reported Saturday, November 28, 2015, has been designated as “Small Business Saturday,” throughout the nation, which is a campaign to cultivate business for small merchants. He told the Council a proclamation has been prepared which will be presented during the Rolla Area Chamber of Commerce Luncheon on November 18. Mayor Magdits noted the small businesses in Rolla are in the top three of our local employment base. Many times they employ and train young people and it is oftentimes their first jobs and small business provides that opportunity. Mayor Magdits pointed out small businesses face an ever-increasing level of bureaucracy and regulations from various State and Federal agencies. Small businesses are very philanthropic and there is no end to the amount of solicitations that the local business people get from youth groups, fundraisers, church groups, etc. Mayor Magdits said small businesses are a very deserving group and we should be mindful of that as the shopping season comes upon us.

(B) Craig’s List: Mayor Magdits said he has noticed in conversations with people, that more are commenting they are buying items from businesses like Craig’s List. He said he is aware some cities are creating safe zones for transactions of this type. Mayor Magdits asked Chief Fagan if Rolla has a safe zone.

Police Chief Sean Fagan reported the Rolla Police Department commented a few months ago on Facebook and other social media sites about the use of its parking lot as a safe
VI. MAYOR/CITY COUNCIL COMMENTS (continued)

(B) Craig’s List (continued): zone. He said folks could either use the Police Department lobby, depending on the item being sold, or the Police Department parking lot. If they do not feel comfortable with the transaction, they can request an officer be present during the transaction. Chief Fagan said the safe zone has been in operation for about six months.

Mayor Magdits asked Rolla Daily News reporter R.D. Hohenfeldt if he would mind including the safe zone into an article.

VII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Magdits opened the floor to anyone wishing to address the Council.

(1) Mr. Tom Sager, 8 Laird Avenue, Rolla, Missouri, commented Craig’s List could be dangerous. He relayed a case in Texas where a woman was murdered. He cautioned people using Craig’s List.

Regarding the TDD (Transportation Development District), Mr. Sager said he noticed the petition was filed on November 13, nine days late. He reiterated the TDD is basically a gerrymandered district that includes most of the major businesses in Rolla. Mr. Sager said the TDD is essentially a tax on most of Rolla and unlike a normal tax, like the one voted on last April, this tax would not be voted on by the people, rather only by the owners of businesses in the District. Mr. Sager stated he would call this taxation without representation.

Mr. Sager said his second concern is the amount of space taken out of Buehler Park. He said he is concerned about the impact this project might have on Buehler Park, which he pointed out is a dedicated park and is under restrictions as to what can be done and what cannot be done with the park.

No one else present addressed the Council.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

None.

NOVEMBER 16, 2015
IX. CLOSED SESSION

None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 8:16 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

______________________________  ______________________________
CITY CLERK                                      MAYOR
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Ken Kwantes, ACTION REQUESTED: None
Interim Parks and Recreation Director
ITEM/SUBJECT: Recognition of Parks & Recreation staff for ASA national softball tournament
award

BUDGET APPROPRIATION (IF APPLICABLE) N/A
DATE: December 2, 2015

COMMENTARY: On August 22 & 23, the Parks & Recreation Department hosted the ASA
Coed “D” National softball tournament with 18 teams from Missouri, Iowa, Nebraska,
Pennsylvania and Connecticut. The weather was not cooperative throughout the weekend.
Saturday, staff faced a 6-hour rain delay after a quarter-inch of rain fell in less than 20 minutes.
Sunday there was a 2-hour rain delay due to an additional quarter-inch of rain over night. The
Park Maintenance staff work feverously to restore the Ber Juan fields to playable condition both
days.

The Amateur Softball Association (ASA) of America, the National Governing Body of Softball
in the United States, and USA Softball recognized tournament hosts during the Wilson Sporting
Goods sponsored luncheon at the 84th Annual Meeting November 4 in Louisville, Ky. To earn
the James Farrell Award of Excellence, cities must do an outstanding job of hosting ASA/USA
National Championship Tournaments. The host city must receive an overall rating of 95 percent
from the Teams, ASA/USA Representative, Umpire-In-Chief, and National Office. The Parks &
Recreation Department received an overall rating of 99%.

The hard work and dedication by the Parks and Recreation Department to overcome the
challenges faced during this tournament was one of many reasons staff received such an overall
high rating.

Attached are samples of some of the evaluation forms used to rate the tournament host.

With the continued support of the City and recognition from ASA, the Parks & Recreation
Department was selected to host the 2016 Men's Church Slow Pitch National Tournament
August 13 & 14.
ASA NATIONAL CHAMPIONSHIP EVALUATION FORM

ASA Representatives

TOURNAMENT (Include Division and Classification of Play)

SITE

DATES

(0-10) Excellent (7-8) Good (6-6) Average (3-4) Poor (1-2) Unacceptable
A rating of less than Average requires comments.

CATEGORIES – IF TOURNAMENT DOESN'T HAVE CAPABILITIES FOR A SPECIFIC ITEM ENTER N/A AND COMMENT

| 01 | Tournament Organization (Team Info / Communication / ETC) |
| 02 | Manager / Player Check-in (Organization / National Procedures Followed / ETC) |
| 03 | Managers Meeting (Length / Organization / Information / ETC) |
| 04 | Opening Ceremonies (Emphasized / Meaningful / Staged / etc.) If not required mark N/A |
| 05 | Complex (Concessions / Restrooms / Parking / ETC) |
| 06 | Playing Facilities (Scoreboards / Quality / Lighting / ETC) |
| 07 | Bracket Board (Appearance / Size / Location(s) / ETC) |
| 08 | Game Scheduling (Flow / Time Alotted / ETC) |
| 09 | Field Maintenance (Appropriate to level of play) |
| 10 | Warm-up Area (Available / On-Site / ETC) |
| 11 | Souvenirs (Quality / Selection / Price / ETC) |
| 12 | Staff Housing (Quality / Proximity to Complex(s) / ETC) |
| 13 | Staff Hospitality (Teams / Family / Guest / Spectators / ETC) |
| 14 | Cooperation with Tournament Staff (Before / During) |
| 15 | Tournament Website (Active / Updated / ETC) |
| 16 | Announcers (Quality / ETC) |
| 17 | Scorekeepers (Knowledgeable / Accurate / ETC) |
| 18 | Medical and Emergency Services (Available Within 5 miles) |
| 19 | Security (Available within 5 miles) |
| 20 | Awards Ceremony (Emphasized / Meaningful / Staged / ETC) |

General Comments / Recommendations

(Use reverse side if necessary)

TOTAL SCORE: 

ASA REP Signature 

Date

Each Question has a value of 10 points. All questions must be assigned a points value.

The ASA Representative must:
1. Leave a copy of this document with the Tournament Director
2. Fax a copy to Chris Sebron at 405-424-3855 within 3-5 days and include a copy in the final Championship report

\[\text{III \ A.2.}\]
# Materials Collected & Shipped from Recycling Center

(Based on Calendar Year)

<table>
<thead>
<tr>
<th>Material</th>
<th>Oct 2015</th>
<th>Sep 2015</th>
<th>Oct 2014</th>
<th>Year-to-Date 2015</th>
<th>Year-to-Date 2014</th>
<th>Yearly Total 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cardboard</td>
<td>151.0 ton</td>
<td>125.7 ton</td>
<td>173.4 ton</td>
<td>1,262.9 ton</td>
<td>1,296.7 ton</td>
<td>1,516.0 ton</td>
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<tr>
<td>Newspaper</td>
<td>39.4 ton</td>
<td>21.5 ton</td>
<td>44.0 ton</td>
<td>374.5 ton</td>
<td>398.9 ton</td>
<td>422.4 ton</td>
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<tr>
<td>High Grade Paper</td>
<td>55.4 ton</td>
<td>0.0 ton</td>
<td>21.9 ton</td>
<td>283.5 ton</td>
<td>298.0 ton</td>
<td>341.6 ton</td>
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<tr>
<td>Aluminum</td>
<td>2.2 ton</td>
<td>0.0 ton</td>
<td>1.0 ton</td>
<td>10.6 ton</td>
<td>9.5 ton</td>
<td>10.7 ton</td>
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<tr>
<td>Tin/Steel Cans</td>
<td>6.1 ton</td>
<td>4.0 ton</td>
<td>4.5 ton</td>
<td>49.4 ton</td>
<td>54.8 ton</td>
<td>65.4 ton</td>
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<tr>
<td>Plastic</td>
<td>9.1 ton</td>
<td>10.0 ton</td>
<td>20.8 ton</td>
<td>118.8 ton</td>
<td>116.4 ton</td>
<td>116.4 ton</td>
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<tr>
<td>Glass</td>
<td>18.4 ton</td>
<td>40.6 ton</td>
<td>48.8 ton</td>
<td>207.8 ton</td>
<td>201.7 ton</td>
<td>246.2 ton</td>
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<td>Batteries</td>
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<td>0.0 ton</td>
<td>1.6 ton</td>
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<td>Electronic Waste</td>
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<td>3.8 ton</td>
<td>33.7 ton</td>
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<td>0.0 ton</td>
<td>4.0 ton</td>
<td>3.6 ton</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>281.6 ton</strong></td>
<td><strong>205.4 ton</strong></td>
<td><strong>318.2 ton</strong></td>
<td><strong>2,346.8 ton</strong></td>
<td><strong>2,412.5 ton</strong></td>
<td><strong>2,764.5 ton</strong></td>
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## Services Provided

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<th>Type of Service</th>
<th>Oct 2015</th>
<th>Sep 2015</th>
<th>Oct 2014</th>
<th>Year-to-Date 2015</th>
<th>Year-to-Date 2014</th>
<th>Yearly Total 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Pick-ups</td>
<td>52</td>
<td>68</td>
<td>72</td>
<td>784</td>
<td>824</td>
<td>963</td>
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<tr>
<td>Paper Shredding</td>
<td>3.5 hours</td>
<td>5.0 hours</td>
<td>7.0 hours</td>
<td>97.5 hours</td>
<td>95.5 hours</td>
<td>108.0 hours</td>
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<tr>
<td>Reported Trash Nuisances</td>
<td>60</td>
<td>34</td>
<td>44</td>
<td>475</td>
<td>336</td>
<td>419</td>
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<tr>
<td>Households Dropping Off Hazardous Waste</td>
<td>76</td>
<td>90</td>
<td>94</td>
<td>745</td>
<td>711</td>
<td>840</td>
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## Disposal Tonnage

(Sanitation Division)

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<tr>
<th>Material</th>
<th>Oct 2015</th>
<th>Sep 2015</th>
<th>Oct 2014</th>
<th>Year-to-Date 2015</th>
<th>Year-to-Date 2014</th>
<th>Yearly Total 2014</th>
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</thead>
<tbody>
<tr>
<td>Refuse</td>
<td>1,319.0 ton</td>
<td>1,211.0 ton</td>
<td>1,442.0 ton</td>
<td>13,320.0 ton</td>
<td>14,117.8 ton</td>
<td>16,687.9 ton</td>
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</table>
## Rolla Police Department

