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, July 17, 2017
901 North Elm Street
City Hall Council Chambers
6:30 P.M.

COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE
Councilman Matthew Crowell

I.  PUBLIC HEARINGS
   A) Ordinance Rezoning All of Lots 3, 5, & 6, Block 7 Cowan’s Addition & the West Half of Lot 4, Block 7 Cowan’s Addition from C-1 (Neighborhood Business District) to C-3 (Highway Commercial District) – (Sonic Complex) – (Interim Community Development Director Steve Flowers) – First Reading

II. SPECIAL PRESENTATIONS
   A) Presentation of Life Saving Award – Fire Chief Ron Smith
   B) Ms. Brenda Gustafson (FEMA, Region 7) – Disaster Support

III. OLD BUSINESS
   A) Ordinance Authorizing the Mayor to Enter into an Agreement with the College Hills West Sewer District - (Public Works Director Steve Hargis) – Final Reading
   B) Resolution Approving a Complete Streets Policy for the City of Rolla – (Public Works Director Steve Hargis) - Motion

IV. NEW BUSINESS
   A) Ordinance Authorizing the Mayor to Execute a Certain Airport Aid Agreement Amendment for Business Plan Development (Project 166-056A) with the Missouri Highways & Transportation Commission – (Public Works Director Steve Hargis) – First/Final Readings
   B) Ordinance Amending Sec. 27-92 of the Rolla City Code Pertaining to Parking on Eleventh Street – (Public Works Director Steve Hargis) – First Reading
   C) Ordinance Vacating South Faulkner Ave. Between 106 & 111 S. Faulkner Ave. (Sonic Complex) – (Interim Community Development Director Steve Flowers) – First Reading
V. CLAIMS and/or FISCAL TRANSACTIONS  
   A) Motion Authorizing Contract Change Order with Pierce Asphalt for Meriweather  
       Court Repair – (Public Works Director Steve Hargis) – Motion

VI. MAYOR/CITY COUNCIL COMMENTS  
   A) Discharging of Fireworks - (Councilman Kelly Long)

VII. CITIZEN COMMUNICATION  
    A) Open Citizen Communication

VIII. COMMENTS FOR THE GOOD OF THE ORDER

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

X. ADJOURNMENT
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  ACTION REQUESTED: First Reading

ITEM/SUBJECT: Request to re-zone all of Lots 3, 5, & 6 Block 7 of Cowan’s Addition and the West ½ of Lot 4, Block 7 of Cowan’s Addition from C-1 (Neighborhood Business District) zoning to C-3 (Highway Commercial District) zoning.

(Sonic Complex)
DATE: 7-17-2017

GENERAL INFORMATION:

CASE #: 3-6-2017

APPLICANT/STATUS OF APPLICANT: D.L. Rogers Corp., 1225 South Main Street, Suite 300, Grapevine, Texas, 76051 is the applicant for this re-zoning request. Email: scather@dlorogers.com. Phone number: 817-428-2077. The D.L. Rogers Corp. hereby states that it has a valid contractual interest in the here-in-listed properties as a holder of signed contracts to purchase the above listed real estate from their current owners. The re-zoning application was completed based on real property tax assessment records and the signed and notarized petition.

CURRENT ZONING/PROPOSED LAND USE: The subject property is zoned C-1 (Neighborhood Business District) zoning. C-1 zoning is intended for uses that provide convenience goods and services targeted for people residing in adjacent residential areas. This zoning district is designed to accommodate compact, freestanding commercial buildings and to function as a transition between more intense commercial uses, such as C-3 (Highway Commercial District) zoning.

The applicant has requested a re-zoning of the subject properties from C-1 to C-3. C-3 (Highway Commercial District) zoning is intended for business which provide essential commercial services and support activities of a community and/or regional significance that require high visibility and may impact in terms of noise, traffic glare, traffic congestion, etc. and may be considered incompatible with other office or smaller scale retail uses.

CURRENT AND FUTURE LAND USE: The current land use pattern is a mix of residential with a mix of older deteriorated/owner occupied and rental housing units. Only one lot on site is currently vacant. The D.L. Rogers Corp. is planning to build a new Sonic Drive-in restaurant complex with food service and several outdoor play areas for their customer's recreation interests. This project will, as currently proposed, significantly change the character of this area by eliminating the deteriorated/obsolete residential structures and replace them with a new commercial building.

PROJECT DESCRIPTION: The purpose of the proposed project will be to construct and operate an enhanced Sonic restaurant. The applicant’s re-zoning petition stated his intent to demolish the existing structures located on Lots 3, 5, & 6, Block 7 of Cowan’s Addition and the
West ½ of Lot 4, Block 7 of Cowan’s Addition. The project owner, D.L. Rogers Corp., has submitted a preliminary site plan that depicts the project design or layout. The site, excluding Faulkner Ave. right-of-way, consists of .88 acre or 34,397 square feet. The main drive-through building will be 1,817 sq. ft. not including a 256 sq. ft. detached storage building, landscaped areas, 57 parking spaces, a 1,500 sq. ft. play ground area, and a 2,250 sq. ft. volleyball court.

The applicant is also requesting the vacation of 186’ of Faulkner Avenue between 106 & 111 Faulkner Avenue. Said vacation is not a consideration for the rezoning and will require separate action.

**LOCATION OF RE-ZONING:** The Rezoning requests are for all of lots 3, 5, & 6 Block 7 of Cowan’s Addition, and the West ½ of lot 4 Cowan’s addition. Assessor’s Account Numbers for the subject property area starts at 7932, 7934, 7935, 7936, 7937 and ends with 7938. Account numbers may be used to identify the exact position of a given property.

**ENGINEER OF RECORD:** William Bowls, P.E. Professional Engineer, P.O. Box 125 Salem, Missouri 573-364-4155 (Bowles Aquarium) Phone # 573-953-9275.

**SURROUNDING ZONING/LAND USE:**

- North --- C-1/Residential/Commercial
- South --- C-1 & C-3/ Commercial
- East --- C-2/Vacant Commercial & Residential
- West --- C-3/Commercial

**FINDINGS:** The Rolla City Council may consider the following factors in their decisions to approve, approve with conditions deny or the re-zoning request:

1. **Neighborhood Character/Impact:** No negative impacts are expected as a result of the rezoning of this project. There are 5 older individual residential structures remaining in the neighborhood, most in need of investment. The removal of these structures will help upgrade the appearance of the area and offer an opportunity for economic growth. This is an older area in Rolla that has been long in need of re-development.

