Open Citizen Comment Procedure

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

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

Rolla City Council Meeting
Monday, December 19, 2016
901 North Elm Street
City Hall Council Chambers
6:30 P.M.

COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE
Councilman Monty Jordan

I. PUBLIC HEARINGS
   A) Ordinance Rezoning 508 W. 8th Street from C-1 (Neighborhood Business District) to R-3 (Multi-Family District) Zoning (Hurst) – Community Development Director John Petersen – First Reading
   B) Ordinance Amending Section 42-227 of the Rolla City Code Pertaining to Screening & Fencing in Commercial/Industrial Areas – (Community Development Director John Petersen) – First Reading

II. SPECIAL PRESENTATIONS
   A) 2016 Third Quarter Tourism Report – (Rolla Area Chamber of Commerce Executive Director Stevie Kearse)
   B) Year End Report of S.A.V.E. Animal Shelter Project – (Chairman Wayne Parry and S.A.V.E. Intern Shelby O’Keefe)

III. OLD BUSINESS
   A) Motion Awarding Legal Services (City Counselor) - (City Administrator John Butz) - Motion

IV. NEW BUSINESS
   A) Motion Report on the MoveRolla TDD Election and Process - (City Administrator John Butz) – Motion
   B) Consideration of Alternate Site of New Animal Shelter - (City Administrator John Butz) – Motion
   C) Ordinance Amending Sec. 27-92 of the Rolla City Code Relating to Parking Along Portions of Vichy and Vienna Road – (Public Works Director Steve Hargis) – First Reading
V. **CLAIMS and/or FISCAL TRANSACTIONS**
   None.

VI. **MAYOR/CITY COUNCIL COMMENTS**
   A) **Motion** Reappointing Mr. Robert Anderson to the Planning and Zoning Commission (Oct. 2020) – **Motion**
   B) **Motion** Reappointing Mr. Bill Lindgren to the Planning and Zoning Commission (Jan. 2021) – **Motion**
   C) **Motion** Appointing Mr. Dan James to the Board of Adjustment (Oct. 2021) – **Motion**

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

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

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

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

DEPARTMENT: Community Development  ACTION REQUESTED: First Reading

ITEM/SUBJECT: An Ordinance to approve the rezoning of a parcel located at 508 West 8th Street from C-1 (Neighborhood Business District) zoning to R-3 (Multi-Family District) zoning.

(Hurst)
DATE: 12-19-2016

GENERAL INFORMATION:

CASE #: 11-3-16

STATUS OF APPLICANT: The applicant is Mike Hurst representing MO Gamma Alumni Corporation of Sigma Phi Epsilon Fraternity. The applicant’s address is 9075 Warson Road, St. Louis, Missouri 63124. The phone number is 314-369-4562, internet address Mike-Hurst@yahoo.com. The fraternity address is 508 West, 8th Street, Rolla Missouri 65402.

CURRENT ZONING/LAND USE: The subject property is zoned C-1 (Neighborhood Business District) zoning. This zoning classification does not permit fraternities, sororities, lodges, private clubs, etc. to use the subject property for most residential purposes. The dominant land use in the area is government, institutional, high density housing (fraternities), or for office use. The applicant is interested in the potential expansion of the fraternity to include space for 8 additional residents plus a small kitchen.

LOCATION OF SUBJECT PROPERTY: The proposed project is located in central Rolla at the intersection of Eight Street and State Street. The Assessor’s Account Number is 7445 for this development, which can also be used to identify the location of a given property. See the attached map and legal description.

ENGINEER OF RECORD: Anderson & Associates Consulting Engineers, LLC 1511 Watts Drive, Rolla, Missouri. Phone # 573-364-8900

PROJECT DESCRIPTION: The proposed project involves the rezoning and redevelopment of an office located at 508 W. 8th Street to allow up to eight (8) additional residents. The existing zoning involves the re-zoning of parcels from C-1 (Neighborhood Business District) zoning to R-3 Multi-Family zoning. The site consists of .285 acres (12,415 sq ft). The building footprint contains 2,750 sq. ft. (22.2 %) of total area to address the building foot print coverage of (40%) and for open space with 25% (3,620 sq ft.) or 29.2 %.

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

I.A.1.
1. **Neighborhood character/impact:** The proposed project will not negatively impact the character of the surrounding neighborhood. The neighborhood is dominated by large government and institutional uses such as the United States Post Office, University based facilities such as the Leach Theater and Castelman Hall. This proposed development would not add any significant traffic congestion or reduce available parking spaces reserved for the residents.

2. **Consistency with the Rolla 2020 Comprehensive Plan Update:** The Future Land Use Map found in the Rolla 2020 Comprehensive Plan Update adopted by City Council in 2006 shows the subject property being suitable for medium to high density residential land use. Medium to high density is defined as consisting of no more than 11 to 26 dwelling units per acre.

The Rolla 2020 Future Land Use Map is not intended to remain static or unchanged over time, but should be revised by the Planning and Zoning Commission and the City Council to reflect changing development trends and growth opportunities if considered desirable. The future land use map and text did address policy regarding the importance of infill development and redevelopment stating: "The City will encourage infill Development on vacant or underutilized parcels where infrastructure and public services are readily available...." The proposed housing project meets this policy guideline.

3. **Adequacy of Utilities & Public Services:** All public utilities and services are available to the subject property to support the development as outlined in this report. The site is clearly located within the service area of the Rolla Fire and Police Departments.

4. **Impact on Streets and Parking:** The proposed development will not create a traffic problem due to expansion of the Sigma Phi Epsilon property and due to the limited number of the residents. The Public Works Director has determined that the proposed project would not have a significant adverse impact on traffic flow or vehicular traffic capacity. The developer will be required to provide off-street parking spaces for the project as specified in City Code as building construction is completed.

5. **Physical Characteristics:** The subject property drains mostly to the west. No part of the property proposed for re-zoning is located within an identified 100 year flood plain. Due to the size of development the developer will be required to provide storm water improvement plan and an erosion control/sediment plan that would apply during construction.

6. **Suitable for Re-Zoning:** The subject property and project as described in this report is suitable for re-zoning from C-1 district zoning to R-3 multi-family district zoning.

**PUBLIC COMMENT/ISSUES:** The proposed re-zoning was advertised in the RDN on November 26/27, 2016. Notice was sent to adjoining property owners within 185'. A public
hearing was scheduled and will be held before the Planning and Zoning Commission on December 13, 2016. City Council will conduct its public hearing on December 19, 2016.

**ACTIONS REQUIRED:** Planning and Zoning Commission unanimously recommended that the City Council approve the rezoning as a First Reading of the Ordinance.

**ATTACHMENTS:**

- Zoning request from applicant
- Zoning map
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: MO Gamma Alumni Corporation of Sigma Phi Epsilon Fraternity
Address: 48 Michael Hurst 9075 Watson Rd St Louis MO 63124
Phone Number: 314-364-4562
E-mail address: mg-hurst@yahoo.com
Address of subject property: 508 W 8th St

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

Current zoning is: C-1
Proposed zoning is: R-3
Current land use is: Commercial
Proposed land use is: Residential

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.)

Michael Hurst [Signature]
Type or print name

Michael Hurst [Signature]
Type or print name

Type or print name

Subscribed and sworn before me this 2 day of November in the year 2016.

Notary Public
An Equal Opportunity Employer

ROBIN FAMBROUGH
Notary Public - Notary Seal
STATE OF MISSOURI
Franklin County
My Commission Expires: Mar. 18, 2016
Commission # 14436155
TO: Rolla Daily News
FROM: John Petersen, Community Development Director
DATE: November 14, 2016
FOR PUBLICATION: November 26/27, 2016.

Please publish the attached notice in your legal section on the above date. Your proof of publication should be sent to my attention at the City of Rolla, P.O. Box 979, Rolla, Missouri 65402. If you have questions, please call at 426-6970. Thank you.

Notice of Public Hearing:
The Rolla Planning and Zoning Commission will conduct a public hearing on December 13, 2016 at 5:30 PM at Rolla City Hall, 901 N. Elm. The City Council will hold a public hearing on Monday, December 19, 2016 at 6:30 PM in the Council Chambers to consider the request to approve the rezoning of property located at 508 West 8th Street from C-1 (Neighborhood Business District) zoning to R-3 (Multi-Family District) zoning. At the public hearing any interested persons may present evidence regarding the proposed zoning. Any objections to the request should be filed with the Community Development Department of the City of Rolla. For more information, call John Petersen at 573-426-6970.
Request to Rezone Real Estate located at 508 West 8th Street from C-1 (Neighborhood Business District) Zoning to R-3 (Multi-Family District) Zoning (Hurst)
ORDINANCE NO. ________

AN ORDINANCE TO APPROVE THE REZONING OF A .285 ACRE PARCEL LOCATED AT 508 WEST 8TH STREET FROM C-1 (NEIGHBORHOOD BUSINESS DISTRICT) ZONING TO R-3 (MULTI-FAMILY DISTRICT) ZONING. (HURST)

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

WHEREAS, an application was duly filed with the Community Development Department on November 2, 2016 requesting that the property described above be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri; and,

WHEREAS, a public notice was duly published on November 26, 2016 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 Street, in the City of Rolla, Missouri; and,

WHEREAS, the City of Rolla Planning and Zoning Commission met on December 13, 2016, at 5:30 p.m. The Planning and Zoning Commission recommended the City Council approve the rezoning of the subject property as proposed by the applicant; and

WHEREAS, the City Council will, during their December 19, 2016 meeting, conduct a public hearing concerning the proposed rezoning to hear the first reading of the subject ordinance.