### Calls for Service

**October 2015**

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<tr>
<th>CFS</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Abandoned Vehicle</td>
<td>9</td>
</tr>
<tr>
<td>Abandoned/Recovered Prop</td>
<td>17</td>
</tr>
<tr>
<td>Accident - Injury</td>
<td>13</td>
</tr>
<tr>
<td>Accident - Leave the scene</td>
<td>16</td>
</tr>
<tr>
<td>Accident - No Injury</td>
<td>61</td>
</tr>
<tr>
<td>Accident - Private Property</td>
<td>18</td>
</tr>
<tr>
<td>Accident - Road Blocked</td>
<td>5</td>
</tr>
<tr>
<td>Alarm LE</td>
<td>72</td>
</tr>
<tr>
<td>Ambulance-Transport</td>
<td>1</td>
</tr>
<tr>
<td>Animal Control</td>
<td>208</td>
</tr>
<tr>
<td>Assault</td>
<td>8</td>
</tr>
<tr>
<td>Assist Agency</td>
<td>19</td>
</tr>
<tr>
<td>Assist Ambulance</td>
<td>32</td>
</tr>
<tr>
<td>Assist Citizen</td>
<td>9</td>
</tr>
<tr>
<td>Assist Fire</td>
<td>7</td>
</tr>
<tr>
<td>Assist Law Agency</td>
<td>27</td>
</tr>
<tr>
<td>Assist Motorist</td>
<td>21</td>
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<tr>
<td>Benevolent Fund</td>
<td>8</td>
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<tr>
<td>Building Check</td>
<td>48</td>
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<td>Burglary</td>
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<tr>
<td>Busy/Out At</td>
<td>178</td>
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<tr>
<td>Call for Police</td>
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<tr>
<td>Check Well Being</td>
<td>67</td>
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<tr>
<td>Child Abuse</td>
<td>3</td>
</tr>
<tr>
<td>Confidential Investigation</td>
<td>1</td>
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<tr>
<td>Conservation Violation</td>
<td>1</td>
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<tr>
<td>Court</td>
<td>10</td>
</tr>
<tr>
<td>Crossing Guard</td>
<td>3</td>
</tr>
<tr>
<td>CW6 911 Hangup</td>
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</tr>
<tr>
<td>Death</td>
<td>3</td>
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<tr>
<td>Destruction of Property</td>
<td>15</td>
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<tr>
<td>Distribution</td>
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<tr>
<td>Disturbance - Other</td>
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<tr>
<td>Disturbance-Liquor</td>
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<tr>
<td>Domestic Violence</td>
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<tr>
<td>Driving While Intoxicated</td>
<td>18</td>
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<tr>
<td>Escort - Bank</td>
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<tr>
<td>Escort - Courtesy</td>
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<td>Escort - Funeral</td>
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<tr>
<td>Expatrie Violation</td>
<td>4</td>
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<tr>
<td>Field Interview</td>
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<tr>
<td>Fight</td>
<td>13</td>
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<tr>
<td>Fingerprints</td>
<td>8</td>
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<td>Follow Up</td>
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<tr>
<td>Fraud</td>
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<table>
<thead>
<tr>
<th>CFS</th>
<th>Total</th>
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<tbody>
<tr>
<td>Harassment</td>
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<tr>
<td>Information Request</td>
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<tr>
<td>Intoxicated Person</td>
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<tr>
<td>Juvenile Complaint</td>
<td>13</td>
</tr>
<tr>
<td>Keep the Peace/Standby</td>
<td>16</td>
</tr>
<tr>
<td>Leave without Pay</td>
<td>15</td>
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<tr>
<td>Liquor Violation</td>
<td>1</td>
</tr>
<tr>
<td>Littering/Dumping</td>
<td>1</td>
</tr>
<tr>
<td>Loitering</td>
<td>1</td>
</tr>
<tr>
<td>Lost or Stolen Property</td>
<td>4</td>
</tr>
<tr>
<td>Loud Noise Complaint</td>
<td>17</td>
</tr>
<tr>
<td>Malicious Mischief</td>
<td>3</td>
</tr>
<tr>
<td>Mental Health</td>
<td>15</td>
</tr>
<tr>
<td>Missing Person</td>
<td>1</td>
</tr>
<tr>
<td>Narcotics Violation</td>
<td>44</td>
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<tr>
<td>Open Door</td>
<td>3</td>
</tr>
<tr>
<td>Paper Service</td>
<td>39</td>
</tr>
<tr>
<td>Prisoner Transport</td>
<td>3</td>
</tr>
<tr>
<td>Prowler</td>
<td>5</td>
</tr>
<tr>
<td>Public Relations</td>
<td>30</td>
</tr>
<tr>
<td>Pursuit</td>
<td>1</td>
</tr>
<tr>
<td>Robbery</td>
<td>1</td>
</tr>
<tr>
<td>Runaway</td>
<td>1</td>
</tr>
<tr>
<td>School Resource Officer</td>
<td>3</td>
</tr>
<tr>
<td>Security Check</td>
<td>87</td>
</tr>
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<td>Sex Offense</td>
<td>5</td>
</tr>
<tr>
<td>Shots fired</td>
<td>4</td>
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<tr>
<td>Soliciting</td>
<td>15</td>
</tr>
<tr>
<td>Stealing</td>
<td>83</td>
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<td>Stolen Vehicle</td>
<td>8</td>
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<td>Suspicious Activity</td>
<td>101</td>
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<td>Tampering</td>
<td>3</td>
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<tr>
<td>Telephone Harassment</td>
<td>7</td>
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<td>Tow Sticker Expired</td>
<td>1</td>
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<tr>
<td>Traffic Complaint</td>
<td>179</td>
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<td>Traffic Stop</td>
<td>300</td>
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<tr>
<td>Trespassing</td>
<td>16</td>
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<td>Try to Contact</td>
<td>12</td>
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<td>Vehicle Fire</td>
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<td>Vehicle Identification</td>
<td>35</td>
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<tr>
<td>Vehicle Lockout</td>
<td>1</td>
</tr>
<tr>
<td>Vehicle Repossession</td>
<td>9</td>
</tr>
<tr>
<td>Veterinary Call</td>
<td>17</td>
</tr>
<tr>
<td>Weapons Violation</td>
<td>2</td>
</tr>
</tbody>
</table>

**Total** 2890
October 2015

Part I Crimes

<table>
<thead>
<tr>
<th></th>
<th>Murder</th>
<th>Rape</th>
<th>Robbery</th>
<th>Felonious Assault</th>
<th>Burglary</th>
<th>Larceny</th>
<th>Auto Theft</th>
<th>Arson</th>
<th>Total Part I Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Month</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>7</td>
<td>8</td>
<td>57</td>
<td>4</td>
<td>0</td>
<td>77</td>
</tr>
<tr>
<td>Year to Date</td>
<td>1</td>
<td>15</td>
<td>9</td>
<td>70</td>
<td>61</td>
<td>501</td>
<td>28</td>
<td>0</td>
<td>685</td>
</tr>
</tbody>
</table>
## ANIMAL CONTROL MONTHLY TOTALS

**October 2015**

### ANIMALS IMPOUNDED

<table>
<thead>
<tr>
<th>Location</th>
<th>Canine</th>
<th>Feline</th>
<th>Other</th>
<th>Wildlife</th>
<th>Monthly Total</th>
<th>2015 YTD Total</th>
<th>2014 YTD Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Rolla</td>
<td>30</td>
<td>37</td>
<td>0</td>
<td>18</td>
<td>85</td>
<td>573</td>
<td>448</td>
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<tr>
<td>Rolla Area</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>43</td>
<td>44</td>
</tr>
<tr>
<td>City of Newburg</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Newburg Area</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>Edgar Springs Area</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Other Agencies</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>St. James Area</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>12</td>
</tr>
<tr>
<td>Ft. Leonard Wood</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Monthly Total</strong></td>
<td>36</td>
<td>37</td>
<td>0</td>
<td>18</td>
<td>91</td>
<td></td>
<td></td>
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<tr>
<td><strong>2015 YTD Total</strong></td>
<td>327</td>
<td>192</td>
<td>4</td>
<td>18</td>
<td>629</td>
<td></td>
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<td><strong>2014 YTD Total</strong></td>
<td>306</td>
<td>155</td>
<td>7</td>
<td>106</td>
<td>513</td>
<td></td>
<td></td>
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<tr>
<td><strong>Total Phelps County</strong></td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>53</td>
<td>47</td>
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</table>

### ANIMAL DISPOSITION

<table>
<thead>
<tr>
<th>Type</th>
<th>Canine</th>
<th>Feline</th>
<th>Other</th>
<th>Wildlife</th>
<th>Monthly Total</th>
<th>2015 YTD Total</th>
<th>2014 YTD Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animals Adopted</td>
<td>12</td>
<td>19</td>
<td>0</td>
<td>0</td>
<td>31</td>
<td>238</td>
<td>205</td>
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<tr>
<td>Animals Claimed</td>
<td>21</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>22</td>
<td>176</td>
<td>140</td>
</tr>
<tr>
<td>Euthanized(Ill/Injured)</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>31</td>
<td>25</td>
</tr>
<tr>
<td>Euthanized(Dangerous)</td>
<td>0</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>11</td>
<td>52</td>
<td>55</td>
</tr>
<tr>
<td>Euthanized(Un-Placed)®</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>11</td>
<td>4</td>
</tr>
<tr>
<td>Deceased on Arrival</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>5</td>
<td>7</td>
<td>42</td>
<td>33</td>
</tr>
<tr>
<td>Transferred to Rescue®</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>37</td>
<td>24</td>
</tr>
<tr>
<td>Wildlife Relocated</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>13</td>
<td>13</td>
<td>63</td>
<td>23</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td><strong>Monthly Total</strong></td>
<td>33</td>
<td>42</td>
<td>0</td>
<td>18</td>
<td>93</td>
<td></td>
<td></td>
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<tr>
<td><strong>2015 YTD Total</strong></td>
<td>342</td>
<td>203</td>
<td>4</td>
<td>106</td>
<td>655</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2014 YTD Total</strong></td>
<td>309</td>
<td>151</td>
<td>7</td>
<td>47</td>
<td>514</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### ADDITIONAL STATISTICS

<table>
<thead>
<tr>
<th>Metric</th>
<th>Monthly Total</th>
<th>2015 YTD Total</th>
<th>2014 YTD Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adoption Rate (① +③)/(①+②+③)</td>
<td>93.94%</td>
<td>94.73%</td>
<td>97.67%</td>
</tr>
<tr>
<td>PR Programs</td>
<td>2</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>Calls for Service</td>
<td>200</td>
<td>2,074</td>
<td>1,750</td>
</tr>
<tr>
<td>Written Warnings</td>
<td>1</td>
<td>6</td>
<td>10</td>
</tr>
<tr>
<td>Citations</td>
<td>2</td>
<td>18</td>
<td>17</td>
</tr>
<tr>
<td>Total Incinerator Hours</td>
<td>60</td>
<td>537</td>
<td>286</td>
</tr>
</tbody>
</table>

*Signature: N.C. 11-03-15*
FINANCIAL STATEMENT  
OCTOBER 2015

RECEIPTS:
- Electric, Water, Tax, Sewer and Refuse Charge: $3,403,301.92
- Accounts Receivable - Miscellaneous: $50,537.09
- Customer's Deposits - Refundable: $34,819.55
- Misc Non-Operating Revenue: $7,845.94
  Total Receipts: $3,466,504.50

Super-Now Account Interest (September 30, 2015): $82.49
Money Market Account Interest (September 30, 2015): $9,046.82
Electronic Payment Account Interest (September 30, 2015): $45.00
Public Utility Cash In Bank (September 30, 2015): $24,644,015.14
  Total Receipts and Cash In Bank: $28,140,603.65

DISBURSEMENTS:
- Power Purchased: $1,688,735.43
- Operating Expenses: $149,006.20
- Administrative and General Expenses: $131,464.91
- Payroll: $140,166.10
- Electric and Water Capital Expenditures: $30,423.32
- Stock Purchases (Inventory): $124.00
- Balance of Customer's Deposits after Final: $11,086.19
- Medical, Dental, Vision and Life Insurance Paid by Employees: $15,580.28
- U.S. Withholding Tax: $21,988.51
- Missouri Dept. of Revenue (Sales Tax): $42,768.68
- Missouri Dept. of Revenue (Income Tax): $7,885.00
- Phelps County Bank (Social Security): $28,536.52
- Sewer Service Charge: $286,778.76
- Refuse Service Charge: $178,204.12
- Purchase U.S. Treasury Bill / Certificates of Deposit: $0.00
- Unclaimed Deposits: $0.00
- PILOT to City of Rolla: $132,922.36
- Standpipe Lease/Purchase: $4,746.39
- Electric Power Supply Infrastructure Lease/Purchase: $91,169.67
- Deposit Refund: $0.00
- Prinacy Fees: $0.00
- Void Checks: $0.00
  Total Disbursements: $2,920,428.50

Cash in Bank (October 31, 2015): $25,229,267.45
  Total Disbursements and Cash In Bank: $28,149,693.55

BALANCE OF OTHER FUNDS:

PUBLIC UTILITY ACCOUNTS:
- Central Federal Savings & Loan, Check #1198 for $1,880.04: $2,000.00
- Citizens Bank of Newburg, Check #1198 for $699.91: $2,517.04
- Phelps Co Bank-Electronic Payment Account, Check #1062 for $158,091.94: $34,791.13
- Phelps Co Bank-Money Market: $4,329,057.14
- Phelps Co Bank-Super Now, Checks #23104 thru #23195 for $2,920,426.50: $3,592,252.35
- Town & Country Bank, Check #1198 for $3,043.43: $3,894.37
- Regions Bank, Check #1200 for $777.23: $2,222.42
  Total Public Utility Accounts: $7,966,005.45

ELECTRIC RESERVES:
- Certificates of Deposit: $0.00
- Money Market Account: $14,726,995.00
- U.S. Treasury Bills: $0.00
  Total Electric Reserves: $14,726,995.00

WATER RESERVES:
- Certificates of Deposit: $0.00
- Money Market Account: $2,536,267.00
- U.S. Treasury Bills: $0.00
  Total Water Reserves: $2,536,267.00

TOTAL RESERVES:

$17,263,262.00

TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:

$25,229,267.45
# STATISTICS

## OCTOBER 2015

### PRODUCTION

<table>
<thead>
<tr>
<th>Date of Demand</th>
<th>10/08/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time of Demand</td>
<td>04:10 PM</td>
</tr>
<tr>
<td>Scada Demand</td>
<td>38,880.0</td>
</tr>
<tr>
<td>kWh Purchased</td>
<td>21,097,790</td>
</tr>
<tr>
<td>Total Cost</td>
<td>$1,638,849.67*</td>
</tr>
<tr>
<td>Cost per kWh</td>
<td>0.077679*</td>
</tr>
<tr>
<td>Load Factor</td>
<td>74.6%</td>
</tr>
</tbody>
</table>

- Pumped #2 Well: 7,320,000
- Pumped #3 Well: 0
- Pumped #4 Well: 3,986,000
- Pumped #5 Well: 2,468,000
- Pumped #6 Well: 3,866,000
- Pumped #7 Well: 6,282,000
- Pumped #8 Well: 2,271,000
- Pumped #9 Well: 4,275,000
- Pumped #10 Well: 4,066,000
- Pumped #11 Well: 5,648,000
- Pumped #12 Well: 2,620,000
- Pumped #13 Well: 7,350,000
- Pumped #14 Well: 0
- Pumped #15 Well: 3,383,000
- Pumped #16 Well: 6,628,000
- Pumped #17 Well: 5,530,000
- Pumped #1 Ind Park Well: 2,011,000
- Pumped #2 Ind Park Well: 3,654,000
- Total Gallons: 71,556,000

### ELECTRIC SALES

- Residential - Single Phase kWh: 6,026,196
- Residential - Three Phase kWh: 162,402
- Commercial - Single Phase kWh: 1,305,369
- Commercial - Three Phase kWh: 2,625,629
- Power Service kWh: 7,160,420
- Industrial kWh: 4,404,600
- Area/Street Lighting kWh: 85,722
- Rental Lights kWh: 99,617
- Total kWh Sold: 21,866,955
- Demand kW: 26,223
- Revenue: $2,107,684.31
- Monthly Gain: 3.65%
- Fiscal Year to Date Gain: 3.00%

### WATER SALES

- Residential - Single Phase Gallons: 29,207,000
- Residential - Three Phase Gallons: 800,000
- Commercial - Single Phase Gallons: 6,964,000
- Commercial - Three Phase Gallons: 4,617,000
- Power Service Gallons: 13,126,000
- Industrial Gallons: 125,000
- Missouri S&T Gallons: 4,489,000
- PWSD #2 Gallons: 1,483,000
- Total Gallons Sold: 60,811,000
- Revenue: $250,081.56
- Pumping Cost, Electric: $28,524.79
- Monthly Unidentified Loss: 8.82%
- Fiscal Year to Date Unidentified Loss: 8.82%

### Meters in Service

<table>
<thead>
<tr>
<th>Electric</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential - Single Phase</td>
<td>7,670</td>
</tr>
<tr>
<td>Residential - Three Phase</td>
<td>24</td>
</tr>
<tr>
<td>Commercial - Single Phase</td>
<td>953</td>
</tr>
<tr>
<td>Commercial - Three Phase</td>
<td>444</td>
</tr>
<tr>
<td>PWSD Service</td>
<td>132</td>
</tr>
<tr>
<td>Industrial</td>
<td>6</td>
</tr>
<tr>
<td>Area/Street Lighting</td>
<td>41</td>
</tr>
<tr>
<td>Missouri S&amp;T</td>
<td>41</td>
</tr>
<tr>
<td>PWSD #2</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>9,270</td>
</tr>
</tbody>
</table>

- * Energy losses are not included in this statistic and are estimated at an additional 12%.
- ** Loss includes 4,435,000 gallons per water main flushing records.
- *** FY loss includes 4,435,000 gallons per water main flushing records.