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 as being suitable for commercial land use.

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. *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 of vacant or underutilized parcels where infrastructure and public services are readily available...” The proposed 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 developer will be required to carry the cost of extending and relocating all utilities to the project area as a part of the subdivision approval and building permit process.

4. **Impact on Streets and Parking:** Vehicular access to the proposed Sonic complex site will rely primarily on access to U.S. Highway 63 to serve the traffic needs. The proposed Sonic complex development will generate additional traffic volume at the intersection of State Highway 72 and U.S. Highway 63. The Roger's Corp. (owner) will be required to provide off-street parking spaces of sufficient number to meet all planning needs and standards for customers/employees. The provision of on-site parking spaces on the Sonic complex is more than what is called for by regulation. The project developer will provide 22 drive-in parking stalls and 35 long term (non-stall) parking for a total of 57 paved spaces. The Public Works director has determined that the proposed project would not have an adverse impact on traffic flow or vehicle capacity.

While not specifically affected by the rezoning the ultimate desire to vacate a portion of Faulkner Ave. will have a minor impact on traffic flow around the property.

5. **Physical Characteristics:** No part of the property proposed for designation of Sonic Complex is located within an identified 100 year flood plain. The developer of the project will be responsible to provide a storm water improvement plan and an erosion control/sediment plan that would apply as construction is begun. Development of the type described in this report will not be adversely impacted by the existing slope.

6. **Suitable for Re-Zoning:** The subject property as described in this report is suitable for the proposed Sonic complex.

**PUBLIC COMMENT/ISSUES:** The proposed re-zoning was advertised in the RDN on June 27, 2017. Notice was sent to adjoining property owners within 185’. A public hearing was held before the Planning and Zoning Commission on July 11, 2017. City Council will conduct a public hearing and first reading on July 17, 2017. The final vote by the City Council will take place on August 7, 2017.

**ACTION REQUIRED:** Planning and Zoning Commission voted to recommend the proposed re-zoning. The vote was 7 votes in the affirmative, 0 against, and 0 abstained for a total of 7 votes.

**ATTACHMENTS:**

- Re-zoning request petition
- Zoning map
- Affidavit of publication
ORDINANCE NO. _______

AN ORDINANCE APPROVING THE REZONING OF ALL OF LOTS 3, 5, & 6 BLOCK 7 OF COWAN'S ADDITION AND THE WEST ½ OF LOT 4, BLOCK 7 OF COWAN'S ADDITION FROM C-1 (NEIGHBORHOOD BUSINESS DISTRICT) ZONING TO C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING. (Sonic Complex).

WHEREAS, an application for a rezoning was duly filed with the Community Development Department on June 9, 2017, by the property owner requesting a .88 acre tract be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri, so as to allow the rezoning of Lots 3, 4, 5, & 6 Block 7 of Cowan's Addition and the West ½ of Lot 4, Block 7 of Cowan's Addition to permit the construction and operation of an enhanced Sonic restaurant; and

WHEREAS, a public notice was published on June 27, 2017 in the Rolla Daily News for the rezoning of Lots 3, 4, 5, & 6 Block 7 of Cowan's Addition and the West ½ of Lot 4, Block 7 of Cowan's Addition according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on Tuesday, July 11, 2017 at 5:30 p.m. in the City Council Chambers to conduct a public hearing and the Rolla City Council met on Monday, July 17, 2017, at 6:30 p.m. to conduct a public hearing; and

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the Planning and Zoning Commission and City Council at said hearings by those citizens favoring the rezoning as described and by those citizens opposing said change, the Rolla City Council found the proposed rezoning would promote public health, safety, morals and the general welfare of the City of Rolla, Missouri, and would be for the best interest of said City;

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

Section 1: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the comprehensive plan is hereby amended by changing the zoning classification of certain property situated within the City of Rolla Missouri at Lots 3, 4, 5, & 6 Block 7 of Cowan's Addition and the West ½ of Lot 4, Block 7 of Cowan's Addition from C-1 (Neighborhood Business District) zoning to C-3 (Highway Commercial District) zoning.

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


APPROVED:

ATTEST:

Mayor

____________________________
City Clerk

APPROVED AS TO FORM:

____________________________
City Counselor

I. A. 4.
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:  D. L. Rogers Corp.  
Address:  1225 South Main, Suite 300 Grapevine, TX 76051  
Phone Number:  (817) 428-2077  
Email address:  acnther@dlrogers.com  
Address of subject property:  See attached Exhibit 1

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

Current zoning is:  G-1  
Proposed zoning is:  G-3

Current land use is:  See attached Exhibit 2  
Proposed land use is:  

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 Calkins  
Type or print name  
Signature

Type or print name  
Signature

Type or print name  
Signature

Subscribed and sworn before me this 9th day of June in the year 2017.

Jennifer Cathleen Bailey  
Notary Public  
Notary Public Seal  
State of Missouri County of Phelps  
My Commission Expires 01/01/2020  
Commission # 18795683

An Equal Opportunity Employer
Request to Rezone all of Lots 3, 5 & 6, Block 7 of Cowan's Addition and the West 1/2 of Lot 4, Block 7 of Cowan's Addition from C-1 (Neighborhood Business District) Zoning to C-3 (Highway Commercial District) Zoning (Sonic Complex)
On June 3, 2017 the City of Rolla Fire & Rescue provided personnel to assist the Summerfest Event held annually in downtown Rolla. As part of the assistance provided personnel are located on site to assist with basic first aid and life safety issues.

During the hotdog eating contest, Kent Summers of Rolla experienced a health emergency that was caused by a hotdog being lodged in his airway. Immediately, Dillon Barnes, Firefighter, City of Rolla Fire & Rescue and Dalton Hayes, Firefighter, Rolla Rural Fire Protection District provided life saving actions by at first providing the Heimlich Maneuver and after being unable to dislodge the object, they administered CPR. Through their quick action and trained skills, they administered CPR until the PCRMC ambulance arrived on the scene. Before the patient was loaded into the ambulance, the patient had regained his pulse and was loaded into the ambulance.

This was a team effort through the City of Rolla Fire & Rescue, Rolla Rural Fire Protection District, and PCRMC. Their actions saved Kent's life. I spoke with the Summers’ family on Friday and they indicated they were grateful for the quick actions and Kent has fully recovered.