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 the Comprehensive Plan, is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from C-1 (Neighborhood Business District) zoning to R-3 (Multi-Family District) zoning:

All of Lot Six (6) and Lot Seven (7) in Block Thirty-three (33) in Bishop’s Addition to the City of Rolla, Missouri, except one foot off of the East End of said Lots heretofore conveyed to Trenkel by deed recorded in Book 100, Page 253 of the Deed of Records of Phelps County, Missouri.

Also a strip of land in the Southwest corner of Lot Three (3) in Block Thirty-three (33) in Bishop’s Addition to the City of Rolla, Missouri, described as follows:

Commencing at the Southeast corner of said Lot Three (3) thence North along the East line of said Lot Three (3) a distance of 10 feet to a point; thence West parallel to the South line of said Lot a distance of 25 feet to a point; thence South parallel to the East
line of said Lot a distance of 10 feet to a point on the South line of said Lot Three (3); thence East along the said South line a distance of 25 feet to the place of beginning.

Including all appurtenant easements inuring to the benefit of the above land as the dominant tenement and subject to all easements to which the above land is the servient tenement.

Section 2: No construction may be commenced upon the above described property until all necessary building and construction permits have been issued by the City of Rolla, Missouri and that it is understood that no such permits shall be issued for any lots herein platted until the completion of all public improvements appertaining to such lots or until a cash bond equal to the reasonable costs of completing such public improvements has been received and approved by the City of Rolla, Missouri.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the revised plat has been filed with the Phelps County Recorder of Deeds.


APPROVED:

__________________________
MAYOR

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor

I A 8.
The proposed revisions to Chapter 42 Section 42-227 of the Rolla City Code pertains to the regulation governing the use of screening and fencing in commercial/industrial areas. The proposed changes address the maximum height limits of fences/screening allowed in certain areas and the minimum lot and building sizes, including large commercial and industrial buildings of at least fifty thousand sq. ft. (50,000). These revisions of Chapter 42 Sec. 42-227 also identify situations where engineering plans are required.

The Planning and Zoning Commission unanimously recommended to the City Council that the proposed changes to the Zoning Ordinance, Chapter 42 Section 42-227, pertaining to fences, be approved as submitted.

Recommendation - 1st. Reading of said ordinance amending Section 42-227 of the Rolla City Code.

The **black crossed through words** in the attached ordinance reflect deleted language while the **underlined words** represent new language for that section. Non-underlined words are existing rules.
ORDINANCE NO. ________

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

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

Section 1: That Chapter 42 of the Rolla City Code, known as the Planning and Zoning
Code, Division 15, Supplemental Regulations, Section 42-227, Screening and Fencing –
Purpose, is hereby amended to read as follows:

Sec. 42-227. Screening and Fencing – Purpose.

To encourage the most appropriate land use and protect the privacy and property
values of adjacent permitted use, regulations are prescribed herein for the location
and type of various screening devices to be used when required by this Division.
(Ord. 3414).

Sec. 42-227.1 Location and Height.

The following shall be required in addition to any required landscape or buffer-
yard.

(a) Off-street parking areas.

(1) Where an open off-street parking area for a multi-family residential use
contains five (5) or more off-street parking spaces and is adjacent to an R-1
or R-2 District, screening of not less than four (4) feet in height and meeting
the requirements of Section 42-211, Vision Obstruction Restrictions, shall
be erected separating the off-street parking area from the adjacent
residential district. No screening is required for parking spaces fronting a
public right-of-way, except as required under Section 42-230.5 (2).

(2) Where an open off-street parking area for a nonresidential use is in or
adjacent to any residential district, screening of not less than four (4) feet in
height and meeting the requirements of Section 42-211, Vision Obstruction
Restrictions, shall be erected separating the parking area from the adjacent
residential district. No screening is required for parking spaces fronting a
public right-of-way, except as required under Section 42-230.5 (2) or if a
buffer-yard is required under Section 42-230.6.

I. B. 2.
(b) Consolidated refuse storage areas, for all uses other than single family and two-family dwellings, visible from the adjacent property lines shall be visually screened by a solid fence or wall, not less than the height of the refuse storage containers, on all sides except the side used for refuse pick-up service.

(c) Maximum fence height in areas zoned for residential use or in the C-O (Office District) and C-1 (Neighborhood Business District) shall be limited to seven (7) feet, except as provided in Section 42-211.1.

(d) Maximum fence height in areas zoned C-2 (General Retail District) C-3 (Highway Commercial District) and CC (Center City District) shall be limited to eight (8) feet, except as provided in Section 42-211.1.

(e) Fence height restrictions do not generally apply. In areas zoned C-3 (Highway Commercial District), M-1 (Light Manufacturing District), or M-2 (Heavy Manufacturing District) however, fence height shall be limited to (8) feet fourteen (14) feet in height, except as provided in Section 42-211.1, when such lots or tracts abut property zoned for residential use and where the fence height and location would adversely affect sight distance at intersections. Commercial and/or Industrial buildings must be at least fifty thousand (50,000 sq. ft.) in area to qualify for the fourteen (14) foot fence. (Ord. 3414: Ord. 3886§1)

(f) Any fence over ten (10) feet in height and over fifty (50%) screening must submit engineered plans.

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


APPROVED:

_________________________
Mayor

ATTEST:

_________________________
City Clerk

APPROVED AS TO FORM:

_________________________
City Counselor

I. B. S.
TO: Rolla Daily News  
FROM: John Petersen, Community Development Director  
DATE: November 14, 2016  
FOR PUBLICATION: November 26/27 2016.

Please publish the attached notice in your legal section on the above date. Your proof of publication should be sent to my attention at the City of Rolla, P.O. Box 979, Rolla, Missouri 65402. If you have questions, please call at 426-6970. Thank you.

Notice of Public Hearing:

The Rolla Planning & Zoning Commission will conduct a public hearing on Tuesday, December 13, 2016 at 5:30 PM, Rolla City Hall, 901 North Elm Street. The City Council will hold a public hearing on Monday, December 19, 2016 at 6:30 PM to consider proposed revisions to the Rolla City Code Chapter 42, Article III, Division 15, Sec. 42-227 regarding fencing height in C-3 (Highway Commercial District) (Light Manufacturing District) M-1, and M-2 (Heavy Manufacturing District) zoning. At this public hearing any interested persons may present evidence regarding the proposed action(s). Any objections to the request should be filed with the Community Development Department of the City of Rolla. For more information, call John Petersen at 573-426-6970.
2016 - 3rd Quarter Tourism Report
## Table of Contents

- Tourism Report 3rd Quarter 2016 ................................................................. 3
- Motel Tax Revenues ..................................................................................... 3
- Motel Tax Expenses ..................................................................................... 4
- Marketing Efforts ........................................................................................ 6
- Tourism Related Events .............................................................................. 6
- Grants .......................................................................................................... 7
- Land/Building Maintenance Issues ............................................................ 7
Motel Tax Expenses

2016 Budget vs. YTD Actual

5 Year Comparison (Year End/YTD) Income vs Expenses

RACC 2016 3rd Quarter Tourism Report
<table>
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| Payroll | Payroll/Taxes/Employee Retirement | $107,000.00 | $26,047.30 | $27,206.85 | $26,176.48 | $79,430.43 |

| Other | Account Transfers | $500.00 | $ - | $ - | $ - | $ - |
|       | Special Events/Promotion | $10,000.00 | $1,403.53 | $3,100.00 | $604.90 | $5,108.43 |
|       | Special Projects | $5,000.00 | $ - | $1,762.95 | $ - | $1,762.95 |
|       | Education (Staff/Board) | $500.00 | $ - | $ - | $ - | $ - |
|       | Hospitality | $500.00 | $21.84 | $24.00 | $47.04 | $92.88 |
|       | Rolla Merchandise | $800.00 | $ - | $ - | $ - | $ - |
|       | Group Tour Service | $3,000.00 | $450.44 | $ - | $562.05 | $1,012.49 |
|       | Rolla Video | $ - | $ - | $ - | $ - | $ - |
|       | Tourism Research | $ - | $ - | $ - | $ - | $ - |
|       | Tradeshows Fees | $1,000.00 | $ - | $ - | $ - | $ - |

| TOTAL CASH OUT FLOW | $326,963.00 | $69,282.66 | $68,714.07 | $76,032.28 | $214,080.01 |
| CASH AT END OF PERIOD | $(50,438.00) | $4,728.48 | $4,438.12 | $25,735.54 | $25,445.18 |

RACC 2016 3rd Quarter Tourism Report
Marketing Efforts

- Printed the coupon book for 2016. These were distributed in newcomers packets, event packets, and at the Visitor Center.
- We placed ads in the Guidon, Kaleidoscope, Midwest Living Magazine, Missouri Life Magazine, Show-Me Missouri Magazine, Group Tour Magazine, Route 66 Association magazine, Day Trippin’ publication, surrounding community newspapers.
- We continue to promote Rolla, and area events, on our billboards along I-44.
- We highlighted area events on Results Radio, Sunny, KMST, and KFLW.
- We attended the International Students welcome social and shared information on Rolla.
- We once again partnered with Spring Hill Press to print the Phelps County map.
- We promoted area events on our blog that is featured on www.visitRolla.com.
- We promote area events on Facebook and the calendar on www.visitRolla.com.
- We provided information to the American Pickers show. They were coming through Missouri in May and looking for leads.
- Missouri Life published a Route 66 Guide for Missouri. We advertised in this much needed publication.
- A travel writer featured Rolla in an edition of Group Tour Magazine.
- We placed an ad in Missouri Life’s Motorcycle Travel Guide.
- We ordered newly design Rolla lapel pins for visitors and groups.