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N  D
OPERATION MANAGER'S REPORT

ELECTRIC DEPARTMENT

(E1) Industrial-Grove Substations
- New three-phase 12kV overhead distribution tie-line
  Started, June 5, 2015
  Ongoing

(E2) Downtown North Substation
- Replace (2) existing underground feeder circuits
  Started, June 8, 2015
  Ongoing

(E3) Delbert Day Cancer Institute
    PCRMC Campus
- Three-phase switchgear, underground distribution,
  transformer, underground primary, and meter installation
  Started, August 13, 2015
  Ongoing

(E4) Holoway Substation
    (southeast feeder circuit)
- Rebuild existing 4kV three-phase overhead distribution
  system and replace underground feeder circuit
  Started, September 9, 2015
  Ongoing

(E5) 1006 Kingshighway
    MS&T Energetics Research Facility
    (new building)
- New pole, underground primary, transformer and meter
  installation
  Started, October 8, 2015
  Ongoing

(E6) 1102 North Rolla Street
    (apartments)
- Underground primary, transformer and meter installation
  Started, November 2, 2015
  Completed, November 3, 2015

WATER DEPARTMENT

(W1) Fox Creek Road, Old English Road and
    Whitehall Road
- Replace existing 4", 6" & 8" ductile iron water main with 8" PVC
  Started, September 1, 2015
  Ongoing

(W2) 6C7 Winchester Drive
- (1) 1" water tap
  Completed, November 9, 2015

MISCELLANEOUS

RMU Personnel
- New employee, Jared McBride, Laborer I
  Started, November 16, 2015
- New employee, Danny Pruitt, Laborer I
  Started, November 16, 2015
REGULAR SESSION - October 27, 2015
~ Meeting was held in the Board Room at RMU's Tucker Professional Center at 4:30 p.m. ~

The meeting was called to order at 4:30 p.m. by Rolla Board of Public Works ("RBPW" or "Board"); Vice President Albert Crump Jr. presiding. The following were present:

Board members: Secretary Matthew Z. Williams
Vice Secretary Dr. Wm. Eric Showalter

RMU Staff: General Manager Rodney P. Bourne, P.E.
Operations Manager Tom Parker
Business/Finance Manager Dennis Roberts
Staff Engineer Vicki Cason

Minutes submitted, according to Agenda, by RMU's Executive Administrative Assistant, Susan Watkins.

I. APPROVAL OF MINUTES
Showalter made a motion, seconded by Williams, the minutes of the Regular sessions from the September 22 and October 7, 2015 Board meetings be approved as presented. Motion passed unanimously.

II. CITIZEN COMMUNICATION (None)

III. SPECIAL PRESENTATION (None)

IV. STAFF REPORTS
A. BUSINESS/FINANCE MANAGER'S REPORT (Roberts)
   1. Roberts reviewed the Statement of Income & Expenses (Period 12) reporting the following comparisons:
      Month-to-Date September 2015 (Period 12) and September 2014
      - Operating Income decreased $148,943. Purchased Power expense increased $18,196; Operating Expenses increased $86,416, resulting in a Total Operating Income of $44,307.35 which showed a decrease of $235,359; Other Income decreased $944. Net Income for September 2015 (Period 12) was $155,108.38, a decrease of $236,303 in comparison to September 2014.
      Year-to-Date (YTD) Fiscal Year (FY) 2015 and FY2014
      - Operating Income decreased $273,192; Purchased Power expense decreased $1,327,615; Operating Expenses decreased $1,232,854, resulting in a Total Operating Income of $248,064.95, an increase of $959,662. Other Income decreased $44,588, resulting in a Net Income YTD of $834,981.88, an increase of $915,074 compared to last year.
Roberts stated there will be a Statement of Income & Expenses report for Period 13, and possibly Period 14 if there are audit adjustments.

   2. Roberts presented RMU's Financial Statement, Statistics, and the Disbursement Summary for September 2015 which included the following public utility account checks and transfers:
      Public utility checks
      - Phelps Co Bank - Super Now, Checks #23011-23103
      - Phelps Co Bank - Electronic Pmt Acct, Check #1061
      Transfer of funds
      - Central Federal Savings & Loan, Check #1197
      - Citizens Bank, Check #1197
      - Regions Bank, Check #1197
      - Town & Country Bank, Check #1197
Williams made a motion, seconded by Showalter, the reports be approved as presented and forwarded to the City. Motion passed unanimously.

   3. Miscellaneous
      a. Annual audit. Roberts reported the auditors were here the end of September and would be returning the third week in November to finish the field audit. He stated the actual audit report may be presented late (January instead of December) due to a new GASB rule which requires specific information from RMU's retirement funds, Missouri Local Government Employees Retirement System (LAGERS). The information needed from LAGERS may not be available until late November or early December which could cause delay in the final audit document.
      b. FY16 budgeted items. Bids for new meter reading equipment and software will be presented at the next regular Board meeting. These items were approved in the FY16 budget.

      Vice President Albert Crump Jr. relinquished the chair to Board President Nick Barrack upon his arrival (4:36 p.m.).

B. STAFF ENGINEER'S REPORT (Cason)
   1. Updates on:
      a. Development Review Committee meeting. Cason reported there were two items discussed at the meeting held on September 25, 2015:
         - Happy Jack Subdivision (Frost): (RMU had no comments.)
• Spring Avenue Addition (Rome): RMU requested a 7.5' easement along the eastern property line.

b. Contractor Mains.
• No additional progress by Maggi on the installation of new water mains at Hy Point Industrial Park West for RCDC.
• The main at Claire Court PUD has been partially filled by Maggi. RMU is still waiting on the contractor to uncover one valve stand.
• The water main extension for the new MS&T Residence Hall has been installed. RMU is waiting for the contractor (Jeff Schniders Construction) to be ready for the main to be filled and flushed.

2. Miscellaneous. Cason reported the following:
   a. Service Department renovations. RMU is looking at increasing the size of the breakroom and bathroom/locker room located at the Service Department (SD) in order to better accommodate the number of employees utilizing these spaces. Parker stated the SD workforce has “nearly doubled” since the building was originally built (approximately 40 years ago). Cason stated that Request for Qualifications (RFQ) was needed for the design portion of the project. (FY16 budgeted item) It was the consensus of the Board that Staff move forward with the RFQ.
   b. Tesla charging stations. TESLA Motors will be installing charging stations that will accommodate eight (8) electric vehicles. (80KW per vehicle) The super charge stations are expected to fully charge a vehicle in 45 minutes and will be located in the parking lot at Bandana’s (Martin Spring Drive). Cason reported TESLA has requested a 500KW transformer from RMU. Bourne stated TESLA will be directly billed for usage. As of right now, there will not be a special rate class for this. This is a classic example of “high demand, low usage” and the role Service Availability Fees play.

C. OPERATION MANAGER’S REPORT (T. Parker)

1. Update on current RMU projects

ELECTRIC DEPARTMENT -

(E1) Claire Court PUD, Highway E. Underground 12kV distribution system installation. Started May 5, 2015; Completed October 8th.


(E3) Downtown North Substation. Replace two (2) existing underground feeder circuits. Started, June 8, 2015; Ongoing.


(E5) Holloway Substation. (southeast feeder circuit). Rebuild existing 4kV three-phase overhead distribution system and replace underground feeder circuit. Started September 9, 2015; Ongoing. Two (2) photos of a deteriorated pole top associated with this feeder circuit were handed out. The pole was approximately 50 years old and, from the ground, still looked good.

(E6) 1390 Forum Drive. Price Choppers (new grocery store). New pole, underground primary, transformer and meter installation. Started October 2, 2015; Completed October 22nd.

(E7) 1006 Kingshighway. MS&T Energetics Research Facility (new building; to be located behind the Rock Mechanics building). New pole, underground primary, transformer and meter installation. Started October 8, 2015; Ongoing.

WATER DEPARTMENT -

(W1) Foxcreek, Old English, and Whitehall Roads. Replace existing 4", 6", and 8" ductile iron water main with 8" PVC. Started September 1, 2015; Ongoing.

(W2) 1800 Highway 72. (1) 1" water tap. Completed October 15, 2015.

(W3) 1216 Soest Road. (1) 1" water tap. Completed October 15, 2015.

MISCELLANEOUS -

(1) Line Clearance Arborist Certification Workshop by ACRT, held in Rolla, September 28, 2015 thru October 2, 2015. Attended by: Jeremy Brown, Larry Moreland, and Jay Roberts with RMU. Parker reported staff from the City of St. James, Lebanon, and Nixa also attended.

(2) RMU Substation Transformers. Annual oil testing and analysis by United Power Services Inc. Samples taken, October 1-2, 2015. Results pending.

(3) Electric Meter School by University of Arkansas, Fayetteville, AR. Meter Tester Steve Campbell attended on October 6-8, 2015.


As reported to the Board at their August meeting, the pump test results on Hy Point Well #3 were as expected. He reported the installation of the pump, line shaft and motor was completed (Flynn Drilling) in September at the cost quoted of $159,303.00.
D. GENERAL MANAGER’S REPORT  
   (R. Bourne)
   1. Missouri University of Science & Technology (MS&T) Geothermal System. An article appearing on September 28 in the Rolla Daily News regarding the performance of the geothermal system, stated energy usage declined 57% and water, 35%. Bourne reported that after analyzing RMU billing data specific to the main campus, determined that electric usage increased 20% over the last year. MS&T included reduction on coal use in their overall energy reduction calculation. Water usage on the main campus declined considerably more than originally estimated, 53%. This is partially due to the university’s power plant shut down and with the wet summer, less irrigation.
   2. Employee insurance benefits. Bourne reported the new insurance, with Group Benefit Services as administrator, is on track and a smooth transition on November 1st is expected.

V. OLD BUSINESS  (None)

VI. NEW BUSINESS
   A. Receive and approve bids on: (Parker)
      1. RFB #16-100E Bridge School (12MVA) Transformer Repair  (Pacific Crest transformer)
         Project Total  Option w/o HV/LV bushings  Total Bid
         Jordan Transformer  $191,525.00  ($7,061.00)  $184,464.00
         Siemens Industry Inc  No bid received
         WESCO Distribution  No bid received
         Fletcher-Reinhardt Co  No bid received
         Due to internal issues, this transformer was removed from service back in August. Request for Bids went out last month with only one bid received. Parker stated Jordan Transformer’s bid is in line with their previous quote, and since the HV/LV bushings tested out okay, Staff recommends Jordan Transformer’s bid without the bushings. Bourne reported the transformer will be of much better quality than the original PC transformer. After brief discussion, Crump made a motion, seconded by Showalter, that a purchase order be issued to Jordan Transformer in the amount of $184,464.00. Motion passed unanimously. (Budgeted $220,000)

      2. RFB #16-102E LED Street Lighting
         Total Bid
         Cape Electrical Supply  $201,789.40
         Fletcher-Reinhardt  205,160.00
         WESCO Kansas City  206,006.90
         Parker reported the LED street lights quoted are to replace the current fixtures on all metered street lighting circuits in Rolla, with the exception of the downtown area decorative lights. The cost of the lights will be reimbursed by the City of Rolla per signed agreement, and RMU staff will install. Staff recommends award of the low bidder. Williams made a motion, seconded by Showalter, that a purchase order be issued to Cape Electrical Supply in the amount of $201,789.40. Motion passed unanimously. (Budgeted $80,000 for installation)

      3. RFB 16-103 SCADA Operating System Upgrade (sole source)
         RMU’s SCADA system was last upgraded in 2007. The bid from Survalent Technology will upgrade the software and servers required to operate the system. Parker stated this is a sole source purchase because of the proprietary nature of the software. The system will remain under the current service agreement with renewal in October of 2016. Bourne reported stand-alone workstations and monitors will be purchased separately to reduce the overall cost of the project, budgeted at $80,000. Staff recommends acceptance of Survalent’s bid. Showalter made a motion, seconded by Crump, that a purchase order be issued to Survalent Technology in the amount of $43,550.00. Motion passed unanimously.

   B. Interconnection and Operating Agreement (IOA) between MC Power Companies LLC and City of Rolla
      Bourne reported the IOA has been received and reviewed by legal counsel. Bourne proposes the Board recommend approval by Rolla City Council contingent on RMU Management’s receipt and approval of the following items:
      - Addition of item 30.0 - Contingency Clause on the final purchase of property;
      - Change of signatory page to list only Mayor Magdits and Legal Counsel signatures;
      - Annex A (Power Purchase Agreement between MJMEUC, MCP-Rolla LLC and Gardner Capital Inc);
      - Annex C (Project Site Description, Specifications for the Generating Facility and Description of the Technical Requirements of the Interconnection Facility);
      - Annex D (One-Line Diagram Depicting the Facilities) stated the following:
         After brief discussion, Showalter made a motion, seconded by Crump, to recommend that Rolla City Council take appropriate action in regard to the Interconnection and Operating Agreement with the provisions as presented above. There were two (2) votes in favor of the motion (Crump and Showalter). While in support of the project, Barrack and Williams abstained due to their association with RCDC which is the seller of the property.
VII. EXECUTIVE SESSION (None)

VIII. ADJOURNMENT
With no further business appearing, Showalter made a motion, seconded by Williams, to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 5:10 p.m.