For these reasons, it is my honor to award Dillon Barnes and Dalton Hayes the City of Rolla Fire & Rescue, LIFE SAVING AWARD.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis  ACTION REQUESTED: Final Reading

ITEM/SUBJECT: College Hills West Sewer District
Sewer Use Agreement

BUDGET APPROPRIATION (IF APPLICABLE)  DATE: 07/17/17

COMMENTARY: Attached is a proposed sewer use agreement for the College Hills West Sewer District. Also attached are new bylaws for the district which comply with current state statutes. In addition we have new boundaries established for the district which include all properties served and those we can potentially be served by the district. All of these items have been approved by both the College Hills West Sewer District and the Phelps County Commission.

This district has been receiving city sewer services since the mid 1980's. We have an agreement in place now which provides the district with treatment only. This new agreement proposes to make the district a full sewer use customer of the city. We would provide for the collection system, treatment and billing.

The following are the highlights of the new agreement:

- We will install new sewer and house connections and be reimbursed by the district. The estimated Total cost is $150,000. The district has approximately $50,000 in reserves and will pay the remaining $100,000 by charging home owners an approximate $3,000 per connection upon completion. The individual members will have the option of paying the $3,000 connection fee upon completion or over 10 years at an interest rate of 8%. Any new connections in the district will also pay the $3,000 connection fee.
- We will maintain the sewer mains and the house connections will be maintained by the home owners.
- We will provide billing services to the individual district members at 1.25 times the city resident user rate. The current rate is $323.46 per year. The estimated total revenue per year is approximately $13,343.

The attached Ordinance would authorize the Mayor to enter into the agreement and approve the new district bylaws and boundaries. Staff recommends approval.
ORDINANCE NO. ___________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, PHELPS COUNTY COMMISSION AND THE COLLEGE HILLS WEST SEWER DISTRICT.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a sewer use agreement between the City of Rolla, Missouri, Phelps County Commission and the College Hills West Sewer District, a copy of said agreement being attached hereto and marked Exhibit "A".

Section 2: The City Council of City of Rolla, Missouri hereby approves and acknowledges the sewer district as attached and marked Exhibit "B".

Section 3: The City Council of City of Rolla, Missouri hereby approves and acknowledges new district boundaries for the College Hills West Sewer District as attached and marked Exhibit "C".


APPROVED:

________________________
MAYOR

ATTEST:

________________________
CITY CLERK

APPROVED AS TO FORM:

________________________
CITY COUNSELOR
SEWER USE AGREEMENT

Date of Document: ____________________________

Grantor: College Hills West Sewer District

Grantee: City of Rolla

Mailing Address: P.O. Box 979, Rolla, MO 65402

Legal Description: College Hills West Sewer District

Reference Book and Page(s): ____________________________
SEWER USE AGREEMENT
by and between
COLLEGE HILLS WEST SEWER DISTRICT
and
THE CITY OF ROLLA
And
THE COMMISSIONERS OF PHELPS COUNTY

This Agreement is made and entered into on the ___day of_______, 2017 by and between the College Hills West Sewer District, Rolla, Missouri, hereinafter referred to as "District", the City of Rolla, hereinafter referred to as "City" and The Commissioners of Phelps County, Missouri, hereinafter referred as County.

WITNESSETH, That

WHEREAS, The Phelps County Commissioners desire to promote the public health and welfare of the citizens of Phelps County, Missouri, and;

WHEREAS, The Phelps County Commission established by Resolution on June 25, 1985 pursuant to Chapter 249, RSMo, a sewer district known as College Hills West Sewer District, and;

WHEREAS, Pursuant to Chapter 70, RSMo, political subdivisions shall have the power to cooperate and contract with governmental units, and;

WHEREAS, The College Hills West Sewer District intends to reimburse the City all costs and fees associated with the collection, transportation and treatment of the district’s sewerage;

NOW, THEREFORE, in consideration of each of the agreements contained herein, the parties agree as follows:

Definitions:
A. Laterals: The individual sewer line from the dwelling to the sewer main.
B. Ordinary and Customary restoration: lines will be covered with top soil, top soil will be seeded with grass and covered with straw.

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

   A. Sanitary Sewer Collection, Transportation and Treatment: City of Rolla Public Works Director/ City Engineer shall oversee the construction of all sewers and the treatment of district sewerage in accordance with all Federal, State and Local rules and regulations.

   1) The City shall install new sewer mains, manholes and laterals with cleanouts as shown on Exhibit “A”.

   2) The City shall maintain all new sewer mains, manholes and existing sewer interceptor to the district.

   3) The City shall provide treatment of the District’s sewerage.

   4) Upon installation, inspection and approval by the City of Rolla Public Works Director / City Engineer the sewer laterals to each sewer user in the District shall be subject to agreement and by laws of the district. The City shall have no further liability for laterals, and the District and individual owners shall hold City harmless.

   5) The City shall have the right to inspect the District’s collection and lateral lines at all times and to perform tests when necessary to evaluate the quantity or quality of wastewater being discharged into the City system. The City shall notify the District of any violations that need to be corrected and the District shall correct them within a reasonable time.

   6) The City shall have the right to require pretreatment of any users who discharge wastes that require special treatment prior to discharging into the City sewer system on the same manner and to the same extent that pretreatment requirements are imposed on users residing within the city.

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

   1) Prepare and maintain the necessary financial records of the District Board, including appropriate journals and ledgers, using generally accepted accounting principles.
2) Prepare financial statements (Balance Sheet and Statement of Revenues and Expenditures) and report to the District Board on the status of its financial position on a semi-annual basis, or as requested.

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

4) Maintenance and management of all necessary bank accounts.

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

6) Provide billing services to the District to each individual sewer user of the District for all applicable sewer user fees and charges as outlined in Section 8 of this Agreement.

C. Administrative Services: Qualified individuals shall be available at the request of the District Board and/or its employee to accomplish the following tasks:

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

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

3) Keep on file all minutes of the District Board meetings and all other pertinent documents for audit purposes.

4) Preparation of any desired correspondence and mailings.

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

D. Technology Services: Qualified individuals shall be available at the request of the District Board and/or its employees to accomplish tasks that are related to Information Technology.

2. **The County.**

A. The County shall approve all necessary rules and regulations for the proper management and conduct of the business of the District. Upon request of the
District, the County will levy and record as necessary special assessments against lots, tracts or parcels of ground in said District, and to issue special tax bills evidencing such assessment.