Tourism Related Events

- We hosted the annual St. Pat’s 5K in March and raised $3,000 for the Veterans Memorial Park.
- We assisted a tour group that stopped in Rolla in October. They had lunch and a historical tour of Rolla.
- We assisted with the S&T 2016 RTD Conference by hosting a welcome event.
- We hosted a welcome event and overnight stop of the Irish 66’ers. Over 100 people were with the group and participated in the welcome event.
- We put together welcome packets for a variety of organizations that were hosting events.
- We hosted the annual FLW Spouses Tour of Rolla. We had 40 people attend the event.
Grants
Tourism Partnership Grant
  o We awarded $17,500 in Tourism Partnership Grants (YTD) to various groups that held events and meetings in Rolla during 2016.

Sports Tourism Grant
  o We awarded $21,150 in Sports Tourism Grants (YTD) to various groups that held sporting events/tournaments in Rolla during 2016.

Land/Building Maintenance Issues
  • We installed a new kiosk on the outside of the Visitor Center. The kiosk is mounted to the left of the front doors, in plain sight to visitors but out of the elements.
  • We installed a new roof on the Visitor Center. The roofs on the other buildings will need to be replaced in a few years.
  • We worked with the City of Rolla to have the parking lot overlaid. The parking lot has not been maintenance since for many years.
For the past 45 years, the Rolla Animal Shelter has served the Phelps County region in a secluded area in a facility that has become more inadequate each year. Staff and volunteers at the Rolla Animal Shelter have made the most of an increasingly bad situation by adding temporary structures, repairing an out of date and inadequate HVAC system and spending hours cleaning a facility that was designed for fewer animals. Forty-five years later the inadequacies of that facility can no longer be ignored. The current facility can no longer be patched together and still provide humane surroundings and care. As the human population grows so will our pet population. And, the need must be addressed and dealt with now.

A new Community Animal Shelter has been proposed and endorsed by The City of Rolla, Phelps County Animal Welfare League, The Phelps County Humane Society and numerous community leaders. This new facility is designed to meet the growing animal population needs by encouraging responsible pet ownership programs, more adoptions and more return to owner animals. The proposed site for the project is 505 East 18th Street. This project will be privately funded through grants and charitable donations. All gifts are tax deductible and can be paid over a 3 year period. We anticipate construction to begin in 2017 when our fund-raising goal is met.

The goal for the new and improved Community Animal Shelter is $2 Million.

STEERING COMMITTEE

Wayne Parry - President
Shelby O'Keefe - Vice President
Judy Cavender
Lee Buhr
Sue Eudaly
Larry Stratman
John Butz
Deena Aaron
John Redshaw (ex officio)
Lt. Rick Williams (ex officio)

www.rolloacity.org/police/shelter
CURRENT PROBLEMS

1. Built almost 45 years ago with low grade materials and is in poor general condition.
2. Several portable buildings added.
3. Not easily cleaned.
4. Lacks good circulation and flow patterns for staff and public.
5. Wear and tear have taken a huge toll.
6. Too small to meet growing need in community.
7. Poor curb visibility discourages adoptions and returns to owners.
8. HVAC is substandard/inadequate for good housing and health.
9. Frequently cited by MO Department of Agriculture for facility deficiencies (despite positive scores for shelter staff and animal care.)

HUMANE & RESPONSIBLE

The enlarged and updated animal shelter will provide:

1. The ability to house more pets for adoption.
2. Clean, safe and secure space of more humane care for animals.
3. Educational programs teaching responsible pet ownership.
4. Spay and neuter services.
5. Visibility for more adoptions.
6. Visibility for more pet returns to owners.
7. Expanded opportunities for volunteers.
WHAT IS NEEDED?

1. Approximately 6,500 SF
2. 22 Dog kennels; 16 Cat cages
3. Quarantine areas for intake
   (separate dog/cat)
4. Proper drainage systems for more
   thorough cleaning.
5. Inside housing/kennel runs
6. Quality ventilation system
7. Veterinarian Services/Support
   (Spay/neuter services, disposal/
   cremation, vaccination, micro-chip)
8. Adoption and get-acquainted rooms to
   promote increased adoptions.

Our goal is to replace the current animal shelter with a new building on a new site with good public exposure. This will encourage more adoptions, increase returns to owners and reduce the length of time animals will need to be housed.
## NAMING OPPORTUNITIES

<table>
<thead>
<tr>
<th>Exterior Building</th>
<th>$500,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reception Area</td>
<td>$100,000</td>
</tr>
<tr>
<td>Meeting Room/Party Room</td>
<td>$60,000</td>
</tr>
<tr>
<td>Adoption Room</td>
<td>$50,000</td>
</tr>
<tr>
<td>Examination Room</td>
<td>$50,000</td>
</tr>
<tr>
<td>PupPY Room</td>
<td>$45,000</td>
</tr>
<tr>
<td>Outside/Get Acquainted</td>
<td>$30,000</td>
</tr>
<tr>
<td>Offices (2)</td>
<td>$25,000</td>
</tr>
<tr>
<td>Front Landscaping</td>
<td>$25,000</td>
</tr>
<tr>
<td>Dog Runs (22)</td>
<td>$5,000 each</td>
</tr>
<tr>
<td>Cat Cages (16)</td>
<td>$1,500 each</td>
</tr>
<tr>
<td>Tree/Benches</td>
<td>$500 each</td>
</tr>
<tr>
<td>Brick Paws</td>
<td>$100 each</td>
</tr>
</tbody>
</table>

For more information or to make a charitable donation for the construction of a new community animal shelter, please contact Sue Eudaly (573-465-2703) or Judy Cavender (573-261-1050) of the steering committee, or mail your tax deductible donation to:

**Meramec Regional Community Foundation**  
c/o S.A.V.E.- New Animal Shelter Capacity Fund  
#4 Industrial Drive · St. James, Missouri 65559
CITY OF ROLLA
CITY COUNCIL AGENDA

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

ITEM/SUBJECT: Request for Legal Services (City Counselor)

BUDGET APPROPRIATION (IF APPLICABLE) $31,000 DATE: December 19, 2016

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

COMMENTARY: This issue was set aside from the last Council meeting for further consideration. The City solicited RFP’s for City Counselor Services for the next 3+ years by mailing copies to all law offices in Phelps County. The City received two proposals from Williams, Robinson, Rigler & Buschjost, and Marxkors & Kelsaw. Both firms meet the qualifications as identified in City Code though Staff believes the firm of Williams, Robinson, Rigler & Buschjost is the more qualified firm due to their past service to the City (City Counselor since 2011), access to four attorneys (one of whom represents RMU) and vast experience in municipal law (Rolla, Cuba, Richland, Doolittle, Edgar Springs, and numerous special districts in Phelps County). I am including the original qualification statements provided by both firms as well as a copy of Rolla City Code pertaining to the office of City Counselor. Both Lance Thurman and Michele Marxkors Kelsaw have provided additional information on their respective firm. The proposals are summarized below:

<table>
<thead>
<tr>
<th>Retainer</th>
<th>Additional Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>W, R, R &amp; B</td>
<td>$2,600/Month</td>
</tr>
<tr>
<td>M &amp; K</td>
<td>$2,000/Month</td>
</tr>
<tr>
<td></td>
<td>$150/$75/hour (in excess of 3 hrs/week)</td>
</tr>
<tr>
<td></td>
<td>$150/hour</td>
</tr>
</tbody>
</table>

Recommendation: Staff recommends award to Williams, Robinson, Rigler & Buschjost as City Counselor from 2017-2019.

ITEM NO. III A. 1.
Division 2 - City Counselor

Sec. 2-179. Position established.

There is hereby established the office of city counselor of the City of Rolla, Missouri.

Sec. 2-180. Appointment, compensation.

The city counselor shall be appointed by the mayor with the consent of the city council and shall receive such compensation as the city council may establish from time to time. (Ord. 2296, §2; Ord. 3224, §1)

Sec. 2-181. Qualifications.

The city counselor shall be a person who is authorized to practice law in the State of Missouri by license and shall be a member in good standing of the Missouri Bar.

Sec. 2-182. Duties.

The duties of the city counselor shall be established by ordinance and shall include the following:

a. He shall represent the City of Rolla in all courts of record in the state.

b. He shall prepare all ordinances, resolutions, contracts and other legal forms necessary for the operation of city government, including such forms as are requested by the mayor, city council or other officers of the city.

c. He shall give advice and counsel to the mayor, council and other officers of the city.

d. He shall perform such services as may be otherwise established by ordinance of the city.
HOW WE CAN SERVE THE CITY OF ROLLA

We are problem-solvers and strategists. Obstacles are inevitable. Being proactive is a choice. We assist our clients to develop plans for success and to manage risk. We are excited and energized about the future of the City of Rolla. We see the potential for Rolla and would love the opportunity to assist in leading the city toward a future of growth and development.