[Signature]
Nicholas Barrack, President

[Signature]
Matthew E. Williams, Secretary

The Board's next meeting is scheduled for Tuesday, November 24, 2015 at 4:30 p.m.
MEMBERS AND OTHERS IN ATTENDANCE

John Petersen, Com. Dev.        Everett Briggs, Public Works
Ron Smith, Fire                Vicki Cason, RMU
Vicki Cornett                   Darin Pryor
Sylvester Furse

The following item was discussed:

Old Business:
1. Easements

New Business: Easements eliminated or amending easements

1. Cedar Trail PUD
   a. 10’ easements eliminated. Saving money for the developer. Sylvester Furse explained financial difficulties have occurred, this is the reason for cutting out lot 9 & 10. Developer putting in 2 new 4 plex. Colonial Hills still a Private Dr

2. Lexington Place
   a. John and Sylvester both spoke of the John Brown project west of the city. Two lots 16 and 17. 10’ easement to combine with another 10’ easement total of 20’. Reducing easement setback. Allowing more room for the developer. RMU has an existing line through the 10’ easement per Vicki Carson.
3. Huffman
   a. Lot switch creating a lot split. Another easement on the city limits line. Algin-survey Plat per Everett. Sylvester spoke about the owner requesting the lot be 2 acres instead of 1.8.

4. Kingdom Kia West
MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY NOVEMBER 10, 2015, 5:30 P.M.

Presiding: Paul Stigall, Chairperson


Commission Members Absent: Jack Morris

City Officials in Attendance: Community Development Director John Petersen and Roben Griggs.

Chairperson Stigall called the meeting to order at 5:30 p.m.

I. APPROVAL OF MINUTES
The October 13, 2015 minutes were approved.

II. REPORT ON CITY COUNCIL ACTIONS
Mr. Petersen reported on the actions from the October 19, 2015 City Council Meeting.

A. Public hearing to request to rezone all of 911 South Rolla Street consisting of three lots of the Happy Jack’s Subdivision, part of the Northeast Quarter of the Southwest Quarter of Section 14 Rolla, Missouri from RR (Rural Residential District) zoning to R-1 (Single Family District) zoning.

B. Request to re-subdivide Lots 1 and 2 in Block 4 of the Townsend Addition by removing certain interior lot lines and by establishing Spring Avenue Addition a Final Plat in Rolla, Missouri. Public Hearing/First and Final Reading.

Motion to Amend the Agenda:

Don Brown made a motion to move the Sewer Use Agreement between the University and the City of Rolla to be first on the Agenda. Steven Shields Second the Motion. All was in favor.
A. A Sewer Use Agreement between the University and the City of Rolla.

John Petersen explained that it is designed to provide sewer service to the Mine property without being annexed to the City or rezoned. The Agreement is to give the City the right exercise the annexation of this property if and when it becomes a desire to do so. The city will not be forced exercise unless in favor.

Steve Hargis explained that the University is placing a classroom at that location and they do not have a septic system to service it. The University requested service for the classroom. In order for us to do that they needed to give a Petition to Annex. It is not contiguous but when it is we can do so at that time.

Mr. Schmidt asked what would be in the waste water. Mr. Hargis explained only from a restroom of about 90 people.

Mr. Stigall opened for any questions for commissioners. No discussion on the motion.

A motion was made by D. Brown, seconded by S. Shields to recommend that the City Council approve A Sewer Use Agreement between the University and the City of Rolla.

IV. PUBLIC HEARING(S):

A. 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)

John Petersen explained that most of the property around this area is some C-1 and C-2 mostly Multi-family. This request involves Lot 73. The developer's intent is to do something Multi-family.

Mr. Petersen asked any questions from the Commissioners.

Don Brown asked about the driveway to northwest of the Electric Co. that is being used as a circle drive probably illegally. Don asked about
if there is a right-of-way. John Petersen explained there is an easement for sure, but no evidence of a right-of-way.

Mr. Stigall opened the public hearing to anyone wishing to address the Commission regarding the proposed Public Hearing. No one present responded. Mr. Stigall closed the public hearing.

After a brief discussion among the Planning and Zoning Commission members, a motion was made.

A motion was made by R. Schmidt, seconded by S. Shields to recommend that the City Council approve the proposed rezoning of 407 North Olive Street. The motion was unanimously approved.

B. 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)

Mr. Petersen presented the proposed request to for Sakelaris to develop this property for a car lot. Front is C-2, middle is R-1 and back is C-3. Rezoning to all C-3.

Mr. Stigall opened the public hearing to anyone wishing to address the Commission regarding the proposed Public Hearing. No one present responded. Mr. Stigall closed the public hearing.

A motion was made by M. Shields, seconded by J. Martin to recommend that the City Council the Request to rezone property located at 1621 Martin Springs Drive. The motion was unanimously approved.

C. Request to rezone property located at Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing District) zoning to C-3 (Highway Commercial District) zoning. (Whitehead)
Mr. Petersen brought to the attention of the Commissioners that the incorrect applicant was indicated in the packet and made clear the correction he made.

Zoning for this property 2.1 acres from M-2 which is way too high of classification and C-3 is adequate for this purpose. Not a whole lot of development around this area. The business By-Ryder will be going into this location.

Mr. Petersen recommended this be approved.

Don Brown questioned if this is in county. Mr. Petersen answered that it is located in the county.

Mr. Stigall opened the public hearing to anyone wishing to address the Commission regarding the proposed Public Hearing. No one present responded. Mr. Stigall closed the public hearing.

*Anmotion was made by R Schmidt, seconded by D. Brown to recommend that the City Council the Request to rezone property located at Lot 2, RSBR Subdivision from M-2 (Heavy Manufacturing District) zoning to C-3 (Highway Commercial District) zoning. The motion was unanimously approved.*

D. Request to rezone all of Lots 1 and 2 of Vienna Hills Subdivision from, R-1 (Single Family District) zoning to R-3 (Multi-family District) zoning. (Vienna Hills)

Mr. Petersen described at Vienna Hills and 2 different events taking place. Rezone to R-3 Multi-family for future development. One lot will be split into 2 and a 4 Plex on each side. It will have access off Vienna Road.

Don Brown asked about adequate space for parking. Mr. Petersen explained that it will involve excavation to create the space.

Matt Miller asked if on Lanes End Rd is that all 4 Plex. Mr. Petersen answered yes to Mr. Miller question.

Mr. Petersen explained that this is a PUD that has been in planning for awhile and is all 4 Plex. No changes proposed for that.
Mr. Stigall opened the public hearing to anyone wishing to address the Commission regarding the proposed Public Hearing. No one present responded. Mr. Stigall closed the public hearing.

A motion was made by D Brown, seconded by S. Shields to recommend that the City Council the Request to rezone all of Lots 1 and 2 of Vienna Hills Subdivision from R-1 (Single Family District) zoning to R-3 (Multi-family District) zoning. The motion was unanimously approved.

NEW BUSINESS:

A. 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.

Mr. Petersen this will split this property from 1 tract to 2.

Mr. Stigall asked if any questions from Commissioners and none presented.

A motion was made by M. Shields, seconded by J. Martin to recommend that the City Council 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. The motion was unanimously approved.

Re-plat of Lots 73, 74 and 73 of Block 3, James Addition to the City of Rolla, Missouri.

Mr. Petersen described this as Woolf Second Addition and this plat will remove the interior lot line.
Two structures of efficiency apartments are being planned for this location.

R. Schmidt asked if Lot 73 could be developed. Mr. Petersen explained that Lot 73 would only be used for parking.
A motion was made by J. Martin, seconded by M. Shields to recommend that the City Council the Re-plat the Lots 73, 74 and 75 of Block 3, James Addition to the City of Rolla, Missouri. The motion was unanimously approved.

V. REPORT FROM CHAIRPERSON, COMMITTEES OR STAFF
None

VI. OTHER BUSINESS – CITIZENS COMMENTS
None

VII. Mr. Stigall brought to the Commissioners attention that he would be resigning as Chairperson effective immediately.

Meeting adjourned at 5:57 P.M.

Minutes prepared by Roben Griggs
**REPORT: CZR0081G**

**MISSOURI JUDICIARY**
**ROLLA MUNICIPAL COURT**
**OPEN ITEMS DETAIL REPORT**
**AS OF DATE: 30-Oct-2015**

**BANK NAME:** First Community National Bank - Rolla  
**BANK ACCOUNT NUMBER:** 0299537

**OTHER GENERAL LEDGER ACCOUNTS**

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**TOTAL OTHER GENERAL LEDGER ACCOUNTS** 21,519.00

**NOTE**
The data under the columns headed RECEIPT NO. and RECEIPT DATE show data as of the last activity date and not, necessarily, as of the AS OF DATE of the report. The data under the column headed AMOUNT is as of the AS OF DATE of the report.

"Account data reported is based upon the As of Date entered by the user. This report may not reflect the current status of Open Items Accounts."

"Confidential - For Court Use Only"
BANK NAME: First Community National Bank - Rolla
BANK ACCOUNT NUMBER: 0299537

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*Account data reported is based upon the As of Date entered by the user. This report may not reflect the current status of Open Items Accounts.
*Confidential - For Court Use Only*
## MISSOURI JUDICIARY
### ROLLA MUNICIPAL COURT
#### TRIAL BALANCE REPORT
FROM 01-Nov-2015 THRU 30-Nov-2015

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**Totals:**
- Beginning Debit Balance: 5,850.00
- Beginning Credit Balance: 5,850.00
- Debits During Date: 40,472.50
- Credits During Date: 40,472.50
- Ending Debit: 24,493.00
- Ending Credit: 24,493.00

No exceptions noted

---

*Information Displayed Per User Security Authorization*
*Confidential - For Court Use Only*
BANK NAME: First Community National Bank - Rolla  
BANK ACCOUNT NUMBER: 0299537

OTHER GENERAL LEDGER ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT NO./DESCRIPTION</th>
<th>BALANCE</th>
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<tbody>
<tr>
<td>5002 Clerk Fee-Municipal</td>
<td>321.60</td>
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<tr>
<td>5008 Court Automation</td>
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<tr>
<td>5010 Board Bill-DFT</td>
<td>402.00</td>
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<tr>
<td>5016 CVC Surcharge State</td>
<td>1,011.05</td>
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<tr>
<td>5018 CVC Surcharge Muni</td>
<td>9.90</td>
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<tr>
<td>5020 Law Enf Arrest-Local</td>
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<td>5022 LET-Muni</td>
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<td>5024 POST-State</td>
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<td>5032 Dom Viol - Muni</td>
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<tr>
<td>5040 Fine</td>
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<tr>
<td>5041 Fine - Highway</td>
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<tr>
<td>5042 Parking Penalties</td>
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<tr>
<td>5102 Clerk Fee-Traffic E/R</td>
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<td>5112 Board Bill Dft-Traffic E/R</td>
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<td>5141 Fines-Traffic E/R</td>
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TOTAL OTHER GENERAL LEDGER ACCOUNTS 18,993.00

NOTE
The data under the columns headed RECEIPT NO. and RECEIPT DATE show data as of the last activity date and not, necessarily, as of the AS OF DATE of the report. The data under the column headed AMOUNT is as of the AS OF DATE of the report.

*Account data reported is based upon the As of Date entered by the user. This report may not reflect the current status of Open Items Accounts.

*Confidential - For Court Use Only*
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<thead>
<tr>
<th>MANAGEMENT REPORT</th>
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<tr>
<td>Fiscal Year 2015</td>
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<tr>
<td>November 2015</td>
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<table>
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<th>NOVEMBER FY 2016</th>
<th>NOVEMBER FY 2015</th>
<th>YTD FY 2016</th>
<th>YTD FY 2015</th>
<th>Δ CHANGE FY 15 - FY 16</th>
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<tr>
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<td>3-or-4 family</td>
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<td>Hotels, Motels</td>
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<td>Other non-housekeeping shelter</td>
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<td>Churches, other religious</td>
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<td>Parking garages</td>
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<td>Service stations, repair garages</td>
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<td>Hospitals, institutional</td>
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<td>Offices, banks, professional</td>
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<td>Stores, customer</td>
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<td>18,199</td>
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<td>Demolition, single family</td>
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<td>Demolition, 2-family</td>
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<tr>
<td>Demolition, 3-or-4 family</td>
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<td>Demolition, 5-or-more family</td>
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<td>Demolition, all other</td>
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<th>NOVEMBER FY 2015</th>
<th>YTD FY 2016</th>
<th>YTD FY 2015</th>
<th>FY 15-16</th>
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12/1/2015
<table>
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<tr>
<th>Permit Type</th>
<th>Address</th>
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<th>Amount Charged</th>
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<tbody>
<tr>
<td>Residential Flat Fee</td>
<td>696 Forum Drive</td>
<td>Afford A Pro LLC</td>
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<td>Residential Flat Fee</td>
<td>1601 Ferno</td>
<td>BAXTER REPAIR</td>
<td>BP2015-00145</td>
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<td>Residential Flat Fee</td>
<td>40 Johnson</td>
<td>Alexander R. &amp; Rebeccia E. Buneit</td>
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<td>1102 Murry Lane</td>
<td>ERMA L. TRUST ADAM</td>
<td>BP2015-00151</td>
<td>$5,000.00</td>
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<tr>
<td>Residential Flat Fee</td>
<td>1102 Murry Lane</td>
<td>ERMA L. TRUST ADAM</td>
<td>BP2015-00151</td>
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<tr>
<td>Residential Flat Fee</td>
<td>225-227 Pebble Stone Lane</td>
<td>FORNESS PROPERTIES LLC</td>
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<td>Residential Flat Fee</td>
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<td>Residential Flat Fee</td>
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<td>DAVID D &amp; SANDRA J VANAKEN</td>
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<td>Residential Flat Fee</td>
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<tr>
<td>Residential Flat Fee</td>
<td>106 A &amp; B NORTH OLIVE</td>
<td>DALE W. WANDS &amp; SARA W. WANDS</td>
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<td>Residential Flat Fee</td>
<td>106 A &amp; B NORTH OLIVE</td>
<td>DALE W. WANDS &amp; SARA W. WANDS</td>
<td>BP2015-00160</td>
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<td>Residential Flat Fee</td>
<td>401 A-P North Olive Street</td>
<td>LARSON CONSTRUCTION</td>
<td>BP2015-00169</td>
<td>$552,336.00</td>
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<td>Residential Flat Fee</td>
<td>401 A-P North Olive Street</td>
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<td>$552,336.00</td>
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<tr>
<td>Residential Flat Fee</td>
<td>401 A-P North Olive Street</td>
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<td>BP2015-00169</td>
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<td>Residential Flat Fee</td>
<td>401 A-P North Olive Street</td>
<td>LARSON CONSTRUCTION</td>
<td>BP2015-00169</td>
<td>$552,336.00</td>
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<tr>
<td>Residential Flat Fee</td>
<td>401 A-P North Olive Street</td>
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<tr>
<td>Residential Flat Fee</td>
<td>1001,1005-1009 North Pine Street</td>
<td>VERLINDA INC</td>
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<td>Residential Flat Fee</td>
<td>1703 Palmer Court</td>
<td>Rollo Public Schools</td>
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### Mechanical Permit