B. The County does hereby appoint the Director of Public Works/ City Engineer of the City as the sewer engineer for the District.

3. **The District.**

A. District shall supply the City with all needed information in order for the City to completely and thoroughly comply with the requirements of this agreement. District shall pay to City an amount equal to the actual salary and benefits of the District personnel, both full and part time, whose employment will be consistent with the rights and privileges of all City employees, except as otherwise provided by this agreement. The compensation provided in this paragraph shall be in addition to the consideration provided for in Section 8 of this agreement.

B. In the event of delinquent sewer user fees or assessments, the City shall notify the District, and the District shall issue special tax bills. Said tax bills shall be collected by the City and be applied to the delinquent sewer fees or assessments.

C. It shall be the District's responsibility to secure all necessary easements before City begins work.

D. Any additional restoration beyond ordinary and customary restoration is the responsibility of the District.

E. District shall maintain a general commercial liability insurance policy with a limit of at least one million dollars and name City as additional insured, the premiums of which will be paid by the funds collected by and under the control of City.

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

III A 7.
5. **Confidential Information.** City agrees that any information received by City and its employees and representatives during the term of this agreement, and at any time thereafter, will be treated by City in full confidence when so determined by District and in accordance with the MO Sunshine Law.

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

7. **Time of Performance.** City will provide the services described in this agreement for the period commencing **August 1, 2017** and will terminate on **December 31, 2027**, unless extended by Addendum. This agreement may be renewed every five (5) years subject to the mutual agreement of the parties in writing.

8. **Consideration.** The District agrees City shall be paid on a monthly basis, and City shall on behalf of the District bill for services to the individual users as follows:

   A. Sanitary Sewer Service shall be paid by the individual users in the District at a rate equal to the rate set by Chapter 35 of the Rolla City Code for basic user rate for non-metered residential Meters. Current rate is $323.46 Average Annual Cost or $26.96 per month. The City shall send bills on behalf of the district to the individual users.

   B. In addition a 5% of the monthly sewer use fee in lieu of franchise fee will be assessed monthly, which will be added to the bill of the individual users. Currently $1.35 per month

   C. In addition District shall pay the following amounts for indirect services (i.e. financial/accounting) to be billed on a monthly basis at 20% of the monthly sewer user fee which will be added to the bill of the individual users. Currently $5.40 per month.

   D. In addition to monthly sewer user fees a one-time assessment for construction of a new sanitary sewer collection system as shown on Exhibit “A”. This assessment is estimated to be at not to exceed $3,000.00 per single family user.
and not to exceed $1,500 per unit in multi-family dwellings. The final cost will be determined by the City of Rolla Public Works Director/City Engineer and approved by both Rolla City Council and The Board of Directors of the College Hills West Sewer District.

E. Any new Dwelling within the District boundaries shall be accessed a connection fee of $3,000.00 per single family user and $1500.00 per unit in Multi-Family Dwellings.

F. District users will have the option of paying the assessment in 10 annual payments at 8% interest as shown on the sample payment schedule on Exhibit “B”.

9. **Termination of Agreement.** This agreement will terminate on December 31, 2027, unless extended by Addendum hereto as provided in Section 7; however, City or District may terminate this contract without cause by giving the other party not less than one hundred eighty (180) days written notice thereof. In the event of termination prior to completion of the project, District shall pay the cost of services rendered by City and expenses incurred in the performance of this agreement to the effective date of termination.

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

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

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

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

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

15. **Notices.** All notices, requests, demands or other communications provided for herein shall be in writing and shall be deemed to have been given when sent by registered or certified mail, with return receipt requested, addressed, as the case may be to City at City Hall, P. O. Box 979, Rolla, Missouri 65402; and to College Hills West Sewer District Board of Directors at PO Box 979, Rolla, Missouri 65402; or to such address as any party shall designate to the other from time to time, and for billing purposes as described in Section 8, to be sent directly to individual users at their residence address.

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

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

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

**COLLEGE HILLS WEST SEWER DISTRICT**

**CITY OF ROLLA, MO**

<table>
<thead>
<tr>
<th>Chairman</th>
<th>Mayor</th>
</tr>
</thead>
</table>

| Attest | Attest |

_III. A. 10._
PHELPS COUNTY COMMISSION

Presiding Commissioner

Attest
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis  ACTION REQUESTED: Resolution
ITEM/SUBJECT: Complete Streets Policy
BUDGET APPROPRIATION (IF APPLICABLE)  DATE: 07/17/17

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

COMMENTARY:

In August 2015 we began the process of adopting a complete streets policy for the City of Rolla. Alta Planning and Design was retained to assist in the development of a policy custom fit to the needs of the Rolla community.

During the latter parts of 2015 and early 2016 meetings were held with a Technical Advisory Committee (TAC). This was a diverse group of individuals representing a "cross section" of the community were chosen. They included representatives from the city council, special needs advocates, business leaders, senior design students from S&T, construction industry professionals, pedestrian advocates, S&T student council representatives, state employees, elderly and disabled advocates, health and fitness supporters, champions for school aged children and cycling enthusiasts.

The first TAC meeting was held in October of 2015. Members discussed priorities, needs, goals and items for incorporation into the strategy. Cases studies were chosen that emulated the type of program TAC members felt would most benefit our community. From these, a draft policy and resolution were developed to be reviewed in the second meeting held in January of 2016. This was followed up by a staff workshop in March of 2016. From this a final draft of the policy was developed and is included in your packet.

Formal action was put on hold until after the Move Rolla Transportation District was established and the funds fronted from the Street Fund were reimbursed. A portion of these reimbursed funds were to be use to purchase a new traffic striper capable of striping 20 plus miles of centerlines throughout the city.

Attached is a proposed resolution and draft of our departments Complete Streets Policy. We are recommending that the City Council take formal action in the way of a Resolution establishing a Complete Streets Policy for the City of Rolla

Staff recommends approval of this resolution.
RESOLUTION NO. ____________

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A COMPLETE STREETS POLICY FOR THE CITY OF ROLLA, MISSOURI.

