Open Citizen Comment Procedure
1) Public Hearings – Any citizen is allowed to ask questions and/or make comments during any public hearing scheduled for a particular issue.
2) “Citizen Communication” – Public comment can be provided on any item on the agenda or on issues affecting the City not on the agenda. Public comments should generally be limited to 3-5 minutes. Citizens are encouraged (but not required) to contact City Administration one week prior to the meeting, preferably in writing, to be placed on the agenda. Doing so provides Council an opportunity to give consideration to the issue/comment.

AGENDA OF THE ROLLA CITY COUNCIL
Monday, February 5, 2018; 6:30 P.M.
City Hall Council Chambers
901 North Elm Street

PRESIDING: MAYOR LOUIS J. MAGDITS, IV

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

COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE

I. CONSENT AGENDA
A) Consider Approval of the City Council Minutes of:
   1) City Council Meeting – January 2, 2018
   2) City Council Meeting – January 16, 2018

II. PUBLIC HEARINGS
None.

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS
A) Library Building Project – Library Board Chairman Jim Marcellus
B) Brewer Science Update – Doyle Edwards and Alan Gerson

IV. REPORT OF MAYOR and COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS
A) Environmental Services Department Monthly Report – December 2017
B) Police Department Monthly Report – December 2017
C) Animal Control Division Monthly Report – December 2017 & Year End Report
D) The Centre Financial Analysis – December 2017
E) Parks Department Financial Analysis – December 2017
F) Park Advisory Commission Meeting Minutes – November 29, 2017
G) Building Codes Monthly Report – December 2017
H) Unapproved Planning & Zoning Commission Meeting Minutes – January 9, 2018
I) Rolla Municipal Utilities Monthly Report – December 2017
J) Rolla Board of Public Works Meeting Minutes – December 19, 2017
K) Municipal Court Monthly Report – December 2017
V. OLD BUSINESS
   A) Ordinance Enhancing Public Notification Requirements for Land Use Action Proposals – (City Planner James Shields) – First Reading
   B) Ordinance Authorizing the Mayor to Enter into a Sewer Use Agreement with Kenneth L. Light – (City Planner James Shields) – Final Reading
   C) Ordinance Approving the Subdivision of 901 Oaklane Drive into Two Lots (Oaklane South) - (City Planner James Shields) – Final Reading
   D) Ordinance Amending the Planning and Zoning Code Pertaining to Height Regulations - (City Planner James Shields) – Final Reading

VI. NEW BUSINESS
   A) Motion Closing Out of Terla, Inc. (Brewer Science) Chapter 100 Project (2002-2017) – (City Administrator John Butz) - Motion
   B) Ordinance Enacting a Bicycle Pedestrian Advisory Committee – (Public Works Director Steve Hargis) – Discussion/First Reading
   C) Ordinance Authorizing the Mayor to Enter into an Agreement with the Missouri Department of Transportation Pertaining to Grants – (Police Chief Sean Fagan) – First Reading (Final Reading Requested)
   D) Resolution Authorizing the Mayor to Execute an Application for the Water Conservation Fund Program for Buehler Park Renovation – (Parks & Recreation Director Floyd Jernigan) – Motion

VII. CLAIMS and/or FISCAL TRANSACTIONS
   A) Motion Awarding Bid for Two Park Mowers – (Parks & Recreation Director Floyd Jernigan) – Motion
   B) Motion Awarding Bid for Kimmel Field Outfield Fence – (Parks & Recreation Director Floyd Jernigan) – Motion
   C) Motion Authorizing the Installation of Certain Crosswalk Rapid Flash Beacons – (Public Works Director Steve Hargis) - Motion

VIII. CITIZEN COMMUNICATION
   A) Open Citizen Communication

IX. MAYOR/CITY COUNCIL COMMENTS

X. COMMENTS FOR THE GOOD OF THE ORDER

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

XII. ADJOURNMENT
I. CONSENT AGENDA

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

(A) Approval of the Rolla City Council Minutes for the following:
1) City Council Meeting – December 4, 2017
2) City Council Closed Session Meeting – December 4, 2017
3) City Council Meeting – December 18, 2017

II. PUBLIC HEARINGS
None.

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS
None.
IV. REPORT OF MAYOR and COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS

Mayor Magdits referred the Council to (A) the November 2017, Environmental Services Department Monthly Report; (B) the November 2017, Police Department Monthly Report; (C) the November 2017, Animal Control Division Monthly Report; (D) the November 2017, Centre Financial Analysis; (E) the November 2017 Parks Financial Analysis; (F) the November 2017 Building Codes Monthly Report; (G) the December 12, 2017, Planning and Zoning Commission Meeting Minutes; (H) the December 26, 2017, Development Review Committee Meeting Minutes; (I) the November 2017, Rolla Municipal Utilities Monthly Report; (J) The November 28, 2017, Rolla Board of Public Works Meeting Minutes, and; (K) the November 2017, Municipal Court Monthly Report.

V. OLD BUSINESS

(A) Motion Approving Memorandum of Agreement – Sustainable Ozarks Partnership (SOP): City Administrator John Butz explained the SOP (Sustainable Ozarks Partnership) has been around for several years and the City has been an active member of that effort. He told the Council the effort is a four-county region made up of businesses, county officials, and economic developers to shore up the support of Fort Leonard Wood. Mr. Butz stated that staff is proposing the subject Memorandum of Agreement, included in the agenda packet, which is for a total of $12,000 per year for three years, subject to what the hospital decides. The $12,000 consists of $1,000 from Phelps for the Fort, $4,000 from Rolla Regional Economic Commission (RREC), and $7,000 from the City.

Mr. Kevin Greven, Chair of Phelps for the Fort, entertained questions from the Council.

City Administrator John Butz summarized the proposed Council amendments to the subject Memorandum of Agreement as follow: Section 4 – language would be added that would reference the contributions for the three years by RREC and Phelps for the Fort at $4,000. Section 5(i) would be clarified to include an annual presentation before the City Council including outlining efforts and measurables.

A motion was made by Morris and seconded by Long to approve the subject Memorandum of Agreement as amended. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.
V. OLD BUSINESS (continued)

(B) Ordinance Rezoning 0.69-Acre Tract Located 470 Feet West of Oaklane Drive & South Bishop Ave. Intersection (Chen): City Planner James Shields explained the subject request is to rezone a 0.69-acre tract from C-2 (General Retail District) to R-3 (Multi-Family District). He said the property is located at the intersection of Oaklane Drive and South Bishop Avenue, south of Wal-Mart and is owned by Chen's Estate Management, LLC. Mr. Shields noted the construction of two, five unit buildings are proposed for this site. He reported the Planning and Zoning Commission unanimously voted to deny the rezoning request. Mr. Shields stated the traffic study had not been presented to the Commission. Additionally, the applicant has since agreed to add five more parking spots on each parcel, making 30 parking spots.

Following discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4393: AN ORDINANCE TO APPROVE THE REZONING OF THE 0.69-ACRE TRACT OF LAND THAT IS LOCATED IN ROLLA, MISSOURI AND IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR'S ACCOUNT NUMBERS OF 10668 AND 10668.01 FROM THE GENERAL RETAIL DISTRICT (C-2) TO THE MULTI-FAMILY DISTRICT (R-3). (CHEN) A motion was made by Schott and seconded by Morris to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Woolley, Miller, Hines, Jung, Long, Morris, Crowell, and Schott. Nays: Bowe, Williams, and Meusch. Absent: Jordan. Motion carried. The ordinance passed.

(C) Ordinance Consolidating 206 and 208 E. 12th Street and 207 and 209 E. 11th Street (Sigma Pi Addition): City Planner James Shields informed the Council the four parcels known as 206 and 208 E. 12th Street and 207 and 209 E. 11th Street, are proposed to be consolidated into one parcel through the subdivision process. Alpha Iota Building Association owns all lots and the subject parcels are located within the Multi-Family Zoning District (R-3). Mr. Shields noted the applicant plans to construct a new twenty-four bedroom fraternity house on the subject property.

City Counselor Carolyn Buschjost read the following proposed ordinance for its final reading, by title. ORDINANCE NO. 4394: AN ORDINANCE TO APPROVE THE CONSOLIDATION OF THE FOUR PARCELS THAT ARE KNOWN AS 206 AND 208 EAST 12TH STREET AND 207 AND 209 EAST 11TH STREET INTO ONE PARCEL THROUGH THE RESUBDIVISION PROCESS. (SIGMA PI ADDITION).
V. OLD BUSINESS (continued)

(C) Ordinance Consolidating 206 and 208 E. 12th Street and 207 and 209 E. 11th Street (Sigma Pi Addition) (continued): A motion was made by Long and seconded by Schott to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Crowell, Schott, Jung, Hines, Miller, Bowe, Williams, Meusch, Long, Morris, and Woolley. Nays; None. Absent; Jordan. Motion carried. The ordinance passed.

VI. NEW BUSINESS

(A) Motion Authorizing the Mayor to Execute a “Release of Easement” (DW&MM Properties/RCP Subdivision): City Planner James Shields reported the subject property is located at 2409 North Bishop Avenue. He recalled the Council recently approved a lot reconfiguration at this location called the RCP Subdivision. Mr. Shields asked the Council to consider authorizing the Mayor to execute a “Release of Easement” which would release the last nineteen feet of the utility easement, as described in Exhibit A of the subject release. Mr. Shields said Rolla Municipal Utilities has indicated they are no longer in need of the subject utility easement. A motion was made by Williams and seconded by Morris to authorize the Mayor to execute the subject “Release of Easement.” A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Resolution Authorizing the Mayor to Enter into a Contract Agreement with Playscape Recreation, LLC, for Green Acres Park Playground Structure: Parks and Recreation Director Floyd Jernigan recalled that during the December 18, 2017, Council meeting, the Council approved the bid for the new playground structure for the Green Acres Park. He asked the Council to consider authorizing the Mayor to enter into a contract with Playscape Recreation, LLC for this project. The City Counselor and City Administration have reviewed the contract.

After discussion, City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1916: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CONTRACT AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND PLAYSCAPE RECREATION, LLC, FOR GREEN ACRES PLAYGROUND, PROJECT 070-580-3.
VI. NEW BUSINESS (continued)

(B) Resolution Authorizing the Mayor to Enter into a Contract Agreement with Playscape Recreation, LLC, for Green Acres Park Playground Structure (continued): A motion was made by Long and seconded by Schott to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Generator Bid: Police Chief Sean Fagan noted bids were received for a generator for the Police Department. He explained the current generator is only 50 KW and only powers the Communications Division. The proposed generator is 200 KW and will power the entire Police Department building. Chief Fagan indicated staff is recommending the bid be awarded to Oakley Services, Okawville, Illinois for $101,342.02 less trade in of $1,350.00 for a total price of $99,992.02.

City Administrator John Butz added the Phelps County Emergency Services Board has agreed to front this investment and will pay one-half the cost of the generator. The City will reimburse the balance over a three-year period. The actual impact on the City's budget will be $15,600 a year for three years. A motion was made by Williams and seconded by Long to award the bid for the 200 KW emergency power generator system with automatic transfer switch to Oakley Services, Okawville, Illinois for $99,992.02. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Resolution Authorizing the Purchase of Tasers: Police Chief Sean Fagan explained that while shopping for Tasers, a program was discovered through Axon Enterprise, Inc., that if a five-year contract were signed with them, they would provide 16 new Tasers and unlimited cartridges. The Tasers will be fully warranted for five years. Chief Fagan pointed out the cost for this program is virtually the same that it has been annually costing.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1917: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CONTRACT WITH AXON ENTERPRISE, INC. FOR THE PURCHASE OF SIXTEEN (16) TASERS OVER A FIVE (5) YEAR
VII. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Resolution Authorizing the Purchase of Tasers (continued): PERIOD, after approval of the contract by legal. A motion was made by Williams and seconded by Morris to approve the resolution, as amended. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

VIII. CITIZEN COMMUNICATION

(A) Open Citizen Communication: Mayor Magdits opened the floor to any citizen wishing to address the Council. No one present responded.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Reappointing Ms. Susan Wrassman to the Parks Advisory Commission: A motion was made by Long and seconded by Crowell to reappoint Ms. Susan Wrassman to the Parks Advisory Commission until June 2020. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion Appointing Parkland Dedication Policy Committee: Mayor Magdits indicated Councilmen David Schott and Don Morris have volunteered to serve on the Parkland Dedication Policy Committee. He said staff is waiting on a couple of citizens to consider serving. Additionally, Mayor Magdits said the Parks Advisory Committee would like to talk among themselves during their meeting at the end of the month before appointing their representative. A motion was made by Long and seconded by Crowell to approve the Parkland Dedication Policy Committee and to proceed as the members are chosen. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(C) Motion Reappointing Ms. Amy Koenig to the Library Board (2nd Term, May 2020): A motion was made by Long and seconded by Schott to reappoint Ms. Amy Koenig to the Library Board. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

X. COMMENTS FOR THE GOOD OF THE ORDER
None.
XI. CLOSED SESSION

None.

XII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:46 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK  MAYOR
ROLLA CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 16, 2018; 6:30 P.M.
ROLLA CITY HALL COUNCIL CHAMBERS
901 NORTH ELM STREET

Presiding: Mayor Louis J. Magdits, IV

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

Council Members Absent: None.

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

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

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

I. PUBLIC HEARINGS
None.

II. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Centre/Parks Annual Report: Parks and Recreation Director Floyd Jernigan provided an overview of The Centre’s Fiscal Year 2017 annual report. He mentioned the complete report is available for review on the City’s website. Following his presentation, Mr. Jernigan entertained questions and comments from the Council.

III. OLD BUSINESS
None.
IV. NEW BUSINESS

(A) Ordinance Approving the Consolidation of Lots 1 & 2, Block 4, Cowan's Addition into One Lot (Meyer): City Planner James Shields noted the subject parcels are located on the west side of Rolla, approximately fifteen feet west of the intersection of North Spilman Avenue and Highway 63. Meyer Rentals, LLC, is the applicant and the proposed land use is for a mini storage facility. Mr. Shields indicated the newly consolidated lot would be about 0.5 acres in size and have a frontage of about 136 feet. He reported the Planning and Zoning Commission unanimously recommends approval of the subject consolidation. Mr. Shields also pointed out the applicant has requested the Council consider the final reading of the subject ordinance at this meeting so construction can begin as soon as possible.

City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE NO. 4395: AN ORDINANCE TO APPROVE THE CONSOLIDATION OF LOT 1 AND LOT 2 OF BLOCK 4 OF COWAN'S ADDITION INTO ONE LOT THROUGH THE RESUBDIVISION PROCESS. (MEYER). A motion was made by Williams and seconded by Morris to suspend the rules and that the ordinance be read for its final reading, by title. A voice vote on the motion showed nine ayes, three nays, and zero absent. Motion carried. Ms. Buschjost then read the proposed ordinance for its final reading, by title. A motion was made by Williams and seconded by Long to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Morris, Woolley, Miller, Williams, Hines, Jung, Meusch, Jordan, Bowe, Crowell, Schott, and Long. Nays; None. Absent; None. Motion carried. The ordinance passed.

(B) Ordinance Approving the Subdivision of 901 Oaklane Drive into Two Lots (Oaklane South): City Planner James Shields stated the subject request from Chen's Estate Management, LLC, is to subdivide the parcel known as 901 Oaklane Drive into two lots. The subject parcels are located on the west side of Rolla about 470 west of the intersection of Oaklane Drive and South Bishop Avenue. Mr. Shields explained the lot split is occurring in order for the City to recognize a line that was created through the recording of a deed at the county level. He indicated the lot split is requested in order to construct a fiveplex on each parcel. Mr. Shields reported the Planning and Zoning Commission unanimously recommends approval of this request.
IV. NEW BUSINESS (continued)

(B) Ordinance Approving the Subdivision of 901 Oaklane Drive into Two Lots (Oaklane South) (continued): City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO SUBDIVIDE THE PARCEL KNOWN AS 901 OAKLANE DRIVE INTO TWO LOTS THROUGH THE RESUBDIVISION PROCESS. (OAKLANE SOUTH)

(C) Ordinance Authorizing the Mayor to Enter into a Sewer Use Agreement with Kenneth L. Light: City Planner James Shields pointed out the subject property is located on the east side of Rolla about 500 feet northeast of the intersection of Lovers Lane and Kensington Parkway. Mr. Kenneth Light owns the property and he is preparing to build a single-family residence. In order to enter into a sewer use agreement with the City, Mr. Shields said the applicant must submit a petition for annexation. The Public Works Department and the applicant have requested the Council approve the sewer use agreement and put aside the annexation petition until a future date. Mr. Shields reported the Planning and Zoning Commission unanimously recommends approval of the sewer use agreement.

After discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN SEWER USE AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND KENNETH L. LIGHT.

City Administrator John Butz indicated that before the Council officially considers approval of the subject agreement, subsection “j” would be amended by outlining the water frontage pro-rata share, so it is understood upfront by both parties.

(D) Ordinance Amending the Planning and Zoning Code Pertaining to Height Regulations: City Planner James Shields explained the height regulations adjustments request is part of a comprehensive analysis of Rolla’s bulk, area, and height requirements that are applied to zoning districts. He said the proposal is to adjust how heights are calculated or determined. Mr. Shields reported the Planning and Zoning Commission recommend approval of the subject ordinance.
IV. NEW BUSINESS (continued)

(D) Ordinance Amending the Planning and Zoning Code Pertaining to Height Regulations (continued): Interim Community Development Director Steve Flowers added the subject regulations are more of a streamlined way of measuring building heights and it is more in line with what the building codes recognize as a true story.

After a lengthy discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING CHAPTER 42 OF THE ROLLA CITY CODE, ARTICLE III, KNOWN AS THE PLANNING AND ZONING CODE, BY DELETING AND ADDING DEFINITIONS, REGULATIONS, AND OTHER PROVISIONS.

(E) Discussion Regarding Enhancement of Public Notification Requirements for Land Use Action Proposals: City Planner James Shields recalled that a couple of meetings ago the Council discussed enhancing public notification methods. At the request of the Council, the Community Development Department with the guidance of the City Administrator has formulated enhanced public notification procedures for pending land use action proposals. Mr. Shields continued by providing an overview of the proposed notification methods and costs. After much discussion, the Council’s consensus was to authorize staff to draft a proposed ordinance.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for One, 10 Cubic-Yard Packer Truck: Environmental Services Director Brady Wilson indicated bids were obtained for a small compactor truck, which would be used in recycling collections. He mentioned this is a scheduled replacement and a budgeted expense. Mr. Wilson referred the Council to the tabulations of the bids received. He stated staff is recommending the bid be accepted for the lowest priced truck that meets specifications which is a Freightliner with a Pak-Mor body from Downing Sales, Phillipsburg, Missouri, for $116,762. A motion was made by Williams and seconded by Long to award the subject bid to Downing Sales, Phillipsburg, Missouri for a 2019 Freightliner with Pak-More body for $116,762. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(B) Motion Awarding Financial Advisor Services for Sewer Capital Improvements: Finance Director Steffanie Rogers recalled that during the budget process staff was authorized to pursue underwriting or financial advisory services for the Sewer Treatment
V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(B) Motion Awarding Financial Advisor Services for Sewer Capital Improvements (continued): Plant improvements, which are approximately $25 million. She indicated five proposals were received and staff is recommending the financial advisory services be awarded to PiperJaffray because they have a larger amount of DNR (Department of Natural Resources) and SRF (State Revolving Fund) experience. Ms. Rogers said PiperJaffray would further recommend the financial mechanisms that would provide the City the flexibility and savings. A motion was made by Williams and seconded by Meusch to award financial advisor services to PiperJaffray. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(C) Resolution Revising FY 2017 Budget: Finance Director Steffanie Rogers explained that as part of the year end budget process it is necessary to make sure budgeted expenditures do not exceed actual expenditures. She asked the Council to consider approval of the subject resolution which would authorize necessary revisions to the fiscal year 2017 budget.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1918: A RESOLUTION AUTHORIZING BUDGET ADJUSTMENTS FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016, AND APPROPRIATING FUNDS PURSUANT THERETO. A motion was made by Williams and seconded by Long to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(D) Motion Transferring Funds from the Parks and Recreation Sales Tax Account to Cover the Recreation Operating Deficit: Finance Director Steffanie Rogers asked the Council to consider authorizing the transfer of funds from the sales tax account to cover the projected operating deficit and capital expenditures in the Recreation Operating account. A motion was made by Jordan and seconded by Long to authorize the transfer of $318,000 from the sales tax account to cover the estimated operating deficit and capital expenditures for fiscal year 2016-2017. A voice vote on the motion showed eleven ayes, one nay, and zero absent. Motion carried.
VI. MAYOR/CITY COUNCIL COMMENTS

(A) Fiscal Sustainability Committee Discussion: Mayor Magdits recalled a couple of meetings ago, a few Council members inquired about the process to enact a use tax for internet sales. He referred the Council to the Rolla 2020 Fiscal Advisory Committee information in the agenda materials, which was formed in 2008 to evaluate the overall financial condition of the City and to explore new or reorganized revenue sources to ensure long-term growth and development of the City. Mayor Magdits said the Committee gave the City a chance to have expertise from the community provide a very good objective assessment to the City’s needs and concerns and forced the City to prioritize. A committee that would work on these things could flush through the context issues and come back with some recommendations. Before proceeding, Mayor Magdits asked the Council if this is something they would want and, more importantly, would endorse. Based on the discussion, Mayor Magdits indicated staff would draft an outline for the proposed Rolla 2030 Fiscal Advisory Committee for Council’s review. Additionally, a workshop on a use tax would be held following the April 2018 election.

VII. CITIZEN COMMUNICATION

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

Ms. Charlotte Wiggins, 1001 Bluebird Lane (Ward V), thanked the Council for finally looking at the public involvement practices that are on the books for the City. While looking at some changes and additions, she suggested looking at some of the history Rolla has had with some of the “not so well done” public involvement. Ms. Wiggins said the Highway 72 TIF (Tax Increment Financing) project might be a good one to look at and to play out that scenario with the new proposed public involvement issues and see if it would have come out with a better result than it did and what improvements the new changes might have made. A more recent project to review was the one affecting her neighborhood. Ms. Wiggins said these are two good examples you can look at and compare. Ms. Wiggins encouraged the Council to not just look at land issues, but service issues. She pointed out there is a lot to be gained by being more transparent and open.

No one else present addressed the Council.
VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) University of Missouri Extension Council Election (Jan. 22-26 – online ballot@www.extension.missouri.edu/phelps): City Administrator John Butz noted the University of Missouri Extension would be holding its election from January 22 – 26, 2018. He pointed out it can be done online at the above-listed site. Mr. Butz encouraged residents to participate in the election.

IX. CLOSED SESSION

None.