EXPERIENCE

DENT COUNTY ASSISTANT PROSECUTOR
DENT COUNTY PROSECUTING ATTORNEY
JAN 2015 - PRESENT
- Advise and counsel the County Commissioners and other elected officials on matters related to tax and legal implications

ATTORNEYS AND BUSINESS CONSULTANTS
MARXKORS & KELSAW, ATTORNEYS AT LAW, LLC
JULY 2011 - PRESENT
- Create strategic legal and business plans for our clients
- Research and advise clients how to resolve problems and avoid new ones
- Litigate civil lawsuits with a focus on knowing and understanding all facets of the relevant law and presenting aggressive and effective arguments to the court

EDUCATION

MICHELE MARXKORS KELSAW
WASHINGTON UNIVERSITY SCHOOL OF LAW | 2009
JURIS DOCTOR

STETSON UNIVERSITY
MASTER OF BUSINESS ADMINISTRATION | 2006
BACHELOR OF BUSINESS ADMINISTRATION | 2005

NATHAN T. KELSAW
SAINT LOUIS UNIVERSITY SCHOOL OF LAW | 2010
JURIS DOCTOR

WHY CHOOSE US

We are a professional and innovative law firm with a business perspective. We take pride in operating with integrity and hard work. Our business model revolves around offering superior customer service. We would make ourselves available to the City of Rolla officials by cell phone, text, and email to ensure that you have direct and easy access to us. We can assure you that the City of Rolla would have two attorneys providing superior legal work.
Experience

The attorneys of Williams, Robinson, Rigler & Buschjost have a combined 133 years of experience. The firm traces its roots back to the initial formation of Brewer & Northern in 1930. While the attorneys and firm name have changed over the years, the firm has been open continuously for 86 years. The current embodiment was formed through the merger of two existing firms in 1991.

Location

Williams, Robinson, Rigler & Buschjost has been at the same location in Rolla (1 block from City Hall) for the past 26 years.

Ratings

Martindale-Hubbell (martindale.com) is the preeminent attorney peer review rating service, through which attorneys and law firms are rated for legal ability and knowledge by judges and other attorneys. Ratings are “A”, “B”, “C” or “unrated”. Adherence to ethical standards is rated as well.

Williams, Robinson, Rigler & Buschjost is an “AV Preeminent” rated law firm, meaning that one or more attorneys have been rated by judges and other lawyers as having the highest professional abilities, and that the firm adheres to the highest ethical standards.

Local Government Law Experience

Williams, Robinson, Rigler & Buschjost has decades of experience representing local government entities. In addition to representing the City of Rolla, the firm represents the City of Cuba, City of Doolittle, City of Edgar Springs, the City of Richland, the Pulaski County Sewer District, the Rolla Rural Fire District, the Edgar Springs Rural Fire District, the Rolla Community Development Commission (RCDC), the Rolla Regional Economic Committee (RREC), the Rolla Downtown Business Association, the Phelps County Emergency Services Board (PCESB), and has represented numerous cities, counties, and elected officials on a case-by-case ad hoc basis. Some firm members maintain membership in the Missouri Bar Local Government section, as well as in the Missouri Municipal Attorneys Association.

Local Business Law Experience

In addition to local government law experience, Williams, Robinson, Rigler & Buschjost has, for decades, represented a number of banks, savings & loans, and other lending institutions, accounting firms, real estate brokers, title companies, contractors, real estate developers, medical groups, insurance companies, and innumerable other local businesses. A number of insurance carriers hire the firm to either represent the carrier, or to represent the carrier’s policy holder, in a variety of litigation matters.

Litigation Experience

Williams, Robinson, Rigler & Buschjost has represented an innumerable number of litigants over the years, and tried countless jury and bench trials to a verdict. Litigation has included automobile cases, inter-business cases, class actions, contract disputes, criminal prosecution and defense, declaratory
judgments, divorce and modification, employment/unemployment matters, insurance litigation, juvenile matters, land & fence disputes, medical malpractice, probate challenges, personal injury, premises liability, products liability, professional licensing, regulatory or administrative actions, stock cases, support cases, traffic cases, trucking cases, wrongful death, and many others.

Other Public Experience

Over the years, multiple members of the firm have been appointed by the Court on an ad hoc basis to represent the State of Missouri as Special Prosecutor, and have been retained by the Missouri Public Defender's Commission on an ad hoc basis as Special Public Defender. Members of the firm have been appointed by the Court as receiver or to represent a receiver in litigation, have been retained on a case-by-case basis by a variety of public office holders, and have represented county governments in a wide assortment matters, including assessment and taxation matters. Some members of the firm are Certified Mediators under Missouri Supreme Court Rule 17, and some members of the firm serve as mediators in the 25th Judicial Circuit Special Masters program. Members of the firm have been appointed by the Missouri Bar Association for service on the 25th Circuit Ethics Advisory Committee, the Missouri Bar Insurance Committee, have been appointed to municipal personnel boards, and sit on a number of private boards for service organizations.
November 23, 2016

City of Rolla
ATTN: Rolla City Clerk
901 Elm Street
Rolla, MO 65401

Re: Response to Request for Legal Services

Greetings:

This letter is in response to the City’s request for legal services for the position of City Counselor. Our law firm respectfully requests it be considered for the position.

I. For Basic Services consisting of:

(1) attending council meetings on the 1st and 3rd Monday of each month and special meetings as required;

(2) preparing and/or reviewing all ordinances, resolutions, and contracts of the City; and providing legal advice to the Mayor, Council and Administrative Staff up to three (3) hours per week;

we propose a general retainer of $2,600.00 per month, plus out-of-pocket expenses.

II. For Additional Legal Services consisting of:

(1) representing and defending the City in relevant courts of record;

(2) providing legal services in excess of three (3) hours per week;

we propose fees of $150.00 per hour for attorney time and $75.00 per hour for legal assistant time billed in minimum increments of one-tenth of an hour, plus out-of-pocket expenses.

"Out-of-pocket expenses" shall include mileage reimbursement (at IRS rate then in effect), meals, and lodging (for required out-of-town travel only), long distance telephone expenses, copy expenses, deposition expenses, court filing fees, transcript fees, witness fees, and trial exhibit expenses.

The following shall serve as an introduction to our firm and its qualifications:

WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, is a professional law firm serving the south-central Missouri area and is one of rural Missouri's largest, full-service law firms. We have a proud tradition of commitment to clients and community alike. Although our lawyers enjoy diverse practices, several members of the firm have considerable experience in government and municipal law.

Our firm is rated "AV" by our peers as having both "the highest level of legal ability" and a "very high adherence to professional standards of conduct, ethics, reliability, and diligence." We are one of only a few law firms in our area to be included in the Martindale-Hubbell Bar Register of Preeminent Lawyers, which lists "today's most highly regarded law firms."

We have represented numerous governmental and quasi-governmental entities over the past thirty
November 22, 2016

Rolla City Clerk’s Office
901 N. Elm Street
Rolla, MO 65402-0979

PROPOSAL FOR CITY COUNSELOR 2017-2019

To Whom It May Concern:

I would like to make the following proposal for City Counselor for the City of Rolla, Missouri.

Statement of Qualifications

I am an extremely motivated and hard-working individual. I earned my Bachelor of Business Administration in only three years. I received special permission from the director of the business school and started my studies for a master’s degree immediately upon completion of my undergraduate degree, earning a Master of Business Administration degree from Stetson University prior to attending law school. I graduated from Washington University School of Law in 2009.

My family has a strong connection to the Rolla area. As a child, I spent weekends at my family “farm” located in Phelps County. I have always had fond memories of Phelps County. I moved to the family farm full-time in 2010. I worked for a small law firm in Rolla from 2010 until 2011 when I opened my law firm in Rolla. I look forward to growing and expanding my business in Rolla. My firm currently has an office in the Old Courthouse in Rolla. We are very excited to announce that we will be moving our office to 1000 N. Pine Street, Rolla in Spring 2017.

My business background allows me to bring a unique and practical perspective to the practice of law. I understand the challenges that face small businesses and municipalities. In today’s economic environment, it is very important for municipalities to make fiscally responsible decisions while at the same time promoting and advancing their community. I come from a long line of entrepreneurs. In addition to operating a law practice, I serve as counsel for my parents’ businesses AGE Electrical Solutions and AGE Property Solutions, LLC. I have encountered and effectively managed a variety of business and legal situations including: employment, landlord/tenant, real estate, contracts, collections, civil litigation, liens, and construction issues.

Phone: (573) 578-2848 Fax: (314) 754-2631
Mailing Address: P.O. Box 41, Rolla, MO 65402

Rolla Office
305 W. 3rd Street, Suite 3
Rolla, MO 65401

Salem Office
117 E. 1st Street
Salem, MO 65560
I also understand the importance of managing expectations when dealing with the public and am experienced in marketing and public relations. I believe that in today's world of social media this is a vital skill for attorneys to possess. We must learn to assist our clients in developing effective communications with the public.

My favorite part of my job is creating strategies to help my clients succeed. I am energized and inspired by all the opportunities I see for Rolla to grow and prosper in the coming years. I would love to be actively involved in making this vision a reality.

**Summary of Relevant Experience**
Please see my resume enclosed for a summary of relevant experience.

**Monthly Retainer Fee for "Basic Services"**
I would require a monthly retainer fee of $2,000 per month.

**Hourly Rate for "Additional Legal Services"**
My hourly rate for additional legal services would be $150 per hour.

You may reach me on my cell phone at (573) 578-2248 or by email at michele.marxkors@gmail.com. Thank you in advance for your time and consideration.