WHEREAS, providing safe and efficient transportation that provides mobility choices for all users of the roadways, all modes, all ages and abilities will connect the community and improve the quality of life for Rolla citizens; and

WHEREAS, planning for future growth that integrates sidewalks, bicycle facilities, transit amenities, and safe crossings will protect environmental resources and maintain quality public services at affordable costs by avoiding expensive retrofits; and

WHEREAS, streets are a critical component of public space and critical to the success and vitality of the city, its neighborhoods, and businesses; and

WHEREAS, Complete Streets include improving access and mobility for all users of the streets in the community by improving safety, reducing conflict, and encouraging non-motorized transportation and transit; and

WHEREAS, providing transportation choices that include walking, bicycling and transit supports active living and improve the environment and community health; and

WHEREAS, the City of Rolla supports the National Complete Streets Coalition’s documented ten (10) elements of a successful complete streets policy, and looks forward to implementing those elements in its normal operations of the City:

NATIONAL COMPLETE STREETS COALITION’S TEN ELEMENTS OF A SUCCESSFUL COMPLETE STREET POLICY:

1. Vision and intent
2. All users and modes
3. All projects and phases
4. Clear, accountable exceptions
5. Network
6. Network
7. Design
8. Context sensitivity
9. Performance measures
10. Implementation steps

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

Section 1: That the City of Rolla hereby adopts a Complete Streets policy, to design, build, operate, and maintain a safe, reliable, efficient, integrated and interconnected transportation network that will provide access, safety, and mobility for all users.


APPROVED:

______________________________
MAYOR

ATTEST:

______________________________
CITY CLERK

APPROVED AS TO FORM:

______________________________
CITY COUNSELOR

III B 2.
CITY OF ROLLA
DEPARTMENT OF PUBLIC WORKS
COMPLETE STREETS POLICY
JULY 2017

GUIDING PRINCIPLES:

The Public Works Department will consider the following principles in design of all projects:

1. Accessibility and ease of use
   a. Projects should maintain or improve the usability of the transportation network.
2. Economy
   a. All projects should be economically feasible and worthwhile.
3. Connectivity
   a. Projects should improve mobility for road users.
4. Aesthetics
   a. All projects shall maintain or improve the visual appeal of the City wherever possible.
5. Environment
   a. No project shall cause harm to the environmental health of the City.
6. Safety
   a. Projects should ensure the safety of all road users regardless of age, background, or mode.

KEY FIELDS:

The Public Works Department will pursue Complete Streets through improvements in five categories:

1. Education
   a. The City will improve safety and reduce conflict by educating all road users to interact safely and courteously through design strategies or programs such as youth bike clubs, riding classes, press releases, etc.
   b. The City will train pertinent city staff and decision-makers on the technical aspects of Complete Streets principles.
2. Enforcement
   a. All projects, regardless of funding source, and all private or public developments shall adhere to the Complete Street Policy.
3. Encouragement
   a. The City will encourage citizens and visitors to travel
4. Evaluation
   a. The City will evaluate Complete Streets implementation, track progress and modify recommendations and actions as needed.
   b. The City will establish standards that will measure the effectiveness of the overall transportation system.
5. Engineering
   a. The City will use the latest design guidance, standards, and recommendations available in the implementation of Complete Streets.
   b. The City shall design and operate an efficient, convenient, and safe multi-modal transportation network.

TOP PRIORITIES
The City will prioritize projects that address urgent, critical problems, such as:

1. Maintain existing street pavements
2. Remove sidewalk trip hazards
3. Connect missing links in the sidewalk network
4. Achieve ADA compliance
5. Develop a Street Bicycle Route Network
6. Expand the Multi-Use Path Network

VISION:
The City of Rolla, Missouri will provide a safe and efficient transportation system that provides mobility choices for all users, modes, ages, and abilities, connects the community, and improves the quality of life for all citizens by:

- Accommodating all users, all ages, and skill levels in the community (everyone from 8 years old to 80+ years old)
- Planning for future growth that protects environmental resources and maintains quality public services at affordable costs
- Creating and implementing a practical bicycle and pedestrian infrastructure system that connects public spaces and provides access to transit services
- Including active recreation and active transportation opportunities for journeys to work, school and key destinations in the community
- Using public engagement and outreach to provide citizens and decision-makers with appropriate information about Complete Streets, the benefits of Complete Streets, and the benefits of an active community
- Providing for all transportation projects guidelines, policies, and processes that will improve infrastructure efficiently creating access and mobility for all users and reducing costs to the community and its residents
- Expanding and enhancing the Parks Department trails to provide connections to city parks from neighborhoods and to the overall transportation system
- Providing access and mobility options to Missouri S&T Campus and identifying parking needs for all users including bicyclists
- Incorporating Complete Streets into all departments, processes, plans, and codes including, but not limited to the City’s Comprehensive Plan, zoning code, traffic code, land development policies, Sidewalk Network Improvement Plan, On Street Bicycle Network Plan, Multiuse Trail Network Plan, 10-Year ADA Compliance Plan for Public Right of Way, etc.
ELEMENTS/GOALS:

1. Application to all Users and Modes

Goal: The City will enhance the existing active transportation system for all users including: pedestrians (including persons with mobility aids), bicyclists, transit users, persons with disabilities, youth, seniors, scooter riders, motorcyclists, private motorists, commercial vehicle drivers, freight providers, emergency responders, transit operators, and adjacent land uses.

   a. Objective: Provide greater safety for pedestrians and bicyclists of all levels of ability, and safer interaction between motorized and non-motorized modes of transportation, through facility and program design, development, and implementation.
   
   b. Objective: Implement a signage program to promote awareness of the system as a travel choice for residents and visitors.
   
   c. Objective: Enhance the existing City online map and hard copy trip planner to include bicycle parking, route length, and rules.
   
   d. Objective: Promote non-automobile transportation options and create efficient connections between destinations and integration with motorized modes of travel through education, encouragement, and enforcement programming.
   
   e. Objective: Ensure that the transportation needs are met for all populations, especially for the youth, the elderly, the mobility impaired, and the economically disadvantaged through public outreach.
   
   f. Objective: Provide maps, directional signage, and information about the active transportation system at transportation hubs and key transportation stops.

2. Application to all Projects and Phases of Projects

Goal: The city will improve transportation network connectivity in the City of Rolla, Missouri through Complete Street design in all new development, all redevelopment projects, all maintenance projects, and all reconstruction projects in an affordable, balanced, responsible, and equitable way that accommodates and encourages travel by motorists, bicyclists, public transit users, and pedestrians.