X. ADJOURNMENT

Having no further business, the meeting adjourned at 8:25 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK MAYOR

JANUARY 16, 2018
### DECEMBER MATERIALS COLLECTED & SHIPPED
**FROM RECYCLING CENTER**
*(Based on Calendar Year)*

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<td>0.0 ton</td>
<td>0.0 ton</td>
<td>0.0 ton</td>
<td>3.6 ton</td>
<td>5.0 ton</td>
<td>5.0 ton</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>212.4 ton</td>
<td>272.7 ton</td>
<td>185.5 ton</td>
<td>2,963.5 ton</td>
<td>2,928.2 ton</td>
<td>2,928.2 ton</td>
</tr>
</tbody>
</table>

### SERVICES PROVIDED

<table>
<thead>
<tr>
<th>Type of Service</th>
<th>Dec 2017</th>
<th>Nov 2017</th>
<th>Dec 2016</th>
<th>Year-to-Date 2017</th>
<th>Year-to-Date 2016</th>
<th>Yearly Total 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Pick-ups</td>
<td>64</td>
<td>78</td>
<td>60</td>
<td>759</td>
<td>813</td>
<td>813</td>
</tr>
<tr>
<td>Paper Shredding</td>
<td>5.0 hours</td>
<td>13.0 hours</td>
<td>3.5 hours</td>
<td>97.5 hours</td>
<td>89.0 hours</td>
<td>89.0 hours</td>
</tr>
<tr>
<td>Reported Trash Nuisances</td>
<td>46</td>
<td>54</td>
<td>54</td>
<td>510</td>
<td>601</td>
<td>601</td>
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<tr>
<td>Households Dropping Off</td>
<td>79</td>
<td>108</td>
<td>112</td>
<td>1064</td>
<td>1125</td>
<td>1125</td>
</tr>
<tr>
<td>Hazardous Waste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### DISPOSAL TONNAGE
*(Sanitation Division)*

<table>
<thead>
<tr>
<th>Material</th>
<th>Dec 2017</th>
<th>Nov 2017</th>
<th>Dec 2016</th>
<th>Year-to-Date 2017</th>
<th>Year-to-Date 2016</th>
<th>Yearly Total 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refuse</td>
<td>1,278.8 ton</td>
<td>1,378.2 ton</td>
<td>1,380.1 ton</td>
<td>17,357.1 ton</td>
<td>16,429.9 ton</td>
<td>16,429.9 ton</td>
</tr>
</tbody>
</table>
### December 2017

#### Part I Crimes

<table>
<thead>
<tr>
<th>Year</th>
<th>Criminal</th>
<th>Rape</th>
<th>Robbery</th>
<th>Felony Assault</th>
<th>Burglary</th>
<th>Larceny</th>
<th>Auto Theft</th>
<th>Arson</th>
<th>Total Part I Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2017</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>This Month</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homicide</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>9</td>
<td>48</td>
<td>4</td>
<td>1</td>
<td>68</td>
</tr>
<tr>
<td>Year to Date</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>20</td>
<td>14</td>
<td>81</td>
<td>114</td>
<td>594</td>
<td>32</td>
<td>4</td>
<td>859</td>
</tr>
</tbody>
</table>

| **2016**      |          |      |         |                |          |         |            |       |                   |
| This Month    |          |      |         |                |          |         |            |       |                   |
| Homicide     | 0        | 0    | 0       | 1              | 4        | 46      | 3          | 0     | 54                |
| Year to Date |          |      |         |                |          |         |            |       |                   |
|              | 2        | 10   | 8       | 62             | 111      | 493     | 33         | 3     | 722               |

| **2015**      |          |      |         |                |          |         |            |       |                   |
| This Month    |          |      |         |                |          |         |            |       |                   |
| Homicide     | 1        | 1    | 1       | 7              | 7        | 49      | 1          | 0     | 67                |
| Year to Date |          |      |         |                |          |         |            |       |                   |
|              | 2        | 17   | 10      | 83             | 81       | 583     | 29         | 0     | 805               |
## ANIMAL CONTROL MONTHLY TOTALS

### December 2017

#### ANIMALS IMPOUNDED

<table>
<thead>
<tr>
<th></th>
<th>Canine</th>
<th>Feline</th>
<th>Other</th>
<th>Wildlife</th>
<th>Monthly</th>
<th>2017 YTD</th>
<th>2016 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Rolla</td>
<td>28</td>
<td>2</td>
<td>0</td>
<td>7</td>
<td>37</td>
<td>686</td>
<td>734</td>
</tr>
<tr>
<td>Rolla Area</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>31</td>
<td>36</td>
</tr>
<tr>
<td>City of Newburg</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Newburg Area</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Edgar Springs Area</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Agencies</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>St. James Area</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Ft. Leonard Wood</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Monthly Total</td>
<td>29</td>
<td>3</td>
<td>0</td>
<td>7</td>
<td>39</td>
<td></td>
<td></td>
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</table>

#### 2017 YTD Total

<table>
<thead>
<tr>
<th></th>
<th>336</th>
<th>172</th>
<th>0</th>
<th>220</th>
<th></th>
<th>728</th>
<th></th>
</tr>
</thead>
</table>

#### 2016 YTD Total

|                | 425    | 184    | 2     | 173     |        | 784      |          |

#### Total Phelps County

|                | 1      | 1      | 0     | 0       | 2      | 36       | 45       |

#### ANIMAL DISPOSITION

<table>
<thead>
<tr>
<th></th>
<th>Canine</th>
<th>Feline</th>
<th>Other</th>
<th>Wildlife</th>
<th>Monthly</th>
<th>2017 YTD</th>
<th>2016 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animals Adopted</td>
<td>15</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>201</td>
<td>240</td>
</tr>
<tr>
<td>Animals Claimed</td>
<td>17</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>17</td>
<td>179</td>
<td>222</td>
</tr>
<tr>
<td>Euthanized(Ill/Injured)</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>23</td>
<td>41</td>
</tr>
<tr>
<td>Euthanized(Dangerous)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>43</td>
<td>32</td>
</tr>
<tr>
<td>Euthanized(Un-Placed)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Deceased on Arrival</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>7</td>
<td>8</td>
<td>134</td>
<td>92</td>
</tr>
<tr>
<td>Transferred to Rescue</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>40</td>
<td>45</td>
</tr>
<tr>
<td>Wildlife Relocated</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>105</td>
<td>105</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
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<td>34</td>
<td>6</td>
<td>0</td>
<td>7</td>
<td>47</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 2017 YTD Total

|                | 340    | 170    | 0     | 219     |        | 729      |          |

#### 2016 YTD Total

|                | 417    | 183    | 1     | 195     |        | 796      |          |

#### ADDITIONAL STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>Monthly</th>
<th>2017 YTD Total</th>
<th>2016 YTD Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adoption Rate (1 + Σ) / (1 + Σ + Σ)</td>
<td>100.00%</td>
<td>100.00%</td>
<td>98.63%</td>
</tr>
<tr>
<td>PR Programs</td>
<td>10</td>
<td>39</td>
<td>13</td>
</tr>
<tr>
<td>Calls for Service</td>
<td>250</td>
<td>2,882</td>
<td>2,475</td>
</tr>
<tr>
<td>Written Warnings</td>
<td>3</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>Citations</td>
<td>10</td>
<td>40</td>
<td>45</td>
</tr>
<tr>
<td>Total Incinerator Hours</td>
<td>60</td>
<td>785</td>
<td>699.5</td>
</tr>
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</table>
### ANIMAL CONTROL MONTHLY TOTALS
#### END OF YEAR REPORT FOR 2017

#### ANIMALS IMPOUNDED

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canine Feline</td>
<td>Domestic</td>
<td>Wildlife</td>
<td>EOYTotal</td>
</tr>
<tr>
<td>City of Rolla</td>
<td>302</td>
<td>164</td>
<td>0</td>
</tr>
<tr>
<td>Rolla Area</td>
<td>24</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>City of Newburg</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Newburg Area</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Edgar Springs</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Agencies</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>St. James Area</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ft. Leonard Wood</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>2017 EOY Total</strong></td>
<td><strong>336</strong></td>
<td><strong>172</strong></td>
<td><strong>0</strong></td>
</tr>
<tr>
<td><strong>2016 EOY Total</strong></td>
<td><strong>425</strong></td>
<td><strong>185</strong></td>
<td><strong>2</strong></td>
</tr>
<tr>
<td><strong>2015 EOY Total</strong></td>
<td><strong>378</strong></td>
<td><strong>239</strong></td>
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</table>

Total Phelps County: 31 8 0 0 39 45 66

#### ANIMAL DISPOSITION

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canine Feline</td>
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<td>Wildlife</td>
<td>EOYTotal</td>
</tr>
<tr>
<td>Animals Adopted</td>
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<td>63</td>
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</tr>
<tr>
<td>Animals Claimed</td>
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<tr>
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<td>11</td>
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<td>0</td>
</tr>
<tr>
<td>Euthanized Dangerous</td>
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<td>37</td>
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</tr>
<tr>
<td>Euthanized Un-Placed</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Deceased on Arrival</td>
<td>5</td>
<td>23</td>
<td>0</td>
</tr>
<tr>
<td>Transferred to Rescue</td>
<td>15</td>
<td>25</td>
<td>0</td>
</tr>
<tr>
<td>Wildlife Relocated</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td><strong>2017 EOY Total</strong></td>
<td><strong>362</strong></td>
<td><strong>159</strong></td>
<td><strong>0</strong></td>
</tr>
<tr>
<td><strong>2016 EOY Total</strong></td>
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<td><strong>250</strong></td>
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#### ADDITIONAL STATISTICS

<table>
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<th>2016</th>
<th>2015</th>
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</thead>
<tbody>
<tr>
<td>Adoption Rate (1+3)/(1+2+3)</td>
<td>100.00%</td>
<td>98.63%</td>
<td>95.20%</td>
</tr>
<tr>
<td>PR Programs</td>
<td>39</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>Calls for Service</td>
<td>2,282</td>
<td>2,475</td>
<td>2,224</td>
</tr>
<tr>
<td>Written Warnings</td>
<td>8</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Citations</td>
<td>40</td>
<td>45</td>
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</tr>
<tr>
<td>Total Incinerator Hours</td>
<td>785</td>
<td>699.5</td>
<td>578</td>
</tr>
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</table>

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*V.C.A.*
### THE CENTRE FINANCIAL ANALYSIS UNAUDITED

#### DESCRIPTION

<table>
<thead>
<tr>
<th>GUEST SERVICES</th>
<th>October-16</th>
<th>October-17</th>
<th>November-16</th>
<th>November-17</th>
<th>December-16</th>
<th>December-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reimbursements/donations</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Passes</td>
<td>45,709.92</td>
<td>45,944.60</td>
<td>54,165.76</td>
<td>47,563.76</td>
<td>57,304.84</td>
<td>41,687.59</td>
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<td>614.50</td>
<td>310.00</td>
<td>824.00</td>
<td>988.00</td>
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<td>Retail</td>
<td>-</td>
<td>251.40</td>
<td>637.90</td>
<td>-</td>
<td>-</td>
<td>292.40</td>
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<td>Rentals</td>
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<td>867.50</td>
<td>1,950.00</td>
<td>1,308.00</td>
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<tr>
<td>Meals</td>
<td>1,375.00</td>
<td>645.10</td>
<td>1,606.05</td>
<td>1,280.00</td>
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<td>-</td>
<td>3,500.00</td>
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<td>850.00</td>
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<td>Expenses</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
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<td>7,537.41</td>
<td>10,329.30</td>
<td>7,800.36</td>
<td>10,105.51</td>
<td>8,620.90</td>
</tr>
<tr>
<td>Supplies</td>
<td>1,136.42</td>
<td>324.62</td>
<td>1,060.14</td>
<td>1,276.52</td>
<td>1,238.67</td>
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<td>Services</td>
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<td>820.80</td>
<td>721.91</td>
<td>670.00</td>
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<tr>
<td>Maintenance</td>
<td>105.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Total Expenses</td>
<td>9,217.86</td>
<td>8,113.43</td>
<td>12,200.24</td>
<td>9,878.31</td>
<td>12,398.49</td>
<td>8,068.68</td>
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<tr>
<td>Guest Services Revenue over Expenses</td>
<td>44,068.21</td>
<td>43,822.22</td>
<td>47,434.92</td>
<td>49,545.30</td>
<td>56,573.98</td>
<td>37,382.70</td>
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</table>

#### RECREATION

<table>
<thead>
<tr>
<th>Recreation Programs</th>
<th>October-16</th>
<th>October-17</th>
<th>November-16</th>
<th>November-17</th>
<th>December-16</th>
<th>December-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>7,538.65</td>
<td>8,022.75</td>
<td>6,053.00</td>
<td>7,527.30</td>
<td>4,982.00</td>
<td>4,077.14</td>
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<tr>
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<td>7,538.65</td>
<td>8,022.75</td>
<td>6,053.00</td>
<td>7,527.30</td>
<td>4,982.00</td>
<td>4,077.14</td>
</tr>
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#### AQUATICS

<table>
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<th>Aquatic Programs</th>
<th>October-16</th>
<th>October-17</th>
<th>November-16</th>
<th>November-17</th>
<th>December-16</th>
<th>December-17</th>
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<tbody>
<tr>
<td>Revenue</td>
<td>3,178.25</td>
<td>6,015.00</td>
<td>1,415.00</td>
<td>5,001.20</td>
<td>2,084.63</td>
<td>4,555.95</td>
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<tr>
<td>Total Revenue</td>
<td>3,178.25</td>
<td>6,015.00</td>
<td>1,415.00</td>
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<td>2,084.63</td>
<td>4,555.95</td>
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#### FITNESS

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<th>November-17</th>
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<tbody>
<tr>
<td>Revenue</td>
<td>10,681.00</td>
<td>5,010.00</td>
<td>11,323.50</td>
<td>9,522.00</td>
<td>12,147.20</td>
<td>4,773.85</td>
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<tr>
<td>Total Revenue</td>
<td>10,681.00</td>
<td>5,010.00</td>
<td>11,323.50</td>
<td>9,522.00</td>
<td>12,147.20</td>
<td>4,773.85</td>
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</table>

#### EXPENSES

- Personnel
- Supplies
- Services
- Maintenance
- Total Expenses
- Aquatic Revenue over Expenses
- Fitness Revenue over Expenses

**PREVIOUS YTD** | **CURRENT YTD** | **FY-17 BUDGET**
---|---|---
- | - | -
- | - | -
- | - | -
- | - | -
- | - | -
- | - | -

**BALANCE TO BUDGET**

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**October-16**

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**October-17**

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**November-16**

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**November-17**

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**December-16**

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<tr>
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**December-17**

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<table>
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### Lease Project Review

**Vehicles**

<table>
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<tr>
<th>Project</th>
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<th>Expenses</th>
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**Building & Grounds**

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<tr>
<th>Project</th>
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<th>Expenses</th>
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<tbody>
<tr>
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**Description**

The Centre Financial Analysis Unaudited

**Revenue**

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<tr>
<th>Month</th>
<th>Revenues</th>
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</thead>
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<tr>
<td>October 46</td>
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<tr>
<td>October 11</td>
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</tr>
<tr>
<td>November 16</td>
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**Total Revenue**

<table>
<thead>
<tr>
<th></th>
<th>$675,00</th>
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<tbody>
<tr>
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<td>$675,00</td>
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**Expenses**

<table>
<thead>
<tr>
<th>Personnel</th>
<th>Supplies</th>
<th>Services</th>
<th>Maintenance</th>
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<tbody>
<tr>
<td>$7,239.90</td>
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**Total Expenses**

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<tr>
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**Maintenance**

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<tr>
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**Operating Revenue**

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<tr>
<th></th>
<th>$15,731,37</th>
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**Operating Expenses**

<table>
<thead>
<tr>
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**Operating Revenue Over Expenses**

<table>
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**Other Revenues**

<table>
<thead>
<tr>
<th>Sales Tax</th>
<th>Reimbursement/Donations</th>
<th>Interest Income</th>
<th>Miscellaneous</th>
<th>Sale of Property</th>
<th>Contribution to General Fund</th>
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<tbody>
<tr>
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**Capital Expenditures**

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<tr>
<th>Equipment</th>
<th>Lease Purchases</th>
<th>Vehicles</th>
<th>Building &amp; Grounds</th>
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<tr>
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**Total Capital Expenditures**

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**Total Revenue Over Expenses**

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<tr>
<th></th>
<th>$15,731.37</th>
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**Balance to Budget**

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<tr>
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<th>$213,384.99</th>
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**Notes:**

- Revenue and expenses have been adjusted for proper analysis.
- Balances to budget reflect total revenue and expenses for the period.
- Additional details can be found in the financial analysis report for the period ending October 16, 2016.
## PARK FINANCIAL ANALYSIS UNAUDITED

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>October-16</th>
<th>October-17</th>
<th>November-16</th>
<th>November-17</th>
<th>December-16</th>
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<td><strong>Revenue</strong></td>
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<tr>
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<td><strong>Total Revenue</strong></td>
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<tr>
<td><strong>Expenses</strong></td>
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<td>7,762.41</td>
<td>9,035.75</td>
<td>9,582.17</td>
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<tr>
<td><strong>Administration Revenue over Expenses</strong></td>
<td>(5,333.76)</td>
<td>(9,762.79)</td>
<td>(6,815.00)</td>
<td>(7,762.41)</td>
<td>(9,035.75)</td>
<td>(9,582.17)</td>
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<tr>
<td><strong>Revenue</strong></td>
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<td>Reimburse/Donation</td>
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<td><strong>Total Revenue</strong></td>
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<td>(2,565.47)</td>
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<td><strong>Total Revenue</strong></td>
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<td>(4,209.97)</td>
<td>(6,066.03)</td>
<td>(10,194.27)</td>
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<td>(12,061.07)</td>
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<tr>
<td><strong>Splashzone Revenue over Expenses</strong></td>
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<td>(4,114.63)</td>
<td>(4,719.47)</td>
<td>(1,489.28)</td>
<td>(2,420.56)</td>
<td>(1,491.06)</td>
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</tbody>
</table>

### Description
- **Administration**
- **Revenue**
- Reimbursements/donations
- Sale of Property
- **Total Revenue**
- **Expenses**
- Personnel
- Supplies
- Services
- Maintenance
- **Total Expenses**
- Administration Revenue over Expenses
- **Maintenance**
- Reimburse/Donation
- Rental
- Misc
- Miscellaneous
- **Total Maintenance**
- Maintenance Revenue over Expenses
- **Parks**
- Revenue
- Charges for Services
- Cemetery Burial Fees
- Reimburse/Donation
- Reimburse/Donation/Programs
- **Total Parks Revenue**
- **Expenses**
- Personnel
- Supplies
- Services
- Maintenance
- **Total Expenses**
- Parks Revenue over Expenses
- **Splashzone**
- Revenue
- Reimburse/Donations/Programs
- Sale
- Passes
- Rental
- Misc
- Concessions
- **Total Splashzone Revenue**
- **Expenses**
- Personnel
- Supplies
- Services
- Maintenance
- **Total Expenses**
- Splashzone Revenue over Expenses

---

Page 1 of 2

Finance dept 1/1/2018
### Description

#### Outdoor Recreation

<table>
<thead>
<tr>
<th>Description</th>
<th>October-16</th>
<th>October-17</th>
<th>November-16</th>
<th>November-17</th>
<th>December-16</th>
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<td>721.25</td>
<td>438.00</td>
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<td>337.45</td>
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<td>Concessions</td>
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<td>1,207.16</td>
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<td>3,389.90</td>
<td>2,612.45</td>
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<td>(33,853.98)</td>
<td>(65,523.87)</td>
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<td>17.98%</td>
<td>18.12%</td>
<td>12.27%</td>
<td>16.56%</td>
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<tr>
<td>Operating Recapture %</td>
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<td>14.57%</td>
<td>18.02%</td>
<td>18.12%</td>
<td>12.56%</td>
<td>16.56%</td>
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</table>

#### OTHER REVENUES

- Real Estate Taxes: $81,507.58 (4,290.69) **$49,630.47**
- Sales Tax: $9,999.82 **$33,593.68**
- Intergovernmental: $142.50 **$380.24**
- Interest Income: $53.00 **$21.00**
- Miscellaneous: $127.75 **$206.63**
- Contribution to General Fund: $16,475.00 **$18,400.00**

**TOTAL OTHER REVENUES:** $81,772.83 **$79,576.11**

#### CAPITAL EXPENSES

- Leases Purchases: $1,335.88 **$641.71**
- Equipment: $391.48 **$42.00**
- Vehicles: $391.48 **$391.48**
- Building & Grounds: $87,332.00 **$1,421.30**
- Major Parks Improvements: $87,332.00 **$1,207.16**

**TOTAL CAPITAL EXPENSES:** $138,707.29 **$849.41**

**Total Revenues (operating + other):** $95,312.69 **$90,101.30**

**Total Expenses (operating + capital):** $47,594.64 **$109,031.06**

**Total REVENUES OVER EXPENSES:** $47,718.05 **$18,829.64**

---

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<th>Current YTD</th>
<th>FY 17-18</th>
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<td>ACTUAL</td>
<td>BUDGET</td>
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Finance dept 1/31/2018
Park Advisory Commission
Meeting Minutes

November 29, 2017 • 5:30 p.m.
Meeting Room A

Members Present: Sue Arnold, Ken Kwantes, Larry Thomas, Susan Wrassman and Andrew Meggitt


1. Call to Order
   • Mr. Thomas called the meeting to order at 5:35 p.m.

2. Approval of Minutes
   • Minutes of the August 23, 2017 meeting were reviewed. A motion was made by Ken Kwantes to approve the minutes. Andrew Meggitt seconded and the motion carried unanimously.

3. Review of Financials
   • Park Director Floyd Jernigan presented the Park financials for October. He also reported department numbers will come from City Hall and the InCode system. Board members asked Mr. Jernigan to continue to present the financials on a quarterly basis. Mr. Thomas asked for a fiscal year-end report (which would be unaudited).
   • In 2017, the rates for SplashZone were increased, which in turn increased revenue. In 2018, the plan is to increase the rental rates. There was a very large leak (100,000 gallons a month estimated). Once fixed, expenses went down. There is a need to do something to have a "wow" feature. One that staff has looked at was a recirculating water feature. A small splash pad would cost $100,000. There is only $30,000 in this year's budget. Other ideas include to eliminate the sand area and consider a climbing wall and blow up features. A motion was made by Ken Kwantes to approve the Park financials. Andrew Meggitt seconded and the motion carried unanimously.

4. Old Business
   • Larry May Playground dedication was held October 16. There were approximately 50 people in attendance, including several family members. The stone sign at the park entrance is the first sign of such that staff plan to use to replace all of the wooden signs in the parks system.
   • The tennis courts had some gullies that surfaced after McConnell & Associates completed the initial work. They did come and fix everything.
   • Rolla High School is in the beginning stages of building the sunshade shelters at the tennis courts. The school gave $15,000 for the entire renovation project for the courts.
   • There is $50,000 budgeted for new restrooms at Green Acres. Unfortunately the renderings for the pre-fab restrooms are over $100,000. Staff will be talking to the school about building the restroom. A decision also needs to be made on which route to go with the restroom at Buehler.
   • A public meeting will be held to discuss options for Ridgeview Park since the Highway 72 extensions will go through the park. Options for the park include a multipurpose field, basketball court and a playground. The input from the open
meeting will be used to determine what to put in the park. Staff is hopeful to use TDD money to pay for the improvements.

- The outfield fence on Kimmel Field needs to be replaced. There is $20,000 budgeted to have it replaced.
- The chip and seal at Ber Juan Sportsplex and the pavilion have been put on hold because the county's chip/seal machine is down. The cost of the project will be $9,984 and it is hopeful to have it complete before things start at the Complex in the spring.
- The parking lot at Buehler is complete. The sewer line is done. A new 8-inch water line starting at the park sign will need to be put in. Staff is hopeful to start the work January 8. Dig Rite will need to come locate underground utilities. Staff is waiting on RMU to install a new line that will serve the area in the new road area and at that point, will be able to tie-in.
- Alyson Cowan reported the Dog Park committee raised $7,200 at the event it held at Buehler Park November 4. To date, the committee has raised $10,851. There is another fundraising event scheduled for November 30 at Imo's.

6. New Business
- Mr. Jernigan gave an update on the Park Land Fee. A developer has asked for a waiver of the $36,000 park land dedication fee for his construction project on the old McCutchen farm property. The new subdivision would be a gated community which would include a dog park and a playground. City Council voted 8-4 against the waiver, but there was enough discussion that Mr. Jernigan anticipated council will revisit the ordinance. Mr. Kwantes made a motion to send a letter to Mr. Butz and to Mayor Magdits expressing that the Park board is against changing the Park Land Dedication ordinance. Andrew Meggitt seconded and the motion carried unanimously.
- Recreation Manager Kristy Rich presented for discussion possible fee increases for athletic field use for practices, games and tournaments. The board suggested not charging youth for practices or games, but both youth and adults would pay the same fees for weekend tournaments. Ken Kwantes made a motion to move forward on increasing the field fee, with the fees to be implemented once partner organizations were informed and had a chance to provide feedback in the discussion and that contract agreements were reached with those partnering organizations. Member Andrew Meggitt requested that staff contact and initiate discussions with all partner groups, including youth, to forge an understanding of the financial impact and mutual benefit for all parties. Such a plan is to be presented first to the City Administrator and the mayor. Sue Arnold seconded and the motion carried unanimously.
- Ms. Rich presented beverage bids from Pepsi and Coke which were opened November 15. Pepsi was the low bidder and staff recommended accepting their bid. Ken Kwantes made a motion to accept Pepsi as the low beverage bidder. Sue Arnold seconded and the motion carried unanimously.
- Mr. Jernigan reviewed the nine playground bids that were received and opened November 15 for Green Acres Park. There were four bids that did not meet specs. Staff's recommendation is to accept the bid from Playscapes. Andrew Meggitt made a motion to recommend to council to accept the bid from Playscapes Play & Park Structures. Sue Arnold seconded and the motion carried unanimously.
- The next Park Board meeting will be at 5:30 p.m. Wednesday, January 24.

7. Citizen Comments
8. Adjournment

- Andrew Meggitt made a motion to adjourn and Sue Arnold seconded. The meeting was adjourned at 7:30 p.m.

Kristy Rich, Recreation Manager, prepared the minutes.
## Management Report
### FISCAL YEAR 2017

#### December 2016

### BUILDING PERMITS ISSUED

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<th>Value</th>
<th># FY 2017</th>
<th>Value</th>
<th># FY 2018</th>
<th>Value</th>
<th># FY 2017</th>
<th>Value</th>
<th>Δ CHANGE FY 17 - FY 18</th>
<th>Δ CHANGE # ISSUED</th>
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<td>Demolition, 5-or-more family</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Demolition, all other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Total Residential Units</strong></td>
<td>40</td>
<td>4,429,103</td>
<td>1</td>
<td>195,032</td>
<td>1</td>
<td>354,532</td>
<td>1</td>
<td>354,532</td>
<td>-48.5%</td>
<td>-51.3%</td>
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<tr>
<td>EST. CONSTRUCTION COSTS</td>
<td>$4,556,108</td>
<td>$2,985,658</td>
<td>$7,995,877</td>
<td>$19,173,605</td>
<td>$56.6%</td>
<td>-56.4%</td>
<td></td>
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<tr>
<td>Building Permit Fees</td>
<td>$13,840</td>
<td>$16,000</td>
<td>$16,000</td>
<td>$16,000</td>
<td>$10,676</td>
<td></td>
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<td>FEES</td>
<td>$24,050</td>
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### INSPECTIONS PERFORMED

<table>
<thead>
<tr>
<th>Classification</th>
<th>DECEMBER FY 2018</th>
<th>DECEMBER FY 2017</th>
<th>YTD FY 2018</th>
<th>YTD FY 2017</th>
<th>FY 17-18</th>
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<tr>
<td>Building Inspections</td>
<td>128</td>
<td>133</td>
<td>320</td>
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<td>Electrical Inspections</td>
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<td>53</td>
<td>272</td>
<td>185</td>
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<tr>
<td>Excavation Inspections</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-100%</td>
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<tr>
<td>Plumbing Inspections</td>
<td>56</td>
<td>70</td>
<td>175</td>
<td>208</td>
<td>-16%</td>
</tr>
<tr>
<td>Mechanical Inspections</td>
<td>60</td>
<td>13</td>
<td>103</td>
<td>64</td>
<td>76%</td>
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<tr>
<td>Code Inspections</td>
<td>32</td>
<td>211</td>
<td>439</td>
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<tr>
<td>Nuisance inspections</td>
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<td>3</td>
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<td><strong>TOTAL INSPECTIONS</strong></td>
<td>565</td>
<td>453</td>
<td>1998</td>
<td>1654</td>
<td>-0%</td>
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</table>
MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 9, 2018 5:30 P.M.