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<th>Address</th>
<th>Full Name</th>
<th>Contractor</th>
<th>Reference No</th>
<th>RP - Estimated Construction Cost</th>
<th>Amount Charged</th>
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<tbody>
<tr>
<td>11/12/2015</td>
<td>Commercial</td>
<td>Commercial Mechanical, Electric, Plumbing</td>
<td>1605 North Pine Street</td>
<td>ALPHA PSI ASSN OF THETA XI FRA JOHN MYERS</td>
<td>GARNER REFG. &amp; HEATING INC</td>
<td>MC2015-00164</td>
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<td>$25.00</td>
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<td>11/13/2015</td>
<td>Residential</td>
<td>Residential Mechanical, Electric, Plumbing</td>
<td>1503 Liberty Drive</td>
<td>NANCY D MARLOW</td>
<td>STEVENSON SHEET METAL</td>
<td>MC2015-00166</td>
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<td>11/04/2015</td>
<td>Residential</td>
<td>Residential Mechanical, Electric, Plumbing</td>
<td>208 Fox Creek Road</td>
<td>RICHARD B HATFIELD</td>
<td>PILLIARD SERVICE LLC</td>
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<td>11/04/2015</td>
<td>Residential</td>
<td>Residential Mechanical, Electric, Plumbing</td>
<td>213 Sooner Lane</td>
<td>JOSEPH B &amp; PAMELA L ISAAC</td>
<td>HARTLEY'S CLIMATE CON</td>
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### Plumbing Permit

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<th>Contractor</th>
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<tbody>
<tr>
<td>11/02/2015</td>
<td>Residential</td>
<td>Residential Mechanical, Electric, Plumbing</td>
<td>607 Wincheter</td>
<td>Harold W. Hall &amp; Glenn Hall co-trustees Same As Owner Harold W. Hall Trust</td>
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<td>PL2015-00128</td>
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### Sign Permit

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<th>Contractor</th>
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<th>Amount Charged</th>
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<tbody>
<tr>
<td>11/2/2015</td>
<td>Flat Fees</td>
<td>Signs 50 sq. ft. and under</td>
<td>1772 D North Bishop Avenue</td>
<td>GUFFEY PROPERTIES LLC</td>
<td>Sign Dimensions LLC</td>
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<td>11/2/2015</td>
<td>Flat Fees</td>
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<td>TAYCO ENTERPRISES LLC</td>
<td>FUTURE SIGNS</td>
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<td>11/16/2015</td>
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<td>FORUM PLAZA PARTNERS LLC</td>
<td>CENTRAL REALITY</td>
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<td>11/04/2015</td>
<td>Flat Fees</td>
<td>Signs 50 sq. ft. and under</td>
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<td>Ralls Real Estate Enterprises LLC</td>
<td>Sign Dimensions LLC</td>
<td>SG2015-00175</td>
<td>$1,500.00</td>
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CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development

ACTION REQUESTED: Final 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 spaced 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.

COMMISSION RECOMMENDATION: Planning and Zoning Commission members met on September 29, 2015 to consider the rezoning request. The Commission voted unanimously to

\[\text{Signature}\]

\[A. L.\]
recommend approval.

**ACTION REQUIRED:** The City Council, at their November 16 meeting conducted a public hearing and a first reading. A final reading will follow at the next meeting on December 7, 2015.

**ATACHMENTS:**
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

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-2/R-1
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 estates. *(All signatures must be notarized.)*

\[Signature\]

Subscribed and sworn before me this 24th day of October, in the year 2005.

\[Signature\]
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 7TH DAY OF DECEMBER 2015.

APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor
DEPARTMENT: Community Development

ACTION REQUESTED: Final 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.

\[\text{Signature}\]
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 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.

**COMMISSION RECOMMENDATION**: Planning and Zoning Commission members met on November 10, 2015 to consider the rezoning request. The Commission voted unanimously to recommend approval to the City Council.

**ACTION REQUIRED**: The City Council, at their November 16 meeting, conducted a public hearing and a first reading. A final reading will follow at the next meeting on December 7, 2015.

**ATTACHMENTS:**
- Zoning area map
- 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: Laury West Jr - Kingdom Kia
Address: 2400 N Bishop Ave, Rolla, MO 65401
Phone Number: 314-230-8993
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
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.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 7TH DAY OF DECEMBER 2015.

APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor

[Signature] 7
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  ACTION REQUESTED: Final 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 met 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 have been 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) have been be satisfied.

\[\text{Signature}\]
COMMISSION RECOMMENDATION: The Planning and Zoning Commission reviewed the rezoning on November, 10, 2015 and voted unanimously to recommend approval by the City Council.

ACTION REQUIRED: The City Council reviewed the rezoning on November 10, 2015 and voted unanimously to recommend approval by the City Council. A final reading will follow at the next meeting on December 7, 2015.
APPLICATION FOR REZONING OF REAL ESTATE

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

Applicant's Name: John Brown
Address: 603 Kingshighway St, Rolla, MO 65401
Phone Number: 573-364-5327
E-mail address: rentals@rolla-rentals.com

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 R3
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

John Brown, President

Type or print name
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
Notary Public

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)
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 7th DAY OF DECEMBER 2015.

APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor

_]_ 07.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

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-pixels.

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 met on October 27, 2015 to review the re-plat request. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees have been paid before the rezoning is submitted to City Council. All required public improvements, storm water management, easement dedication and park land dedication (or fee- in- lieu) shall be satisfied.

COMMISSION RECOMMENDATION: The Planning and Zoning Commission reviewed the re-plat on November, 10, 2015 and voted unanimously to recommend approval to the City Council.
**ACTION REQUIRED:** The City Council reviewed the re-plat on November 16, 2015 and will consider a final reading at their December 7, 2015 meeting.
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.

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:

__________________________
Mayor

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor

I.D. 5
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development

ACTION REQUESTED: Final Reading

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

\[ \sqrt{E.1} \]
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 met on October 27, 2015 to review the re-plat. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees have been paid. All required public improvements, storm water management, easement dedication and park land dedication (or fee-in-lieu) have been 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.

COMMISSION RECOMMENDATION: The Planning and Zoning Commission reviewed the re-plat on November 10, 2015 and voted unanimously to recommend approval to the City Council.

ACTION REQUIRED: The City Council reviewed the re-plat on November 16, 2015 and will consider a final reading at their December 7, 2015 meeting.
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 7TH DAY OF DECEMBER 2015.

APPROVED:

____________________________
Mayor

ATTEST:

____________________________
City Clerk

APPROVED AS TO FORM:

____________________________
City Counselor
City of Rolla
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Chief Sean Fagan

ACTION REQUESTED: 1st & Final Reading

ITEM/SUBJECT: Mutual Aid Agreement between RPD & Pulaski County Sheriff’s Dept.

BUDGET APPROPRIATION (IF APPLICABLE): $ N/A

DATE: December 7, 2015

Commentary:

We would like to renew an agreement between the Rolla Police Department and Pulaski County Sheriff’s Department that establishes guidelines and specifications for responses to requests for emergency or specialized law enforcement services, such as SWAT assistance. The agreement primarily addresses law enforcement authority and liability in these mutual aid situations. There was a minor revision to section D:3, per our city attorney’s direction, regarding liability. Otherwise, this was initiated simply because the signatures were outdated (2009).

Recommendation:

Motion to approve an ordinance allowing the Mayor and Chief of Police to sign an agreement between the Rolla Police Department and the Pulaski County Sheriff’s Department for responses to request for emergency or special law enforcement services.

ITEM NO: VI.4.1.
ORDINANCE NO. ____________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI, TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE PULASKI COUNTY SHERIFF’S DEPARTMENT PERTAINING TO MUTUAL AID.

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 the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri, a certain agreement between the City of Rolla, Missouri and the Pulaski County Sheriff’s Department, 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 7th DAY OF DECEMBER 2015.

APPROVED:

________________________
MAYOR

ATTEST:

________________________
CITY CLERK

APPROVED AS TO FORM:

________________________
CITY COUNSELOR

VI / A / 2 /
AGREEMENT FOR EMERGENCY OR SPECIAL LAW ENFORCEMENT SERVICES BY
AND BETWEEN THE PULASKI COUNTY SHERIFF’S DEPARTMENT, MISSOURI AND
THE ROLLA POLICE DEPARTMENT, MISSOURI

WHEREAS, it is in the best interest of the Pulaski County Sheriff’s Department and the Rolla Police Department to provide for certain law enforcement services upon request; and

WHEREAS, the Missouri Constitution (Article VI, Section 15) and the Missouri Revised Statutes (RSMo 70.220) provide authority for intergovernmental cooperation; and

WHEREAS, the Missouri Revised Statutes (RSMo 70.820) Any law enforcement officer as defined by section 556.061, RSMo, full-time peace officer as defined by section 590.100, RSMo, of a county or a full-time peace officer of any political subdivision who is certified pursuant to chapter 590, RSMo, or a chief executive officer as defined by section 590.100, RSMo, of a county or any political subdivision, certified pursuant to chapter 590, RSMo, shall have the authority to respond to an emergency situation outside the boundaries of the political subdivision from which such peace officer’s authority is derived. This section does not apply to any peace officer certified pursuant to subsection 6 of section 590.105, RSMo.; and

WHEREAS, the two law enforcement agencies may obtain more effective and efficient emergency or special law enforcement services when their deputies/officers cooperate with and assist each other in providing certain law enforcement services;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the Pulaski County Sheriff’s Department and the Rolla Police Department agree as follows:

A. DEFINITIONS

The following terms are defined for use in this Agreement:

1. “Agency” means the departments of the Pulaski County Sheriff’s Department and the Rolla Police Department.
2. “Requesting Agency” means an agency requesting emergency police services or assistance pursuant to this agreement.
3. “Responding Agency” means an agency providing emergency police services or assistance pursuant to this agreement, or an agency that may be called upon to provide emergency services or assistance pursuant to this agreement.
4. “emergency or specialized law enforcement services and assistance” means personnel and equipment necessary for providing emergency law enforcement protection and services in police matters involving a life threatening situation, a situation in which there is gave danger of bodily harm, or a situation involving mob action, a riot, or other similar special threat situation.
5. “Jurisdiction” of the agency shall be as follows:
   a. “Pulaski County” means the established boundaries of said County.
b. “City of Rolla” means the corporate limits of said City.

6. “Policies and procedures” means the policies and procedures adopted by the agencies which set forth, among other things:

a. The persons in each agency who are authorized to request emergency or specialized law enforcement services or assistance from another agency and the matter in which such requests are to be processed and approved.

b. The persons in each agency who are authorized to approve requests for their deputies/officers to provide emergency or specialized police services, and who are thus responsible for determining whether or not their agency will respond, and if so, the number of personnel and the amount and type of equipment which will be provided.

B. LAW ENFORCEMENT SERVICES AND ASSISTANCE

The Sheriff of Pulaiki county or designee and the chief of police of the city of Rolla, or designee, shall be responsible for receiving requests for emergency or specialized law enforcement services and assistance in accordance with the policies and procedures adopted by the agencies. The manner in which agencies shall request emergency or specialized law enforcement services and assistance from other agencies, and themselves respond to such requests, shall be as follows:

1. Either agency, through its authorized personnel, may request emergency or specialized law enforcement services or assistance from other the other agency.

2. The requesting agency shall specify the type of law enforcement service or assistance, which is needed, and state the number of personnel and the amount and type of equipment, which are being requested.

3. The responding agency shall make a reasonable effort to provide the law enforcement service or assistance requested pursuant to this agreement, subject to its workload and availability of deputies/officers at the time of the request, the nature and urgency of the request, and other such similar limiting factors. If it agrees to provide emergency or specialized law enforcement services or assistance, the responding agency shall, at its sole discretion, determine the number of personnel and the amount and type of equipment that will be provided.

4. The agency which is requesting emergency police services or assistance from other agencies, and the types of emergency or specialized law enforcement services and assistance which they are requesting are as follows:

a. The Pulaiki county sheriff's department, Missouri hereby requests that the police department of the city of Rolla, Missouri provide law enforcement services and assistance in situations where they receive calls or other requests for emergency or specialized law enforcement services and assistance from persons who would ordinarily be within the jurisdiction of the Sheriff’s Department of Pulaiki County, or where the deputies/officers or other personnel of said agencies view circumstances indicating probable cause that there has been, is, or other rule or regulation within the jurisdiction of the Sheriff’s Department of Pulaiki County.

b. The Rolla Police Department, Missouri hereby requests that the Sheriff’s Department of the County of Pulaiki, Missouri provide law enforcement
services and assistance in situations where they receive calls or other requests for emergency or specialized law enforcement services and assistance from persons who would ordinarily be within the jurisdiction of the Police Department of the City of Rolla, or where the deputies/officers or other personnel of said agencies view circumstances indicating probable cause that there has been, is, or other rule or regulation within the jurisdiction of the Police Department of the City of Rolla.