For the City of Rolla, Missouri, Complete Streets may be achieved through single projects or incrementally through a series of improvement projects over time.

   a. Objective: Transportation improvements will include facilities and amenities that are recognized as contributing to a Complete Streets network, and may include: street/sidewalk lighting, sidewalks/pedestrian safety improvements such as crosswalks and midblock crossings, accessibility improvements as per the Americans with Disabilities Act (ADA), transit accommodations including transit stops/bus shelters, bicycle accommodations including bicycle parking, bicycle routes, bicycle shared-use lanes, bicycle lanes, bicycle trails, cycletracks, and street trees, landscaping, and street furniture.
b. Objective: Provide a detailed checklist for transportation project development, maintenance and land development that will provide the street elements that are necessary for the implementation of the City of Rolla’s Complete Streets Policy.

c. Objective: Privately constructed streets and parking lots shall adhere to this policy and every transportation improvement and project will be treated as an opportunity to create safer, more accessible streets for all users. This will include, but not be limited to: planning, programming, design, right of way acquisition, construction, construction engineering, reconstruction, operation and maintenance.

3. Creation of a Complete and Connected Networks

Goal: The City will provide an efficient and convenient multi-modal transportation network throughout the City of Rolla for all modes of transportation that is designed and operated to enable appropriate and safe access for all users.

a. Objective: Maximize transportation system efficiency by creating a network of multi-modal street patterns that encourages safe pedestrian, bicycle, and vehicular travel, and ensures connectivity.

b. Objective: Develop cooperative strategies with employers and businesses to reduce congestion and increase the efficiency of the transportation system.

c. Objective: Provide an interconnected transportation network by improving communication and cooperation between City departments and government agencies, transportation agencies, law enforcement, public schools, emergency services and transportation users.

d. Objective: Provide bicycle and pedestrian connections that connect neighborhoods and residential areas with key destinations and land uses that enhance the economic and business health of the community.

e. Objective: Prioritize implementation projects that will close gaps in the transportation system with street design that includes all relevant users and uses using objective evaluation criteria.

4. Design Criteria will allow for Implementation of the Complete Streets Policy

Goal: The City will utilize the latest design guidance, standards, and recommendations available in the implementation of Complete Streets.

a. Objective: The City will utilize the Small Town and Rural Multimodal Networks guide as the formal guidance for development projects.

b. Objective: The City will use the current version of the Manual of Uniform Traffic Control Devices (MUTCD), for signal, signing and striping operations.

c. Objective: The City will utilize the current version of the American Association of State Highway and Transportation Officials (AASHTO) Bicycle and Pedestrian guides for the development of bicycle and pedestrian projects.

d. The City may also use the National Association of City Transportation Officials (NACTO) Street and Bikeway Design guides for guidance in development projects.
e. Objective: Use design to enhance and support expansion of services for active modes of transportation including, but not limited to transit, walking and bicycling, through increased funding and cooperative regional planning.

f. Objective: Ensure the design of projects promotes health and enhances the economic benefits of walking and bicycling as practical modes of transportation.

g. Objective: Design projects so that they assure the protection of local and regional investments in transportation and assure proper maintenance and improvements of the facilities over time.

h. Objective: Establish a detailed set of design guidelines for transportation system safety, user comfort, and maintenance.

i. Objective: Include pedestrian lighting, connections through parking lots, short-term and long-term bicycle parking located near building entrances, and consideration of strong aesthetics in core or high-activity areas of town.

j. Objective: In addition to infrastructure recommendations, provide programmatic elements such as wayfinding, kiosks, public art, and events such as open streets, walking tours, street festivals, and public markets.

5. **Clear and Accountable Exemptions** to this policy shall only be granted when:
   
a. The project is occurring on a roadway where non-motorized use is prohibited by law; or

b. The cost for a particular Complete Streets project would be excessive compared to the need, public health benefit, safety improvement and probable use of that particular street; or

c. There is absence of use by all, except motorized road-users, that would continue in the future even if the street were a Complete Street; or

d. An alternate facility has been previously programmed at that location; or

e. A legal and/or regulatory impediment or constraint exists.

Bicycle, pedestrian, and transit facilities shall be included in new street construction, reconstruction, and other transportation improvement projects, except under one or more of the following conditions.

a. A project involves only ordinary maintenance activities designed to keep assets in serviceable condition, such as mowing, cleaning, sweeping, patching, joint repair, crack-filling, or pothole filling, or when interim measures are implemented on temporary detour or haul routes;

b. There is insufficient space to safely accommodate new facilities, as determined by the Department of Public Works and City Council;

c. Locations determined by the Department of Public Works and City Council to have relatively high safety risks;

d. Where the City Council exempts a project due to the excessive and disproportionate cost of establishing a bikeway, walkway or transit enhancement as part of a project;
e. Where jointly determined by the Department of Public Works and City Council that the construction is not practically feasible or cost effective because of significant or adverse environmental impacts to streams, floodplains, remnants of native vegetation, wetlands, steep slopes or other critical areas, or due to impacts on neighbor boring land uses, including impact from right-of-way acquisition.

6. Application across Jurisdictions

Goal: The City will provide an interconnected transportation network by improving communication and cooperation between City departments and government agencies, transportation agencies, law enforcement, public schools, emergency services, neighborhood and service organizations, and transportation system users.

a. All transportation infrastructure, street design, and construction projects requiring funding or approval by the City of Rolla shall adhere to the City of Rolla’s Complete Street Policy.

b. Projects funded by the County, State, or Federal government shall adhere to the City of Rolla’s Complete Street Policy.

c. Private development and related street design and construction shall adhere to the City of Rolla’s Complete Street Policy.

d. To the extent possible, state-owned streets shall comply with the City of Rolla’s Complete Street Policy, subject to and as may be modified by MoDOT guidelines and standards.

7. Application of Complete Streets will be Context Sensitive

Goal: The City will consider the neighborhood and business district character, land use, environmental, economic, and health context as well as the benefits and costs for city projects, community development and all projects associated with the transportation network that impacts City streets.

a. Objective: The City of Rolla will take a flexible, innovative, and balanced approach to creating context sensitive Complete Streets that meet or exceed national best-practice design guidelines.

b. Objective: Conserve natural resources and reduce the rate of energy consumption.

c. Objective: Identify and protect environmentally sensitive areas early in the planning process.

d. Objective: Modify the transportation system to reduce the pollutants in highway runoff and the vehicle emissions, in accordance with federal, state and local clean air and water legislation.

e. Objective: Develop and implement a transportation system that supports the reduction of greenhouse gases and carbon production and is coordinated with related local plans.

f. Objective: Develop a process to create transportation network designs that support and enhance the economic viability of the community and its businesses.
g. Objective: Develop design criteria that consider such issues as street width, street
design/cross-sections, desired operating speed, mode balance, connectivity, and the
needs of all users.