Presiding: Don Brown, Chairperson

Commission Members Present: Robert Anderson, Janece Martin, Matt Miller, Russell Schmidt, Steven Shields and Monte Shields

Commission Members Absent: Bill Lindgren and Jack Morris

City Officials in Attendance: City Planner James Shields, and Community Development Director Steve Flowers

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

I. APPROVAL OF MINUTES: The December 12, 2017 minutes were tentatively approved. Chairperson Brown said not everyone got a copy of the minutes, so if there are any corrections they will be made next month. James Shields said the highlighted parts are the requested retractions. There are two people who are missing the last four pages. Mr. Brown said the minutes are subject to revision next month.

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

1. A request to rezone the 0.69-acre tract of land that is located in Rolla, Missouri, at 901 Oaklane Drive from the General Retail District (C-2) to the Multi-Family District (R-3). City Council approved the final reading on January 2, 2018.

James Shields explained the Planning and Zoning Commission recommended denial and the City Council approved the final reading on January 2, 2018. From his evaluation of the minutes there were four reasons why the Planning and Zoning Commission denied the proposal. One of the Commissioners expressed concern about denying the Boecker R-3 Zoning and how it would be possible to approve a rezone for the same area. There were concerns about increased traffic, insufficient parking and the density being inappropriate for the area. Mr. Shields did show the differences between the Boecker and the Chen cases and the Council did not comment on that issue. He did a traffic study afterwards because he did not realize it was going to be an issue. The traffic study showed that C-2 (General Retail District) uses were more likely to cause issues than R-3 (Multi-Family District) uses. To help alleviate the insufficient parking issue Chen offered to add ten extra space making a total of three spaces per unit. The density aligns with the Future Land Use Map (FLUM). There are fourteen units per acre. Seven units per acre are allowed for a single family zone. One unit on 6,222 sq. ft. lot is about seven units per acre. If there are two units, as in a duplex, on a 6,000 sq. ft. lot; it is fourteen units per acre. It there is five units on a fifteen
sq. ft. lot, it is about the same as a duplex on a 6,000 sq. ft. lot. The existing houses are from the 1940’s. Two of them have been vacant for more than a year. They are only 800 to 900 sq. ft. and zoned C-2. They cannot be expanded or enlarged. They could not even be used as single family residences anymore because the use was abandoned. Mr. Shields did a traffic study. It showed there were 6.1 trips for the average weekday for the ten units. That ended up being 61 trips per average week day. There was already 216 existing on any given week day. Those two added together is 277 trips on an average week day. Subtract that from a maximum of 1,000, which is the capacity of that road, it leaves 723 trips per average week day in excess. Basically you could put over 100 apartments on the block and it still would not exceed the capacity. If you put one of the C-2 uses on that road it would exceed capacity right away.

Mr. Brown said based on his recollection the Boecker rezoning was not an issue with any of the members of the meeting. The traffic was not an issue, but the street was not wide enough. If it is ever fully developed the street will have to be changed. The parking was an issue. It is his consensus that those who did vote against it were more opposed to residential being in that area. It is more conducive to commercial than it was residential. Russell Schmidt said that was the way it was presented just before the motion was made. Mr. Brown said that was the first time he has ever known the Planning and Zoning Commission to unanimously request denial of the request 5:0 and the Council voted 8:3 to approve it. If the Planning and Zoning Commission denies something they are supposed to give reasons to the Council. Mr. Schmidt replied they did give reasons.

2. A request to consolidate three parcels that are known as 206 and 208 East 12th Street 207 and 209 East 11th Street, into one parcel through the resubdivision process. City Council approved the final reading on January 2, 2018.

(Sigma PI)

3. A request to consolidate the three parcels that are known as 1601, 1603, and 1605 North Pine Street into one parcel through the resubdivision process. City Council approved the final reading on December 18, 2017.

(Theta XI)

III. PUBLIC HEARING:

1. A request to amend the text of Rolla’s Planning and Zoning Code to adjust the height regulations for various zoning districts.

(Text)

J. Shields explained this is a request to amend the text of the Rolla Planning and Zoning Code in a way that adjusts the height regulations for various districts and modifies the way
in which height is calculated. It is part of a comprehensive analysis of Rolla’s bulk area and height requirements. When adjusting how height is calculated or determined; nine of the fourteen districts received height limitation adjustments, but only four of those districts received height increases unrelated to how height is calculated. The public purposes, according to case law can be linked to aesthetics, but most of the time it is linked to adequate light and air, securing safety from fire, and preventing the overcrowding of land. Also, there is an aspect to this that we use called the Rural to Urban Transect, which is a range of habitats that vary by the level and intensity of physical character providing a range of intensities. The more urban areas are supposed to be denser. They have more stories. More rural areas have farther setbacks, less stories, and less density. Our current methods are by stories and by dimensional height. We use half stories from the ground to the top of the roof with up to four feet parapet wall excluded. Half stories are really referring to attics. Basements are counted as stories based on numerous factors. New methods being proposed are measured for stories and dimensional height, but it is by the full story only. Each story is maxed out to fourteen feet except for a twenty feet ground level commercial floor. No story can be more than fourteen feet or else it counts as two. As far as attics go, if the kickwall is higher than four feet, the attic counts as a story. If any part of a basement is four feet above ground above it counts as a story. Dimensional height equals the ground to eave or parapet line or cornice line for flat roofs. Except for C-O (Office District) all the half stories were rounded up. In most cases except for C-O, as long as the kickplate is four stories or below we give them the attic and we just round it up. In R-R (Rural Residential District) and R-1 (Single Family District) there is already limited density and intensity because of the minimum lot size. The range is limited to two to four stories. The transition is limited. So, basically the range is limited to three to four instead of two, three, and four. The statistics from 2016 show only five percent of single family detached houses are three stories; but the residents have the freedom to go up to three stories if they want to. Traditionally the central business district was the most intense, which is why Phelps County Bank is the highest building not on a University property or a Hospital property. The Pine Center is as tall as the Bank as well. They are both four stories, forty nine feet tall. Traditionally cities were monocentric, one CBD, now they are polycentric. A lot of the intensity is along the commercial arterials. Commercial arterials are usually zoned C-2 and C-3 because they are the most high intensity commercial zones and they need high traffic. Matched intended intensity with maximum height designations. We are talking about commercial here, so C-O, C-1, C-2, and C-3 are the different designations and it goes from top to bottom, from least intense to most intense. The stories are aligned that way except C-2 and C-3 both have four stories. That is because the difference between C-2 and C-3 uses are about compatibility, and not necessarily about intensity. There are a lot of things that may cause nuisances, such as more dust, more noise, and things like that. There are a lot of uses in C-2 that make more sense to have four story limitations than some of the C-3 uses, such as parking garages and hotels. With those types of uses it is less viable with less stories. J. Shields said he checked with the Fire Chief and he is okay with 65’ tall buildings including parapet walls. This gives the rescuers enough time to extend their ladders over the wall by five rungs, which allows them to safely spray water on objects on the roof and rescue people from the roof if need be. The action requested from the Planning and Zoning Commission is to recommend to the City Council the approval, denial, or conditional approval of the City of Rolla’s request to amend the text of Rolla’s Planning
and Zoning Code in a way that adjusts the height regulations for various zoning districts and modifies the way in which height is calculated.

Mr. Brown asked if there were any questions or comments from the Commissioners. Mr. Schmidt asked Mr. Shields if the reason for this is mainly commercial businesses. J. Shields replied the reasoning is basically because different environments, habitats, and zoning districts should have different heights and setbacks. It is for a variety of things. For instance, the way that it is now, R-3 is allowed to be four stories, but C-3 is only allowed to be three stories. The intended intensity is not linked to the height limitation. Different habitats should have different characteristics and height is one of those characteristics. Mr. Brown said the only ones that it will really effect is hotels and office buildings. J. Shields said one other reason is because there is uses in C-2 that need to be four stories more than there is in C-3. If you look at C-2 and C-3 uses it is not about intensity. The higher a building is the higher the intensity is. Some of the C-3 uses were excluded from the C-2 and given their own zoning district. It is more about the nuisances they can cause and the incompatibility they have with certain retail and office uses. That is why some of those C-3 uses are separated from C-2 uses. That is why he is proposing they have four floors for each C-2 and C-3. Right now he thinks it makes sense if R-3 is going to be four stories, which is the highest intensity in the residential zoning district, then the highest intensity in the commercial zoning district should also be four stories. Mr. Schmidt said he was wondering if that is the case why R-1 is going to go up. J. Shields replied this is a debate they had. Five percent of all single family houses are three stories tall. Why shouldn’t they be able to have the freedom to go three stories tall if they wanted to? That takes away from the idea that different habitats should have different characteristics. Different zones should have different characteristics and different characteristics is dictated by stories. Mr. Schmidt added he has not talked to too many people who live in an R-1 area who wanted a three story house next to them and he doesn’t know why that was put in there. J. Shields answered in R-2 they allow two and a half stories which actually allows an attic. Another thing is, if your basement has a walkout door then that counts as a story because part of that is below ground level. There is give and take here. There may never be a house built that is three stories. They thought they should give people the freedom to build three stories if they like. Robert Anderson asked Mr. Shields if someone had a two story house with a walk out basement would it be counted as three stories. J. Shields replied it would take up one of the stories. Mr. Anderson asked if it would count as a three story house. J. Shields answered yes, but if the kickwall in the attic is less than four feet then that does not count. Whereas, before that would count as a half of a story. You could basically have three stories plus an attic, but you cannot have a walk out basement. If you have a walkout basement with two stories and an attic that would be it. If you take away the walkout basement you could have three stories and an attic. But, if you have a walkout basement you could only have two stories and an attic. It basically gives you the opportunity to have a walkout basement without going over that two story limitation. It does plan to change how the calculations are made. Monte Shields said he understands what J. Shields is saying, but if he is saying there is only five percent of three stories anyway, and then if this rare occasion comes up you could get a variance. You’re only talking five percent. You change an ordinance because of five percent that seems a little bit extreme. J. Shields replied they would not have a problem changing R-R and R-1 to two stories to bring it to Council. It
would actually make sense because it would create different habitats with different heights. Everything wouldn’t be three stories, there would be two stories for the least intense residential, three story for medium residential and then four story for the most intense residential. It would make sense and they would have no problem with that. There was a debate about raising R-R and R-1. **Mr. Schmidt** asked if these changes came from the Administration. **J. Shields** said it began as a discussion between Administration and the Community Development Department about looking at all of the bulk area height requirements. If you look at them you can tell they are all almost the same. For instance, all the residential districts have the exact same front setback, and they have the exact same side setback. There is no variation. It’s not logical to have no variation. You are supposed to have different characteristics within different zoning districts. More intense residential areas are supposed to have less setbacks. It gives it a more urban feel. **Mr. Schmidt** asked if there were a lot of requests for variances that triggered something. **J. Shields** answered no, but the thing that was on his mind and something that he brought up a lot was why does R-3 have four stories, but C-3 and C-2 doesn’t. It didn’t make sense to him, because they are both the most intense. **Matt Miller** asked if there was any thought or discussion that adding that story to the R-1 would encourage more R-1 development in town. **J. Shields** answered there was not. It could be possible. **Mr. Brown** added historically it has been cheaper to build out rather than up. It’s more cost effective. Times are changing; land is getting more expensive, so you will see a new trend or change. **J. Shields** said there is another aspect he mentioned in the staff report, but he did not here about C-2 and C-3 heights. Parking garages are expensive. Limiting them to three stories may prevent them from being built. That fourth story may make the difference for getting a parking garage or not getting a parking garage. We know what the parking situation is here. In addition corporations for hotels have a set architectural design. Even though some of these architectural designs meet the story requirements they may not meet height requirements, because of the decorations or whatever that go on top of the building. It’s either/or. For instance, today in C-2 you must build under 45 feet or three stories. This means that you can build four, eleven foot stories. The way we calculate it here is you have to meet both stories and height. That way people can’t squeeze a whole bunch of stories into a small area. **Mr. Schmidt** asked if the criteria came from somewhere else or was this an acceptable criteria that other communities have taken. **J. Shields** answered yes, some do just height, some do just stories, and some do both, like us. He took some of what he got from what is called the SmartCode. It is used in hundreds of major cities all over the country. It is a form based code. **Mr. Schmidt** asked if that is what we are doing here. **J. Shields** replied yes, just certain aspects of the height regulations of the code. Not every single aspect of it, but what he is trying to say is how it is calculated. It would be quite a research project to actually find them all. He knows hundreds of municipalities used the SmartCode; and that is part of the SmartCode.

**Mr. Brown** asked if there were any other questions or comments from the Commissioners. Being none he officially opened the public hearing. With no questions or comments from the public he officially closed the public hearing. He asked J. Shields if he was asking them to approve this to send to the City Council with their recommendation. **J. Shields** answered yes, and whether or not they wanted to take the stories off of R-R and R-1. **Mr. Schmidt** said to take one story off. **Mr. Brown** said this is what is presented, you will have to amend
the change. Mr. Anderson said he had a problem with that, because if you take one story off then you have a walkout basement you can only have one floor. J. Shields said it goes with the reevaluation of the calculation methods. Steve Flowers said there are a number of three story homes in Rolla now and it is not so much that we are taking a story off; it is how we are refiguring it. It is more streamline. If a basement is such a percentage out of the ground now we count it as a story under our existing code. And, if the attic space has a certain amount of knee wall height, and a certain percentage that is finished off then it’s counted as a half story. Just to streamline it they dropped it down to the three stories. People will not see another taller single family house then what they already see now.

A motion was made Steven Shields by seconded by Robert Anderson to approve the request to amend the text of Rolla’s Planning and Zoning Code to adjust the height regulations for various zoning districts: A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Miller, Schmidt, M. Shields, and S. Shields. Nays: None. Motion carried.

IV. OLD BUSINESS: NONE

V. NEW BUSINESS:

1. A request to consolidate the two parcels that are known as 112 and 114 North Spilman Avenue into one parcel through the resubdivision process.

(Meyer)

J. Shields began by explaining this is a consolidation of two parcels it is located in the City of Rolla. It is approximately fifteen feet west of the intersection of North Spilman Ave. and U.S. Hwy. 63. This may look familiar to you, because we just did a rezone. It is owned by Meyer Rentals LLC now. The newly consolidated lot will meet the lot width and minimum area requirements of the newly zoned C-2 zoning district. The lot will be about 0.5 acres and will have frontage of about 136 feet. All the nonconforming aspects of this lot will be conforming now. The proposed land use will be a mini storage facility. The applicant submitted a draft version of the final plat that has been reviewed by the relevant staff of Rolla’s municipal government and by the staff of Rolla Municipal Utilities. After review they sent in a final plat map. It was reviewed again and the appropriate agencies said there were no further revisions needed. The action requested from the Planning and Zoning Commission is to recommend to the City Council the approval, denial, or conditional approval of the Meyer Consolidation Final Plat Map.

Mr. Brown asked if there were any questions or comments from the Commissioners. Mr. Schmidt asked if the map had gotten final approval. J. Shields answered yes, there are no more revisions requested. Which means all agencies are satisfied with it. Mr. Brown said it will be changed from a car lot to a storage facility.

A motion was made Russell Schmidt by seconded by Monte Shields to approve request to consolidate the two parcels that are known as 112 and 114 North Spilman Avenue into
one parcel through the resubdivision process: A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Miller, Schmidt, M. Shields, and S. Shields. Nays: None. Motion carried.

2. A request to split a fractional part of Lot 67 of the Railroad Addition to the Town of Rolla Subdivision into two lots through the resubdivision process.

(Chen)

J. Shields informed the Commission this is a request to split the lot known as 901 Oaklane Drive into two parcels. That is located 470 feet west of the intersection of Oaklane Drive and South Bishop Avenue, south of the Walmart. J. Shields presented a picture and explained this is how the County recognizes it. Once the middle line was gone and through deeding they sold one piece of it at one time and then the person bought both of the lots. The City never recognized that subdivision and now they are going to recognize it by requiring them to go through the subdivision process to get any building permits. Chen’s Estate Management owns the property. The agent is Andy Chen. A transfer of deed was recorded without going through the subdivision process. A line between these two parcels is not recognized by the City until the owner subdivides. Parkland Dedication only applies to lot split of more than two. Lots and buildings will meet all bulk and area requirements of the R-3 zoning district. However, with each lot being about 14,970 square feet in area, each lot will be limited to six units no matter what. The proposal is to build two vertically attached five unit buildings on each parcel. Like the last final plat map approval the agencies received a draft final plat map and they reviewed that draft. The surveyor made revisions to the draft. They put an easement on the north end of these properties and fixed a few other errors. Now the appropriate agencies have said no more revisions are requested. The action requested from the Planning and Zoning Commission is to recommend to the City Council the approval, denial, or conditional approval of the Oaklane South Final Plat Map.

Mr. Brown asked if there were any questions or comments for the Commissioners.

A motion was made Robert Anderson by seconded by Janece Martin to approve request to split a fractional part of Lot 67 of the Railroad Addition to the Town of Rolla Subdivision into two lots through the resubdivision process: A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Miller, Schmidt, M. Shields, and S. Shields. Nays: None. Motion carried.

2. A request to consider the City of Rolla entering into a sewer use agreement with Kenneth L. Light.

(Light)

J. Shields explained Kenneth Light is the name of the applicant and the location of the parcel subject to this request is located at 10300 Audubon Place. The applicant would like to enter into a Sewer Agreement with the City of Rolla. On behalf of the Public works department and the applicant, it is requested that the sewer agreement be approved and that
the attached annexation petition be put aside for now and acted upon on a future date when the balance of the area requests annexation. Subsequently, an ordinance enacting this sewer agreement has been requested to be approved. Light is planning to build a new single family dwelling on the subject parcel. There are already dwellings on the other parcels on the cul-de-sac. The road is owned by the County and it is a dead end. Through Kensington Place, there is an easement available to them to run a lateral to the new house, as far as the sewer goes. Under Section 35-133 of the Rolla City Code, they are required to submit an application for voluntary annexation. In addition to paying all of the costs to connect, the Public Works Department is recommending that they pay 1.5 times the city non-metered sewer rate. It is contiguous with the city limits and could be annexed at this time but the public works department does not recommend annexation at this time. Rolla Municipal Utilities (RMU) is neutral on the annexation of the parcel at this time. Their reasoning is laid out in a memo that is provided in the attachments. Part of that has to do with the location and cost of fire hydrants and water supply. The action requested from the Planning and Zoning Commission is to recommend to the City Council the approval, denial, or conditional approval of the Light Sewer agreement be approved and that the attached annexation petition be put aside for now and acted upon on a future date when the balance of the area requests annexation.

Mr. Brown asked if there were any questions or comments for the Commissioners. He said in a perfect world it would be annexed, and be on City water, City Sewer, and RMU electricity, but that’s not the way it happens sometimes. It will have rural water, Intercounty electric, and our sewers until it is annexed. Then it won’t change much. Mr. Schmidt asked if it will have a well or does it have to be on City water. Mr. Brown said he didn’t think they could have it. It is in our best interest to have it on the sewer system; that close to the City.

A motion was made Monte Shields by seconded by Russell Schmidt to approve request consider the City of Rolla entering into a sewer use agreement with Kenneth L. Light: A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Miller, Schmidt, M. Shields, and S. Shields. Nays: None. Motion carried.

VI. REPORT FROM THE CHAIRPERSON, COMMITTEE OF STAFF: NONE

VII. OTHER BUSINESS / CITIZEN COMMENTS: NONE

Meeting adjourned at 6:15 p.m.
Minutes prepared by Karen Fagan
FINANCIAL STATEMENT
December 2017

RECEIPTS:
- Electric, Water, Tax, Sewer and Refuse Charge: $2,920,788.96
- Accounts Receivable - Miscellaneous: $61,493.57
- Customer's Deposits - Refundable: $19,593.87
- Misc Non-Operating Revenue: $1,940.44
- Total Receipts: $2,993,716.94

Super-Now Account Interest (November 30, 2017): $100.92
Money Market Account interest (November 30, 2017): $4,847.79
Electronic Payment Account Interest (November 30, 2017): $80.75
Public Utility Cash In Bank (November 30, 2017): $25,297,466.38
- Total Receipts and Cash In Bank: $28,296,013.18

DISBURSEMENTS:
- Power Purchased: $1,591,754.06
- Operating Expenses: $92,319.52
- Administrative and General Expenses: $90,195.00
- Payroll: $153,754.61
- Electric and Water Capital Expenditures: $557,735.16
- Stock Purchases (Inventory): $4,082.00
- Balance of Customer's Deposits after Final's: $32,874.70
- Medical, Dental, Vision and Life Insurance Paid by Employees: $13,071.95
- Support Payment: $0.00
- L.S. Withholding Tax: $23,959.85
- Missouri Dept. of Revenue (Sales Tax): $40,974.83
- Missouri Dept. of Revenue (Income Tax): $6,536.00
- Phelps County Bank (Social Security): $31,801.88
- Sewer Service Charge: $269,556.99
- Refuse Service Charge: $177,207.53
- Purchase U.S. Treasury Bill / Certificate of Deposit: $0.00
- Unclaimed Deposits: $0.00
- PILOT to City of Rolla: $116,731.20
- Standpipes Lease/Purchase: $3,446.79
- Electric Power Supply Infrastructure Lease/Purchase: $91,936.22
- Unclaimed Deposits to State: $0.00
- Privacy Fees: $0.00
- Void Checks: $0.00

Total Disbursements: $3,300,046.09

Cash in Bank (December 31, 2017): $24,995,967.09
- Total Disbursements and Cash in Bank: $28,296,013.18

BALANCE OF OTHER FUNDS:

PUBLIC UTILITY ACCOUNTS:
- Central Federal Savings & Loan, Check #1225 for $392.92: $2,000.00
- Citizens Bank of Newburg, Check #1224 for $234.69: $2,501.76
- First State Community Bank, Check #1007 for $396.64: $2,000.00
- Phelps Co Bank-Electronic Payment Account, Check #1088 for $604,214.29: $123,621.58
- Phelps Co Bank-Money Market: $3,998,553.82
- Phelps Co Bank-Super Now, Checks #25556 thru #25657 for $3,301,546.09: $3,109,078.95
- Town & Country Bank, Check #1225 for $2,556.45: $2,826.98

Total Public Utility Accounts: $7,240,583.09

ELECTRIC RESERVES:
- Certificates of Deposit: $0.00
- Money Market Account: $14,766,218.00
- U.S. Treasury Bills: $0.00

Total Electric Reserves: $14,766,218.00

WATER RESERVES:
- Certificates of Deposit: $0.00
- Money Market Account: $2,989,155.00
- U.S. Treasury Bills: $0.00

Total Water Reserves: $2,989,155.00

TOTAL RESERVES: $17,755,384.00

TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES: $24,995,967.09
## STATISTICS
### DECEMBER 2017

### PRODUCTION ELECTRIC SALES

<table>
<thead>
<tr>
<th>Date of Demand</th>
<th>Residential - Single Phase kWh</th>
<th>Residential - Three Phase kWh</th>
<th>Commercial - Single Phase kWh</th>
<th>Commercial - Three Phase kWh</th>
<th>Power Service kWh</th>
<th>Industrial kWh</th>
<th>Area/Street Lighting kWh</th>
<th>Rental Lights kWh</th>
<th>Total kWh Sold</th>
<th>Demand kWh</th>
<th>Revenue</th>
<th>Monthly Loss</th>
<th>Fiscal Year to Date Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/27/2017</td>
<td>8,078,125</td>
<td>123,475</td>
<td>1,276,564</td>
<td>2,154,770</td>
<td>7,154,280</td>
<td>4,736,660</td>
<td>49,451</td>
<td>78,844</td>
<td>23,652,069</td>
<td>28,345</td>
<td>$2,210,751.74</td>
<td>20.48%</td>
<td>11.20%</td>
</tr>
</tbody>
</table>

### WATER SALES

<table>
<thead>
<tr>
<th>Residential - Single Phase Gallons</th>
<th>Residential - Three Phase Gallons</th>
<th>Commercial - Single Phase Gallons</th>
<th>Commercial - Three Phase Gallons</th>
<th>Power Service Gallons</th>
<th>Industrial Gallons</th>
<th>Missouri S&amp;T Gallons</th>
<th>PWSD #2 Gallons</th>
<th>Total Gallons Sold</th>
<th>Revenue</th>
<th>Pumping Cost, Electric</th>
<th>Monthly Unidentified Loss</th>
<th>Fiscal Year to Date Unidentified Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>24,532,000</td>
<td>345,000</td>
<td>5,053,000</td>
<td>3,740,000</td>
<td>8,267,000</td>
<td>199,000</td>
<td>1,972,000</td>
<td>1,643,000</td>
<td>45,761,000</td>
<td>$202,508.83</td>
<td>$36,335.50</td>
<td>19.28%</td>
<td>13.15%</td>
</tr>
</tbody>
</table>