Sincerely,

Michele Marxkors Kelsaw, Esq., MBA
Michele Marxkors-Kelsaw, Esq., MBA
P.O. Box 41, Rolla, MO 65402
(573) 578-2248
michele.marxkors@gmail.com
Admitted in Missouri & Illinois.

Education:
WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri
- Juris Doctor, May 2009
- Dean’s List Honors Spring 2008 (GPA: 90.15; Top 20%; 90.45)
- 2008 Recipient of the Judge James Ruddy Memorial Scholarship
- Environmental Moot Court Participant 2009

STETSON UNIVERSITY, DeLand, FL
- Master of Business Administration, May 2006 GPA: 3.6
- Stetson University Graduate Assistantship Award for the 2005-2006 academic year

STETSON UNIVERSITY, DeLand, FL
- Bachelor of Business Administration Magna Cum Laude, May 2005 GPA: 3.75
- Dean’s List (Fall 2002-Spring 2005)
- Stetson University Business School Foundation Merit Award for General Business 2004-2005
- Alpha Xi Delta Sorority Slaysmaker-Kinsey Academic Achievement Award for 2002-2003 and 2003-2004

Experience:
MICHELE MARXKORS, ATTORNEY AT LAW, LLC
d.b.a. MARXKORS & KELSAW, ATTORNEYS AT LAW, LLC, Rolla, MO July 2011 Present
• Member
  - Handling cases in the following practice areas: business law, estate planning, real estate, family, criminal, and general civil litigation.
  - Practicing in the following counties: Phelps, Pulaski, Texas, Maries, Dent, and Crawford.

GUETERSLOH LAW FIRM, Rolla, MO May 2010 – July 2011
• Associate
  - Served as a litigation attorney in a two-person law firm.
  - Conducted all aspects of litigation including: consultations, drafting lawsuits and legal documents, discovery, depositions, court appearances, trial, and settlement negotiations.
  - Handled cases in the following areas: family, civil rights, workers’ compensation, personal injury, employment, estate planning, criminal, and general civil litigation. Practiced in the following counties: Phelps, Pulaski, Texas, Maries, Dent, Crawford, Iron, Franklin, and Shannon.
  - Sole family law attorney with the firm. Handled a full caseload encompassing all aspects of family law including: custody, dissolution, paternity, child support, orders of protection, and modifications.

LEGAL SERVICES OF EASTERN MISSOURI, St. Louis, MO September 2009 – February 2010
• Volunteer Attorney
  - Handled pro bono cases in the housing unit. Represented tenants in disputes involving the local housing authorities and their landlords.
LEGAL SERVICES OF EASTERN MISSOURI, St. Louis, MO  
- Legal Intern  
  - Assisted in the Housing Unit. Researched and drafted legal memorandum. Represented clients in administrative hearings before the city and county housing authorities. Made court appearances as a Rule 13 certified law student. Assisted negotiating settlements.

U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS  
- Law Clerk for Magistrate Judge Donald G. Wilkerson  
  - Clerked for Judge Wilkerson as part of the Judicial Clerks’ p Clinic at Washington University School of Law. Researched and drafted legal memorandums and orders relating to civil and criminal cases that were currently pending before Judge Wilkerson.

WASHINGTON UNIVERSITY SCHOOL OF LAW, St. Louis, MO  
- Research Assistant  
  - Assisted Professors Pauline Kim and Margo Schlanger with their research and development of the Civil Rights Litigation Clearinghouse by researching cases involving Title VII of the Civil Rights Act of 1964.
CITY OF ROLLA
CITY COUNCIL AGENDA

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

ITEM/SUBJECT: MoveRolla TDD

BUDGET APPROPRIATION (IF APPLICABLE) DATE: December 19, 2016

_COMMENTARY:_ The MoveRolla TDD election was counted on December 14th resulting in the following:

- 86.6% in favor
- 13.4% in opposition
- Total of 595.1954 acres/votes from 39 ballots cast

Qualified voters in this effort were property owners within the district (one vote per acre). With successful passage of the TDD, the District becomes a separate political subdivision—separate from the City of Rolla and Phelps County. A four-member Board of Directors shall consist of the Mayor (Louis Magdits) and Presiding Commissioner (Randy Verkamp) and one person designated by the City and one from the County. The City is nominating Mr. Walt Branson, S&T Vice Chancellor, to serve as the City’s designee.

Formation of the MoveRolla TDD includes a number of organizational actions required in early 2017—organizational matters, cooperation agreements with the City/County, Resolution imposing the TDD sales tax, Resolution to TIF capture of TDD sales tax (contingent on closing of the Westside Market Place TIF project).

The MoveRolla TDD priorities remain:
1) Highway 72 extension to Kingshighway interchange
2) Westside Market Place access roads (subject to TIF closing)
3) Kingshighway upgrades
4) University Drive realignment; Highway E pedestrian bridge

Recommendation: Motion to appoint Mr. Walt Branson, S&T Vice Chancellor, to the MoveRolla TDD Board as the City’s representative. (Note: The Mayor automatically serves on The District Board by virtue of the office).

ITEM NO. IV A.1.
OFFICIAL ELECTION RESULTS

MOVE ROLLA TRANSPORTATION DEVELOPMENT DISTRICT

TUESDAY, DECEMBER 13, 2016

PROPOSITION TDD

<table>
<thead>
<tr>
<th>Qualified Voters¹</th>
<th>100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ballots Cast</td>
<td>31</td>
</tr>
<tr>
<td>For the Proposition (Yes): 51.45 % (total acreage)</td>
<td></td>
</tr>
<tr>
<td>Against the Proposition (No): 48.55 % (total acreage)</td>
<td></td>
</tr>
</tbody>
</table>

We, the team of judges ordered to verify the authenticity of the ballots received, canvass the votes, and certify the results of the election called in connection with the creation of the Move Rolla Transportation Development District, hereby certify the foregoing to be a true and correct abstract of votes cast for “Proposition TDD” at the mail-in ballot election held on December 13, 2016.

In testimony whereof, we have hereunto set our hand on December 14, 2016.

Democrat

Brenda J. Skaggs

Republican

Michael R. Gosnell

Liz Haldeman

Ron McClanahan

¹ Qualified voters are property owners who applied for a ballot pursuant to the Judgment and Order Calling an Election filed by the Circuit Court of Phelps County, Missouri on September 9, 2016 (Cause No. 15PH-CV01751).
December 14, 2016

VIA CERTIFIED MAIL

Ms. Pamela K. Grow
County Clerk
Phelps County
200 N. Main Street, Suite 101
Rolla, Missouri 65401

Re: Move Rolla Transportation Development District

Dear Ms. Grow:

Enclosed is a copy of the official election results of the December 13, 2016 election concerning the Move Rolla Transportation Development District. Section 238.216.6, RSMo., requires that a copy of these election results be filed with the County Clerk and that the County Clerk “cause the same to be spread upon the records of the county commission.”

Please let me or Mark Grimm of my office know if you have any questions. Thank you very much for your assistance on this matter.

Very truly yours,

Mark A. Spykerman

MAS:jcg

Enclosure
cc: John Butz (via email)
MOVE ROLLA  
TRANSPORTATION DEVELOPMENT DISTRICT  

PRELIMINARY SCHEDULE OF EVENTS  
(as of November 16, 2016)  

<table>
<thead>
<tr>
<th>Status</th>
<th>Action</th>
<th>Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>City passes resolution authorizing filing of TDD petition</td>
<td>November 2, 2015</td>
</tr>
<tr>
<td>X</td>
<td>County passes resolution authorizing filing of TDD petition</td>
<td>November 3, 2015</td>
</tr>
<tr>
<td>X</td>
<td>File TDD Petition with Circuit Court</td>
<td>November 13, 2015</td>
</tr>
<tr>
<td>X</td>
<td>Circuit Court serves copy of TDD petition on Respondent MoDOT</td>
<td>December 10, 2015</td>
</tr>
<tr>
<td>X</td>
<td>Respondent MoDOT files answer to TDD Petition</td>
<td>December 22, 2015</td>
</tr>
</tbody>
</table>
| X      | Court Issues Publication Order  
(Order will authorize publication of notice of proposed formation of TDD) | January 4, 2016 |
| X      | Circuit Court publishes notice of proposed formation of TDD  
(First Publication) | January 7, 2016 |
| X      | Circuit Court publishes notice of proposed formation of TDD  
(Second Publication) | January 14, 2016 |
| X      | Circuit Court publishes notice of proposed formation of TDD  
(Third Publication) | January 21, 2016 |
| X      | Circuit Court publishes notice of proposed formation of TDD  
(Fourth Publication) | January 28, 2016 |
| X      | Deadline for Joining or Filing Separate Petition by Public. | February 28, 2016 |
| X      | City passes resolution authorizing filing of amended TDD Petition | May 2, 2016 |
| X      | County passes resolution authorizing filing of amended TDD Petition | May 5, 2016 |
| X      | File Motion for Leave to amend TDD Petition and order publication of amended TDD notice | May 6, 2016 |
| X      | Court hearing regarding Motion for Leave | May 23, 2016 |
| X      | Court order granting leave to file Amended TDD Petition granted;  
Amended TDD Petition filed. | May 31, 2016 |
| X      | Circuit Court publishes notice of proposed formation of amended TDD | June 6, 2016 |