8. City of Rolla Complete Street Performance Measures

Goal: The City will measure performance and report to the City Council results of carrying out
strategies for Complete Street Strategy and Projects.

a. Objective: Evaluate Complete Streets program implementation on an annual basis, track
progress against goals, and modify recommendations and actions in accordance with
changes in development patterns or resources as needed.

b. Objective: Establish performance standards that will measure the effectiveness of the
area’s overall transportation system in supporting access to goods, services, activities,
and destinations.

c. Objective: Establish a process to track and measure performance standards and report
on transportation impacts on the public health, natural environment, cultural resources,
and social systems including but not limited to:

   i. Total miles of on-street bikeways implemented
   ii. Linear feet of new or renovated sidewalk and trails implemented
   iii. Number of ADA accommodations built
       1. Curb ramp replacement to current best practice.
       2. Addition of countdown pedestrian signals with audible tones.
       3. Addition of pedestrian push buttons placed according to current best
          practices.
   iv. Crosswalks and mid-block crossings built using current best practices for signing,
       markings and signalization (if necessary).
   v. Number of approved exemptions to this policy
   vi. Miles of new roadway built
   vii. Miles of roadway renovated
   viii. Number of intersection improvements including complete streets design
   ix. Vehicles miles traveled
   x. Number of trips by mode including walking, bicycling, transit, and driving
   xi. Total crashes
   xii. Roadway fatalities
   xiii. Transit ridership
   xiv. Air quality (future measure)
   xv. Water quality (future measure)

d. Objective: Improve the ability to identify high conflict and crash locations, and evaluate
their impacts in City Maintenance and/or Capital Improvement Program project
prioritization.

Goal: The City will create an implementation plan that meets the vision and goals of the City of Rolla Complete Streets Policy.

a. Objective: Create a Complete Streets Committee that includes representatives from all city departments/divisions and relevant city boards/committees that will be charged with development of an implementation plan and schedule that will review and revise all procedures, plans, regulations, and processes of implementation and will perform an annual review.

b. Objective: secure training for pertinent city staff and decision-makers on the technical aspects of Complete Streets principles and best practice, as well as providing for community engagement and education on Complete Streets.

c. Objective: Identify and recommend land use patterns, parking requirements, and development policies that increase overall mobility, which improve and support compact, mixed-use, bikeable and walkable development and connections to rural routes and areas, and that support local economic development.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis   ACTION REQUESTED: 1st & Final Readings

ITEM/SUBJECT: MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION SUPPLEMENTAL AGREEMENT TO AIRPORT AID AGREEMENT

BUDGET APPROPRIATION (IF APPLICABLE)   DATE: 07/17/17

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

COMMENTARY:

The attached ordinance authorizes the Mayor to execute an amendment for a business plan for the Rolla National Airport.

The amendment extends the project schedule to the end of December of 2017.

Staff recommends approval.
ORDINANCE NO. ____________

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AIRPORT AID AGREEMENT AMENDMENT FOR BUSINESS PLAN DEVELOPMENT PROJECT AIR 166-056A BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a certain Airport Agreement Amendment for Business Plan Development Project AIR 166-056A between the City of Rolla, Missouri and the Missouri Highways and Transportation Commission, a copy of said agreement being attached hereto and marked Exhibit A.

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


APPROVED:

________________________________________
MAYOR

ATTEST:

________________________________________
CITY CLERK

APPROVED AS TO FORM:

________________________________________
CITY COUNSELOR

IV. A.2.
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
SUPPLEMENTAL AGREEMENT TO AIRPORT AID AGREEMENT

THIS AGREEMENT AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Rolla (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Airport Aid Agreement executed by Sponsor on March 10, 2016, and executed by the Commission on March 17, 2016 (hereinafter, "Original Agreement") under which the Commission granted the sum of Forty-Eight Thousand Two Hundred Forty-Two Dollars ($48,242) to the Sponsor to assist in Business Plan Development; and

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PROJECT TIME PERIOD: Based upon the revised project schedule, the original project time period of December 31, 2016, will be extended to December 31, 2017, to allow for completion of the work. Paragraph (4) of the Original Agreement is hereby amended accordingly.

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Supplemental Agreement, the Original Agreement between the parties shall remain in full force and effect and the unaltered terms of the Original Agreement shall extend and apply to this Supplemental Agreement.

[Remainder of Page is Intentionally Left Blank.]
IN WITNESS WHEREOF, the parties have entered into and accepted this Agreement on the last date written below.

Executed by the Sponsor this ___ day of ________________, 20__.

Executed by the Commission this ___ day of ________________, 20__.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

Title _____________________________

Attest: _____________________________

Secretary to the Commission

Approved as to Form:

_______________________________

Commission Counsel

CITY OF ROLLA

By _____________________________

Title _____________________________

Attest: _____________________________

By _____________________________

Title _____________________________

Approved as to Form:

_______________________________

Title _____________________________

Ordinance No. ___________________________
(if applicable)
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis                      ACTION REQUESTED: 1st Reading

ITEM/SUBJECT: 11th Street – No Parking

BUDGET APPROPRIATION (IF APPLICABLE)                  DATE: 07/17/17

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

COMMENTARY:

This ordinance removes parking on the south side of 11th Street and a portion along the north side from Spring to 63.

We received a request from Shawn More, area manager for Jimmy John’s to remove parking on one side of 11th Street. The restaurant has only one access and it is on 11th Street. In addition, Infuze Credit Union will be opening their new facilities on this block of 11th Street this summer. We consulted the credit union on the proposed parking restrictions and they concurred with the proposal to remove parking as shown on the attached exhibit.

Staff recommends approval of the ordinance.

ITEM NO.  IV  B. 1
Section 27-92 Parking Prohibited
On certain streets or parts of streets.

Eleventh Street, on the north side, from a point one hundred twenty-five feet east of the intersection of Eleventh Street and Spring Avenue to a point two hundred sixty feet east of the intersection of Eleventh Street and Spring Avenue.