### METERS IN SERVICE

<table>
<thead>
<tr>
<th>Electric</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential - Single Phase</td>
<td>7,856</td>
</tr>
<tr>
<td>Residential - Three Phase</td>
<td>21</td>
</tr>
<tr>
<td>Commercial - Single Phase</td>
<td>957</td>
</tr>
<tr>
<td>Commercial - Three Phase</td>
<td>436</td>
</tr>
<tr>
<td>Power Service</td>
<td>143</td>
</tr>
<tr>
<td>Industrial</td>
<td>7</td>
</tr>
<tr>
<td>Area/Street Lighting</td>
<td>41</td>
</tr>
<tr>
<td>Missouri S&amp;T</td>
<td>5</td>
</tr>
<tr>
<td>PWSD #2</td>
<td>497</td>
</tr>
<tr>
<td>Total</td>
<td>9,473</td>
</tr>
</tbody>
</table>

* Energy losses are not included in this statistic and are estimated at an additional 12%.
** Loss includes 3,784,000 gallons per water main flushing records.
*** FY loss includes 21,639,000 gallons per water main flushing records.
ELECTRIC

N/A Electric system peak demand: Continued growth in Rolla and the recent cold weather has resulted in new all-time peak demands for RMU. Our previous high of 67.90 MW occurred in January 2014. We have exceeded that amount three times this month:
- January 2, 2018: 68.80 MW
- January 16, 2018: 72.06 MW
- January 17, 2018: 72.29 MW

E1. MO Highway Patrol Troop I headquarters
   Note: Upgrade will also allow RMU to abandon an overhead I-44 crossing.
   - Directional bore for new primary, new riser pole, and new service to Highway Patrol with three phase underground to new padmount transformer. Transformer and service energized November 21, 2017.
   - Started: November 17, 2016
   - Completed: December 21, 2017

E2. 12kv Distribution System Connection Between Old St James Road and Nagagomi substations north of I-44
   - Conversion of some 4 kv electric distribution system to 12 kv distribution (including transformers) and some new 12 kv distribution system.
   - Started Feb 23, 2017
   - Ongoing

E3. Lodges at Rolla - White Columns Road
   (8 multi-unit residential apartment buildings and clubhouse)
   - Installation of underground primary conductor, transformers, and meters.
   - Started: June 2, 2017
   - Ongoing

E4. Oak Pointe of Rolla, Clearpath Assisted Living - Lions Club Drive
   - Underground extension of 12 kV distribution system to serve new development with temporary and permanent service. Temporary service energized October 27, 2017.
   - Started: August 21, 2017
   - Ongoing

E5. Lions Club - building addition, meter relocation
   - Renovation of metering and electric service to accommodate building addition, including relocation of transformer.
   - Started: October 31, 2017
   - Completed: December 26, 2018

E6. Subway (Kingshigbway)
   - Installation of new pole, extension of overhead distribution, transformer, and metering for new service.
   - Started: November 30, 2017
   - Ongoing

FIBER / SCADA

F1. Settings for operation of electric substation breakers
   - Staff reviewing settings for transformer protection, breaker trip, and SCADA alarm settings.
   - Ongoing
WATER

W1. Bridge School Road
   - Replacement of 8" water main with 12" PVC in conjunction
   with Hwy 72 Extension.
   Started: December 13, 2017
   Ongoing

W2. Well #13
   - Chlorine feed line inside well house broke and damaged
   electric equipment, including motor starter. Diagnosing the
   damage and undertaking repairs.
   Started: November 16, 2017
   Ongoing

W3. RMU HyPoint Well #3
   - Installation of piping, electrical, and treatment equipment
   Started: February 4, 2016
   Ongoing

W4. Conversion of water meters to radio reads
   - 5/8" meters: Delivery of 6,504
   meters was completed November 16, 2017.
   Started: November 20, 2017
   Completed since last report: 633
   Completed to date: 1,169
   Ongoing

TRAINING / PERSONNEL

1. MPUA Emergency Preparedness Tabretop Exercise
   Columbia, MO
   January 19, 2018
   - Attended by Eric Lonning and Jeremy Arthur

MISCELLANEOUS

1. Street repairs for Meriweather Court water main replacement
   (December 19, 2017 invoice)
   - Area = approximately 7,100 square feet
   Cost = $17,716.41

2. Street patching for Meriweather Court water main replacement
   (January 8, 2018 invoice)
   - Total area = 2,554 square feet
   Cost = $6,436.08

3. Street patching for Meriweather Court water main replacement
   (January 8, 2018 invoice)
   - Total area = 451 square feet
   Cost = $1,136.52
REGULAR SESSION - December 19, 2017

Meeting was held in the Board Room at RMU’s Tucker Professional Center at 4:30 p.m.

The meeting was called to order at 4:31 p.m. by Rolla Board of Public Works (“RBPW” or “Board”) President Nick Barrack presiding. The following were present:

Board members: Vice President Albert Crump, Jr.
Secretary Matthew Z. Williams
Vice Secretary Dr. Wm. E. Showalter

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

Minutes submitted, according to Agenda, by RMU’s Executive Administrative Assistant, Nicole Dietiker.

I. APPROVAL OF MINUTES

Williams made a motion, seconded by Showalter, the minutes of the November 28, 2017, Board meeting Regular and Executive session be approved as presented. Motion passed unanimously.

II. CITIZEN COMMUNICATION (None)

III. SPECIAL PRESENTATION

A. FY2017 Audit Presented by Hochschild, Bloom and Company, LLP of Chesterfield, MO.

- Tammy Alsop, of Hochschild, Bloom and Company, LLP, presented the annual audit of RMU for Fiscal Year (FY) 2017. Ms. Alsop reviewed the document in its entirety and stated that RMU received an “unmodified opinion” which is the best that can be given. She thanked Roberts and all of the RMU staff involved for their help during the audit, with the Board commenting that RMUs accounting department was one of the best. Crump made a motion, seconded by Showalter, the audit of FY2017 be accepted as presented. Motion passed unanimously.

IV. STAFF REPORTS

A. BUSINESS/FINANCE MANAGER’S REPORT (Roberts)

1. The Board received the Statement of Income & Expenses reports for November 2017 (FY18).

   - Roberts reviewed the November 2017 report (FY18), with the following comparisons:
     Month-to-Date comparison of November 2017 to November 2016
     - Operating Income increased $224,320. Purchased Power expense decreased $74,055; Operating Expenses decreased $154,967 resulting in an Operating Income of $34,636 which showed an increased income of $379,287; Total Other Income decreased $8,819. Total Net Income for November 2017 was $61,916, an increased income of $37,468 in comparison to November 2016.

     Year-to-Date (YTD) FY2017 and FY2016
     - Operating Income increased $244,164. Purchased Power expense increased $43,560; Operating Expenses decreased $92,740 resulting in an Operating Loss of $3,126 which showed a decreased Loss of $336,904; Total Other Income increased $10,459. Total Net Income for November 2017 was $30,737, an increased income of $326,445 in comparison to November 2016.

   Roberts reported that YTD FY2017 percentages for Residential Sales increased 7.9%, Commercial Sales decreased 2.6%, Power Service Sales increased 4.8%, and Industrial Sales increased 11% in comparison to November 2016.

   Barrack asked if Industrial Sales have increased by 11% because of Hartmann US. There was some discussion about the percentage increases of electric sales for YTD in the customer classes and the actual dollars resulting from the increased percentages. For example, the 11% increase in Industrial Sales generated almost $79,000 more income, but the smaller 7.9% increase in Residential Sales resulted in about $123,000 of additional income. The increases are influenced by growth we have had throughout Rolla and weather that we have had compared to last year.

   2. Roberts presented RMU’s Financial Statement, Statistics report, and the Disbursement Summary for November 2017 which included the following public utility account checks and transfers:

<table>
<thead>
<tr>
<th>Public utility checks</th>
<th>Phelps Co Bank - Super Now</th>
<th>Checks #25479-25555</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfer of funds</td>
<td>Phelps Co Bank - Electronic Pmt Acct</td>
<td>Check #1087</td>
</tr>
<tr>
<td></td>
<td>Central Federal Savings &amp; Loan</td>
<td>Check #1224</td>
</tr>
<tr>
<td></td>
<td>Citizens Bank of Newburg</td>
<td>Check #1223</td>
</tr>
<tr>
<td></td>
<td>Town &amp; Country Bank</td>
<td>Check #1224</td>
</tr>
<tr>
<td></td>
<td>First State Community Bank</td>
<td>Check #1006</td>
</tr>
</tbody>
</table>
Crump made a motion, seconded by Showalter, the reports be approved as presented and forwarded to the City. Motion passed unanimously.

B. STAFF ENGINEER’S REPORT

1. Updates on:
   a. Development Review Committee meeting.
      • Cason reported that there was a DRC meeting on November 28, 2017 with three items on the agenda. RMU requested utility easements on both Theta Xi Addition and Sigma Pi Addition.
   b. Contractor Mains.
      • Cason reported the construction continues at the Lodges. Phase II is still pending.
   c. Development Projects 2017
      • Cason discussed a memo regarding completed and upcoming projects. Cason’s memo was handed out before the Board meeting started. A few highlights from Cason’s memo would be that RMU continues to see multi-housing and single family housing growth. As far as completed developments, Hartmann US, Break Time Gas Station, Starbucks, and IHOP would be the prominent developments in Rolla. As for the ongoing projects, Westside Marketplace, Americare, Subway, Hwy 72 Extension, and Hobby Lobby are in the works. Also, RMU received plans for the remodel of the Howard-Johnson motel.

C. OPERATION MANAGER’S REPORT

Davis highlighted portions of his Operation Manager’s report. Complete detail are as follows:

1. Update on current RMU projects

   ELECTRIC DEPARTMENT -
   NOTE: Upgrade will also allow RMU to abandon an overhead I-44 crossing.
   (E2) 12kV Distribution System Connection (Between Old St. James Rd and Nagagomi substation north of I-44). Conversion of some 4kV electric distribution to 12kV distribution (including transformers) and some new 12kV distribution. Started, February 23, 2017. Ongoing.
   (E7) Lions Club - Building addition and meter relocation. Renovation of metering and electric service to accommodate building addition, including relocation of transformer. Started, October 31, 2017. Ongoing.

   ELECTRIC GENERATION -
   (G1) NESHAP RICE (control equipment for generators). Reviewing operations of pressure transducers for catalyst monitoring. Started, Spring 2017. Ongoing.

   WATER DEPARTMENT -
   (W1) Carriage Lane to Lions Club Drive. Extension of water distribution system.
   • Installed 100 feet of 6" PVC, 300 feet of 8" PVC, and 2 fire hydrants. Started, November 22, 2017. Completed, December 5, 2017.
   (W2) Bridge School Road. Replacement of 8" water main with 12" PVC in conjunction with Hwy 72 Extension. Started, December 13, 2017. Ongoing.
   (W3) Well #13. Chlorine feed line inside well house broke and damaged electric equipment, including motor starter. Staff is diagnosing the damage and undertaking repairs. Started, November 16, 2017. Ongoing.

   IV. J.S.

(W5) Wells 4, 6, and 12: Replaced roof on wells 4, 6, and 12.

(W6) Service and main taps
- 1-4" (Innovation Drive - MST parking lot irrigation)

(W7) Conversion of water meters to radio reads - 5/8" meters (Delivery of 6,504 meters was completed November 16, 2017). Installation being performed by staff members from RMU and City Wastewater Department. Started, November 20, 2017. Ongoing.

NOTE: Completed since last report: 458; Completed to date: 536; Ongoing.

(N/A) FY2017 Summary: Water main replacements: 16,880 feet; Fire hydrants installed: 37

TRAINING/PERSONNEL -
(1) MPUA Apprentice Lineman Program. Annual final test in Columbia, MO on December 1, 2017.
- 3rd year - Jestin Casto and Josh McBride. Passed.

(2) eReliability Tracker Service: Interruption Cost Report. APPA Webinar attended by Chad Davison on November 28, 2017.

PRESENTATIONS -
(1) RMU Speaker’s Bureau.
- Kaleidoscope Discovery Center - Presented by Robert Castle on December 8, 2017 about water resources.
- Vicki Cason provided a tour of Lanning Pump Station and water storage facility on December 13, 2017.

MPUA/ MOPEP UPDATE -
(1) MPUA Quarterly Board Meeting Attended by Chad Davison. December 6 and 7, 2017. Columbia, MO.

D. GENERAL MANAGER’S REPORT (Bourne)
1. MPUA/ MoPEP Update.
   - Bourne reported that MPUA is organizing a “Disaster in a Box” exercise. This is a tabletop exercise and RMU will be sending 1-2 staff members. This training will also be reported when filing the APPA RP3 application.
   - Bourne reported that a lot of mutual aid assistance has been dispatched to Puerto Rico and the US Virgin Islands. Missouri crews are currently in St. John’s and there is staff change out scheduled for January. There is a request for 1,050 additional linemen for Puerto Rico.
   - Bourne reported that the structure for the $41M VW Settlement will be coming out next year. MO Governor gets final say, but state utilities are requesting $6M for electric car charging stations to be constructed on the state’s major highway corridors. Rolla is one of the potential locations.
   - Bourne reported that MPUA hopes to finalize the Solar Communities retail offering by our early March meetings.
   - Bourne reported that MJMEUC and MoPEP authorized a combined $57M in advanced refunding for Prairie State and Fredericktown units respectively. This is to obtain savings, but also to avoid the new Tax Bill potentially curtailing tax exemptions for these types of refunding activities.
   - Davis reported that he spoke with MPUA and the refinancing meeting went well. Bourne reported that the main goal is to achieve long term savings for our group.
   - Bourne reported that MPUA expects a lot of legislative activity at both the Federal and State Level this year. Major topics at the Federal level are expected to include Cyber and Physical Security with new requirements likely for many industries, including utilities. As for the State Level, there will be a lot of discussion about how cities can regulate the locating of Small Cell Wireless Antenna systems and how much pole owners can charge for locating these systems on utility owned poles. Other state topic will include Prevailing Wage and Net Metering. Bourne will attend the APPA Annual Legislative Rally in late February where we will be able to talk to Congress about the direct impact of federal action at the local level.

2. Miscellaneous. Bourne reported that effective April 2018, RMU will raise the Board salary to $187.50/mo due to City Council action on December 4, 2017.

Barrack reported that he recently heard that MJMEUC issued an RFP to purchase 90MW of wind energy and five more solar farms. Bourne reported that he will keep an eye out for further information regarding the recent RFP.

V. OLD BUSINESS (None)

VI. NEW BUSINESS
A. RFB #18-103: Vacuum Excavator. Davis reported that the low bid from Ditch Witch does not meet our specification. Staff did view the unit but believe it’s not comparable to the Vermeer. Staff is requesting to purchase used
equipment options. A handout was distributed before the meeting itemizing the used quote from Vermeer Midwest. Bourne noted that Vermeer Midwest has agreed to hold this piece of equipment until Wednesday, December 20, 2017 at the discounted price of $76,000. Barrack asked if it would be a good idea to contact other contractors to provide an option to use our equipment for a fee. Davis stated that RMU's primary goal is to keep our equipment in use and does not typically advertise or encourage other contractors to use our equipment. Bourne asked for clarification to Barrack's question. Bourne asked if Barrack meant that a contractor could pay to use our equipment with our crews running the machines. Barrack responded with yes. After brief discussion, Showalter made a motion, seconded by Williams, that a purchase order be issued to Vermeer Midwest for $76,000.00. Motion passed unanimously.

B. RFP for GIS Mapping System. Davis reported that RMU received several responses and staff has been evaluating the proposals. Staff recommends developing a contract for this service, including the option to map all water meters. Cason reported that bid tab shows HDR Engineering, Inc. partnered with Archer-Elgin with an estimated annual operating cost of $20,160 and has revised their number to an annual estimate of $6,800, including licensing. Barrack asked to continue to negotiate with the two best proposers for final pricing and report back with final numbers. Cason reported that RMU will continue to negotiate and will report back. Jeff Medows of Archer-Elgin took a moment to state that they appreciate the opportunity to submit a proposal and would like to be available to answer any questions that the Board might have. Williams asked regarding the Midland GIS Solutions proposal, if the $130K additional option items are necessary? Bourne stated that only the water meters would be desired to be included with the base package at this time. Williams stated that picking two packages to revise and to negotiate is what he would like to see RMU do.

Showalter made a motion, seconded by Williams, that the Board adjourn to Executive Session to discuss Real Estate, under RSMo (Supp. 1997) Section 610.021 (2). Roll call vote was taken 5:23 p.m. Votes: Barrack, yes; Crump, yes; Williams, yes; Showalter, yes.

VII. EXECUTIVE SESSION
A. Real Estate under RSMo (Supp. 1997) Section 610.021 (2).

Showalter made a motion, seconded by Williams, that the meeting return to open session. Roll call vote taken at 5:58 p.m. Votes: Barrack, yes; Crump, yes; Williams, yes; Showalter, yes.

Bourne reported that Board discussed Real Estate matters with no action taken.

VIII. ADJOURNMENT
With no further business appearing, Crump made a motion, seconded by Showalter, to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 6:00 p.m.

The Board's next meeting is scheduled for Tuesday, January 23rd at 4:30 p.m.
REGULAR SESSION - January 11, 2018

Meeting was held in the 2nd Floor Conference Room at RMU's Business Office at 3:00 p.m.

The meeting was called to order at 3:05 p.m. by Rolla Board of Public Works ("RBPW" or "Board") President Nick Barrack presiding. The following were present:

Board members: Vice President Albert Crump, Jr.
Secretary Matthew Z. Williams
Vice Secretary Dr. Wm. E. Showalter

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

RMU Counsel: Lori Green (by phone)
Bob Daileader (by phone @ 4:30 p.m.)

Minutes submitted, according to Agenda, by RMU's General Manager, Rodney P. Bourne.

Williams made a motion, seconded by Showalter, that the Board adjourn to first Executive Session to discuss Real Estate, under RSMo (Supp. 1997) Section 610.021 (2). Roll call vote was taken 3:06 p.m. Votes: Barrack, yes; Crump, yes; Williams, yes; Showalter, yes.

I. EXECUTIVE SESSION
   A. Real Estate under RSMo (Supp. 1997) Section 610.021 (2).

Showalter made a motion, seconded by Crump, that the meeting return to open session. Roll call vote taken at 4:15 p.m. Votes: Barrack, yes; Crump, yes; Williams, yes; Showalter, yes.

Bourne reported that Board discussed Real Estate matters with no action taken.

The second session, originally posted to be held in the Board Room at RMU's Tucker Professional Center at 4:30 p.m. was moved to the 2nd Floor Conference Room at the RMU Business Office. Distiker posted an appropriate notice at the public entrance of RMU's Tucker Professional Center for any citizens wanting to attend meeting.

The meeting was called to order at 4:30 p.m. by Rolla Board of Public Works ("RBPW" or "Board") President Nick Barrack presiding and with the same RMU attendees.

Williams made a motion, seconded by Showalter, that the Board adjourn to the second Executive Session to discuss Real Estate, under RSMo (Supp. 1997) Section 610.021 (2). Roll call vote was taken 4:30 p.m. Votes: Barrack, yes; Crump, yes; Williams, yes; Showalter, yes.

I. EXECUTIVE SESSION
   A. Real Estate under RSMo (Supp. 1997) Section 610.021 (2).

Williams made a motion, seconded by Crump, that the meeting return to open session. Roll call vote taken at 6:25 p.m. Votes: Barrack, yes; Crump, yes; Williams, yes; Showalter, yes.

Bourne reported that Board discussed Real Estate matters with action taken.

II. ADJOURNMENT

With no further business appearing, Williams made a motion, seconded by Showalter, to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 6:26 p.m.
**MUNICIPAL DIVISION SUMMARY REPORTING FORM**

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

### I. COURT INFORMATION

<table>
<thead>
<tr>
<th>Municipality: Rolla Municipal Court</th>
<th>Reporting Period: Dec 1, 2017 - Dec 31, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address: 901 NORTH ELM, ROLLA, MO 65401</td>
<td></td>
</tr>
<tr>
<td>Physical Address: 901 NORTH ELM, ROLLA, MO 65401</td>
<td>County: Phelps County</td>
</tr>
<tr>
<td>Telephone Number: (573)3648590</td>
<td>Fax Number:</td>
</tr>
<tr>
<td>Prepared by: RELAUUN SMITH</td>
<td>E-mail Address:</td>
</tr>
<tr>
<td>Municipal Judge: James T. Crump</td>
<td>Prosecuting Attorney: Brad Neckermann</td>
</tr>
</tbody>
</table>

### II. MONTHLY CASELOAD INFORMATION

<table>
<thead>
<tr>
<th>Alcohol &amp; Drug Related Traffic</th>
<th>Other Traffic</th>
<th>Non-Traffic Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Cases (citations/informations) pending at start of month</td>
<td>22</td>
<td>435</td>
</tr>
<tr>
<td>B. Cases (citations/informations) filed</td>
<td>4</td>
<td>112</td>
</tr>
<tr>
<td>C. Cases (citations/informations) disposed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. jury trial (Springfield, Jefferson County, and St. Louis County only)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2. court/bench trial - GUILTY</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3. court/bench trial - NOT GUILTY</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4. plea of GUILTY in court</td>
<td>5</td>
<td>54</td>
</tr>
<tr>
<td>5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)</td>
<td>0</td>
<td>25</td>
</tr>
<tr>
<td>6. dismissed by court</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7. nolle prosequi</td>
<td>1</td>
<td>24</td>
</tr>
<tr>
<td>8. certified for jury trial (not heard in Municipal Division)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL CASE DISPOSITIONS</strong></td>
<td><strong>6</strong></td>
<td><strong>103</strong></td>
</tr>
<tr>
<td>D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]</td>
<td>20</td>
<td>444</td>
</tr>
<tr>
<td>E. Trial de Novo and/or appeal applications filed</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### III. WARRANT INFORMATION (pre- & post-disposition)

<table>
<thead>
<tr>
<th>IV. PARKING TICKETS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. # Issued during reporting period</td>
</tr>
<tr>
<td>1. # Issued during period</td>
</tr>
<tr>
<td>2. # Served/withdrawn during reporting period</td>
</tr>
<tr>
<td>3. # Outstanding at end of reporting period</td>
</tr>
<tr>
<td>Court staff does not process parking tickets</td>
</tr>
</tbody>
</table>
### V. DISBURSEMENTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)</strong></td>
<td></td>
</tr>
<tr>
<td>Fines - Excess Revenue</td>
<td>$3,600.50</td>
</tr>
<tr>
<td>Clerk Fee - Excess Revenue</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue</td>
<td>$37.00</td>
</tr>
<tr>
<td>Bond forfeitures (paid to city) - Excess Revenue</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Total Excess Revenue</strong></td>
<td>$4,837.50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)</strong></td>
<td></td>
</tr>
<tr>
<td>Fines - Other</td>
<td>$4,904.00</td>
</tr>
<tr>
<td>Clerk Fee - Other</td>
<td>$350.18</td>
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<tr>
<td>Judicial Education Fund (JEF)</td>
<td>$0.00</td>
</tr>
<tr>
<td>Peace Officer Standards and Training (POST) Commission surcharge</td>
<td>$129.18</td>
</tr>
<tr>
<td>Crime Victims Compensation (CVC) Fund surcharge - Paid to State</td>
<td>$921.06</td>
</tr>
<tr>
<td>Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other</td>
<td>$10.81</td>
</tr>
<tr>
<td>Law Enforcement Training (LET) Fund surcharge</td>
<td>$258.00</td>
</tr>
<tr>
<td>Domestic Violence Shelter surcharge</td>
<td>$256.00</td>
</tr>
<tr>
<td>Inmate Prisoner Detainee Security Fund surcharge</td>
<td>$0.00</td>
</tr>
<tr>
<td>Sheriffs’ Retirement Fund (SRF) surcharge</td>
<td>$0.00</td>
</tr>
<tr>
<td>Restitution</td>
<td>$0.00</td>
</tr>
<tr>
<td>Parking ticket revenue (including penalties)</td>
<td>$3,300.50</td>
</tr>
<tr>
<td>Bond forfeitures (paid to city) - Other</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Total Other Revenue</strong></td>
<td>$10,129.73</td>
</tr>
</tbody>
</table>

**Other Disbursements:** Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board Bill-Deft</td>
<td>$219.50</td>
</tr>
<tr>
<td>Court Automation</td>
<td>$904.27</td>
</tr>
<tr>
<td>Law Enf Arrest-Local</td>
<td>$332.00</td>
</tr>
<tr>
<td>Overpayments Detail Code</td>
<td>$81.50</td>
</tr>
<tr>
<td><strong>Total Other Disbursements</strong></td>
<td>$1,537.27</td>
</tr>
</tbody>
</table>

**Total Disbursements:**

- Bond Refunds: $138.50
- Total Disbursements: $16,643.00
**BANK NAME:** FIRST STATE COMMUNITY BANK  
**BANK ACCOUNT NUMBER:** 5918487

### OTHER GENERAL LEDGER ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT NO./DESCRIPTION</th>
<th>BALANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5002 Clerk Fee-Municipal</td>
<td>350.18</td>
</tr>
<tr>
<td>5008 Court Automation</td>
<td>904.27</td>
</tr>
<tr>
<td>5010 Board Bill-DFT</td>
<td>219.50</td>
</tr>
<tr>
<td>5016 CVC Surcharge State</td>
<td>921.06</td>
</tr>
<tr>
<td>5018 CVC Surcharge Muni</td>
<td>10.81</td>
</tr>
<tr>
<td>5020 Law Enf Arrest-Local</td>
<td>332.00</td>
</tr>
<tr>
<td>5022 LET-Muni</td>
<td>258.00</td>
</tr>
<tr>
<td>5024 POST-State</td>
<td>129.18</td>
</tr>
<tr>
<td>5032 Dom Viol - Muni</td>
<td>256.00</td>
</tr>
<tr>
<td>5040 Fine</td>
<td>2,844.50</td>
</tr>
<tr>
<td>5041 Fine - Highway</td>
<td>2,059.50</td>
</tr>
<tr>
<td>5042 Parking Penalties</td>
<td>3,300.50</td>
</tr>
<tr>
<td>5102 Clerk Fee-E/R</td>
<td>1,200.00</td>
</tr>
<tr>
<td>5118 CVC Surcharge-E/R</td>
<td>37.00</td>
</tr>
<tr>
<td>5141 Fines-E/R</td>
<td>3,600.50</td>
</tr>
</tbody>
</table>

**TOTAL OTHER GENERAL LEDGER ACCOUNTS**  
16,423.00

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

*Account data reported is based upon the As of Date entered by the user. This report may not reflect the current status of Open Items Accounts.*  
*Confidential - For Court Use Only*
BANK NAME: FIRST STATE COMMUNITY BANK
BANK ACCOUNT NUMBER: 5918487

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>SUB TOTAL</th>
<th>BALANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>BONDS IN OPEN ITEMS</td>
<td>2,079.00</td>
<td>2,079.00</td>
</tr>
<tr>
<td>BONDS IN OPEN ITEMS (not posted)</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>DEBIT ACCOUNTS WITH BALANCE</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>DEBIT ACCOUNTS WITH BALANCE (not posted)</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>GARNISHMENT ACCOUNTS</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>OPEN ITEMS/SUSPENSE ACCOUNTS</td>
<td>143.00</td>
<td>143.00</td>
</tr>
<tr>
<td>OPEN ITEMS/SUSPENSE ACCOUNTS (not posted)</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>OTHER GENERAL LEDGER ACCOUNTS</td>
<td>16,423.00</td>
<td>16,423.00</td>
</tr>
<tr>
<td>OUTSTANDING PAYABLES</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>UNSATISFIED RECOVERABLES</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>18,645.00</td>
<td></td>
</tr>
</tbody>
</table>

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

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

"Confidential - For Court Use Only"
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development ACTION REQUESTED: First Reading

SUBJECT: An ordinance that amends multiple sections of Article II and Article III of Chapter 42 of the Rolla City Code in a way that will reform public notification procedures for and apply new fees to certain land use action proposals.