---

1 Missouri law requires Circuit Clerk to publish notice once a week for four consecutive weeks.

2 Public has 30 days from the date of last publication to respond to or join the Petition.
<table>
<thead>
<tr>
<th>Status</th>
<th>Action</th>
<th>Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>MoDOT files answers to amended TDD Petition</td>
<td>June 6, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Circuit Court publishes notice of proposed formation of amended TDD (Second Publication)</td>
<td>June 13, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Circuit Court publishes notice of proposed formation of amended TDD (Third Publication)</td>
<td>June 20, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Circuit Court publishes notice of proposed formation of amended TDD (Fourth Publication)</td>
<td>June 27, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Deadline for Joining or Filing Separate Petition by Public</td>
<td>July 27, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Evidence of absence of registered voters finalized</td>
<td>August 2016</td>
</tr>
<tr>
<td>X</td>
<td>File Motion to Rule on Amended Petition and calling for an election on the creation of the TDD filed.</td>
<td>August 29, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Notice of Hearing distributed for Motion to Rule on Amended TDD petition and calling for an election on the creation of the TDD.</td>
<td>August 29, 2016</td>
</tr>
<tr>
<td>X</td>
<td>Court Hearing to rule on Amended TDD Petition                                                                                                                                                    September 9, 2016</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Order will (1) authorize the election regarding creation of the TDD, the proposed project and imposition of TDD sales tax and (2) authorize the publication of Notice of Election</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Mail Notice of Election and Procedure for Application to Obtain Ballot for TDD Election to each Voter                                                                                                  September 16, 2016</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Publish Notice of Election and Procedure for Application to Obtain Ballot for TDD Election (First Publication)                                                                                       September 19, 2016</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Publish Notice of Election and Procedure for Application to Obtain Ballot for TDD Election (Second Publication)                                                                                     September 26, 2016</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Deadline for Application to Obtain Ballot for TDD Election                                                                                                                                              October 4, 2016</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Circuit Court issues Order to Select Election Judges                                                                                                                                                   Late October 2016</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>Mail ballots for TDD Election                                                                                                                                                                          November 1, 2016</td>
<td></td>
</tr>
</tbody>
</table>

3 Missouri law requires Circuit Clerk to publish notice once a week for four consecutive weeks.
4 Public has 30 days from the date of last publication to respond to or join the Petition.
5 Per Judgment and Order.
TDD ELECTION

☑ 5:00 p.m. Deadline for ballots to be returned

☑ 5:05 p.m. Judges are assembled. Ballots are opened and verified.

TDD CREATION

Results of the TDD Election are certified and entered upon the records of the Circuit Court. Results of the TDD Election filed with the County Clerk (the County Clerk shall cause the same to be spread upon the records of the County Commission).  

Circuit Court issues Order creating the TDD (Order will ratify the formation of the TDD, the development of the project and the imposition of the TDD sales tax).

County Commission designates TDD Board Member (to serve along with Presiding Commissioner)

City Council designates TDD Board Member (to serve along with Mayor)

Initial meeting of TDD’s Board of Directors

Agenda Items:
- Address organizational matters
- Resolution approving various Cooperation Agreements
- Resolution imposing the TDD sales tax
- Resolution agreeing to TIF capture of TDD sales tax

Election contest period expires

Meeting of the TDD’s Board of Directors

Agenda Item:
- Approve issuance of the Bonds

Bond Closing

Effective date of TDD Sales Tax

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5 Not later than 5:00 p.m. on the 6th Tuesday after the mailing of the ballots (See Section 238.216.5 of the TDD Act).
6 See Section 238.216.6 of the TDD Act.
7 See Section 238.215.4 of the TDD Act.
8 Must be within 30 days of election (See Section 238.216.5 of the TDD Act and Section 115.557, RSMo.).
9 Assumes Cooperation Agreements will be negotiated and approved by other parties (including the City) by this date.
10 First day of the second quarter following the certification of the results of the election imposing the sales tax.
TRANSPORTATION DEVELOPMENT DISTRICTS

I. INTRODUCTION

Purpose

A transportation development district may be created pursuant to Sections 238.200 to 238.275 of
the Revised Statutes of Missouri, as amended (the “TDD Act”) to fund, promote, plan, design, construct,
improve, maintain and operate one or more projects or to assist in such activity. A district is a separate
political subdivision of the state. “Project” includes any bridge, street, road, highway, access road,
interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar,
shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or other mass transit and any
similar or related improvement or infrastructure.

Projects, Submission of Plans

Before construction or funding of any project, the district must submit the proposed project to the
Missouri Highways and Transportation Commission (the “commission”) for its prior approval. If the
commission finds that the project will improve or is a necessary or desirable extension of the state
highways and transportation system, the commission may preliminarily approve the project subject to the
district providing plans and specifications for the project and making any revisions in the plans and
specifications required by the commission and the district and commission entering into a mutually
satisfactory agreement regarding development and future maintenance of the project. After such
preliminary approval, the district may impose and collect such taxes and assessments as may be included
in the commission’s preliminary approval. After the commission approves the final construction plans and
specifications, the district must obtain prior commission approval of any modification of such plans or
specifications.

If the proposed project is not intended to be merged into the state highways and transportation
system, the district shall also submit the proposed project and proposed plans and specifications to the
local transportation authority that will become the owner of the project for its prior approval. “Local
transportation authority” is a county, city, town, village, county highway commission, special road
district, interstate compact agency, or any local public authority or political subdivision having
jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light
rail or other transit improvement or service.

In those instances where a local transportation authority is required to approve a project and the
commission determines that it has no direct interest in that project, the commission may decline to
consider the project. Approval of the project then vests exclusively with the local transportation authority
subject to the district making any revisions in the plans and specifications required by the local
transportation authority and the district and the local transportation authority entering into a mutually
satisfactory agreement regarding development and future maintenance of the project. After the local
transportation authority approves the final construction plans and specifications, the district must obtain
prior approval of the local transportation authority before modifying such plans or specifications.
II. FUNDING METHODS

Sales Tax

Any district may impose a sales tax in increments of one-eighth of one percent up to a maximum of one percent on all retail sales made in the transportation development district that are subject to taxation under Missouri law, with certain exceptions (including the sale of motor vehicles, trailers, boats and outboard motors). The sales tax must be approved by approval of a majority of the "qualified voters" within the district. The "qualified voters" are (1) the registered voters within the district, and (2) the property owners within the district (who shall receive one vote per acre). Any registered voter who also owns property must elect whether to vote as a registered voter or a property owner. Notwithstanding the foregoing, the owners of all of the property in the district may implement the sales tax by unanimous petition in lieu of holding an election. The sales tax rate must be uniform throughout the district.

The Missouri Department of Revenue began collecting sales taxes generated from taxable sales occurring on and after January 1, 2010 on behalf of all newly created and existing transportation development districts.

Special Assessments

The district may also, with majority voter approval, make one or more special assessments for project improvements that specially benefit the properties within the district. A district may establish different classes or subclasses of real property within the district for the purpose of levying different rates of assessments.

Property Tax

The district may also, with approval by at least four-sevenths of the voters, impose a property tax in an amount not to exceed the annual rate of ten cents on the hundred dollars assessed valuation. The property tax must be uniform throughout the district.

Tolls

If approved by a majority of the qualified voters voting on the question in the district, the district may charge and collect tolls or fees for the use of a project.

Bonds

The District may issue bonds, notes and other obligations for not more than 40 years, and may secure any of such obligations by mortgage, pledge, assignment or deed of trust of any or all of the property and income of the district. The district cannot mortgage, pledge or give a deed of trust on any real property or interests that it obtained by eminent domain.
III. FORMATION

Creation of District

A district may be created by (1) petition of at least fifty registered voters within the proposed district, or (2) if there are no registered voters within the district, the owners of all of the real property located within the proposed district. In addition, two or more local transportation authorities may adopt resolutions calling for the joint establishment of a district and then file a petition requesting the creation of a district. With certain limited exceptions, the property in the district must be contiguous.

The petition is filed in the circuit court of the county in which a majority of the district is located. Among other information, the petition must set forth:

1. The name and address of each respondent, which must include the commission and each affected local transportation authority within the proposed district;

2. A specific description of the proposed district boundaries including a map illustrating the boundaries;

3. A general description of each project proposed to be undertaken by the district, including a description of the approximate location of each project;

4. The estimated project costs and anticipated revenues to be collected from the project;

5. The number of members of the board of directors of the proposed district, which shall be not less than five or more than fifteen;

6. A proposal for funding the district; and

7. Details of the budgeted expenditures, including estimated expenditures for physical improvements, land acquisition, professional services and interest charges.

Hearing

The court hears the case without a jury. If the court determines the petition is not legally defective and the proposed district and method of funding are neither illegal nor unconstitutional, the court shall enter its judgment to that effect.

If the petition was filed by registered voters or by a governing body, the court shall then certify the questions regarding district creation, project development and proposed funding for voter approval. If the petition was filed by the owners of record of all of the real property located within the proposed district, the court shall declare the district organized and certify the funding methods stated in the petition for qualified voter approval. If a petition is filed pursuant to the resolutions of two or more local transportation authorities calling for the joint establishment of a district, the court shall then certify the single question regarding district creation, project development and proposed funding for voter approval.
Effective August 28, 2009, if the petition for the establishment of the district is filed by the owners of all real property in the proposed district, the court is required to hold at least one public hearing regarding the establishment of the district.