C. LAW ENFORCEMENT AUTHORITY

Deputy Sheriff's/Police officers and other personnel who are providing emergency or specialized law enforcement services and assistance within the jurisdiction of another agency shall have the following police authority and power, and be subject to the following working procedures and measures:

1. When acting pursuant to this agreement within the jurisdiction of the requesting agency, deputies/officers and other personnel of a responding agency shall therein have the same police authority and power as deputies/officers or other personnel of the requesting agency.

2. The heads of the agencies shall establish working procedures and measures as they deem necessary for the control and direction of deputies/officers, personnel, and equipment that are acting within the jurisdiction of requesting agency pursuant to this agreement; provided, however, that until such working procedures and measures are established, the deputies/officers, personnel, and equipment of a responding agency shall be subject to the direction and control of the executive of the requesting agency or his designee.

D. LIABILITY

1. Each party to this agreement represents that it has and will maintain appropriate policies of insurance to indemnify itself against claims for personal injury, wrongful death, workers compensation or such other claims as may arise while providing assistance or services pursuant to this agreement.

2. While responding pursuant to this agreement, officers and employees of the responding agency will be deemed to remain employees, acting in the scope and course of their employment, for the agency which hired them.

3. When acting pursuant to this agreement within the jurisdiction of a requesting agency, the governmental entity of the responding agency shall be responsible for any damages from any liability out of such injury subject to, and without waiving, sovereign immunity.”

E. SEVERABILITY

If any provision of this agreement is invalid for any reason, such as invalidation shall not render invalid other provisions of this agreement that can be given effect without the invalid provision.

F. EFFECTIVE DATE

\[ \text{VI} \ 5 \]
This agreement shall be effective when duly executed by the authorized representative of Pulaski County, Missouri and the City of Rolla, Missouri.

G. AMENDMENT
This agreement may be modified or amended by unanimous agreement of Pulaski County, Missouri and the City of Rolla, Missouri.

H. TERMINATION
This agreement shall terminate, and shall have no force or effect, upon the passage by Pulaski County, Missouri and the City of Rolla, Missouri of an ordinance, resolution, or other document indication withdrawal from this agreement.

I. GOVERNING LAW
This agreement shall be construed in accordance with the laws and constitution of the State of Missouri.

IN WITNESS WHEREOF, the County Commission of Pulaski County, Missouri and the City Council of the City of Rolla, Missouri have authorized their representatives to execute this agreement; and said representatives have caused this agreement to be executed, and have attached herewith a copy of the ordinance, resolution, or other documents adopted by their respective governing body authorizing them to execute this Agreement.

Mr. Gene Newkirk
Pulaski County Presiding Commissioner

Ron Long
Pulaski County Sheriff's Department

________________________________________
City of Rolla
Mr. Louis Magdits, IV
Rolla City Mayor

Sean Fagan
Rolla Chief of Police
DEPARTMENT HEAD: Steve Hargis

ITEM/SUBJECT: Ordinance Banning the Use of Lead in Public and Private Drinking Water Plumbing

BUDGET APPROPRIATION (IF APPLICABLE) N/A

DATE: December 7, 2015

COMMENTARY:

Attached is an ordinance banning the use lead materials in public and private drinking water.

Included is the proposed ordinance and a Summary of the Reduction of Lead in Drinking Water Act along with frequently asked and answered questions.

This ordinance is being required by DNR as part of a recent inspection of the new water system at the Rolla National Airport. The ordinance has been drafted by using the DNR model ordinance and input from the Rolla Municipal Utilities. Rodney Bourn will not be in attendance at the 1st reading but will be available on the 21st for the final reading. The enacted ordinance is required to be submitted by December 23rd.

In addition we will be required to train additional personnel as a stand-by chief operator. This will require additional testing and licensing by DNR. We will be proposing to DNR to have at least 2 stand-by operators trained and licensed by June 1, 2016. Presently we only have one licensed water operator in our wastewater department.
AN ORDINANCE BANNING THE USE OF LEAD MATERIALS IN PUBLIC AND PRIVATE DRINKING WATER PLUMBING.

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

SECTION 1: Lead Ban – General Policy

A. Purpose. The purpose of this ordinance is:

1) To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and

2) To protect city residents from lead contamination in the city’s public drinking water system and their own private plumbing systems.

B. Application. This ordinance shall apply to all premises served by the public drinking water system of the city of Rolla, Missouri.

C. Policy. This ordinance will be reasonably interpreted by the water purveyor. It is the purveyor’s intent to ban the use of lead based material in the construction or modification of the city's drinking water system or private plumbing connected to the city system. The cooperation of all consumers is required to implement the lead ban.

If, in the judgment of the water purveyor or his authorized representative, lead based materials have been used in new construction or modifications after January 4 2014, due notice shall be given to the consumer. The consumer shall immediately comply by having the lead base materials removed from the plumbing system and replaced with lead free materials. If the lead base materials are not removed from the plumbing system, the water purveyor shall have the right to discontinue water service to the premises.

SECTION 2: Definitions.

A. The following definitions shall apply in the interpretation and enforcement of this ordinance.

1) “Consumer” means the owner or person in control of any premises supplied by or in any manner connected to a public water system;

2) “Lead base materials,” means any material containing lead in excess of the quantities specified in Section II.A.3.

3) “Lead free” means:
   A. In General.
      1) When used with respect to solder and flux, refers to solders and flux containing not more than 0.2 percent (0.2%) lead; and

      2) When used with respect to pipes and pipefittings, refers to pipes and pipefittings containing not more than 0.25 percent (0.25%) lead.
B. Calculation.

The weighted average lead content of a pipe, pipe fitting, plumbing fitting, or fixture shall be calculated by using the following formula: For each wetted component, the percentage of lead in the component shall be multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product to arrive at the weighted percentage of lead of the component. The weighted percentage of lead of each wetted component shall be added together, and the sum of these weighted percentages shall constitute the weighted average lead content of the product. The lead content of the material used to produce wetted components shall be used to determine compliance with paragraph (A)(2). For lead content of materials that are provided as a range, the maximum content of the range shall be used.

4) “Public drinking water system” means any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources; and

5) “Water purveyor” means the owner, operator, or individual in responsible charge of a public water system.

6) “Exemptions”
(A) pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for non-potable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption; or

(B) toilets, bidets, urinals, fill valves, flush-o-meter valves, tub fillers, fire hydrants, shower valves, service saddles, or water distribution main gate valves that are two inches in diameter or larger.

SECTION 3: Lead Banned from Drinking Water Plumbing

A. No water service connection shall be installed to any premises where lead base materials were used in new construction or modifications of the drinking water plumbing after January 4, 2014.

B. If a premise is found to be in violation of Section III. A., water service shall be discontinued until such time that the drinking water plumbing is lead free.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 7th DAY OF DECEMBER 2015.

APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor
Summary Of The
Reduction Of Lead In Drinking Water Act
And Frequently Asked Questions

The Reduction of Lead in Drinking Water Act was enacted on January 4, 2011 to amend Section 1417 of the Safe Drinking Water Act (SDWA or Act) respecting the use and introduction into commerce of lead pipes, plumbing fittings or fixtures, solder and flux. The Act established a prospective effective date of January 4, 2014, which provided a three year timeframe for affected parties to transition to the new requirements. Upon signature the Community Fire Safety Act of 2013¹ will further amend Section 1417 to exempt fire hydrants. In anticipation of these changes taking effect, EPA is providing the following summary of the requirements of the lead ban provisions in Section 1417 and some answers to frequently asked questions related to the amendments to assist manufacturers, retailers, plumbers and consumers in understanding the changes to the law.

Outreach
On August 16, 2012, EPA held a public webinar with stakeholders to discuss the Reduction of Lead in Drinking Water Act and the potential ramifications that this change in law may have. Participants included public utilities, government agencies, plumbing manufacturers, plumbing retailers and trade associations. At the end of this webinar, EPA solicited comments from the attendees on issues and concerns related to the new requirements. The webinar proceedings and the solicited input were used in formulating an initial set of Frequently Asked Questions (FAQs) that were published for public comment on May 23, 2013. EPA held a webinar on November, 25 2013 to solicit information from stakeholders regarding the applicability of Section 1417 to fire hydrants. EPA was reassessing whether fire hydrants should be subject to the lead free requirements when the Community Fire Safety Act was passed. EPA has revised this document to explain that fire hydrants would be exempt from the lead free requirements in accordance with the Community Fire Safety Act.

This document, including revised answers to frequently asked questions, is intended to help the public understand the statutory requirements, EPA intends to further clarify and refine these and other issues related to these provisions in a future rulemaking. These FAQs include some recommendations that are advisory only (indicated by the use of the words such as "should" or "encourages").

EPA remains interested in feedback on these FAQs, for refinement of these answers, to respond to new questions, or to determine which issues should be explored in its rulemaking. As a result, EPA may revise or supplement these FAQs from time to time.

SDWA Section 1417
Since 1986, the Safe Drinking Water Act ("SDWA" or "the Act") has prohibited the use of certain items that are not lead free and since 1996 the Act has made it unlawful for anyone to introduce into commerce items that are not lead free.

¹ The Community Fire Safety Act of 2013 was passed in both the House (December 2, 2013) and Senate (December 17, 2013). As of December 19, 2013, the President’s signature to enact the bill is pending.
Use Prohibition
Section 1417(a)(1) prohibits the "use of any pipe, any pipe or plumbing fitting or fixture, any solder, or any flux, after June 1986, in the installation or repair of (i) any public water system; or (ii) any plumbing in a residential or non-residential facility providing water for human consumption, that is not lead free" as defined in Section 1417(d). Prior to the 2011 Amendments, the only exception to this prohibition was for "leaded joints necessary for the repair of cast iron pipes."

Unlawful Commerce Provision
There are three components to the "unlawful commerce" provision. Section 1417(a)(3) provides that "it shall be unlawful -

(A) for any person to introduce into commerce any pipe, or any pipe or plumbing fitting or fixture, that is not lead free, except for a pipe that is used in manufacturing or industrial processing;

(B) for any person engaged in the business of selling plumbing supplies, except manufacturers, to sell solder or flux that is not lead free; or

(C) for any person to introduce into commerce any solder or flux that is not lead free unless the solder or flux bears a prominent label stating that it is illegal to use the solder or flux in the installation or repair of any plumbing providing water for human consumption."

Summary of the Amendments to SDWA Section 1417
The 2011 Reduction of Lead in Drinking Water Act revised Section 1417 to:

(1) Redefine lead free in SDWA Section 1417(d) to:
   - lower the maximum lead content of the wetted surfaces of plumbing products such as pipes, pipe fittings, plumbing fittings and fixtures from 8.0% to a weighted average of 0.25%;
   - establish a statutory method for the calculation of lead content; and
   - eliminate the requirement that lead free products be in compliance with voluntary standards established in accordance with SDWA 1417(e) for leaching of lead from new plumbing fittings and fixtures.

(2) Create exemptions in SDWA Section 1417(a)(4) from the prohibitions on the use or introduction into commerce for:
   - "pipes, pipe fittings, plumbing fittings or fixtures, including backflow preventers, that are used exclusively for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption;" (SDWA 1417(a)(4)(A))
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- "toilets, bidets, urinals, fiii valves, flushometer valves, tub fillers, ... shower valves, service saddles, or water distribution main gate valves that are 2 inches in diameter or larger." (SDWA 1417(a)(4)(B))

Effective Date of the Amendments
The amendments will become effective on January 4, 2014.

Until January 4, 2014:
- The definition of lead free is a maximum lead content of 8.0%
- None of the exemptions created by the 2011 amendments apply
- Plumbing fittings and fixtures must be in compliance with the voluntary standard Section 9 of NSF, International (NSF)/American National Standards Institute (ANSI) Standard 61.

As of January 4, 2014, the 2011 amendments to Section 1417 of SDWA take effect and therefore:
- A new definition of lead free applies, including a maximum lead content of 0.25% and a method for calculating it, unless the product is covered by one of the exemptions.
- While SDWA still refers to voluntary standards, it no longer requires plumbing fittings and fixtures to be in compliance with Section 9 of NSF/ANSI Standard 61 (e.g., new endpoint devices).

Other laws related to the sale or use of plumbing products that contain lead
It is important to note that State and local jurisdictions may have additional limitations or requirements regarding the use or sale and distribution of pipes, pipe or plumbing fittings, or fixtures that contain lead. Contact your local or State plumbing or drinking water authority to find out more about any additional requirements that may apply.

Frequently Asked Questions

Definition of Lead Free
1. Q. How exactly will the definition of lead free change?

   A. Prior to January 4, 2014, lead free has the following definition:

   (1) when used with respect to solders and flux, lead free refers to solders and flux containing not more than 0.2 percent lead;

   (2) when used with respect to pipes and pipe fittings, lead free refers to pipes and pipe fittings containing not more than 8.0 percent lead; and

   (3) when used with respect to plumbing fittings and fixtures, lead free refers to plumbing fittings and fixtures in compliance with standards established in accordance with SDWA Section 1417(e) (e.g. Section 9 of NSF/ANSI Standard 61).

   Effective January 4, 2014, lead free means:

   (A) not containing more than 0.2 percent lead when used with respect to solder
and flux; and

(B) not more than a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.

Calculation
For purposes of the Act, the weighted average lead content of a pipe, pipe fitting, plumbing fitting, or fixture is calculated by using the following statutory formula:

- For each wetted component, the percentage of lead in the component is multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product to arrive at the weighted percentage of lead of the component.
- The weighted percentage of lead of each wetted component is added together, and the sum of these weighted percentages constitute the weighted average lead content of the product. The lead content of the material used to produce wetted components is used to determine compliance.
- For lead content of materials that are provided as a range, the maximum content of the range must be used.²

Questions about Coverage
2. Q. What did Congress mean by pipes, pipe fittings, plumbing fittings and fixtures?