(City Council)

MEETING DATE: 02-05-2018

DISCUSSION CONCLUSION:
It was concluded at the City Council meeting (conducted on 12-18-17) that the Community Development Department would provide the City Council with a new notification method proposal.

PROPOSAL:
Through direction from the Council’s discussion on the topic, we concluded the following:

1. Upon direction from City Council, we recommend that, except for minor subdivisions, all land use actions (i.e. rezones, conditional use permits, appeals, variances, special exceptions, use variances, appeals, annexations, major subdivisions, and planned unit developments) that affect a specific tract of land shall receive the following types of notification procedures:
   a. Notification on Rolla’s Government Website and social media.
   b. Notification through posting physical signs (on each street side of subject parcel), which indicate that a land use action has been proposed and information location.
   c. Notification through mail to property owners of the subject parcel(s) and those property owners within a 300-foot perimeter (non-rounded parallel lines that are drawn 300 feet from each side) around the subject parcel(s). It should be noted that the current notification-by-mail perimeter is 185 feet and that only those property owners within this 185-foot perimeter are given the power to force a supermajority vote.
   d. Notification through a legal advertisement in an official paper. This type of notification must only include the time and place of the public hearing and, if space allows, a description and the location of such a proposal.

2. Because the fiscal impact of enacting such new notification methods would increase the total cost of processing such proposals by either $100 or $200, depending on the type of case, it is proposed that the fees for such proposals be increased by either $100 or $200.
   - To post online, post signs, and increase the notification-by-mail perimeter, the increased cost is about $100. If we add to this $100 the cost of posting an advertisement in a newspaper, the total additional notification cost for the city is about $200. Variances and Major Subdivisions are the only land use action proposals that do not currently receive newspaper advertisements. Thus, these two types of actions are proposed to receive $200 increases and all other types are proposed to receive $100 fee increases.

[Signature]
FISCAL IMPACT ANALYSIS DETAILS:
As shown in the tables in Figure 2-A, the average recovery rate of the cost of processing land use action proposals is 26%. The stipulation for the term “processing” includes staff review, which includes report and presentation creation; presentations to the Planning and Zoning Commission and City Council; conducting public notification; communicating with applicant; and keeping records/file organization. Public notification helps to ensure that the public is aware of such proposals and has the appropriate opportunity to provide input on the government's regulation of the use of private property. Because this regulation is a public service, we do not expect the full costs of such services to be recovered. However, because, without an increase of fees, the recovery rate will go from an average of 26% to an average of 23% with the increased costs of the additional notification methods, we are requesting that the fees be increased as outlined in item number two (above) and in Figure 2-A. Subject to Council discussion, staff will prepare an ordinance to amend such notification processes and fees. It should be noted that it has been more than ten years since the city has conducted a comprehensive examination of the all of the application fees. In addition, staff recommends that an examination of the cost recovery for application processing take place during the next process of evaluating the budget.

ACTION REQUESTED: While the Planning and Zoning Commission only agreed that increasing online notification was agreeable to them, the City Council concluded that the Community Development Department would provide the City Council with an ordinance that would enact an array of new notification procedures. It is now requested that the City Council conduct the first reading of an ordinance that amends multiple sections of Article II and Article III of Chapter 42 of the Rolla City Code in way that will reform public notification procedures for and apply new fees to certain land use action proposals.
### Figure 2-A

<table>
<thead>
<tr>
<th>Land Use Action Type</th>
<th>Total Payment to City by Applicant</th>
<th>Total Cost to City for Labor &amp; Notification</th>
<th>% of Cost Recovered</th>
<th>Additional Cost for Additional Notification</th>
<th>New Total Cost to City</th>
<th>New % of Cost Recovered</th>
<th>Proposed Fees</th>
<th>% of Cost Recovered W/New Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>REZONES</td>
<td>$263</td>
<td>$976</td>
<td>27%</td>
<td>$100</td>
<td>$1,076</td>
<td>24%</td>
<td>$375</td>
<td>35%</td>
</tr>
<tr>
<td>CUPs</td>
<td>$263</td>
<td>$816</td>
<td>32%</td>
<td>$100</td>
<td>$916</td>
<td>29%</td>
<td>$375</td>
<td>41%</td>
</tr>
<tr>
<td>VARIANCES</td>
<td>$150</td>
<td>$385</td>
<td>39%</td>
<td>$200</td>
<td>$585</td>
<td>26%</td>
<td>$350</td>
<td>60%</td>
</tr>
<tr>
<td>APPEALS</td>
<td>$150</td>
<td>$385</td>
<td>39%</td>
<td>$200</td>
<td>$585</td>
<td>26%</td>
<td>$350</td>
<td>60%</td>
</tr>
<tr>
<td>MINOR SUBS</td>
<td>$100</td>
<td>$320</td>
<td>31%</td>
<td>$15</td>
<td>$335</td>
<td>30%</td>
<td>$100</td>
<td>30%</td>
</tr>
<tr>
<td>MAJOR SUBS</td>
<td>$100</td>
<td>$800</td>
<td>13%</td>
<td>$200</td>
<td>$1,000</td>
<td>10%</td>
<td>$300</td>
<td>30%</td>
</tr>
<tr>
<td>ANNEX</td>
<td>$63</td>
<td>$656</td>
<td>10%</td>
<td>$100</td>
<td>$756</td>
<td>8%</td>
<td>$150</td>
<td>20%</td>
</tr>
<tr>
<td>PUDs</td>
<td>$363</td>
<td>$1,296</td>
<td>28%</td>
<td>$100</td>
<td>$1,396</td>
<td>26%</td>
<td>$475</td>
<td>34%</td>
</tr>
</tbody>
</table>

Avg. % of Cost Recovered: 27%

Avg. % of Cost Recovered W/New Fees: 39%
ORDINANCE NO.__________

AN ORDINANCE AMENDING ARTICLE II, WHICH IS KNOWN AS SUBDIVISIONS, AND ARTICLE III, WHICH IS KNOWN AS THE PLANNING AND ZONING CODE, OF CHAPTER 42 OF THE ROLLA CITY CODE, BY DELETING AND ADDING LANGUAGE RELATING TO PUBLIC NOTIFICATION AND FEES FOR LAND USE ACTION PROPOSALS.

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

SECTION 1. Chapter 42 of the Rolla City Code, Article II, Division 1, General Provisions, Section 42-25.1, Procedure for Minor Subdivision Approval, is hereby amended by deleting:

The required submission of a preliminary plat may be waived for minor subdivisions as defined in this Article (see definition Sec. 42-33), as follows:

(1) The subdivider shall prepare a final plat together with any improvement plans and other supplementary material as prescribed herein. The Director, with input from the City Engineer, shall determine if the subdivision meets the standards for a minor subdivision.

(2) Submit to the Director, together with processing and recording fees, five (5) copies of the final plat plus one (1) original. The Director shall place the final plat on the Commission's agenda following review by City and utility companies' staff.

(3) The Commission shall review the final plat and supplementary material and any recommendations from agencies or officials. The Commission may approve as submitted, approve with conditions, or disapprove the final plat. If disapproved, the Commission shall express its reasons for this action which shall become part of the official record.

(4) If approved as submitted or with conditions acceptable to the subdivider, then the final plat and supplementary material along with the record of the Commission proceedings shall be forwarded to the City Council for consideration. If approved by the City Council, the Director shall sign the final plat prior to its recording with the Recorder of Deeds of Phelps County.

(5) If disapproved, the subdivider may appeal to the City Council within ninety (90) days after Commission action. (Ord. 3485)
SECTION 2. Chapter 42 of the Rolla City Code, Article II, Division 1, General Provisions, Section 42-25.1, Procedure for Minor Subdivision Approval, is hereby amended by adding:

The required submission of a preliminary plat may be waived for land use actions that are carried out through the minor subdivision process. The application and approval procedures for land use actions that are carried out through the minor subdivision process are as follows:

(1) The applicant or agent of the applicant shall submit to the Director a subdivision application, the minor subdivision application fee found in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code, the appropriate recording fees, five copies of the final plat, and any improvement plans or other supplementary materials.

(2) The Director shall place the final plat on the Commission's agenda following review by City and utility companies' staff. If revisions are requested from staff, those requests shall be communicated to the applicant or agent responsible for considering such requests.

(3) The Commission shall review the final plat and supplementary material and any recommendations from agencies or officials. The Commission may approve as submitted, approve with conditions, or disapprove the final plat. If disapproved, the Commission shall express its reasons for this action, which shall become part of the official record.

(4) The final plat and supplementary material along with the record of the Commission proceedings shall be forwarded to the City Council for consideration. If approved by the City Council, the Director shall sign the final plat and ensure that the provisions of Section 42-30 the Rolla City Code concerning public improvements have been satisfied prior to its recording with the Recorder of Deeds of Phelps County. The applicant shall submit three digital copies of the final plat in a form that is acceptable to the Community Development Department.

(5) If disapproved by the Commission, the subdivider may appeal the decision to the City Council within ninety days after the Commission's action. (Ord. 3485)

SECTION 3. Chapter 42 of the Rolla City Code, Article II, Division 1, General Provisions, Section 42-25.2, Procedure for Major Subdivision Approval, is hereby amended by deleting:

All land subdivision not otherwise classified as a minor subdivision shall be considered a major subdivision and subject to the procedures in this section. (Ord. 3799, §2)
(1) **Sketch Plat:** The subdivider may submit a sketch plat and supporting information prior to the delivery of a preliminary plat. City staff shall review this material and provide input to the subdivider concerning design standards and improvement requirements.

(2) **Preliminary Plat:** The applicant shall submit five (5) copies of the preliminary plat plus one (1) 8.5 x 11 copy to the Director who, upon determining that the preliminary plat is complete, shall place the application on the Commission's agenda. The Commission shall approve, conditionally approve, or disapprove the preliminary plat. In any case, a notation of the action taken, and the reasons therefore, shall be entered in the records of the Commission.

If approved with modifications which are not acceptable to the applicant or if disapproved, the applicant may within ninety (90) days appeal the actions of the Commission to the City Council. No person shall present testimony to the City Council which is substantially and materially different from that presented to the Commission, unless the party can demonstrate, with the approval of the Director that the introduction of such evidence before the Commission was not in good faith reasonably possible at the time of the Commission meeting. If the Director does not make this determination, the matter shall be referred back to the Commission for their review with the new information or evidence if it is found to be substantially or materially different from what had been presented. (Ord. 3799, §2)

(3) **Effective Period of Preliminary Plat Approval:** The approval of a preliminary plat shall be effective for one (1) year. The final plat must be submitted for approval within the one (1) year period or become null and void, except that the Commission may extend the effective period in six (6) month increments with the written request by the subdivider justifying the extension. The approved submission of a partial or phased final plat for a portion of a preliminary plat area shall validate the remainder of the preliminary plat for a one (1) year period.

(4) **Final Plat:** Following approval of the preliminary plat by the Planning and Zoning Commission, the applicant shall prepare a final plat together with development plans for the required public improvements, drawn under the supervision of a registered professional engineer and attested to by his signature and seal, all in accordance with applicable standards. The final plat shall be in substantial conformance to the approved preliminary plat. Five (5) copies plus one (1) original reproducible plat, including processing and recording fees, shall be submitted to the Director who shall determine its completeness and substantial conformity. In addition, one (1) 8.5 x 11 or one (1) 11 x 17 copy of the final plat shall be submitted to the Director.

Computer source copies of the final plat and development plans prepared in Computer Assisted Drafting and Design (CADD) form that is compatible with the latest version of AutoCAD (.dwg format) used by the City shall be submitted to the City Engineer and the Rolla Municipal Utilities Engineering Department.
The final plat and any supporting materials shall be submitted to the City Council for their approval. The City Council may accept the final plat with or without any changes imposed by the Commission, or may reject the final plat if found to be inconsistent with any City ordinance. If accepted by the City Council, the Director shall sign and record the plat after all other signatures have been obtained. If rejected, the Director shall attach a statement to the plat outlining the reasons for such rejection for return to the applicant. The final plat shall not be approved by City Council until the development plans have been accepted by the City Engineer and the Rolla Municipal Utilities Engineering Department. (Ord. 3485; Ord. 3799, §2)

SECTION 4. Chapter 42 of the Rolla City Code, Article II, Division 1, - General Provisions -, Section 42-25.2, Procedures for Major Subdivision Approval, is hereby amended by adding:

All land subdivision not otherwise classified as a minor subdivision shall be considered a major subdivision and subject to the procedures in this section. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3799, §2)

(1) Sketch Plat: The subdivider may submit a sketch plat and supporting information prior to the delivery of a preliminary plat. City staff shall review this material and provide input to the subdivider concerning design standards and improvement requirements.

(2) Preliminary Plat: The applicant or agent of the applicant shall submit to the Director a subdivision application, the major subdivision application fee found in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code, the appropriate recording fees, any improvement plans or supplementary materials, and five copies of the preliminary plat to the Director who, upon determining that the preliminary plat is complete, shall place the application on the Commission's agenda. The Commission shall approve, conditionally approve, or disapprove the preliminary plat. In any case, a notation of the action taken and the reason(s) the action was taken shall be entered in the records of the Commission. The preliminary plat and supplementary material along with the record of the Commission proceedings shall be forwarded to the City Council for consideration. If disapproved, the subdivider may appeal the commission's decision to the City Council within ninety days after the Commission's action. No person shall present testimony to the City Council that is substantially and materially different from that presented to the Commission, unless the party can demonstrate that the introduction of such evidence before the Commission was not in good faith reasonably possible at the time of the Commission meeting. If the Director does not agree that such evidence could not reasonably be presented at the time of the Commission meeting,
the matter shall be referred back to the Commission for their review with the new information or evidence if it is found to be substantially or materially different from what had been presented. (Ord. 3799, §2)

(3) Effective Period of Preliminary Plat Approval: The approval of a preliminary plat shall be effective for one year. The final plat must be submitted for approval within the one-year period or be rendered null and void, except that the Commission may extend the effective period in six-month increments with the written request by the subdivider justifying the extension. The approved submission of a partial or phased final plat for a portion of a preliminary plat area shall validate the remainder of the preliminary plat for a one-year period.

(4) Final Plat: Following approval of the preliminary plat by the Planning and Zoning Commission, the applicant shall prepare a final plat together with development plans for the required public improvements, drawn under the supervision of a registered professional engineer and attested to by his signature and seal, all in accordance with applicable standards. The final plat shall be in substantial conformance to the approved preliminary plat. Five copies of the original reproducible plat shall be submitted to the Director who shall determine its completeness and substantial conformity. In addition, one 8.5" x 11" or one 11" x 17" copy of the final plat shall be submitted to the Director. The applicant shall submit three digital copies of the final plat in a form that is acceptable to the Community Development Department. The final plat and any supporting materials shall be submitted to the City Council for their approval. The City Council may accept the final plat, accept the final plat and impose changes or conditions, or may reject the final plat if it is found to be inconsistent with any City ordinance. If accepted by the City Council, the Director shall sign and record the plat after all other signatures have been obtained and the provisions of Section 42-30 the Rolla City Code concerning public improvements have been satisfied. If rejected, the Director shall attach a statement to the plat outlining the reasons for such rejection for return to the applicant. The final plat shall not be approved by City Council until the development plans have been accepted by the City Engineer and the Rolla Municipal Utilities Engineering Department. (Ord. 3485; Ord. 3799, §2)

SECTION 5. Chapter 42 of the Rolla City Code, Article II, Division 1, General Provisions, Section 42-34, Processing Fees, is hereby amended by deleting:

The Director is hereby authorized to charge up to the amount established in this Section for processing subdivision and variance applications, as follows:

(1) Final Plat: $100 for the first lot, plus $2 per lot over one.

(2) Subdivision Variance: $100

Recording fees shall be collected as determined by the Recorder of Deeds for Phelps County. (Ord. 3485)
SECTION 6. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 1 - Title, Purpose, Definitions, General Provisions -, Section 42-143, which was formally “Reserved”, is hereby amended by adding the title to said Section 42-143 as follows:

Public Notification Procedures and Land Use Action Fee Schedule

SECTION 7. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 1 - Title, Purpose, Definitions, General Provisions -, Section 42-143, which was formally “Reserved”, is hereby amended by adding:

When any land use action from the list below is proposed through the submittal of an application or initiated by the city or legislative body, the public notification procedures listed below shall be carried out by the Community Development Department at least fifteen days prior to the City Council-held public hearing for such a proposal. The failure to execute any notification procedure that goes beyond what is required by state law does not imply a failure on the City's part to notify the public.

Land Use Actions that Receive Public Notification upon Application
- Major Subdivisions
- Planned Unit Developments
- Conditional Use Permits
- Map and Text Amendments
- Appeals to the Board of Adjustment
- Variances
- Special Exceptions
- Use Variances
- Subdivision Variances
- Major Amendments to Conditional Use Permits, Site Plans, and Final Development Plans

Public Notification Procedures for the Above-listed Land Use Actions
These procedures listed below shall only be executed when the combined land subject to the land use action (the subject parcel) is less than five percent of Rolla’s total size. At five percent of the City’s area, the proposal becomes a general land use action that only requires online notification and newspaper notification.
- **Online Notification**: On Rolla’s government website and social media, staff shall post the location of the proposal; a description of the proposal; the physical and digital location of relevant documents; and the location, time, and date of the Planning & Zoning Commission meeting and the City Council-held public hearing.
- **Notification by Yard Sign**: Staff shall post a yard sign on each street-facing side of the combined land subject to the land use action. The sign(s) shall convey that a land use action has been proposed and the contact information for the Community Development Department.

- **Mail Notification**: Through postal service, staff shall send an informational packet to the property owners of the subject parcel(s) and those owners of properties located within a 300-foot perimeter (non-rounded parallel lines that are drawn 300 feet from each side) around the subject parcel(s). The informational packet shall include a map that indicates where the subject parcel(s) is/are located and a letter that provides the following information: a description of the proposal; the physical and digital location of relevant case documents; and the location, time, and date of the Planning & Zoning Commission meeting and the City Council-held public hearing. When applicable, the letters shall explain the extraordinary majority requirements described in Section 89.060 of the Revised Statutes of Missouri.

- **Newspaper Notification**: Staff shall post a legal advertisement in an official paper or a paper of general circulation in Rolla. This type of notification must only include the time and place of the City Council-held public hearing and the physical and digital location of relevant case documents. In addition, if space allows, a description and the location of such a proposal shall also be provided.

**SECTION 8.** Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 1 - Title, Purpose, Definitions, General Provisions-, Section 42-143.1, which was formally “Reserved”, is hereby amended by adding the title to said Section 42-143.1 as follows:

**Fee Schedule for Land Use Actions**

**SECTION 9.** Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 1 - Title, Purpose, Definitions, General Provisions-, Section 42-143.1, which was formally “Reserved”, is hereby amended by adding the following table:
<table>
<thead>
<tr>
<th>Land Use Action Type</th>
<th>Fees</th>
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<tbody>
<tr>
<td>Major Subdivisions</td>
<td>$300</td>
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<td>Major Amendments to Conditional Use Permits/Site Plans and to Final Development Plans (for PUDs)</td>
<td>$300</td>
</tr>
</tbody>
</table>

SECTION 10. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 14, “PUD” Planned Unit Development District, Section 42-201.3, Application and Fee, is hereby amended by deleting:

An application for approval of a Development Plan may be filed by the property owner(s) or any person having a contractual interest in the subject property. A three hundred dollar ($ 300) processing fee shall be paid, in addition to the customary advertising cost. (Ord. 3414)

SECTION 11. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 14, “PUD” Planned Unit Development District, Section 42-201.3, Application and Fee, is hereby amended by adding:

Prior to submitting an application and fee, the applicant may provide a sketch plan. However, in order to initiate the review process for the approval of a PUD District
designation and the accompanying Development Plan, the applicant, who may be the property owner(s) or any person having a contractual interest in the subject property, or an agent of the applicant must submit a PUD application, a Preliminary Development Plan, and the PUD application fee found in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3414)

SECTION 12. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 14, “PUD” Planned Unit Development District, Section 42-201.11, which was formally entitled “Affect of Final Development Plan Approval”, is hereby amended by amending the title of said Section 42-143.11 as follows:

Effect of Final Development Plan Approval and Amendments

SECTION 13. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 14, “PUD” Planned Unit Development District, Section 42-201.11, which was formally entitled “Affect of Final Development Plan Approval”, is hereby amended by deleting:

Upon Final Development Plan approval by the City Council with or without modifications accepted by the applicant and upon application, all appropriate officials of the City may issue building and other permits to the applicant. The Community Development Director may authorize minor adjustments to the approved Final Development Plan when such adjustments appear necessary in light of technical or engineering considerations first discovered during actual site development. A Final Development Plan may otherwise be amended pursuant to the procedures established by this Division for its original adoption. (Ord. 3414)

SECTION 14. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 14, “PUD” Planned Unit Development District, Section 42-201.11, which was formally entitled “Affect of Final Development Plan Approval”, is hereby amended by adding:

Upon Final Development Plan approval by the City Council with or without modifications accepted by the applicant and upon application, all appropriate officials of the City may issue building and other permits to the applicant. The Community Development Director may authorize minor adjustments to the approved Final Development Plan when such adjustments appear necessary in light of technical or engineering considerations first discovered during actual site development. Otherwise, such an amendment will be classified as a major amendment to the Final Development Plan that must go through the entire PUD application and approval process as described in this Division. However, instead of
the applicant being required to pay the full PUD application fee, the applicant must only pay the major amendment fee found in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3414)

SECTION 15. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 16, Conditional Use Permits, Section 42-234.1, Procedures, is hereby amended by deleting:

A Conditional Use Permit may be initiated by an application by one or more of the owners of record or owners under contract of a lot or tract of land, or their authorized representatives. Procedures for application, review, and approval of Conditional Use Permits shall be as follows:

a. An application for a Conditional Use Permit for a specific tract of land shall be addressed to the Planning and Zoning Commission and shall be filed with the Community Development Director. The application shall be filed on forms prescribed for that purpose and be accompanied by the following:

1. Filing Fee of two hundred dollars ($ 200);
2. The applicant's name and address and legal interest in the subject property,
3. The owner's name and address, including trustees, and, if different than the applicant, the owner's signed consent to the filing of the application and authorization for the applicant to act in his behalf;
4. The legal description of the property;
5. The zoning classification and present use of the property;
6. A description of the proposed conditional use;
7. A Site Plan in accordance with this Section;
8. A statement describing how the proposed conditional use will comply with the applicable standards of this Section; and
9. A statement describing how the proposed conditional use is to be designed, arranged and operated in order to ensure that future development that is consistent with District regulations will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected.

SECTION 16. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 16, Conditional Use Permits, Section 42-234.1, Procedures, is hereby amended by adding:

In order for an applicant, who may be the property owner(s) or any person having a contractual interest in the subject property, to initiate the review process for the approval of a Conditional Use Permit, the applicant or an agent of the applicant must submit a Conditional Use Permit application, a site plan, and the Conditional
Use Permit application fee found in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. The application and site plan shall contain the information described below.

a. The Conditional Use Permit application shall contain the following information:
   1. The names, addresses, signatures, and contact information for both the applicant and, if applicable, the agent of the applicant.
   2. The legal description of the property;
   3. The zoning classification and present use of the property;
   4. A description of the proposed conditional use;
   5. A Site Plan in accordance with this Section;
   6. A statement describing how the proposed conditional use will comply with the applicable standards of this Section; and
   7. A statement describing how the proposed conditional use is to be designed, arranged, and operated will be submitted in order to ensure that future development, which is consistent with District regulations, will not be prevented or made unlikely and that the value, use, and reasonable enjoyment of such property will not be impaired or adversely affected.