**Election**

If the court certifies the petition for voter approval, a majority vote is required to approve the formation of the district.

If (1) the petition was filed pursuant to the resolutions of two or more local transportation authorities calling for the joint establishment of a district and was certified for voter approval, (2) the district desires to impose a sales tax as the only proposed funding mechanism and (3) the proposition to create the district and authorize the sales tax has received majority voter approval, the circuit court shall declare the district organized and the sales tax to be in effect.

If the district desires to impose a funding mechanism other than a sales tax, the proposed funding mechanism requires separate voter approval at a subsequent election.

"Qualified voters" for TDD elections generally include (1) the registered voters within the district and (2) if no registered voters are present in the district and the district petition was submitted by the property owners or by resolution of two or more local transportation authorities, the property owners within the district (who shall receive one vote per acre). If a registered owner moves into a district that has already been created and which no registered voters previously resided in, the registered voter must elect whether to vote as a registered voter or a property owner.

**Board of Directors**

Since the district is a separate political subdivision, it has its own board of directors that serves as the governing body of the district.

Unless the district is formed at the request of two or more local transportation authorities, directors are elected by the qualified voters within the district (i.e., registered voters or property owners, as the case may be).

If two or more local transportation authorities requested formation of the district, the board of directors consists of (1) the presiding officer and one person designated by the governing body of each local transportation authority (if the district is comprised of two or three local transportation authorities), or (2) the presiding officer of each local transportation authority (if the district is comprised of four or more local transportation authorities).

**IV. MISCELLANEOUS**

**Condemnation**

The District may condemn land for a project in the name of the state of Missouri, upon prior approval by the commission, or the local transportation authority as appropriate, as to the necessity for the taking of the description of the parcel and the interest taken in that parcel.
Project Revisions

At any time during the existence of a district, the board may submit to the voters of the district a proposition to increase or decrease the number of projects that it is authorized to complete.

If the board proposes to discontinue a project, it must first obtain approval from the commission if the proposed project is intended to be merged into the state highways and transportation system or approval from the local transportation authority if the proposed project is intended to be merged into a local transportation system under the local authority's jurisdiction.

The board may modify the project previously approved by the district voters, if the modification is approved by the commission and, where appropriate, a local transportation authority.

Audit Required

The state auditor is required to audit each district at least every three years, and may audit more frequently if the state auditor deems appropriate. The costs of this audit shall be paid by the district. Most districts that have issued bonds are required by the bond underwriter to obtain an annual audit.

Annual Report to State Auditor

Transportation development districts with cash receipts of more than $10,000 per year are required to submit an annual report of its financial transactions to the state auditor. This report is due to the state auditor (1) within four months of the end of the district's fiscal year if the report will contain unaudited financial statements or (2) within six months of the end of the district's fiscal year if the report will consist of financial statements audited by a certified public accountant. Any district that fails to timely file this report may be fined up to $500 per day until such report is filed.

Projects, Transfer to Commission or Authority

Within six months after development and initial maintenance costs of its completed project have been paid, the district shall pursuant to contract transfer ownership and control of the project to the commission or a local transportation authority which shall be responsible for all future maintenance costs pursuant to contract. Such transfer may occur sooner with the consent of the recipient.

* * * * *
OFFICIAL BALLOT

SPECIAL ELECTION

PROPOSITION TDD

(Mail-In Election)

Shall the Move Rolla Transportation Development District (the “District”) be organized within a portion of the City of Rolla, Missouri and Phelps County, Missouri (as more specifically described on Exhibit A attached hereto) for the purpose of acquiring, designing and constructing the following Transportation Project:

HIGHWAY 72 EXTENSION

Extension of Missouri State Highway 72 westerly from and between Bishop Avenue/US Highway 63 and the intersection of Bridge School Road and Kingshighway. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of Highway 72 Extension.

KINGSHIGHWAY IMPROVEMENT

Improvement of Kingshighway from and between Bishop Avenue/US Highway 63 and the north side of the intersection of Kingshighway and Interstate 44. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of Kingshighway.

ROLLA WEST TDD IMPROVEMENTS

Construction of (a) an interior road system to serve the retail development to be constructed within the District; (b) portions of a connector road from and between Old Wire Road and State Route 8; (c) an extension of Kingshighway from and between the north roundabout at the intersection of Interstate 44 and Kingshighway to the retail development; (d) a signalized intersection at the intersection of the extension of Kingshighway and the proposed connector road. These improvements include but are not limited to (i) accompanying grading, drainage, pavement, curb, gutter, sidewalk, storm water facilities, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, median improvements, structures (including without limitation any architectural treatments related thereto), signing, striping, lighting, landscaping or other similar or related infrastructure or improvements in connection with items (a) through (d) above.

BISHOP AVENUE COMPLETE STREET CONCEPT

Transformation of Bishop Avenue from a US Highway to a complete street from Interstate 44 south to Kingshighway. Complete street improvements may include a road diet through the reduction of a travel lane leaving one lane in each direction and a center turn lane with segments of median treatments where practical. A vacated lane could be repurposed to a separated bicycle lane and sidewalk. Other improvements include but are not limited to right-of-way acquisition, pavement replacement, intersection improvements, signalization, roundabouts, green space enhancements, landscaping, street lighting.
decorative lighting and signage, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, deceleration lanes, storm water improvements, signage, striping, median improvements and interconnection of signals and any other transportation related costs related to the transformation of Bishop Avenue to a complete street.

INTERSTATE 44 PEDESTRIAN BRIDGE

Construction of a dedicated 10-feet bicycle/pedestrian overpass located just east of the Interstate 44/Missouri Route E Interchange Bridge. The bridge will span Interstate 44 and connect the sidewalk on University Drive to White Columns Drive north of the interchange. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, landscaping improvements, signage, striping and any other transportation related costs related to the improvement of the Interstate 44 Pedestrian Bridge.

UNIVERSITY DRIVE REALIGNMENT

Realignment of University Drive which will provide a new direct connection to Miner Circle Drive which serves as the Missouri S&T campus front door. The new entrance to campus will be defined with new signage and landscaping that will clearly identify the access to campus and to student services. The realignment of University Drive will be from and between the existing intersection of University Drive/State Route E and Poole Avenue and the intersection of Bishop Avenue and Miner Circle Drive. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the University Drive Realignment.

OVERPASS IN THE VICINITY OF 10TH STREET

Construction of a new 2-lane overpass over Interstate 44 which will provide a direct connection to the above-described Rolla West TDD improvements and a possible connector road from and between Old Wire Road and State Route E. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, bike lanes, pedestrian and bicycle trails, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of an overpass in the vicinity of 10th Street.

10TH STREET RECONSTRUCTION

Reconstruction of 10th Street from and between Bishop Avenue and Innovation Drive. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the 10th Street Reconstruction.
INNOVATION DRIVE EXTENSION

Extension of Innovation Drive from and between the existing south terminus of Innovation Drive to Bryant Road. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the Innovation Drive Extension.

PINE STREET RECONSTRUCTION

Reconstruction of Pine Street from and between Bishop Avenue and 10th Street. These improvements will narrow the travel lanes to 11-feet and add dedicated bike lanes. These improvements will include conversion of the one-way segment from 12th to 10th Street to two-way operations. These improvements include but are not limited to right-of-way acquisition, demolition, utility relocation, grading, construction of roads, construction of bridges, sidewalks, retaining walls, lighting, signalization, roundabouts, paving, curb improvements, landscaping improvements, storm water improvements, median improvements, signage, striping and any other transportation related costs related to the improvement of the Pine Street Reconstruction.

OTHER CITY PROJECTS

Conversion of selected downtown 1-way streets to 2-way operations; new gateways at the Interstate 44/Bishop Avenue Interchange, Interstate 44/Kingshighway Interchange and Bishop Avenue just north of Highway 72; partnership between the City and Missouri S&T University for expanded public transit service; sidewalk improvements to connect gaps in the sidewalk network and repair aging sidewalks downtown (sidewalk improvements are intended to address basic pedestrian needs including, but not limited to, connecting the Missouri S&T campus, downtown, adjacent neighborhoods, parks and other important local destinations); 12-foot multipurpose pedestrian and bicycle trails connecting west Rolla, Missouri S&T and downtown; connect the 10th Street Overpass to Sally Road and other transportation-related improvements benefitting the District including but not limited to right-of-way acquisition, pavement replacement, intersection improvements, signalization, roundabouts, green space enhancements, landscaping, street lighting, decorative lighting and signage, sidewalks, bike lanes, pedestrian and bicycle trails, turn lanes, deceleration lanes, storm water improvements, signage, striping, median improvements and interconnection of signals and any other transportation related costs related to the above-referenced projects.