Eleventh Street, on the south side, between Bishop Avenue (U.S. Highway 63) and Spring Avenue.
ORDINANCE NO. ________

AN ORDINANCE AMENDING SECTION 27-92 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS 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 Section 27-92 of the Code of the City of Rolla, Missouri, pertaining to parking is hereby amended by adding the following:

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.

Eleventh Street, on the north side, from a point one hundred twenty-five feet east of the intersection of Eleventh Street and Spring Avenue to a point two hundred sixty feet east of the intersection of Eleventh Street and Spring Avenue.

Section 2: That the following segment of Section 27-92 of the Code of the City of Rolla, Missouri, pertaining to parking is hereby repealed:

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.

Eleventh Street, on the south side, from a point sixty-five feet west of the intersection of Eleventh Street and Bishop Avenue (U.S. Highway 63) to the intersection of Eleventh Street and Bishop Avenue (U.S. Highway 63).

Section 3: That the following segment of Section 27-92 of the Code of the City of Rolla, Missouri, pertaining to parking is hereby 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.

Eleventh Street, on the south side, between Bishop Avenue (U.S. Highway 63) and Spring Avenue.

IV. B.3.
Section 4: That this ordinance shall be in full force and effect from and after the date of its passage and approval.


APPROVED:

______________________
MAYOR

ATTEST:

______________________
CITY CLERK

APPROVED AS TO FORM:

______________________
CITY COUNSELOR
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  ACTION REQUESTED: First Reading

ITEM/SUBJECT: Request to vacate Faulkner Ave. between 106 and 111 Faulkner Ave. Subject to final plat approval.

               (Sonic Complex)
               DATE: 7-17-2017

GENERAL INFORMATION:

CASE #: 3-6-2017

APPLICANT/STATUS OF APPLICANT: D.L. Rogers Corp., 1225 South Main Street, Suite 300, Grapevine, Texas, 76051 is the applicant for this request. Email: scather@dilrogers.com. Phone number: 817-428-2077. The D.L. Rogers Corp. hereby states that it has a valid contractual interest in the here-in-listed properties as a holder of signed contracts to purchase the above listed real estate from their current owners.

LOCATION: The location of the right-of-way to be vacated is shown of the attached map.

PURPOSE: The elimination of Faulkner Ave. to provide development space is a necessary planning component.

ENGINEER OF RECORD: William Bowls, P.E. Professional Engineer, P.O. Box 125 Salem, Missouri 573-364-4155 (Bowles Aquarium) Phone # 573-953-9275.

FINDINGS: The closing of a 186’ portion of Faulkner Avenue will have a limited impact on traffic flow in the area. Faulkner Ave. carries little traffic but does serve several homes in and around the area of the proposed Sonic Restaurant (currently runs from Black St. to Hwy 72). Closing of Faulkner Ave. has been reviewed by Police, Fire and Environmental Services. Access to all remaining properties can still be reasonably served by both fire and trash service.

PUBLIC COMMENT/ISSUES: There were a few issues raised by the Development Review Committee members concerning the placement of utilities, easement, and the corresponding fees. All valid issues but the details of same will need to be addressed in the subdivision platting process (and the project finalized) before the vacating of this portion of Faulkner Ave. will take place.

A public hearing was held before the Planning and Zoning Commission on July 11, 2017. City Council will conduct a public hearing and first reading on July 17, 2017. The final vote by the City Council will take place on August 7, 2017 subject to subdivision approval.
**COMMISSION REVIEW AND RECOMMENDATION:** It is the recommendation of the Planning and Zoning Commission that the City Council should approve the vacation of the right-of-way as requested by the applicant.

**ACTION REQUIRED:** Planning and Zoning Commission voted to recommend the proposed re-zoning. The vote was 6 votes in the affirmative, 1 against, and 0 abstained for a total of 7 votes.
ORDINANCE NO. ________

AN ORDINANCE APPROVING THE VACATION OF FAULKNER AVE. BETWEEN 106 AND 111 FAULKNER AVE. SUBJECT TO FINAL PLAT APPROVAL. (Sonic Complex)

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

Section 1: The location of the right-of-way to be vacated is shown on the attached map. The section of Faulkner Ave. proposed for vacation runs a distance of 186 feet between 106 and 111 Faulkner Ave.

Section 2: Said vacation will not take effect until a subdivision plat that addresses all utility easements is approved. No building permits will be issued until all platting issues, easements, and utility relocations are addressed.

Section 3: That this Ordinance shall be in full force and effect after its passage and approval.


APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor

IV. C. 3.
APPLICATION FOR REZONING OF REAL ESTATE

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

Rolla, MO 65401

Applicant’s Name: D. L. Rogers Corp.
Address: 1225 South Main, Suite 300 Grapevine, TX 76051
Phone Number: (817) 428-2077
E-mail address: scatter@dlrogers.com
Address of subject property:

See attached Exhibit 1

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

Current zoning is: C-1
Proposed zoning is: C-3
Current land use is: See attached Exhibit 2
Proposed land use is:

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 Calkins
Type or print name
Signature

Type or print name
Signature

Type or print name
Signature

Subscribed and sworn before me this 9th day of June in the year 201

Jennifer Cathleen Bailey
Notary Public

Notary Public

An Equal Opportunity Employer
Request to Vacate a portion of Faulkner Avenue that runs parallel with Lots 4, 5 & 6, Block 7 of Cowan's Addition.
(Sonic Complex)

Location Map

Area of Interest

Zoning Classification

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

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Motion

ITEM/SUBJECT: Meriweather Court
Asphalt Change Order

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 07/17/17

COMMENTARY:

Over the weekend of July 8th-9th a water line failed and ultimately undermined approximately 400 feet of Meriweather Court east of White Columns Drive. The base of the street was severely compromised and the pavement was removed to effect repairs.

The estimated cost of the pavement is $24,909.59. We have an existing contract with Pierce Asphalt for $229,974.75. We are seeking authorization to change order this asphalt for the repair to the contract. $24,909.59 exceeds ten percent of the original contract amount and requires council approval.

The road has been regraded and RMU is in the process of replacing the water main for the entire section of road under repair. When the water line is complete we will direct the contractor to complete the paving.

Staff requests authorization to add as a change order $24,909.59 to Project #440 – 2017 Phase I Asphalt Improvements with Pierce Asphalt, LLC.