SECTION 17. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 16, Conditional Use Permits, Section 42-234.10, Procedure to Amend a Conditional Use Permit or Site Plan, is hereby amended by deleting:

In order to amend an existing Conditional Use Permit or to amend the Site Plan approved for a Conditional Use Permit, the procedure shall be as follows:

(a) To amend a Conditional Use Permit:
   (1) The property owner or authorized representative shall submit a written request to amend conditions. The Community Development Director shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing.
   
   (2) The Community Development Director shall then forward the request and his report to the Planning and Zoning Commission. The Commission shall review the proposed amendments and file a report with the City Council in which the Commission shall recommend to grant, deny or modify the requested condition amendments. If the Commission determines that the requested amendments are not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Commission may require a new public hearing on the matter in
accordance with the provisions of this Article specified for amending the Zoning Ordinance.

(b) To amend the Site Plan:
(1) The property owner or authorized representative shall submit an amended Site Plan for review. The Community Development Director shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally approved by the City Council.

(2) If the Community Development Director determines that the proposed amendment to the Site Plan is not in conflict with the Final Site Plan, and meets all conditions of the Conditional Use Permit, the Community Development Director may approve said amended Plan. The approved Plan shall be retained on file in the office of the Community Development Director.

(3) If the Community Development Director determines that the Site Plan is not consistent in purpose and content with the Final Site Plan, the Community Development Director shall so report to the applicant and the Planning and Zoning Commission. In which case, the review process for the submittal of Conditional Use Permits shall be followed as described under Sec. 42-317 for the proposed amendment to the Final Site Plan. (Ord. 3414)

SECTION 18. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 16, Conditional Use Permits, Section 42-234.10, Procedure to Amend a Conditional Use Permit or Site Plan, is hereby amended by adding:

In order to amend an existing Conditional Use Permit or to amend the Site Plan approved for a Conditional Use Permit, the following procedures shall be executed:

(a) To amend a Conditional Use Permit:
(1) The property owner or his/her/their agent shall submit a Conditional Use Permit Amendment application to request amendments to such a permit’s conditions. The Community Development Director shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing. A report shall be formulated that outlines the findings of such an analysis.

(2) The Community Development Director shall then forward the request and his/her report to the Planning and Zoning Commission. The Commission shall review the proposed amendments and file a report with the City Council in which the Commission shall recommend to grant, deny, or modify the requested condition amendments. If the Commission determines that the requested amendments are not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Commission may require that a new public hearing on the
matter be held. If a new public hearing is ordered for the amendment, the amendment becomes a major amendment and the applicant must pay the major amendment fee listed in Section 42.143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code.

(b) To amend the Site Plan:

(1) The property owner or his/her/their agent shall submit a Conditional Use Permit Amendment application and an amended Site Plan in order for such an amended Site Plan to be considered for approval. The Community Development Director shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally approved by the City Council.

(2) If the Community Development Director determines that the proposed amendment to the Site Plan is not in conflict with the Final Site Plan and meets all conditions of the Conditional Use Permit, the Community Development Director may approve said amended Plan. The approved Site Plan shall be retained on file in the office of the Community Development Director.

(3) If the Community Development Director determines that the amended Site Plan is not consistent in purpose and content with the Final Site Plan, the Community Development Director shall report this conclusion to the applicant and the Planning and Zoning Commission. In which case, the entire review process for the submittal of Conditional Use Permits shall be conducted for the amendment’s approval. If the entire Conditional Use Permit approval process is required for the amendment, the amendment to the site plan becomes a major amendment and the applicant must pay the major amendment fee listed in Section 42.143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3414)

SECTION 19. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 20, which was formally entitled “Changes and Amendments”, is hereby amended by amending the title of said Division as follows:

Map and Text Amendments

SECTION 20. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 20, which was formally entitled “Changes and

\[ \text{J. A. 16.} \]
Amendments”, Section 42-250, which was formally entitled “Changes and Amendments” is hereby amended by amending the title of said Section as follows:

Map and Text Amendments

SECTION 21. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 20, which was formally entitled “Changes and Amendments”, Section 42-250, which was formally entitled “Changes and Amendments”, is hereby amended by deleting:

The City Council may from time to time by ordinance amend, supplement, change, modify or repeal the text or regulations herein or subsequently established. Before taking any such action, the City Council shall submit the same to the Planning and Zoning Commission for its recommendation.

Zoning district classification amendments may be proposed by the City Council, the Planning and Zoning Commission, the Community Development Director, and by any governmental body or person having a financial, contractual, or proprietary interest in real property located in the City of Rolla. The application for a zoning district classification amendment shall be made on a form provided by the City of Rolla. On submission of any proposed change in classification, the applicant shall deposit with the City Clerk of the City of Rolla an amount of money sufficient for publishing all notices of hearings and a processing fee of two hundred dollars ($200). All applications and fees shall be filed with the Community Development Department no later than the second Tuesday of each month for consideration during the following month. (Ord. 3414)

SECTION 22. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 20, which was formally entitled “Changes and Amendments”, Section 42-250, which was formally entitled “Changes and Amendments”, is hereby amended by adding:

Rolla’s property owners, legislative bodies, and government officials may propose amendments to the Official Zoning Map (e.g. rezoning requests), the Future Land Use Map, or the text of Rolla’s Planning and Zoning Code. For such a request to be initiated, applicants must submit the appropriate application and the Map & Text Amendment fee listed in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code. All applications and fees shall be filed with the Community Development Department no later than the second Tuesday of each month for consideration during the following month. (Ord. 3414)

SECTION 23. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 20, which was formally entitled “Changes and Amendments”, Section 42-250.4, Notice of Hearing Before City Council, is hereby amended by deleting:

V.A.17.
A public hearing shall be held by the City Council before adopting any proposed amendment, supplement or change at which parties in interest and citizens shall have an opportunity to be heard. Notice of such hearing shall be made by publishing the same in a newspaper of general circulation published in the City of Rolla, Missouri; the said notice shall be published at least fifteen (15) days before said public hearing before the City Council and shall specify the time and place of such hearing and the location where the application and related documents may be viewed. (Ord. 3414)

SECTION 24. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 20, which was formally entitled “Changes and Amendments”, Section 42-250.4, Notice of Hearing Before City Council, is hereby amended by adding:

A public hearing, where parties in interest and citizens shall have an opportunity to be heard, shall be held by the City Council before adopting any proposed amendment. At least fifteen days before the public hearing is held, a notice of such hearing shall be published in an official paper or a paper of general circulation in Rolla. The notice shall specify the time and place of such hearing and the location where the application and related documents may be viewed. In addition, staff shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3414)

SECTION 25. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 21 - Administration, Enforcement and Review -, Section 42-254.5, Notice of Appeals, is hereby amended by deleting:

Notice of appeals shall be submitted not less than twenty eight (28) days prior to a regularly scheduled Board meeting. The applicant shall be notified in writing by registered mail of the date, time and location of the hearing. Upon filing a notice of appeal with the secretary of the Board of Adjustment, the applicant shall deposit the sum of one hundred and fifty dollars ($150.00) with the City Clerk to cover the cost of mailing and posting notices, staff time to process the application, court reporting, and other administrative expenses. (Ord. 3414; Ord. 3566, §6; Ord. 3748, §12)

SECTION 26. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 21 - Administration, Enforcement and Review -, Section 42-254.5, Notice of Appeals, is hereby amended by adding:

Notice of appeals (i.e. an appeal application) shall be submitted not less than twenty-eight days prior to a regularly scheduled Board meeting. The applicant must submit to the Community Development
Department the appeal application and the appeal fee listed in Section 42.143.1 of
the Rolla Planning and Zoning Code. A public hearing shall be held for such
proposals and the Community Development Department shall notify the public of
the hearing and proposal according to the prescribed procedures and standards
described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3414;
Ord. 3566, §6; Ord. 3748, §12)

SECTION 27. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and
Zoning Code, Division 21 - Administration, Enforcement and Review -, Section
42-255.1, Notice of Hearings, is hereby amended by deleting:

Applications for special exceptions and variances shall be submitted on forms
provided for this purpose not less than twenty-eight (28) days prior to a regularly
scheduled Board meeting. Once the application has been determined to be
complete, the Board of Adjustment shall hold a public hearing and written notice
of all such public hearings shall be sent by the secretary of the Board to the
applicant and all other persons deemed by the Board to be affected. Notices shall
also be posted in three conspicuous places in the vicinity of the real estate to be
affected, such notice to be posted not less than ten days before the date set for
public hearing. Such notices shall state the time and place of such public hearing.
Provided, however, all provisions contained herein with respect to the mailing and
posting of notices of hearing shall be deemed sufficient upon substantial
compliance with this Section, which is to be construed as directory and not
mandatory. (Ord. 3414)

SECTION 28. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and
Zoning Code, Division 21 - Administration, Enforcement and Review -, Section
42-155.1, Notice of Hearings, is hereby amended by adding:

Applications for special exceptions, variances, and use variances shall be submitted
on forms provided for this purpose not less than twenty-eight days prior to a
regularly scheduled Board meeting. Along with the submission of such an
application, the applicant shall submit the appropriate fee listed in Section 42.143.1
of the Rolla Planning and Zoning Code. Once the application has been determined
to be complete, the Board of Adjustment shall hold a public hearing and written
notice of all such public hearings shall be sent by the secretary of the Board to the
applicant and all other persons deemed by the Board to be affected. In addition,
upon completeness, the Community Development Department shall notify the
public of the hearing and proposal according to the prescribed procedures and
standards described in Section 42-143 of the Rolla Planning and Zoning Code.
(Ord. 3414)

SECTION 29. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and
Zoning Code, Division 21 - Administration, Enforcement and Review -, Section
42-255.4, Special Exceptions, is hereby amended by deleting:

\[\text{V.A.19.}\]
The prospective occupant or owner of the property shall make application for special exceptions according to the terms of this Article. A deposit of ten dollars ($10.00) shall accompany such application, to cover expenses of mailing and posting notices. The Board of Adjustment may, after public notice and hearing and subject to the conditions and safeguards herein contained, authorize special exceptions to this Article as follows:

SECTION 30. Chapter 42 of the Rolla City Code, Article III, which is known as the Planning and Zoning Code, Division 21 - Administration, Enforcement and Review -, Section 42-155.4, Special Exceptions, is hereby amended by adding:

The prospective occupant or owner of the property shall make application for special exceptions according to the terms of this Article and follow the application procedures outlined in Section 42-255.1 of this Division. Subject to the conditions and safeguards herein contained, after public notice and hearing, the Board of Adjustment may authorize special exceptions to this Article as follows:

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED THE MAYOR THIS 5TH DAY OF FEBRUARY 2018.

APPROVED:

__________________________
MAYOR

ATTEST:

__________________________
CITY CLERK

APPROVED AS TO FORM:

__________________________
CITY COUNSELOR
Article III, Division I

Section 42-143. Public Notification Procedures and Land Use Action Fee Schedule

When any land use action from the list below is proposed through the submittal of an application or initiated by the city or legislative body, the public notification procedures listed below shall be carried out by the Community Development Department at least fifteen days prior to the first reading of such a proposal at a City Council meeting. City Council-held public hearing for such a proposal. The failure to execute any notification procedure that goes beyond what is required by state law does not imply a failure on the City's part to notify the public.

**Land Use Actions that Receive Public Notification upon Application**
- Major Subdivisions
- Planned Unit Developments
- Conditional Use Permits
- Map and Text Amendments
- Appeals to the Board of Adjustment
- Variances
- Special Exceptions
- Use Variances
- Subdivision Variances
- Major Amendments to Conditional Use Permits, Site Plans, and Final Development Plans

**Public Notification Procedures for the Above-listed Land Use Actions**
These procedures listed below shall only be executed when the combined land subject to the land use action (the subject parcel(s)) is less than five percent of Rolla's total size. At five percent of the City's area, the proposal becomes a general land use action that only requires online notification and newspaper notification as described below.

- **Online Notification:** On Rolla's government website and social media, staff shall post the location of the proposal; a description of the proposal; the physical and digital location of relevant documents; and the location, time, and date of the Planning & Zoning Commission meeting and the City Council-held public hearing.

- **Notification by Yard Sign:** Staff shall post a yard sign on each street facing side of the combined land subject to the land use action. The sign(s) shall indicate that a land use action has been proposed and how to contact information for the Community Development Department. More information can be obtained.

- **Mail Notification:** Through postal service, staff shall send an informational packet to the property owners of the subject parcel(s) and those owners of properties located within a 300-foot perimeter (non-rounded parallel lines that are drawn 300 feet from each side) around the subject parcel(s). The informational packet shall include a map that indicates where the subject parcel(s) is/are located and a letter that provides the following information: a description of the proposal, the physical and digital location of relevant documents; and the location, time, and date of the Planning & Zoning Commission meeting and the City Council-held public hearing. When applicable, the letters shall explain the extraordinary majority requirements described in Section 89.060 of the Revised Statutes of Missouri.
Newspaper Notification: Staff shall post a legal advertisement in an official paper or a paper of general circulation in Rolla. This type of notification must only include the time and place of the City Council-held public hearing and the physical and digital location of relevant case documents. In addition, if space allows, a description and the location of such a proposal shall also be provided.

Section 42-143.1 Fee Schedule for Land Use Actions

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<th>LAND USE ACTION FEE SCHEDULE</th>
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ARTICLE 2—SUBDIVISIONS

Sec. 42-25.1. Procedure for Minor Subdivision Approval.
The required submission of a preliminary plat may be waived for land use actions that are carried out through the minor subdivision process. The application and approval procedures for land use actions that are carried out through the minor subdivision process are as follows:
The required submission of a preliminary plat may be waived for minor subdivisions as defined in this Article (see definition Sec. 42-33). The application and approval procedures for land use actions that are carried out through the subdivision process are as follows:
(1) The subdivider shall prepare a final plat together with any improvement plans and other supplementary materials as prescribed herein. The Director, with input from the City Engineer, shall determine if the subdivision meets the standards for a minor subdivision.
(2) The applicant or agent of the applicant shall submit to the Director, together with a subdivision application, the minor subdivision application fee found in the Fee Schedule in Section 42-143.1 of the Rolla Planning and Zoning Code, the appropriate processing and recording fees, five (5) copies of the final plat plus one (1) original, and any improvement plans or other supplementary materials.
(3) The Director shall place the final plat on the Commission's agenda following review by City and utility companies' staff. If revisions are requested from staff, those requests shall be communicated to the applicant or agent responsible for considering such requests.
(4) The Commission shall review the final plat and supplementary material and any recommendations from agencies or officials. The Commission may approve as submitted, approve with conditions, or disapprove the final plat. If disapproved, the Commission shall express its reasons for this action, which shall become part of the official record.
(5) If disapproved, the subdivider may appeal the decision to the City Council within ninety (90) days after Commission action. (Ord. 3799, §2)

Sec. 42-25.2. Procedure for Major Subdivision Approval.
All land subdivisions not otherwise classified as a minor subdivision shall be considered a major subdivision and subject to the procedures in this section. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. (Ord. 3799, §2)
(1) Sketch Plat: The subdivider may submit a sketch plat and supporting information prior to the delivery of a preliminary plat. City staff shall review this material and provide input to the subdivider concerning design standards and improvement requirements.

(2) Preliminary Plat: The applicant or agent of the applicant shall submit to the Director a subdivision application, the major subdivision application fee found in the Fee Schedule in Section 42.143.1 of the Rodha Planning and Zoning Code, the appropriate recording fees, any improvement plans or supplementary materials, and five copies of the preliminary plat to the Director who, upon determining that the preliminary plat is completed, shall place the application on the Commission’s agenda. The Commission shall approve, conditionally approve, or disapprove the preliminary plat. In any case, a notation of the action taken and the reason for the action shall be entered in the records of the Commission. The preliminary plat and supplementary material along with the record of the Commission proceedings shall be forwarded to the City Council for consideration. If disapproved, the subdivider may appeal the Commission’s decision to the City Council within ninety days after the Commission’s action. No person shall present testimony to the City Council that is substantially and materially different from that presented in the Commission, unless the party can demonstrate that the introduction of such evidence before the Commission was not in good faith reasonably possible at the time of the Commission meeting. If the Director makes does not present evidence could not reasonably be presented at the time of the Commission meeting, the matter shall be referred back to the Commission for their review with the new information or evidence if it is found to be substantially or materially different from what had been presented. (Ord. 3799, §22)

The applicant shall submit five (5) copies of the preliminary plat plus one (1) 8.5 x 11 copy to the Director who, upon determining that the preliminary plat is complete, shall place the application on the Commission’s agenda. The Commission shall approve, conditionally approve, or disapprove the preliminary plat in any case, a notation of the action taken shall be entered in the records of the Commission. If approved with modifications which are acceptable to the applicant or if disapproved, the applicant may within ninety (90) days appeal the action of the Commission to the City Council. No person shall present testimony to the City Council which is substantially and materially different from that presented to the Commission, unless the party can demonstrate that the introduction of such evidence before the Commission was not in good faith reasonably possible at the time of the Commission meeting. If the Director does not make this determination, the matter shall be referred back to the Commission for their review with the new information or evidence if it is found to be substantially or materially different from what had been presented. (Ord. 3799, §22)

(3) Effective Period of Preliminary Plat Approval: The approval of a preliminary plat shall be effective for one (1) year. The final plat must be submitted for approval within the one (1) year period or become null and void; except that the Commission may extend the effective period in six (6) month increments with the written request by the subdivider justifying the extension. The approved submission of a partial or phased final plat for a portion of a preliminary plat area shall validate the remainder of the preliminary plat for a one (1) year period.

(4) Final Plat: Following approval of the preliminary plat by the Planning and Zoning Commission, an approved plat, the applicant shall prepare a final plat together with development plans for the required public improvements, drawn under the supervision of a registered professional engineer and attested to by his signature and seal, all in accordance with applicable standards. The final plat shall be in substantial conformance to the approved preliminary plat. Five (5) copies plus one (1) copy of the original reproducible plat, including process-
The applicant shall submit three digital copies of the final plat in a form that is acceptable to the Community Development Department. Computer-source copies of the final plat and development plans prepared in Computer-Assisted Drafting and Design (CADD) format that is compatible with the latest version of AutoCAD (dwg format) used by the City shall be submitted to the City Engineer and the Rolla Municipal Utilities Engineering Department.

The final plat and any supporting materials shall be submitted to the City Council for their approval. The City Council may accept the final plat, accept the final plat and impose changes or conditions, or may reject the final plat if it is found to be inconsistent with any City ordinance. If accepted by the City Council, the Director shall sign and record the plat after all other signatures have been obtained and the provisions of Section 42-30 of the Rolla City Code concerning public improvements have been satisfied. If rejected, the Director shall attach a statement to the plat outlining the reasons for such rejection for return to the applicant. The final plat shall not be approved by City Council until the development plans have been approved by the City Engineer and the Rolla Municipal Utilities Engineering Department. (Ord. 3485, Ord. 3789, §2)

**ARTICLE 3 - DIVISION 14 - PUDS**

**Sec. 42-201.3. Application and Fee.**

Prior to submitting an application and fee, the applicant may provide a sketch plan. However, in order to initiate the review process for the approval of a PUD District designation and the accompanying Development Plan, the applicant, who may be the property owner(s) or any person having a contractual interest in the subject property, or an agent of the applicant must submit a PUD application, a Preliminary Development Plan, and the PUD application fee found in the Fee Schedule in Section 42-143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. An application for approval of a Development Plan may be filed by the property owner(s) or any person having a contractual interest in the subject property. A three-hundred dollar ($300) processing fee shall be paid in addition to the customary advertising cost. (Ord. 3414)

**Sec. 42-201.11. Affect of Final Development Plan Approval and Amendments.**
Upon Final Development Plan approval by the City Council with or without modifications accepted by the applicant and upon application, all appropriate officials of the City may issue building and other permits to the applicant. The Community Development Director may authorize minor adjustments to the approved Final Development Plan when such adjustments appear necessary in light of technical or engineering considerations first discovered during actual site development. Otherwise, such an amendment will be classified as a major amendment to the Final Development Plan that must go through the entire PUD application and approval process as described in this Division. However, instead of the applicant being required to pay the full PUD application fee, the applicant must only pay the major amendment fee found in the Fee Schedule in Section 42-143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. Otherwise, the amended pursuant to the procedures established by this Division for its original adoption.

**ARTICLE 3 - DIVISION 16 - CUPS**

**Sec. 42-234.1. Procedures.**

A in order for an applicant, who may be the property owner(s) or any person having a contractual interest in the subject property, to initiate the review process for the approval of a Conditional Use Permit, the applicant or an agent of the applicant must submit a Conditional Use Permit application, a site plan, and the Conditional Use Permit application fee found in the Fee Schedule in Section 42-143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. The application and site plan shall contain the information described below. Conditional Use Permit may be initiated by an application by one or more of the owners of record or owners under contract of a lot or tract of land, or their authorized representative. Procedures for application, review, and approval of Conditional Use Permits shall be as follows:

a. An application for a Conditional Use Permit application shall contain the following information for a specific tract of land shall be addressed to the Planning and Zoning Commission and shall be filed with the Community Development Director. The application shall be filed on forms prescribed for that purpose and be accompanied by the following:

1. Filing Fee of two-hundred dollars ($200);
2. The applicant's name, and addresses, signatures, and contact information for both the applicant and, if applicable, the agent of the applicant and legal interest in the subject property;
3. The owner's name and address, including trustees and, if different from the applicant, the owner's signed consent to the filing of the application and authorization for the applicant to act in his behalf;
4. The legal description of the property;
5. The zoning classification and present use of the property;
6. A description of the proposed conditional use;
7. **V. A. 26.**
ASite Plan in accordance with this Section;
A statement describing how the proposed conditional use will comply with the
applicable standards of this Section; and
A statement describing how the proposed conditional use is to be designed,
arranged, and operated will be submitted in order to ensure that future development,
which is consistent with District regulations, will not be prevented or made
unlikely, and that the value, use, and reasonable enjoyment of such property will
not be impaired or adversely affected.

Site Plan content.
1. Approximate location of proposed and existing designated uses or buildings and
other structures, including adjoining property, as well as parking and open areas
shall be indicated for the proposed conditional use and adjacent property;
2. Existing and proposed contours at vertical intervals of not more than five (5) feet
referred to sea level datum. Flood plain areas shall be delineated;
3. Approximate location of all isolated trees having a trunk diameter of six (6) inches
or more, all tree masses and proposed landscaping/screening plan;
4. An elevation view of the site showing preliminary building form (new construction
only);
5. Proposed ingress and egress to the site, including right-of-way and pavement width
for proposed and existing streets;
6. A plan for the provision of sanitation and drainage facilities;
7. The location, lighting, and type of signs and the relationship of signs to traffic
control;
8. The location and number of required off-street parking areas; and
9. The location of existing utilities.

Sec. 42-234.10. Procedure to Amend a Conditional Use Permit or Site Plan.
In order to amend an existing Conditional Use Permit or to amend the Site Plan approved for a
Conditional Use Permit, the procedure shall be as follows: following procedures shall be executed:
(a) To amend a Conditional Use Permit:
(1) The property owner or authorized representative or, if their agent, shall submit a
Conditional Use Permit Amendment application to written request to amend amendments
to such permit's conditions. The Community Development Director shall evaluate the
request for consistency in purpose and content with the nature of the proposal as originally

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Sec. 42-234.10. Procedure to Amend a Conditional Use Permit or Site Plan.
In order to amend an existing Conditional Use Permit or to amend the Site Plan approved for a
Conditional Use Permit, the procedure shall be as follows: following procedures shall be executed:
(a) To amend a Conditional Use Permit:
(1) The property owner or authorized representative or, if their agent, shall submit a
Conditional Use Permit Amendment application to written request to amend amendments
to such permit's conditions. The Community Development Director shall evaluate the
request for consistency in purpose and content with the nature of the proposal as originally

advertised for public hearing. A report shall be submitted that outlines the findings of such an analysis.

(2) The Community Development Director shall then forward the request and his report to the Planning and Zoning Commission. The Commission shall review the proposed amendments and file a report with the City Council in which the Commission shall recommend to grant, deny, or modify the requested condition amendments. If the Commission determines that the requested amendments are not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Commission may require that a new public hearing on the matter be held in accordance with the provisions of this Article. If a new public hearing is ordered for the amendment, the amendment becomes a major amendment and the applicant must pay the required amendment fee listed in Section 42-143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals, and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code.

(b) To amend the Site Plan:

(1) The property owner or his/her agent shall submit a Conditional Use Permit Application and a site plan amendment application and an amended Site Plan for review in order for such an amended Site Plan to be considered for approval. The Community Development Director shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally approved by the City Council.

(2) If the Community Development Director determines that the proposed amendment to the Site Plan is not in conflict with the Final Site Plan and meets all conditions of the Conditional Use Permit, the Community Development Director may approve said amended Plan. The approved Plan shall be retained on file in the office of the Community Development Director.

(3) If the Community Development Director determines that the amended Site Plan is not consistent in purpose and content with the Final Site Plan, the Community Development Director shall so report to the applicant and the Planning and Zoning Commission. In which case, the entire review process for the submittal of Conditional Use Permits shall be followed-conducted for the amendment's approval as described under Sec. 42-143 for the proposed amendment to the Final Site Plan. If the entire Conditional Use Permit approval process is required for the amendment, the amendment to the Site Plan becomes a major amendment and the applicant must pay the required amendment fee listed in Section 42-143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals, and the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code.