A. By removing Section 1417(d)(3) from the definition of lead free, the 2011 amendments eliminated distinctions between "pipes" "pipe fittings", "plumbing fittings" and "plumbing fixtures." As a general matter, Congress intended that these amendments broadly apply to pipes and plumbing that may provide water for human consumption so that lead in the wetted surfaces of these conveyances can be minimized or eliminated, thus reducing exposures to lead in tap water. For purposes of these FAQs, EPA is using the term "pipes, fittings or fixtures" as a shorthand to refer to pipes, pipe fittings, plumbing fittings and fixtures, as those terms are used in the Act.

² Following is an example of the statutory calculation. Note: The formula will vary for each product depending upon the number of components and the wetted surface area of each component. Equation: Total % Lead = \( \frac{\text{PbNC} \times [\text{PbNC} \times \text{RSAC}_1] + \text{PbNC}_a \times \text{RSAC}_a]}{\text{RWSA}} \)

<table>
<thead>
<tr>
<th>Component</th>
<th>(Pb%) Lead Content</th>
<th>(RWSA) Ratio of Wetted Surface Area</th>
<th>Weighted % Lead</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washer</td>
<td>0.50%</td>
<td>1/1000</td>
<td>0.0005</td>
</tr>
<tr>
<td>Pipe</td>
<td>0.10% lead</td>
<td>999/1000</td>
<td>0.099</td>
</tr>
</tbody>
</table>

Weighted Average Lead Content: 0.0005 + 0.099 = 0.0995
3. **Q.** I am a manufacturer of faucet-mounted water treatment devices and plumbed-in treatment devices, which may include dedicated faucets. Are these types of devices a pipe, fitting or fixture that is subject to the new lead free requirements?

   **A.** Yes, both point-of-use and point-of-entry devices are covered by the lead free requirements because the terms used by Congress are commonly understood to include kitchen and bathroom faucets and the pipes leading to such faucets. These devices are typically integrated into a faucet or plumbing system that delivers drinking water and as such is considered to be covered by the new lead free requirements. Because these devices may be designed to remove lead. EPA expects that some may already meet the lead content limit of 0.25%.

4. **Q.** I am a manufacturer of stand-alone appliances that are not connected to a potable water distribution system (i.e. non-plumbed), such as coffee makers or pour through water filters. Are these types of items required to meet the new definition of lead free before I introduce them into commerce?

   **A.** These stand-alone, non-plumbed, appliances or devices do not logically fit within the statutory reference to pipes, fittings or fixtures because they are not plumbed in and they are not part of the drinking water distribution system. The focus of SDWA Section 1417 is to prevent the contamination of the drinking water in the distribution system by lead that has leached from pipes, faucets and other fixtures incidental to the delivery of potable water. As noted in the legislative history of the 1996 amendments to Section 1417, "[i]t is the intent of the Committee that the terms pipe and plumbing fittings and fixtures in the legislation are in reference to drinking water applications...." EPA does encourage manufacturers to avoid the use of lead in such appliances and EPA also encourages consumers to consult the manufacturers of these items to make sure that they do not contain lead.

   Where such devices are, however, integrated into pipes, fitting or fixtures for the delivery of water, such as a plumbed in coffee maker, they would logically come within the scope of the new lead free requirements.

5. **Q.** Are fire hydrants subject to the lead free requirements in section 1417(a)?

   **A.** No, the Community Fire Safety Act of 2013, once enacted, would exempt fire hydrants from the lead free requirements in section 1417(a).

6. **Q.** Are household appliances or fixtures, such as washing machines, dishwashers and water heaters subject to the lead free requirements?
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A. If the appliance or fixture is part of the plumbing system and is not used exclusively for nonpotable services, it is subject to the lead free requirements. As a result, washing machines are exempt as a device that is used exclusively for nonpotable services. Dishwashers and water heaters, on the other hand, are not exempt because they are used for potable services.

7. Q. How does EPA interpret the phrase “potable services”?

A. EPA interprets “potable services” to be services or applications that provide water suitable for human ingestion (e.g. drinking, teeth brushing, food preparation, dishwashing, maintaining oral hygiene).

8. Q. Are temporarily installed items, including those used for emergency repairs, subject to the new lead free requirements?

A. There is no exemption in the statute for temporary or emergency repairs; therefore under the language of the statute, any pipe, fitting or fixture used in installation or repair, beginning January 4, 2014, is subject to the lead free requirements and must meet the new definition of lead free, even if their installation is only temporary or for an emergency repair.

9. Q. I am a manufacturer of hose bibs (threaded faucets with nozzles bent downward). I market them and sell them primarily for use outdoors (e.g. to connect to a garden hose, sprinkler, or irrigation system) but they could be used for services associated with human consumption as well. Are the hose bibs required to meet the new definition of lead free?

A. A hose bib is a pipe, fitting or fixture under the language of the statute and therefore it is subject to the requirements in Section 1417 unless it is used exclusively for nonpotable services. If you market and sell hose bibs for nonpotable services, and the bibs are prominently and clearly labeled as illegal to use for potable services and not anticipated to be used for human consumption, then EPA would generally consider them to be used exclusively for nonpotable services and therefore, exempt from the lead free requirements in SDWA 1417(a)(1) and (3).

10. Q. I am a manufacturer of pipes, fittings or fixtures (e.g. backflow preventers). Some of the products I make are marketed and sold for use in nonpotable services exclusively, and some products I make are marketed and sold for both potable and nonpotable services. The products marketed and sold for use in nonpotable services could theoretically be used for potable services. If I affix a label to the products that are sold for nonpotable services identifying it as illegal to use for potable services, could it be considered exempt under 1417(a)(4)(A)?

A. Yes. While there is no requirement in the statute to label pipes, fittings or fixtures as either lead free or not lead free, a manufacturer could use labeling to establish that the pipe,
fitting or fixture is used exclusively for nonpotable services and therefore, exempt from the lead free requirements in SDWA 1417(a)(1) and (3). In implementing the new requirements, EPA would generally consider pipes, fittings or fixtures to be used exclusively for nonpotable services if they are marketed and sold for use in nonpotable services, and prominently and clearly labeled as illegal to use in potable services and not anticipated for human consumption.

EPA also recommends that the label identify some examples of potable services to convey that it includes more than drinking water. For example, the label could say "It is illegal to use this product in potable services such as drinking water, handwashing, food preparation, and dishwashing."

11. Q. I am a manufacturer of toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are 2 inches in diameter or larger. Now that the new law exempts these products from the use prohibition and the unlawful commerce provision in SDWA 1417(a)(1) and (3), do they still need to meet the old definition of lead free or could they contain more than 8.0% lead?

A. Once the amendments take effect on January 4, 2014, there will be nothing in the SDWA that would require any part of these products to meet the old (or new) definition of lead free. However, there may be State or local laws prohibiting these products from containing more than a certain percentage of lead, or other legal implications to increasing the lead content of these products, so manufacturers may want to seek legal advice before increasing the lead content of these products.

12. Q. I am a manufacturer of products that are not anticipated to be used in potable services but the products are not used exclusively in nonpotable services. Are the products exempt from the requirements of the Act under Section 1417(a)(4)(A)?

A. No, only pipes, fittings or fixtures that are used exclusively in nonpotable services are exempt under 1417(a)(4)(A). If the item is used exclusively in nonpotable services it is also not anticipated to be used for human consumption, but the inverse is not necessarily true. Pipes, fittings or fixtures that are not anticipated to be used for human consumption but are physically capable of being used for potable services may not be used exclusively for nonpotable services in which case they would not be exempt under Section 1417(a)(4)(A).

13. Q. I am a manufacturer of products that are sold for use in nonpotable services but they could be connected to potable services. If I want to assure my products are used exclusively for nonpotable applications, what kind of labeling should I use?

A. If you choose to label your pipes, fittings or fixtures in order to establish that they are to be used exclusively for nonpotable services, the labeling should be clear and prominent.
otherwise, it may not be reasonable to assume that the product will be used exclusively for nonpotable services and not anticipated to be used for human consumption. EPA recommends that the labeling consist of both a product label and a packaging label because products can get separated from their packaging. Another reason for labeling both the package and the product is that one package may contain many individual products within it and purchasers may not be aware of the label on the bulk package. EPA further recommends that product labels consist of physically marking the product, a tag physically attached to each individual product or an individual bag that contains each individual product. Labels should clearly indicate that it is illegal for use in potable services and not anticipated for human consumption.

Effective Date

14. Q. I operate a hardware store that sells pipes, fittings or fixtures primarily to homeowners, contractors, and some small businesses that sell plumbing services. I recently purchased a large amount of pipes, fittings or fixtures that meet the old definition of lead free, but not the new definition of lead free. If my inventory of these fixtures has not sold by January 4, 2014, may I continue to sell them until I’ve sold my existing supply?

A. No. The changes to the law become effective on January 4, 2014. Congress provided a transition period of three years after enactment (2011) of the new requirements. The statute does not provide any further extensions or exceptions for back inventory, small businesses, or sales to end-users. However, back inventory that could be used in both potable and nonpotable services may still continue to qualify for the exemption, and, as a result, be sold, if the products are clearly labeled as illegal to use for potable services.

15. Q. I am a builder and I anticipate that I will have a project that is partially completed on January 4, 2014. Am I required to remove all the plumbing that is not compliant with the new definition of lead free?

A. Any plumbing installed prior to January 4, 2014 would not need to be replaced under SDWA so long as it met the lead free requirements applicable at the time of installation. Any pipe, fitting or fixture installed after January 4, 2014 must meet the new lead free definition. EPA recommends you check with your local building inspector to get more information on implementation of this requirement. Including any documentation required to demonstrate the lead content and installation date.

Calculating Lead Content, Third Party Certification and Labeling Products

16. Q. I am a manufacturer of plumbing fittings. How do I determine whether my products meet the definition of lead free in SDWA?
A. Starting January 4, 2014, the statute requires that you use the method for calculating lead content in Section 1417(d)(2), which is described in the answer to question 1.

17. Q. I am a manufacturer of plumbing supplies. If I apply a coating to the wetted surface or use a lead removal technology to treat the surface, how does it affect my calculation of the lead content of the material used to produce the wetted component?

A. Section 1417 (d)(1)(B) defines lead free for pipes, fittings or fixtures to mean “not more than a weighted average of 0.25% lead” when used with respect to the wetted surfaces. The statutory provision for calculating lead content (Section 1417(d)(2)) provides that “[t]he lead content of the material used to produce wetted components is used to determine compliance with the lead free definition.” That provision also provides that, for lead content of materials that are provided as a range, the maximum content of the range must be used. The material used to produce wetted components includes all of the materials used to produce any component that has a wetted surface. If a coating is applied to a pipe, fitting or fixture, you must calculate the lead content of both the alloy and the coating and use the maximum lead content. If a pipe, fitting or fixture is treated with a lead removal technology, you would need to calculate the lead content of the alloy used to produce the pipe, not just the surface of the pipe, fitting or fixture — because the alloy is the material used to produce the pipe and the pipe is the wetted component. If the lead content of the material is provided as a range, you would use the maximum lead content.

18. Q. Now that the new definition of lead free no longer refers to pipes, fittings or fixtures “in compliance with standards established in accordance with subsection (e) of this section”, could State or local law and regulations still prohibit the use of products that are not in compliance with certain voluntary standards?

A. As of January 4, 2014, pipes, fittings or fixtures are no longer required by the SDWA to be in compliance with voluntary standards (e.g., Section 9 of NSF/ANSI Standard 61 or NSF/ANSI Standard 372) because Congress removed Section 1417(d)(3) (which referenced Section 1417(e)) from the definition of lead free. State or local laws and regulations (e.g., plumbing codes) however, may still prohibit the use of products that are not in compliance with certain voluntary standards.

19. Q. I am a plumbing manufacturer. Does the SDWA require that my products be certified by a third party to demonstrate compliance with the new definition of lead free?

A. The SDWA does not require manufacturers to obtain third party certification of their products. However, EPA encourages manufacturers to use third party certification or to create a system to document compliance (e.g., self-certification) with Section 1417 of SDWA and to provide important information to subsequent purchasers or users of the product, including retail stores, plumbers and consumers. Additionally, a recent survey of States
found that 47 have requirements for water treatment and distribution system components to comply with NSF/ANSI Standard 61 and most of them require an ANSI-accredited third party certification.

20. Q. I am a manufacturer of pipes, fittings or fixtures. Am I required to label my products as being lead free?

A. There are no requirements in SDWA for a manufacturer to label these products as lead free; however, EPA encourages manufacturers to provide subsequent purchasers or users of the product, including retail stores, plumbers and consumers with information that clearly indicates the lead content in the products they are selling or distributing. Additionally, some States or local governments may require lead free labeling.

21. Q. Is there a role for third party certifications?

A. While the SDWA does not require third party certification, third party certification bodies or agencies may be used by manufacturers to inform consumers which products meet a voluntary standard. One such standard, NSF/ANSI 372, is consistent with the requirements of the Reduction of Lead in Drinking Water Act. A third party certification such as NSF/ANSI 372 could be a useful way to identify a product as meeting the requirements of Section 1417. Also, there may be State or local laws that require third party certification.

22. Q. I am installing a bathroom sink faucet (e.g., a plumbing fixture serving water intended for human consumption) and I want to be sure that the fixture meets the requirements of the Reduction of Lead in Drinking Water Act. How can I tell which product to purchase?

A. Any bathroom sink faucet for sale after January 4, 2014 must be lead free (containing not more than 0.25% weighted average lead content). While the statute does not require labeling, EPA encourages and expects many plumbing product manufacturers to label their products as lead free so that they can demonstrate compliance with SDWA as well as provide information to purchasers or users of the product.

Many State plumbing codes require the use of products that are in compliance with NSF/ANSI standards 61 and 372. NSF/ANSI Standard 372 is a certification process by which independent laboratories verify that the plumbing product is in compliance with the requirements of the 2011 Reduction of Lead in Drinking Water Act. Products will bear the mark of the laboratory that has independently certified that the product meets the standard. EPA published a brochure to assist the public with identifying the various marks that indicate a product has been certified as lead free to the new requirement of the Act: "How to Identify Lead-Free Certification Marks for Drinking Water System & Plumbing Materials." You can access the document at http://iegis.epa.gov/Exe-ZvPDF.cgi?Dockey=P100GRDZ.txt
Alternatively, a consumer could directly contact the manufacturer of the product to confirm that the model you wish to purchase meets the lead free requirements.