The Transportation Project shall also include: (1) the costs associated with the operation and maintenance of the Transportation Project, (2) costs of right-of-way and other land acquisition, settlement and transfer, including relocation costs, taxes, surveys and other professional fees, (3) costs for demolition, earth work, erosion control, including paving, sanitary sewers, storm drainage, water systems, retention basins and retaining walls, provisions for the construction and/or relocation of utilities, including electric, gas, telephone, fiber optic cable, as well as landscaping, irrigation, street lighting and environmental engineering and abatement, (4) costs for replacement of existing roadway surfaces, curbs and gutters, restriping, replacement or installation of sidewalks, traffic/pedestrian signalization, including interconnecting existing signals, roundabouts, signage street lighting and landscaping, (5) costs for legal and engineer’s fees, construction cost financing, placement fees, interest, builder’s risk insurance, design, engineering, development, project management, architect and contractor fees, as well as all other professional costs associated with the Transportation Project, including accounting and appraisal fees, (6) costs related to any authorized indebtedness or lease obligation of the District, including accrued interest, capitalized interest, reserve funds and costs of issuance and (7) the administrative, legal and accounting
costs associated with the creation, administration and existence of the District and costs associated with the collection and enforcement of the District Sales Tax;

and be authorized to impose a district-wide sales tax at the rate of up to one percent (1%) for a period not to exceed forty (40) years for the purpose of funding the Transportation Project?

YES □

NO □

INSTRUCTIONS TO VOTERS: If you are in favor of this proposition, place an X in the box opposite “YES.” If you are opposed to this proposition, place an X in the box opposite “NO.”

Please return your ballot in the enclosed self-addressed envelope to the office of the Circuit Court Clerk of Phelps County by mail or hand delivery no later than 5:00 p.m. on December 13, 2016. Voted Ballots received by the Circuit Court Clerk of Phelps County after 5:00 p.m. on December 13, 2016 will not be accepted.

DATED: ________________, 2016.

Authorized signature(s)

Printed name(s)

If voter not an individual, printed name of entity

Address of voter

Mailing address of voter (if different)
A specific description of the District Boundaries is as follows: Beginning at the Southwest Corner of Northwest Quarter of the Northeast Quarter of Section 10, Township 37 North, Range 8 West, Phelps County, Missouri; thence northerly along the West line of said Northwest Quarter of the Northeast Quarter to the southwest corner of the Southwest Quarter of the Southeast Quarter of Section 3, Township 37 North, Range 8 West; thence northerly along the West line of said Southwest Quarter of the Southeast Quarter to its northwest corner; thence easterly along the North line of said Southwest Quarter to the West line of a parcel described in Phelps County Deed Records at Book 172, Page 225; thence southerly along the West line of said Book 172, Page 225 parcel to its southwest corner; thence easterly along the South line of said Book 172, Page 225 parcel to the northwest corner of Tract No. 1 as described in Phelps County Deed Records at Document No. 2001-9149; thence southerly along the West line of said Tract No. 1 to the North line of a parcel described in Phelps County Deed Records at Document No. 2006-395; thence westerly along the North line of said Document No. 2006-395 parcel to its northwest corner; thence southerly along the West line of said Document No. 2006-395 parcel to its southwest corner; thence easterly along the South line of said Document No. 2006-395 parcel to the extension of the West right of way of Bluebird Lane; thence southerly along said extension and along said West right of way of Bluebird Lane to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2011-4976; thence westerly along the North line of said Document No. 2011-4976 to its northwest corner; thence southerly along the West line of said Document No. 2011-4976 parcel to the South line of the aforesaid Southwest Quarter of the Southeast Quarter of said Section 3, Township 37 North, Range 8 West; thence easterly along said South line to the aforesaid West right of way of Bluebird Lane; thence southeasterly along said West right of way to the westerly right of way of Interstate 44; thence southwesterly along said westerly right of way to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2011-1670; thence southeasterly to the
CITY OF ROLLA
CITY COUNCIL AGENDA

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

ITEM/SUBJECT: Consideration of Alternate Site – New Animal Shelter

BUDGET APPROPRIATION (IF APPLICABLE) N/A DATE: December 19, 2016

COMMENTARY:

In April 2014, City Council selected Shelter Planners of America to perform a feasibility study, needs assessment, and preliminary cost estimate to build a new animal shelter to replace the aging/deteriorating 40+ year old facility located on Sharp Road. The Sharp Road property remains on the market for possible sale.

In October 2014, SPOA presented their findings that anticipated an annual capacity of 900 animals and 6,072 total SF of space (4,748 SF of interior space). Building construction was estimated at $1.5 million plus design costs. The study included an assessment of three city-owned locations off McCutchen Drive, the Park Shop at 18th and Holloway, and the Randsdall building at 18th and Sharp. Those three locations were short-listed from a total of eight possible locations. Key factors in site location were visibility, accessibility, suitability, parking and site size (recommend 1.5 – 2 acres). Based on the options available at the time, City Council identified the 18th Street and Sharp Road location as the preferred site - good visibility albeit tight.

Recently City Council had the opportunity to purchase 4.95 acres adjoining an existing two-acre parcel owned by the City at Lions Club Drive (east) and Highway 72 for $40,000 (estimated value of $55,000). This site provides excellent visibility and accessibility, ample space for expansion and joint usage (open space/parkland) and great buffer areas (east of Rolla Rural Fire Station).

The SAVE (fundraising) Committee has been actively raising funds for the new shelter but the 18th and Sharp Road location was not inspiring enthusiasm – functional but not ideal. Staff is requesting Council consideration for proposing a new location for the proposed Animal Shelter. Determining a firm location is critical to soliciting community support. As we gear up for the 2017 public fundraising campaign staff and SAVE would request formal Council consideration on January 3, 2017.

Discussion needed.

ITEM NO. IV. B1.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis ACTION REQUESTED: Ordinance 1st Reading

ITEM/SUBJECT: No Parking – Vichy Road/Vienna Road

BUDGET APPROPRIATION (IF APPLICABLE) DATE: 12/19/16

COMMENTARY:

Vichy and Vienna Roads were improved with curb, gutters and a sidewalk in 1996. Both streets were narrow prior to improvements with limited right of way. Both streets were improved with a width of 28 feet back of curb to back of curb. Both streets serve as a collector bringing county residents into the city as well as serving developments adjacent to these streets inside the city limits. Since 1996, considerable development has taken place along both of the corridors.

If these roads were built according to our current standards they would be six feet wider or 34 feet wide. Given the width and classification, parking would typically be allowed on one side for Vienna Road and restricted to no parking along both sides of Vichy Road.

Vienna Road was signed “No Parking” on both sides prior to improvements and has not changed. However, during a recent update of our codes a portion was dropped out of the code book. The proposed ordinance reestablishes the no parking restriction on both sides.

Vichy Road has been signed “No Parking” on both sides from Highway 63 to Vienna Road and on the west side for the remainder of Vichy Road north to the city limits.

We have had a few complaints regarding parked car hazards on Vichy Road. We observed the area over several weeks and rarely observed cars parked on the street. However, when it did occur it was apparent that the travel way of the narrow road was restricted.

We have posted Vichy Road “No Parking” on either side. We have received a couple of concerns from residents along Vichy Road on being able to park company or have a yard sale. We have had an equal number of compliments regarding the placement of signs.

We have also done traffic counts and speed surveys. The following is a summary of results:

<table>
<thead>
<tr>
<th>Vichy Road – South of I-44 Bridge – Posted speed limit 30 mph</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Daily Traffic</td>
</tr>
<tr>
<td>85 Percentile Speed</td>
</tr>
<tr>
<td>Average Speed</td>
</tr>
</tbody>
</table>

IV. C. I.
Vichy Road – North of Vienna Road – Posted speed limit 30 mph
Average Daily Traffic 2105
85 Percentile Speed 37 mph
Average Speed 32 mph

Vienna Road – South of Roseglade – Posted speed limit 25 mph
Average Daily Traffic 898
85 Percentile Speed 34 mph
Average Speed 26 mph

The no parking signs along both sides of Vichy Road have been up for several weeks. We recommend making the parking restrictions permanent by ordinance given the speeds and narrow width. If property owners have events requiring additional parking and side street parking is not available, obstruction permits could be issued and proper warnings can be posted during the times parking is allowed.

In addition, residents could participate in our cost share for curb and gutter or driveways where we either install additional width on the street or build additional driveway for off street parking. The property owner would be required to pay for concrete.

Staff recommends approval of the no parking restriction.
ORDINANCE NO. ________

AN ORDINANCE AMENDING CERTAIN SEGMENTS OF SECTION 27-92 OF THE CODE OF THE CITY OF ROLLA, MISSOURI, RELATING TO PARKING.

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

Section 1: That the following segments of Section 27-92 of the Code of the City of Rolla, Missouri, pertaining to parking are hereby amended and/or added to read as follows:

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

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

Vichy Road, on either side, from the intersection of Vichy Road and Bishop Avenue (U.S Highway 63) to the north city limits. (new)

Vienna Road, on either side, from the intersection of Vienna Road and Vichy Road to the north city limits. (new)

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


APPROVED:

__________________________
ATTEST: MAYOR

__________________________
CITY CLERK

APPROVED AS TO FORM:

__________________________
CITY COUNSELOR

IV. 0. 2.
Date: December 14, 2016 at 9:27.02 PM EST
To: Lou Magdits <lmagdits@rollacity.org>
Subject: Re: Dog park

Lou
I am responding to your request that I serve on the Board of Adjustment. I have previously served 8 years on the Board, and was also on the Citizen's Advisory Committee to develop the City's 1996 Comprehensive Plan. I have a degree in Landscape Architecture from Mississippi State University, and was the Post Landscape Architect at Fort Leonard Wood for 30 years. Prior to that I was with the U.S. Forest Service and a Vietnam veteran. I currently work part time for the Rolla Housing Authority.

Thank You for your consideration
Dan James