(Ord. 3414)
Sec. 42-250. Changes and Amendments to Map and Text Amendments.
Rolla's property owners, legislative bodies, and government officials may propose amendments to the Official Zoning Map (e.g., rezoning requests), the Future Land Use Map, or the text of Rolla's Planning and Zoning Code. For such a request to be initiated, applicants must submit the appropriate application and the Map & Text Amendment fee listed in the Fee Schedule in Section 42.143.1 of the Rolla Planning and Zoning Code. The City Council may, from time to time, by ordinance amend, supplement, change, modify or repeal the text or regulations herein or subsequently established. Before taking any such action, the City Council shall submit the same to the Planning and Zoning Commission for its recommendation.

Zoning district classification amendments may be proposed by the City Council, the Planning and Zoning Commission, the Community Development Director, and by any governmental body or person having a financial, contractual, or proprietary interest in real property located in the City of Rolla. The application for a zoning district classification amendment shall be made on a form provided by the City of Rolla. On submission of any proposed change in classification, the applicant shall deposit with the City Clerk of the City of Rolla an amount of money sufficient for publishing all notices of hearings and a processing fee of two hundred dollars ($200). All applications and fees shall be filed with the Community Development Department no later than the second Tuesday of each month for consideration during the following month. (Ord. 3414)

A public hearing, where parties in interest and citizens shall have an opportunity to be heard, shall be held by the City Council before adopting any proposed amendment, supplement or change at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days before the public hearing is held, a notice of such hearing shall be made by publishing the same in a newspaper of general circulation published in Rolla. The notice shall be published at least thirty (30) days before such public hearing by the City Council and shall specify the time and place of such hearing and the location where the application and related documents may be viewed. In addition, staff shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42.143 of the Rolla Planning and Zoning Code. (Ord. 3414)

ARTICLE 3 - DIVISION 21 - BOARD OF ADJUSTMENTS

Sec. 42-254.5. Notice of Appeals.
Notice of appeals (i.e., an appeal application) shall be submitted not less than twenty-eight (28) days prior to a regularly scheduled Board meeting. The applicant shall be notified in writing by registered mail of the date, time and location of the hearing. Upon filing a notice of appeal with the secretary of the Board of Adjustment, the applicant must submit to the Community Development Department the appeal application and the appeal fee listed in Section 42.143.1 of the Rolla Planning and Zoning Code. A public hearing shall be held for such proposals and the Community Development Department shall notify the public of the hearing and proposal.
Sec. 42-255.1. Notices of Hearings.
Applications for special exceptions and variances shall be submitted on forms provided for this purpose not less than twenty-eight (28) days prior to a regularly scheduled Board meeting. Along with the submission of such an application, the applicant shall submit the appropriate fee listed in Section 42-143.1 of the Rolla Planning and Zoning Code. Once the application has been determined to be complete, the Board of Adjustment shall hold a public hearing and written notice of all such public hearings shall be sent by the secretary of the Board to the applicant and all other persons deemed by the Board to be affected. In addition, upon completeness, the Community Development Department shall notify the public of the hearing and proposal according to the prescribed procedures and standards described in Section 42-143 of the Rolla Planning and Zoning Code. Once the application has been determined to be complete, the Board of Adjustment shall hold a public hearing and written notice of all such public hearings shall be sent by the secretary of the Board to the applicant and all other persons deemed by the Board to be affected. Notices shall also be posted in three conspicuous places in the vicinity of the real estate to be affected, such notice to be posted not less than ten days before the date set for public hearing. Such notice shall state the time and place of such public hearing. Provided, however, all provisions contained herein with respect to the mailing and posting of notices of hearing shall be deemed sufficient upon substantial compliance with this Section—which is to be construed as directory and not mandatory. (Ord. 3414)

Sec. 42-255.4. Special Exceptions.
The prospective occupant or owner of the property shall make application for special exceptions according to the terms of this Article and follow the application procedures outlined in Section 42-255.1 of this Division. Subject to the conditions and safeguards herein contained, after public notice and hearing, a deposit of ten dollars ($10.00) shall accompany such application, to cover expenses of mailing and posting notices. If the Board of Adjustment may, after public notice and hearing and subject to the conditions and safeguards herein contained, authorize special exceptions to this Article as follows:

(a) The Board of Adjustment may grant a special exception to allow a legal non-conforming use to be changed to any other use permitted in the zoning district in which the non-conforming use is allowed, provided the proposed use is not more intense than the existing use in terms of traffic generation and other impacts on surrounding property.

(b) Permit the extension of an existing legal non-conforming use in a building upon a lot currently occupied as a legal non-conforming use.

(c) Permit the use of property in the "R-1" and "R-2" Districts adjacent to the "R-3", "C" or "M" Districts, even if separated therefrom by an alley or by a street, for parking of passenger cars under such safeguards and conditions of the setback requirements of the more restricted property, and
further provided that such parking area shall not extend a greater distance than five hundred (500) feet from the "R-3," "C" or "M" Districts and other conditions as needed to promote public safety. (d) Permit the use of property owned by a church for the parking of passenger cars in any district under such safeguards and conditions as are necessary to protect adjacent property. (Ord. 3414)
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  
ACTION REQUESTED: Final Reading

SUBJECT: A request to approve an ordinance that authorizes Rolla’s Mayor to execute on behalf of the City of Rolla a Sewer Use Agreement with Kenneth L. Light

MEETING DATE: 02-05-2018

GENERAL INFORMATION:
CASE NUMBER: ANX17-03  
SUBMISSION DATE: 12-06-2017

APPLICANT & LOCATION: Kenneth Light is the name of the applicant and the location of the parcel subject to this request (the subject parcel) is located at 10300 Audubon Place, Phelps County, Missouri (See Figure 3-A).

PROJECT DESCRIPTION: The applicant would like to enter into a Sewer Agreement (See Figure 3-B) with the City of Rolla. On behalf of the Public works department and the applicant, it is requested that the City of Rolla is authorized to enter into this sewer agreement and that the annexation petition be recorded, but put aside for now and acted upon on a future date when the balance of the area requests annexation. Subsequently, an ordinance enacting this sewer agreement has been requested to be approved and recorded (See Figure 3-C).

DETAILS: Light is planning to build a new single family dwelling on the subject parcel. This lot is outside the city limits and immediately north of Kensington Place, which is in the city. Through Kensington Place, there is an easement available to them to run a lateral to the new house. Under Section 35-133 of the Rolla City Code, they are required to submit an application for voluntary annexation. In addition to paying all of the costs to connect, the Public Works Department is recommending that they pay 1.5 times the city non-metered sewer rate. The tract of land is contiguous with the city limits and could be annexed at this time but the public works department does not recommend annexation at this time because the lot is served by a street that is currently outside the city limits. It is assumed that the reasoning behind this is that annexing the street in order to serve one lot would not be cost-effective in terms of economies of scale. In addition, as outlined in their memo that is displayed in Figure 3-D, Rolla Municipal Utilities’ (RMU) concern is that installing a new water main on Audubon for the purposes of fire protection may be cost-prohibitive. RMU is neutral on the annexation of the parcel at this time and their full reasoning can found in the attached memo. They request some text be added to the agreement.

PUBLIC COMMENT: No public comments or issues have been submitted to the city.

ACTION REQUIRED: By a six to zero vote, the Planning & Zoning Commission recommends approval. The action requested from the City Council is to conduct the final reading of the approval, denial, or conditional approval to record the Light Annexation Petition and to enact an ordinance that authorizes the City of Rolla to enter into the Light Sewer Agreement.
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, AND KENNETH L. LIGHT.

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 sewer use agreement between the City of Rolla, Missouri, and Kenneth L. Light. A copy of said agreement being attached hereto and marked Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 5th DAY OF FEBRUARY 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR
Figure 3-A, Light Location Map
MEMO

To: James Shields
From: Vicki Cason
Subject: Development Review Committee (REVISED)
Date: January 4, 2018

RMU has reviewed the articles submitted for discussion at the November 28th meeting and provides the following comments:

1. **Meyer Consolidation (Meyer):** RMU has no comments.

2. **Oaklane South (Chen):** RMU requests a 10' utility easement along the north line of Lots 1 and 2.

3. **Annex and Sewer Use Agreement 10300 Audubon Place (Light):** RMU would support annexation at this time to allow for the provision of electric service to be by RMU. If the property annexes after construction, RMU will not be able to provide electric service. The property is within PWSD #2 and a District water line is in place, therefore water service will be by the District. Distance to nearest existing fire hydrant is approximately 930 feet. With the addition of a fire hydrant at the intersection of Lover’s Lane and Audubon Place the distance would be approximately 580 feet.

   The Fire Department has reviewed the situation and determined that a fire hydrant at the intersection of Audubon Place and Lover’s Lane may require the assistance of Rolla Rural mutual aid which may not be desirable. RMU has determined that it would be cost prohibitive to install water main on Audubon Place for the purpose of fire protection to only 10300 Audubon Place. RMU requests that the sewer use agreement be modified to include verbiage that states that the property owner of 10300 Audubon Place will be responsible for their pro rata share of the construction cost, should extension of RMU water main be installed along Audubon Place at some point in the future. With this change, RMU’s position is neutral on annexation.

C: Rodney Bourne, RMU General Manager
    Chad Davis, RMU Operations Manager
Sewer Use Agreement

Grantee:   Kenneth L. Light
Grantor:   City of Rolla, 901 North Elm Street, Rolla, MO 65401
Mailing Address:   PO Box 979, Rolla, MO 65402
Legal Description:  Page 2
Reference Book/Page:  _________________________________
SEWER USE AGREEMENT

THIS SEWER USE AGREEMENT is entered into this ______ of __________, 2018 by Kenneth L. Light, Grantee(s) with the City of Rolla, Missouri, a municipal corporation hereinafter "City"), Grantor.

WHEREAS, Kenneth L. Light has made a request for sewer service for their property located at Lots 7B and 6A in Audubon Place, Rolla, MO. 65401.

WHEREAS, this property is located outside the city limits.

WHEREAS, Kenneth L. Light has submitted an application for annexation of the property.

WHEREAS, by voluntarily entering into this agreement Kenneth L. Light and the City, in accordance with Rolla City Code Section 35-133, intend to further define their duties and responsibilities to ensure that their respective actions are coordinated in order to meet the requirements of said Section 35-133: and

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

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

Lots 7B & 6A Audubon Place Plat No 3 7-37-7 (3.6 acres) 10300 Audubon Place Rolla MO, Account Number 12118

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

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

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

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

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

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

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

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

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

(j) The property owner of 10300 Audubon Place shall be responsible for the pro rata share of the construction cost of any future water main extension along Audubon Place for which the property benefits.

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

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

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

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

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

APPROVED:
Mayor Louis J. Magdits IV

ATTEST:
City Clerk Carol L. Daniels

City Counselor

Kenneth L. Light

APPROVED AS TO FORM:
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development
ACTION REQUESTED: Final Reading

SUBJECT: A request to subdivide the parcel known as 901 Oaklane Drive into two lots through the resubdivision process.

MEETING DATE: 02-05-2018

GENERAL INFORMATION:
CASE NUMBER: SUB17-18
SUBMISSION DATE: 12-19-2017

APPLICANT: The parcel subject to the proposed ordinance (the subject parcel) is owned by Chen’s Estate Management LLC (the applicant) and their mailing address is 9201 Wabaday Avenue St. Louis, Missouri, 63114.

LOCATION: The subject parcel is in the city of Rolla, Missouri, 470 feet west of the intersection of Oaklane Drive and South Bishop Avenue. The Phelps County Assessor’s Account Numbers for the subject parcels are, from west to east, 10668.00 and 10668.01 (See Figure 2-A for a general location map and Figure 2-B for close-up aerial image). The subject parcel consists of a part of Lot 67 of the Railroad Addition Subdivision of Rolla, Missouri (The full legal description and Final Plat Map can be viewed in Figure 2-C).

CURRENT ZONING/USE: The subject parcel is located in the Multi-Family District (R-3). Located on the subject parcel is a vacant single-family residence.

PROJECT DESCRIPTION: The applicant is proposing to split the lot known as 901 Oaklane Drive into two parcels through the resubdivision process. This lot split is occurring in order for the city to recognize a line that was created through the recording of a deed at the county level. Until this line is recognized by the city, which is done by the applicant legally subdividing the parcel, the applicant cannot receive building permits to build a multi-family building on each new lot.

ANALYSIS:
AREA AND BULK REQUIREMENTS: The two new lots that will be created from this lot split will meet the lot width and minimum area requirements of the R-3 zoning district. However, with each lot being about 14,910 square feet in area, each lot will be limited to six units. More units than six will result in a violation of minimum lot area requirements. This subdivision will not affect the setbacks of the existing building, which currently conforms to said setbacks, on the subject parcel.

PROCESS: The applicant submitted a draft version of the Final Plat that has been reviewed by the relevant staff of Rolla’s municipal government and by the staff of Rolla Municipal Utilities (RMU). After review, said staff proceeded to communicate to the applicant and his/her/their surveyor the findings of said review. After review of said findings, the applicant/surveyor submitted a revised Final Plat to the Community Development Department. The revised Final Plat has been reviewed again by relevant city and utilities staff. No further revisions are requested.
PARKLAND DEDICATION: Parkland Dedication or fee in lieu of such dedication is only required when a lot split occurs of more than two lots. Thus, this provision does not apply to this proposal.

PUBLIC COMMENT: No public comments or issues have been submitted to the city.

ACTION REQUIRED: By a six to zero vote, the Planning & Zoning Commission recommends approval. The action requested from the City Council is to conduct the final reading of the approval, denial, or conditional approval of the Oaklane South Final Plat Map. If this final plat map is approved, it is requested that an ordinance that enacts this proposal is approved and recorded.
ORDINANCE NO.

AN ORDINANCE TO SUBDIVIDE THE PARCEL KNOWN AS 901 OAKLANE DRIVE INTO TWO LOTS THROUGH THE RESUBDIVISION PROCESS. (OAKLANE SOUTH).

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

SECTION 1: A subdivision of the parcel known as 901 Oaklane Drive into two lots through the resubdivision process.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5th DAY OF FEBRUARY 2018.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor
Figure 2-A, Chen General Location
DEPARTMENT: Community Development

SUBJECT: A request to amend Rolla’s Planning and Zoning Code in a way that adjusts the height regulations for various zoning districts and modifies the way in which height is calculated.

GENERAL INFORMATION:
CASE NUMBER: TXT18-01
ADVERTISEMENT DATE: 12-31-2017

PROPOSAL: The Community Development Department (this department) is currently conducting a comprehensive analysis of Rolla’s bulk, area, and height requirements that are applied to the zoning districts of the Rolla. The first proposal, TXT18-01 (Adjustment of Height Regulations), is described in this staff report. Through deletions, insertions, and revisions of the codes definitions and a revision of the “General Provisions” section of the code, this department is requesting that the way in which building height and stories is calculated be modified. In addition, we are requesting that nine of the zoning districts receive height limitation adjustments. Some of these are due to the elimination of half stories (i.e. R-2, R-3B, C-O, C-1), one is from adjustments in how height is calculated (R3), and four of these are due to increases in height maximums (R-R, R-1, C-2, and C-3). Please See Figure 4-A to decipher zoning district acronyms.

CALCULATING HEIGHT: Currently we calculate height by number of stories by increments of 0.5 stories or as a dimension from the ground to the top of a roof. Our proposed calculation methods retracted language from the code can be found in the attached ordinance. The proposed calculation method takes into account the number of stories and the dimensional height. Stories are limited to 14 feet except that a ground floor used for commercial purposes may be up to 20 feet in height without counting as two stories. This is done in order to refrain from penalizing commercial developments for having spacious/open retail area or lobbies. Dimensional height is calculated by 14 feet multiplied the number of stories allowed plus four feet for a raised basement and four feet for an attic kickwall. Instead of using half stories, which in actuality refer to attic space, we do not count attic space as a story if the kickwall is equal to or less than four feet in height. All of this simplifies the calculation and ensures all types of development are on level playing field.

HEIGHT REGULATION ADJUSTMENTS BY ZONING DISTRICT: The zoning districts receiving height regulation changes are displayed in the table in Figure 4-A. The following sections outline the purpose of height regulations and the reasoning for these changes.

PUBLIC PURPOSE: Maximum height regulations may promote aesthetics. However, these regulations are for the main purposes of providing adequate light and air, securing safety from fire, and preventing the overcrowding of land (i.e. limiting density). In addition to the public purposes identified in the State Enabling Act, having a range of different heights in a city contributes to the provision of a range of different environments in which citizens or developers can choose to live or develop, respectively. One principle of transect-based planning is that certain urban forms and elements belong in different environments along the rural-to-urban transect. The rural-to-urban
Transect is a range of habitats that vary by the level and intensity of their physical and social character, providing immersive contexts from rural to urban. For example, an apartment building is more urban than a ranch house and a small front setback is more urban than a large front setback. Similarly, taller buildings are more urban than shorter buildings and urban areas are meant for more intense activities than suburban and rural areas. Generally, height and intensity are related.

REASONING FOR HEIGHT REGULATION ADJUSTMENTS: Apart from the public purposes of imposing height regulations to different zoning districts, the following four arguments summarize why these height adjustments are being proposed.

1. The tallest building in Downtown Rolla, the oldest part of Rolla that was traditionally the most intense in activity, is the Phelps County Bank building, which is four stories tall. As is the case of most cities in the U.S.A, Rolla has traditionally been a monocentric city (i.e. one centrally located Central Business District), which is why the tallest building is located there. However, as cities became car-centric, they become polycentric, which means that there are multiple high activity areas in one region. These areas are usually sprawled along commercial arterials and zoned accordingly. Thus, in terms of commercial activity it is logical for the most intense building heights to correlate with the highest activity areas in the city, which are meant to be in the Center City District, the General Retail District (C-2), and the Highway Commercial District (C-3).

2. Many of the uses in the C-2 are apt to require at least four stories, such as parking garages and hotels/motels. Many of the hotels/motels that operate today have set architectural specifications that require certain heights. In addition, it is not that C-3 uses are necessarily more intense than C-3 uses. It is just that it was determined that C-3 uses are less likely to be compatible with C-2 uses. Because C-3 uses may be the same as or similar to C-2 uses, it is logical that the most intense building heights should exist in both C-2 and C-3.

3. Chief Ron Smith has indicated that being able to get over the top of a building/parapet wall would be advantageous to fighting fires/rescuing people. In regards to these activities, with the equipment that Rolla’s Fire Department currently has and with the current fire-minded regulations in place, the ideal maximum height for a building/parapet wall is 65 feet.

4. The Rural Residential District’s and the Single Family District’s maximum heights are proposed to be raised from two to three. With a four-story limit on the most intense residential zones (R-3), the height choices are limited to four, which make it difficult to characterize zones by height. Also, the way in which stories will be calculated mandate that “walk-out” basements be counted as a full story. This would mean that with a two-story limitation a house would be limited to one regular story above a walk-out basement. Even though only five percent of new single-family detached homes are three stories tall, enabling people with the freedom to have three is fair given calculation changes.

PUBLIC COMMENT/ACTION REQUESTED: No public comments or issues have been submitted to the city. By a six to zero vote, the Planning & Zoning Commission recommends approval. The action requested from the City Council is to approve, deny, or conditionally approve the City of Rolla’s proposal to adjust height regulations and height calculations.
ORDINANCE NO. _________

AN ORDINANCE AMENDING ARTICLE III, WHICH IS KNOWN AS THE PLANNING AND ZONING CODE, OF CHAPTER 42 OF THE ROLLA CITY CODE BY AMENDING, DELETING, AND ADDING LANGUAGE THAT PERTAINS TO THE WAY IN WHICH BUILDING HEIGHT IS DEFINED, CALCULATED, AND REGULATED.

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

SECTION 1.

Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 1, “Title, Purpose, Definitions, General Provisions”, Section 42-141, Definitions, is hereby amended by deleting:

Basement: A story partly or wholly below grade. For purposes of height measurement a basement shall be counted as a story where more than one half (1/2) of its height is above the average level of the adjoining ground.

Height: The height of a building or portion of a building shall be measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established to the highest point of the roofs surface. In measuring the height of a building, the following structures shall be excluded: Chimneys, cooling towers, radio towers, ornamental cupolas, domes, or spires, elevator bulk heads, pent houses, tanks, water towers, and parapet walls not exceeding four (4) feet in height.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there be no floor above it, then the space between such floor and ceiling next above it.

Story, half: A story under a gable, hip or gambrel roof, the wall plates of which at least two opposite exterior walls are not more than two feet above the floor of such story, and which has an average height of not more than eight feet and covering a floor area of not more than seventy five percent of the area of the floor on the story next below.

SECTION 2.

Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 1, “Title, Purpose, Definitions, General Provisions”, Section 42-141, Definitions, is hereby amended by adding:
Height, Dimensional and Story: Height shall be calculated as the number of stories in a building and by a dimension that is measured from a height that is equal to the lowest point along the intersection of the front(s) of the building (the side or sides of the building that faces the front lot line or lines) and the ground to the highest point of either the parapet line, cornice line, or eave line, whichever is applicable and highest. A story is limited to 14 feet from the finished floor to the ceiling, except that ground-floor stories used for commercial purposes may be as high as 20 feet. If there are multiple floor heights in one story, the lowest floor will be used for the calculation. Any story that exceeds these limitations will count as two stories. Basements that emerge four feet or less from the lowest ground level at the intersection of the front of the building and the ground and attics not exceeding four feet at the top of the kickwall shall not constitute an additional story. Any attic or basement that exceeds these limitations shall count as a story. When determining if a building meets maximum height regulations, both types of measurements, stories and dimensional height, shall be taken into consideration. Violation of either measurement constitutes a height violation.

SECTION 3.

Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 1, “Title, Purpose, Definitions, General Provisions”, Section 42-142, General Provisions, is hereby amended by deleting:

(j) Exceptions to Height Regulations: Elevator machinery, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers (excluding telecommunication towers), steeples, flagpoles, chimneys, and smokestacks are not subject to height limitations. No space above the height limit shall be used to provide additional floor space for the use being conducted on the premises. In addition, separate structures such as water standpipes, water ground storage tanks, or similar structures are exempt from height limitations.

SECTION 4.

Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 1, “Title, Purpose, Definitions, General Provisions”, Section 42-142, General Provisions, is hereby amended by adding:

(j) Reserved
SECTION 5.
Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 2, “R-R” Rural Residential District, Section 42-168.3, Area Requirements, is hereby amended by deleting:

Maximum height of buildings:
35 (thirty five) feet (two stories).

SECTION 6.
Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 2, “R-R” Rural Residential District, Section 42-168.3, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
Three Stories and Fifty Feet

SECTION 7.
Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 3, “R-1” Single Family District, Section 42-171.3, Area Requirements, is hereby amended by deleting:

Maximum height of buildings:
35 (thirty five) feet (two stories).

SECTION 8.
Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 3, “R-1” Single Family District, Section 42-171.3, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
Three Stories and Fifty Feet

SECTION 9.
Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 4, “R-2” Two Family District, Section 42-174.3, Area Requirements, is hereby amended by deleting:

Maximum height of buildings:
• 40 (forty) feet or two and one-half stories above the average finished grade.

SECTION 10.
Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 4, “R-2” Two Family District, Section 42-174.3, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
• Three Stories and Fifty Feet
SECTION 11. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 5, “R-3” Multi-Family District, Section 42-177.2, **Area Requirements**, is hereby amended by deleting:

Maximum height of buildings:
- The maximum height of buildings in the “R-3” Multifamily District shall not exceed four (4) stories or sixty (60) feet above the average finished grade, provided, however, that buildings may be erected to a height of one hundred and fifty (150) feet when the front, side, and rear yards are increased an additional five (5) feet for each ten (10) feet the height of the building exceeds sixty (60) feet.

SECTION 12. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 5, “R-3” Multi-Family District, Section 42-177.2, **Area Requirements**, is hereby amended by adding:

Maximum height of buildings:
- Four Stories and Sixty-Four Feet

SECTION 13. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Subdivision II of Division 5 “R-3b” Multi-Family District, Section 42-178.2, **Area Requirements**, is hereby amended by deleting:

Maximum height of buildings:
The maximum height of buildings in the “R-3b” Multifamily District shall not exceed 40 (forty) feet in height or two and one-half stories above the finished grade.

SECTION 14. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Subdivision II of Division 5 “R-3b” Multi-Family District, Section 42-178.2, **Area Requirements**, is hereby amended by adding:

Maximum height of buildings:
Three Stories and Fifty Feet

SECTION 15. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 7, “C-O” Office District, Section 42-183.2, **Area Requirements**, is hereby amended by deleting:

Maximum height of buildings:
40 (forty) feet or two and one-half stories above average finished grade.
SECTION 16. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 7, “C-O” Office District, Section 42-183.2, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
Two Stories and Thirty-Six Feet

SECTION 17. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 8, “C-I” Neighborhood Business District, Section 42-186.3, Area Requirements, is hereby amended by deleting:

Maximum height of buildings:
40 (forty) feet or two and one-half stories above average finished grade.

SECTION 18. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 8, “C-I” Neighborhood Business District, Section 42-186.3, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
Three Stories and Fifty Feet

SECTION 19. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 9, “C-2” General Retail District, Section 42-189.3, Area Requirements, is hereby amended by deleting:

Maximum height of buildings:
Forty five (45) feet or three (3) stories above average finished grade.