Repairs and Replacement Parts

23. Q. How does EPA interpret the new statutory provisions to apply to repairs, reinstallations, and replacement parts?

A. Repairs of previously installed pipes, fitting or fixtures
A pipe, fitting or fixture that was installed in a public water system or a facility providing water for human consumption prior to the effective date of the 2011 Act does not need to meet the new definition of lead free regardless of whether it is repaired. The repaired pipe, fitting or fixture is not being “used” in the repair or installation, or “introduced into commerce” and therefore, the requirements of Section 1417 are not triggered as a result of the repair. Parts used in repairs may need to meet the requirements of Section 1417 (see “Replacement Parts” below and FAQ #24, 26, 27 and 28).

The temporary removal of pipes, fittings, or fixtures for repairs and reinstallation to their original location would not trigger the requirements of Section 1417 because the pipes, fittings or fixtures are not being installed or “used in” repair. (See FAQ #29). Similarly, the temporary removal of pipes, fittings or fixtures for storage or calibration and reinstallation to their original location would not trigger the requirements of Section 1417. (See FAQ #30.)

Replacement Parts
After the effective date of the 2011 Act, any replacement parts that are pipes, fittings, or fixtures either installed or used in repairs of a public water system or a facility providing water for human consumption, or introduced into commerce, must meet the definition of lead free. (See FAQ #25)

However, where the replacement of pipes, fittings, or fixtures is part of a device (such as a water heater) made up of several component parts and the device meets the definition of lead free in the 2011 Act, the replacement parts themselves need not meet the new definition of lead free. As long as the overall device would meet it with the replacement part installed, then the requirements of Section 1417 would be met. Such replacement parts should be labeled as specifically for use in the device that meets the new definition of lead free. (See FAQ #24.)

Also, the use or introduction into commerce of replacement parts that are not pipes, fittings, or fixtures does not trigger the requirements of Section 1417. EPA recommends that any replacement parts that are not pipes, fittings, or fixtures that come into contact with potable water meet the definition of lead free in the 2011 Act because of their potential to cause elevated levels of lead in drinking water, but they are not required to do so. (See FAQ #26.)
Summary Of The
Reduction Of Lead In Drinking Water Act
And Frequently Asked Questions

24. Q. I am a manufacturer of pipes, fittings or fixtures that serve water intended for human consumption. These pipes, fittings or fixtures are made up of several component parts. If I sell or provide free replacement parts, AND the original pipe, fitting or fixture met the lead free requirement in the 2011 Act, must those replacement parts meet the new definition of lead free?

A. If the original pipe, fitting or fixture met the lead free requirement in the 2011 Act, and the replacement parts are sold for use in that specific device, they would not make the fixture noncompliant, and therefore those parts do not need to meet the lead free requirement.

25. Q. I am a plumber who installs and repairs pipes, fittings or fixtures that provide water for human consumption. If one of these devices requires replacement after January 4, 2014 does the new pipe, fitting or fixture need to meet the new federal definition of lead free?

A. Yes, the replacement of a pipe, fitting or fixture would trigger the requirements of Section 1417 and the new pipe, fitting or fixture would need to meet the new definition of lead free. Section 1417(a)(1) prohibits the use of a pipe, fitting or fixture that is not lead free in the installation or repair of any plumbing in a residential or non-residential facility providing water for human consumption.

26. Q. I am a plumber who installs and repairs plumbing in facilities providing water for human consumption. A pipe, fitting or fixture requires repair of a part that is not a pipe, fitting, or fixture. Does the new part need to meet the definition of lead free?

A. No. The definition of lead free does not apply to component parts that are not "pipes, pipe fittings, plumbing fittings, and fixtures" (referred to in these FAQs as "pipes, fittings, and fixtures"). EPA recommends that the wetted components of any replacement parts that are not pipes, fittings, or fixtures also be lead free. (See FAQ #2). EPA also notes that solder and flux used to install or repair pipes, fittings and fixtures may not contain more than 0.2 percent lead (See FAQ #1).

27. Q. I am repairing, in place, a pipe, fitting or fixture, which provides water for human consumption. The pipe, fitting of fixture was installed prior to January 4, 2014 and I do not know whether it meets the new definition of lead free in the 2011 Act. Do the replacement parts need to meet the new definition of lead free?

A. While the previously installed pipe, fitting or fixture does not need to meet the new definition of lead free as it was installed prior to the effective date of the new lead free requirements, the statutory language requires that any replacement parts that are pipes, fittings or fixtures must meet the lead free requirements. In addition, EPA recommends that
any replacement parts that are not pipes, fittings, or fixtures that come into contact with potable water should meet the definition of lead free in the 2011 Act.

28. Q. I am repairing a pipe, fitting or fixture, which provides water for human consumption. The pipe, fitting or fixture was installed after January 4, 2014 and meets the new definition of lead free. Do the replacement parts need to meet the new definition of lead free?

A. It is unlikely that somebody making a repair will be able to recalculate the weighted average of lead in the pipe, fitting or fixture as a whole. Therefore, if the repair calls for parts that are pipes, fitting, or fixtures, those parts must meet the new definition of lead free unless the repair is using parts specifically made by the vendor for use in repairing the specific pipe, fitting or fixture in question, ensuring that the new parts would have the same lead content as the existing parts that are being replaced.

29. Q. If I am repairing a pipe, fitting or fixture which was installed prior to January 4, 2014 and I need to temporarily remove it, does it need to meet the new definition of lead free after the repair has been completed?

A. No. The repaired pipe, fitting, or fixture does not need to meet the definition of lead free because it is not being "used in" a repair or installed for the first time or introduced into commerce. Just as a pipe, fitting, or fixture that does not meet the new definition of lead free may be repaired in place, a pipe, fitting, or fixture can be temporarily taken out of service for repair and returned to the same location without triggering the requirement to meet the definition of lead free in the 2011 Act. Any component parts used in the repair that are themselves pipes, fittings, or fixtures must meet the definition of lead free in the 2011 Act (see FAQ #25).

30. Q. I operate a water system that temporarily removes pipes, fittings or fixtures (e.g. seasonal storage or calibration) and the pipe, fittings or fixtures are returned to their original location; must these pipes, fittings or fixtures meet the new definition of lead free after January 4, 2014?

A. No. Because the water system is simply returning an unaltered pipe, fitting or fixture to the same location it would not be required to meet the new definition of lead free.

Introduction Into Commerce

31. Q. Has EPA interpreted the term "introduction into commerce" in SDWA Section 1417(a)(3)?

A. Yes. In 1998, after Section 1417 was amended to prohibit the introduction into commerce of any pipes, pipe or plumbing fittings or fixtures, EPA issued guidance on the enforcement and implementation of Section 1417. In the guidance, EPA explained that it "interprets 'introduce into commerce' as used in Section 1417 of SDWA to cover not only the initial offering of products for sale but also the sale or distribution from an inventory of products."
32. Q. If I give away free replacement parts, am I introducing those parts into commerce?

A. Yes. As noted, above, EPA has previously interpreted the phrase "introduce into commerce" as including the distribution of products, not just the sale of products, so giving away free products or parts would be covered by the Act.
CITY OF ROLLA  
CITY COUNCIL AGENDA

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

ITEM/SUBJECT: Proposed Hangar Rental Rates – Rolla National Airport

**BUDGET APPROPRIATION (IF APPLICABLE)** $41,000±  DATE: December 7, 2015

**COMMENTARY:** Rolla National Airport provides a variety of hangar options for aircraft including ground leases for corporate hangars, one ground lease on a six-unit private T-hangar, and City-owned T-hangars (20 units) and a “community” hangar. With the construction of our newest 10 unit T-hangar in 2007, the City increased hangar rents across the board. The general aviation community is a transient group so it is important to be competitive on hangar rents (range from $60-$200 across the state).

To stay current and marketable on hangar rents and in light of our substantial investment in the Airport infrastructure, Staff recommends the following rental adjustments:

<table>
<thead>
<tr>
<th>Existing Hangar Rent</th>
<th>Proposed Hangar Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Hangar (Old Military Hangar)</td>
<td></td>
</tr>
<tr>
<td>6 Spaces - $75.00</td>
<td>$80.00</td>
</tr>
<tr>
<td>Old Ten Unit T-Hangar</td>
<td></td>
</tr>
<tr>
<td>6 Open Space Slider - $90.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>2 Private Slider - $140.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>2 Private Bi-Fold - $165.00</td>
<td>$180.00</td>
</tr>
<tr>
<td>New Ten Unit T-Hangar</td>
<td></td>
</tr>
<tr>
<td>8 Private Bi-Fold - $160.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>2 Private Oversize - $180.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Full Occupancy Per Year</td>
<td></td>
</tr>
<tr>
<td>$38,640.00</td>
<td>$42,180.00</td>
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</tbody>
</table>

**Recommendation:** Motion to approve new Hangar Rental Rates for RNA (Article III of the Lease requires a 30-day notice to increase the rental rate. Staff requests a 60-day notice period as a courtesy).

**Note:** We have maintained a five name (or more) waiting list for private T-Hangar space. Space generally exists in the old Military Hangar due to lack of utilities and privacy.

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ITEM NO.  \( V \).  C. /.
ROLLA NATIONAL AIRPORT  
HANGAR LEASE

THIS AGREEMENT, made and entered into this ____ day of ________________________
by and between the City of Rolla, a municipal corporation of the State of Missouri,
hereinafter referred to as the CITY, and ______________________________, 
hereinafter referred to as LESSEE.

WITNESSETH:

WHEREAS, City desires to lease to Lessee, ______________________________ ________
for storage of private aircraft only and Lessee desires to occupy said hangar with aircraft.

NOW, THEREFORE, for and in consideration of the lease of the hangar
hereinabove described and the mutual promises, covenants and obligations hereinafter
stated, City and Lessee mutually agree as follows, to wit:

ARTICLE I
OBLIGATIONS OF LESSEE

1. Lessee shall pay to the City $___________ on the date of the commencement
   of this lease and on the same date of each month thereafter during the term of this lease.
   In the event any lease payment due City from Lessee is unpaid for more than thirty (30)
   days, Lessee shall be deemed in default and all remaining lease payments shall become
due and owning as of the thirty-first day.

2. Lessee shall utilize the hangar for the sole purpose of storage of aircraft and
   Lessee shall not provide aeronautical services to the public.

3. Lessee shall keep the leased hangar premises, neat, clean, and free of all
   garbage, rubbish, trash, and flammable materials.

4. Lessee shall not fuel or permit fueling of the aircraft in the hangar premises.
   Lessee may fuel aircraft on the designated area on the airport apron. In addition, Lessee
   shall not store non-aviation related vehicles or equipment or non-aviation related personal
   or real property, excepting that Lessee shall be permitted to store personal automobiles on
   the hangar premises while flying, as well as the equipment necessary for proper aircraft
   maintenance.

5. Lessee shall abide by and comply with all present and future applicable rules
   and regulations of the Federal Aviation Administration, City and any reasonable
   directives of the airport Administration.

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6. Lessee shall be responsible for the parking, setting of brakes, placing of chocks, tying down and otherwise securing and checking the aircraft and any other such related act or acts.

7. Lessee shall hold harmless and indemnify the City of Rolla for all activities related to the rental of this property.

ARTICLE II
OBLIGATIONS OF CITY

1. City shall keep the hangar premises neat, clean, and free of all garbage, rubbish, trash, and flammable materials.

2. City warrants that it has good title to the hangar premises and good right to make this lease and shall put Lessee into possession of the hangar premises in a condition fit for use by Lessee and shall use reasonable diligence in the care and protection of the premises during the term of this lease and all extensions thereof, reasonable wear, tear and depreciation resulting from ordinary use excepted.

3. City shall give the Lessee the right of ingress and egress over airport premises in going to and from the leased hangar.

ARTICLE III
TERMS OF LEASE

The term of this lease shall be for a period of three years. However, the City reserves the right to increase the rental rate upon thirty (30) days written notice after the initial term. The term of the lease for __________________________________ shall commence on the _______________________ and said term shall terminate on the _________________________.

ARTICLE IV
MISCELLANEOUS PROVISIONS

1. City reserves the right to maintain and keep in repair the landing area of the airport and publicly-owned facility of the airport, together with the right to direct and control all activities of the Lessee in this regard.

2. City reserves the right to further develop or improve the landing area and all publicly-owned air navigation facilities of the airport as it sees fit, regardless of the desires or views of Lessee, and without interference or hindrance.
3. It is understood and agreed that the rights granted by this lease will not be exercised in such a way as to interfere with or adversely affect the use, operation, maintenance, operation, or development of the airport.

4. The Airport Administration, may, at all reasonable hours and with good reasons, enter upon the leased premises, for the purpose of examining same.

5. Lessee shall not make any connection to any electrical service without the advance written approval of the Airport Administration.

6. Lessee shall not use any lock on any door on the T-hangar on the premises except as shall be furnished by the City. Use of personal padlocks shall be permitted on interior storage cabinets.

7. City shall be entitled to any legal or equitable remedy, as provided by the laws of the State of Missouri, in the event any sum due City from Lessee is unpaid for more than thirty (30) days. The City is entitled to recover all costs and expenses, including reasonable attorney's fees, incurred, and associated with the collection of such sums due the City from Lessee. The City is also entitled to recover interest on such sums at the rate of twelve (12%) per annum.

8. Lessee shall not assign this lease or sublease the premises, nor allow or permit any other person, firm or corporation to use the premises under an assignment for any purpose whatsoever without the express written consent of the City.

9. Lessee may cancel this lease by providing at least (30) days written notice to the Airport Administration. Lease payment shall be pro-rated to the effective date of cancellation.

10. The City has the right to terminate or cancel this lease by providing at least thirty (30) days' written notice to the Lessee. Lease payment shall be pro-rated to the effective date of cancellation.

CITY OF ROLLA

_________________________  _______________________
MAYOR                               LESSEE

_________________________  _______________________
CITY CLERK                           LESSEE

\[\text{W} \text{.} \text{C} . \text{J.}\]