SECTION 20. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 9, “C-2” General Retail District, Section 42-189.3, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
Four Stories and Sixty-Four Feet

SECTION 21. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 10, “C-3” Commercial Highway District, Section 42-192.2, Area Requirements, is hereby amended by deleting:

Maximum height of buildings:
Forty five (45) feet or three (3) stories above average finished grade.
SECTION 22. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 10, “C-3” Commercial Highway District, Section 42-192.2, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
Four Stories and Sixty-Four Feet

SECTION 23. Chapter 42 of the Rolla City Code, known as the Planning and Zoning Code, Division 13, “M-2” Heavy Manufacturing District, Section 42-198.4, Area Requirements, is hereby amended by adding:

Maximum height of buildings:
No Maximum

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5th DAY OF FEBRUARY 2018.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor
Figure 4-A

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"RR" Rural Residential District
"R1" Single Family District
"R2" Two Family District
"R3" Multi Family District
"R-3b" Multi-Family District
"RMH" Residential Manufactured Home District
"GI" Government and Institutional District
"C-O" Office District "C-1" Neighborhood Business District
"C-2" General Retail District
"C-3" Highway Commercial District
"Center City District"
"M-1" Light Manufacturing District
"M-2" Heavy Manufacturing District
CITY OF ROLLA
CITY COUNCIL AGENDA

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

ITEM/SUBJECT: Closeout of Terla, Inc. (Brewer Science) Chapter 100 Project (2002-2017)

BUDGET APPROPRIATION (IF APPLICABLE): N/A DATE: Feb. 5, 2018

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COMMENTARY: Since its founding in 1981 by Dr. Terry Brewer, Brewer Science has grown to be considered “One of Missouri’s Top Places to Work” (St. Louis P-D 2012) employing in excess of 310 FTE’s. In 2002 in support of Brewer Science’s expansion needs at HyPoint Industrial Park, the City and Terla, Inc. (Brewer Science’s holding company) partnered in a $14.3 million Ch. 100 Industrial Revenue Bond for plant expansion and equipment (60,000 S.F.). A Performance Agreement stipulated the terms and responsibilities of both Brewer Science and the City. Chapter 100 Bonds are a financing program in MO that assigns the assets to the issuer (City of Rolla) for tax abatement and sales tax exemptions on the capital investment. The Agreement stipulated a PILOT (payment in lieu of tax) of approximately 50% ($60,000 - $70,000) provided they maintain at least 240 jobs.

It’s hard to believe the 15 year term on the Ch. 100 bonds and Performance Agreement ended in December 2017 but I am pleased to report the project operated extremely well (note expansion of Brewer Science at Rolla National Airport in 2013). The Terla/Brewer Science facilities go back on the full tax rolls in 2018.

For project close-out the Mayor needs to execute the Bill of Sale, Termination of Lease and Special Warranty Deed which officially transfers all ownership back to Terla/ Brewer Science. Said authorization is granted in the 2002 bond documents, but we wanted to provide a formal reconciliation of same to the Council and community.

Recommendation: Motion to authorize the Mayor’s signature on the Ch. 100 Terla, Inc. (Brewer Science) bond documents (2002-2017).
BILL OF SALE

WITNESSETH: That the CITY OF ROLLA, MISSOURI, a third-class city organized and existing under the laws of the State of Missouri ("Seller"), pursuant to a Lease Agreement dated as of August 1, 2002 (the "Lease Agreement"), between the Seller and TERLA, INC, a corporation organized and existing under the laws of the State of Missouri ("Buyer"), for and in consideration of the sum of ten dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has BARGAINED and SOLD, and by these presents does now GRANT and CONVEY, unto Buyer and its successors and assigns, all of its right, title and interest, if any, in and to all machinery, equipment and parts therefor purchased with Bond proceeds whether or not installed or kept on the Project Site, and constituting the "Project", as such terms are defined in the Lease Agreement.

This Bill of Sale is given pursuant to Section 11.02 of the Lease Agreement, pursuant to which Buyer has purchased the Project from the Seller.

The property is being conveyed "as is," "where is" and "with all faults" as of the date of this Bill of Sale, without any representation or warranty whatsoever as to its condition, fitness for any particular purpose, merchantability, or any other warranty, express or implied.

IN WITNESS WHEREOF, Seller has caused this Bill of Sale to be executed in its corporate name by its duly authorized officer this ___ day of January, 2018

CITY OF ROLLA, MISSOURI

---

By:
Name: Louis J. Magdits IV
Title: Mayor

ATTEST:

By:
Name: Carol Daniels
Title: City Clerk

[Seal Signature]

[Signature]

[Name]
Title: Mayor

[Signature]
Name: Caiol Daniels
Title: City Clerk
DOCUMENT COVER SHEET

TITLE OF DOCUMENT: Special Warranty Deed
DATE OF DOCUMENT: January __, 2018
GRANTOR: CITY OF ROLLA, MISSOURI
Mailing Address: 901 N. Elm Street
Rolla, Missouri 65402
GRANTEE: TERLA, INC.
Mailing Address: 2401 Brewer Drive
Rolla, Missouri 65401
LEGAL DESCRIPTION: See Exhibit A
RETURN DOCUMENTS TO: Mark A. Spykerman
Gilmore & Bell, P.C.
One Metropolitan Square
211 N. Broadway, Suite 2000
St. Louis, Missouri 63102
REFERENCE BOOK & PAGE: N/A
SPECIAL WARRANTY DEED

THIS DEED is made and entered into to be effective as of the ___ day of January, 2018, by and between the CITY OF ROLLA, MISSOURI, a third-class city organized and existing under the laws of the State of Missouri and its charter (the "Grantor"), and TERLA, INC., a Missouri corporation (the "Grantee"). Terms not otherwise described herein shall have the meanings ascribed them in the Trust Indenture between the Grantor and UMB Bank, N.A., as trustee, dated as of August 1, 2002, with respect to the Grantor’s issuance of its $14,300,000 maximum principal amount Taxable Industrial Revenue Bonds (Brewer Science, Inc. Project), Series 2002.

WITNESSETH, that the Grantor, for and in consideration of the sum of One Dollar ($1.00), and other good and valuable consideration, paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee, the real property described on Exhibit A attached hereto and incorporated by reference (the “Project Site”) and the buildings, structures, improvements and fixtures located thereon (the “Project Improvements”), all as located in the County of Phelps, State of Missouri.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the Grantee, and to its successors and assigns forever. The Grantor hereby covenants that it and its successors and assigns shall and will WARRANT AND DEFEND the title to the premises unto the Grantee, and to its successors and assigns forever, against the lawful claims of all persons claiming by, through or under Grantor but none other, subject to: (i) those liens and encumbrances, if any, to which title to the Project Site and the Project Improvements was subject when conveyed to the Grantor; (ii) those liens and encumbrances created by the Grantee, all persons claiming by, through or under Grantee, or to the creation or suffering of which the Grantee consented or permitted; (iii) those liens and encumbrances resulting from the failure of the Grantee to perform or observe any of Grantee’s obligations contained in the Lease Agreement; (iv) taxes or payments in lieu of taxes not yet due and payable for the calendar year 2018 and thereafter and the special taxes becoming a lien after the date of this deed; (v) all current zoning laws; and (vi) all other easements, conditions and restrictions of record.

[The remainder of this page has intentionally been left blank.]
IN WITNESS WHEREOF, the Grantor has executed these presents the day and year first above written.

“GRANTOR”

CITY OF ROLLA, MISSOURI

[SEAL]

ATTEST:

By: __________________________ 
Name: Louis J. Magdits IV
Title: Mayor

“GRANTEE”

TERLA, INC., a Missouri corporation

By: __________________________ 
Name: Terry Brewer
Title: President
ACKNOWLEDGMENT

STATE OF MISSOURI )
COUNTY OF PHELPS ) SS.

On this _______ day of January, 2018, before me, the undersigned, a Notary Public, appeared LOUIS J. MAGDITS IV, to me personally known, who, being by me duly sworn, did say that he is the Manager of the CITY OF ROLLA, MISSOURI, and that the seal affixed to the foregoing instrument is the corporate seal of said City, and that said instrument was signed and sealed by authority of its City Council, and said officers acknowledged said instrument to be executed for the purposes therein stated and as the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Name: __________________________________________________
Notary Public in and for said State

My Commission Expires:

PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX
ACKNOWLEDGMENT

STATE OF MISSOURI

COUNTY OF PHELPS

On this 28th day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry Brewer to me personally known, who, being by me duly sworn, did say that he is the President of TERLA, INC., a Missouri corporation, and that said instrument was signed on behalf of said corporation by authority of its governing body, and said officer acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid on the day and year first above written.

Name: Adrienne L. Echelberry
Notary Public in and for said State

My Commission Expires:

ADRIENNE L. ECHELBERRY
Notary Public - Notary Seal
STATE OF MISSOURI
Pulaski County
My Commission Expires: March 14, 2024
Commission # 12409228

PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX
EXHIBIT A
LEGAL DESCRIPTION

The land situated in Phelps County, Missouri, and described as follows:

DESCRIPTION TRACT C

A fractional part of the South Half of the Northwest Quarter, and a fractional part of the North Half of the Southwest Quarter of Section 29, Township 38 North, Range 7 West of the 5th P.M. described as follows: Commencing at the Northwest Corner of the West Half of the Northeast Quarter of the Southwest Quarter of said Section 29; thence South 88°49'50" East, 632.68 feet along the North line of said West Half of the Northeast Quarter of the Southwest Quarter to the true point of beginning of the hereinafter described tract: Thence South 0°13’ West, 529.13 feet to the northeast corner of a parcel described in Phelps County Deed Records at Book 380, Page 199; thence South 89°35'30" West, 280.02 feet along the North line of said Book 380, Page 199 parcel to its northwest corner; thence North 0°13'40" East, 213.32 feet; thence northwesterly, 132.08 feet along the arc of a curve, concave southwesterly with a radius of 85.00 feet, the chord of which is North 44°18' West, 119.19 feet; thence North 88°51'30" West, 223.43 feet; thence southwesterly, 135.65 feet along the arc of a curve, concave southeasterly with a radius of 85.00 feet, the chord of which is South 45°26'50" West, 121.71 feet; thence South 0°17'20" East, 127.06 feet; thence southwesterly, 40.82 feet along the arc of a curve, concave northwesterly with a radius of 25.00 feet, the chord of which is South 46°29'10" West, 36.43 feet; thence South 89°38'30" West, 155.40 feet; thence northwesterly, 70.89 feet along the arc of a curve, concave northeastly with a radius of 45.12 feet, the chord of which is North 45°19'10" West, 63.82 feet; thence North 0°18'40" West, 439.96 feet to the North line of the East Half of the Northwest Quarter of the Southwest Quarter; thence North 88°43'40" West, 2.43 feet along said North line to the East right of way of a road described in Phelps County Deed Records at Document No. 1999-4299; thence northerly, 74.25 feet along the arc of a curve, concave westerly with a radius of 230.00 feet, the chord of which is North 18°01'10" West, 73.93 feet, and, North 27°16' West, 432.28 feet, all along said East right of way; thence South 88°50'20" East, 1128.65 feet; thence South 0°12'20" West, 450.00 feet to the true point of beginning. Above described tract contains 18.62 acres, more or less, per plat of survey R-10510, dated August 12, 2002, by Elgin Surveying & Engineering, Inc.

DESCRIPTION TRACT D

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<table>
<thead>
<tr>
<th>Title of Document:</th>
<th>TERMINATION OF LEASE AGREEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Document:</td>
<td>January __, 2018</td>
</tr>
<tr>
<td>Grantor:</td>
<td>TERLA, INC.</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>2401 Brewer Drive</td>
</tr>
<tr>
<td></td>
<td>Rolla, Missouri 65401</td>
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<tr>
<td>Grantee:</td>
<td>CITY OF ROLLA, MISSOURI</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>901 N. Elm Street</td>
</tr>
<tr>
<td></td>
<td>Rolla, Missouri 65402</td>
</tr>
<tr>
<td>Grantee's Assignee:</td>
<td>UMB BANK, N.A.</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>2401 Grand Boulevard</td>
</tr>
<tr>
<td></td>
<td>Kansas City, Missouri 64108</td>
</tr>
<tr>
<td>Legal Description:</td>
<td>See Exhibit A</td>
</tr>
<tr>
<td>Return Documents To:</td>
<td>Mark A. Spykerman</td>
</tr>
<tr>
<td></td>
<td>Gilmore &amp; Bell, P.C.</td>
</tr>
<tr>
<td></td>
<td>One Metropolitan Square</td>
</tr>
<tr>
<td></td>
<td>211 N. Broadway, Suite 2000</td>
</tr>
<tr>
<td></td>
<td>St. Louis, Missouri 63102</td>
</tr>
</tbody>
</table>
TERMINATION OF LEASE AGREEMENT

A. The City of Rolla, Missouri (the "City") previously issued its $14,300,000 Taxable Industrial Revenue Bonds (Brewer Science, Inc. Project) Series 2002 (the "Bonds"), pursuant to a Trust Indenture dated as of August 1, 2002 (the "Indenture"), between the City and UMB Bank, N.A., as trustee (the "Trustee"). The proceeds of the Bonds were used to finance the acquisition, construction and installation of an industrial development project in the City on the property described on Exhibit A attached hereto (as further described in the Indenture, the "Project").

B. The City leased the Project to Terla, Inc., a Missouri corporation (the "Company") pursuant to a Lease Agreement dated as of August 1, 2002 (the "Lease Agreement"), between the Company and the City. A Memorandum of the Lease Agreement was recorded with the Phelps County Recorder of Deeds on August 22, 2002 as Document No. 2002 5683.

C. The City assigned its interest in the Lease Agreement to the Trustee as security for the payment of the Bonds pursuant to an Assignment of Lease Agreement dated as of August 1, 2002 (the "Assignment"), which was recorded with the Phelps County Recorder of Deeds on August 22, 2002 as Document No. 2002 5684.

D. The Company has paid all amounts payable under the Lease Agreement and the Indenture, including payment of all outstanding Bonds and all fees, taxes, penalties, costs and expenses of the Trustee and the City, and the City will, simultaneously with the execution of this Termination of Lease Agreement, convey the Project to the Company.

NOW, THEREFORE, THE CITY, THE TRUSTEE AND THE COMPANY DO HEREBY STATE AND DECLARE:

That as of date hereof, the parties hereto agree that the Lease Agreement and the Assignment shall terminate and be of no further force and effect. After the termination of the Lease Agreement and the simultaneous transfer of title to the Project to the Company, the City shall have no rights or interest in the Project.

The Company hereby confirms that the provisions of the Lease Agreement regarding the indemnification of the City and Trustee shall survive the termination of the Lease Agreement.

IN WITNESS WHEREOF, the parties named above have caused this Termination of Lease Agreement to be duly executed in their respective corporate names by their duly authorized officers, as of January __, 2018.
TERLA, INC., a Missouri corporation

By: [Signature]
Name: Terry Brewer
Title: President

ACKNOWLEDGMENT

STATE OF MISSOURI  )
   ) SS.
COUNTY OF PHELPS  )

On this 25th day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Terry Brewer to me personally known, who, being by me duly sworn, did say that he is the President of TERLA, INC., a Missouri corporation, and that said instrument was signed on behalf of said corporation by authority of its governing body, and said officer acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid on the day and year first above written.

[Signature]
Name: Adrienne L. Echelberry
Notary Public in and for said State

My Commission Expires:

ADRIENNE L. ECHELBERRY
Notary Public - Notary Seal
STATE OF MISSOURI
Pulaski County
My Commission Expires: March 14, 2020
Commission # 12409228

PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX
CITY OF ROLLA, MISSOURI

By: __________________________________________
Name: Louis J. Magdits IV
Title: Mayor

[SEAL]

ATTEST:

By: __________________________________________
Name: Carol Daniels
Title: City Clerk

ACKNOWLEDGMENT

STATE OF MISSOURI          )
) SS.
COUNTY OF PHELPS           )

On this ______ day of January, 2018, before me, the undersigned, a Notary Public, appeared LOUIS J. MAGDITS IV, to me personally known, who, being by me duly sworn, did say that he is the Manager of the CITY OF ROLLA, MISSOURI, and that the seal affixed to the foregoing instrument is the corporate seal of said City, and that said instrument was signed and sealed by authority of its City Council, and said officers acknowledged said instrument to be executed for the purposes therein stated and as the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Name: _________________________________
Notary Public in and for said State

My Commission Expires:

PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX

VI. A. 12.
UMB BANK, N.A., as Trustee

By: __________________________
Name: Cary Miller
Title: Senior Vice President

ACKNOWLEDGMENT

STATE OF MISSOURI  )
COUNTY OF Jackson  ) SS.

On this 22 day of January, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Cary Miller to me personally known, who, being by me duly sworn, did say that he is a Vp of UMB BANK, N.A., a national banking association, and that said instrument was signed on behalf of said association by authority of its governing body, and said officer acknowledged said instrument to be the free act and deed of said association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid on the day and year first above written.

Name: Beth Moore
Notary Public in and for said State
My Commission Expires: 2-22-21

BETH MOORE
Notary Public - Notary Seal
STATE OF MISSOURI
JACKSON County
My Commission Expires: FEB. 22, 2021
Commission # 13394746

PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX
EXHIBIT A

The land situated in Phelps County, Missouri, and described as follows:

DESCRIPTION TRACT C

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DESCRIPTION TRACT D

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CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis
ACTION REQUESTED: Ordinance Discussion/Pt Reading
ITEM/SUBJECT: Bicycle Pedestrian Advisory Committee
BUDGET APPROPRIATION: DATE: 02/05/18

**********************************************************
COMMENTARY:

Attached is the Department’s proposed Master Plan for Bicycle and Pedestrian facilities for the Rolla community.

Over the past 20 years the City’s network of sidewalks has grown from just over 20 miles to 76 miles. In addition 12 miles of shared use paths have been developed primarily along linear parks in the southern portion of the City. According to our UTC Direction Finder these shared use paths consistently rate high in satisfaction with City residents.

In the fall of 2017 the Department made an application for bicycle friendly status to the League of American Bicyclists. We received honorable mention along with Jefferson City, Missouri. Missouri has seven communities who have been recognized as bicycle friendly. Missouri ranks 32nd out of the 50 states on the state bicycle friendly report card.

Attached is our report card for Rolla. Suggested areas of improvement include the creation of an official Bicycle and Pedestrian Committee (BPAC).

Attached is a staff-prepared suggested ordinance establishing a City of Rolla Bicycle/Pedestrian Advisory Committee. Also included is a City of Rolla Bicycle/Pedestrian Advisory Committee By-laws, Rules and Responsibilities document. Lastly is a proposed Purpose, Duties, Responsibility and Requirement sheet to be used in the recruitment of members.

Each member will be appointed by the Mayor and approved by City Council. We will be searching for applicants in the following areas of interest:

City Planning
Parks and Recreation
Rolla Public Schools
Community Pedestrian Advocates

Law Enforcement
Missouri S&T
Rolla City Council
Community Bicycling Advocates

The Director of Public Works will serve as a non-voting ex-officio member.

Staff is requesting 1st Reading of the Ordinance. If passed, we will begin selection of interested community members.

Staff recommends approval.

ITEM NO. VI.B.
ORDINANCE NO. __________

AN ORDINANCE ENACTING A NEW ARTICLE VII. BICYCLE PEDESTRIAN ADVISORY COMMITTEE, NEW SECTIONS 36-100 THROUGH 36-105, IN LIEU THEREOF, PERTAINING TO THE BICYCLE PEDESTRIAN ADVISORY COMMITTEE.

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

Section 1: That Article VII. Bicycle Pedestrian Advisory Committee, Sections 36-100 through 36-105 of the General Ordinances of the City of Rolla, Missouri, known as the Code of the City of Rolla, Missouri, are hereby enacted in lieu thereof to read as follows:

ARTICLE IV. BICYCLE PEDESTRIAN ADVISORY COMMITTEE

Division 1. Bicycle Pedestrian Advisory Committee (BPAC)

Sec. 36-100. Duties.

There is hereby established the Bicycle Pedestrian Advisory Committee of the City of Rolla (also known as the BPAC).

The duties of the BPAC shall include, but are not limited to, the following:

a) Promote the development and maintenance of the City’s bikeway and pedestrian facilities by maintaining existing street pavements, removing sidewalk trip hazards, connecting missing links in the sidewalk network, achieving ADA compliance, developing a Street Bicycle Route Network, and expanding the Multi-Use Path Network,

b) Promote, through education, bicycling and walking as an alternative means of transportation; and

c) Ensure sensitivity to bicycle, pedestrian, and disabled transportation issues in the design and implementation of public works projects which impact bicycles and pedestrians.

Sec. 36-101. Members.

Bikepath Pedestrian Advisory Committee Members

a) The BPAC shall consist of nine (9) members representing various departments and organizations (i.e. city, law enforcement, schools, community, etc.).

b) The Public Works Director will act as an ex officio, non-voting member of the BPAC. Other members shall be approved by consent of the City Council. The Public Works Director shall transmit no less than annually to the Mayor and City Council all pertinent information regarding committee meetings.
c) All eight (8) voting members of the BPAC shall cast votes. In case of a tie, the Chairperson shall cast the deciding vote. A quorum is defined as a majority of the voting membership.

d) An annual meeting of the BPAC shall be held in the month of January, and the officers of the committee shall be elected at that meeting.

e) The failure to support the BPAC through active participation at its meetings may be cause for removal. (Active participation is defined as attending all scheduled meetings with an allowance of three (3) meetings missed per year). The Chairman shall contact those missing three (3) scheduled meetings. At the next meeting, the Chairman shall report to the BPAC and may recommend removal from the committee of such a member.

f) When a vacancy occurs, the Chairperson shall notify the committee that a vacancy does exist. In case of a vacancy due to death, resignation or disqualification, the unexpired term shall be filled by an appointment by the Mayor with approval of the City Council.

Sec. 36-102. Officers.

The Bicycle Pedestrian Advisory Committee shall elect its own officers in accordance with the following guidelines:

(a) Officers elected shall include:

Chairperson: Duties are to preside at all meetings of the BPAC. He or she shall be a member ex-officio of all Standing and Special Committees except in the event of a tie, in which case the Chairperson will have the deciding vote. In case a vacancy occurs in the office of the Chairperson, the Vice-Chairperson shall become Chairperson and a new Vice Chairperson shall be elected.

Vice-Chairperson: The Vice-Chairperson shall fulfill the duties of the Chairperson when the latter, for any reason, is unable to act in his/her capacity as Chairperson.

Ex Officio Director: The Public Works Director for the City of Rolla shall be the ex officio Director and shall be a non-voting member.

Committee Coordinator: The Committee Coordinator shall be a staff member of the City of Rolla Engineering Department and shall provide information, plans, documentation, and support services as needed by the committee. The Committee Coordinator shall record attendance, service hours, and voting and election results. City personnel shall assist the Committee Coordinator in this task as requested.
(b) The BPAC may form subcommittees for designated periods of time to work on specific projects. Such subcommittees shall report their findings and recommendations to the BPAC, which shall make any final recommendations. Each said subcommittee shall be dissolved when work on the assigned project is determined to be completed by the BPAC.

Sec. 36-103. Meetings.

The regular meeting place shall be at City Hall. A notice and tentative agenda of all meetings must be posted on the Public Notice Bulletin Board at City Hall. All meetings are open to the public.

The committee shall meet six (6) times per year at a designated time and date, or special meetings on the call of the Chairperson, as follows:

1. January, fourth week
2. March, first week
3. May, first week
4. August, second week
5. September, fourth week
6. November, fourth week

A notice and tentative agenda of all meetings will be provided to each BPAC member. Members are expected to attend meetings. If a member will be absent, they should contact an officer, the Ex Officio Director or the committee coordinator no less than 24 hours before the meeting to avoid an unexcused absence.

Sec. 36-104. Ordinances pertaining to the Bicycle and Pedestrian activities.

No ordinance pertaining to the Bicycle or Pedestrian facilities shall be considered by the City Council without first referring same to the Bicycle Pedestrian Advisory Committee and receiving its recommendation with reference thereto; provided, however, that if no recommendation is received from the BPAC within a period of thirty (30) days after the matter is referred to the committee, then the City Council may take action without such recommendation.

Sec. 36-105. Limitations.

The BPAC shall be a recommending body only and shall make its recommendations to the Mayor who in turn will report recommendations to the City Council for the operation and maintenance of the park and outdoor recreation system consisting of bikeways, pedestrian/bicycle bridges, bike parking facilities, intersection and traffic signals and walkways, or multi-use trails owned or used by the City for its final
determination as to what action should be taken. The City Council may from time to time delegate certain authority and responsibilities to the BPAC as deemed necessary and appropriate.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5TH DAY OF FEBRUARY 2018.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor
### ROLLA, MO

**Total Population:** 19,926  
**Population Density:** 1,682

<table>
<thead>
<tr>
<th># of Local Bicycle Friendly Businesses</th>
<th>1</th>
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</thead>
<tbody>
<tr>
<td># of Local Bicycle Friendly Universities</td>
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</table>

**10 Building Blocks of a Bicycle Friendly Community**

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<tr>
<th>Category</th>
<th>Score</th>
<th>Notes</th>
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<tbody>
<tr>
<td>High Speed Roads with Bike Facilities</td>
<td>19%</td>
<td>0%</td>
</tr>
<tr>
<td>Total Bicycle Network Mileage to Total Road Network Mileage</td>
<td>24%</td>
<td>5%</td>
</tr>
<tr>
<td>Bicycle Education in Schools</td>
<td>AVERAGE</td>
<td>AVERAGE</td>
</tr>
<tr>
<td>Share of Transportation Budget Spent on Bicycling</td>
<td>9%</td>
<td>7%</td>
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<tr>
<td>Bike Month and Bike to Work Events</td>
<td>AVERAGE</td>
<td>NEEDS IMPROVEMENT</td>
</tr>
<tr>
<td>Active Bicycle Advocacy Group</td>
<td>YES</td>
<td>STATEWIDE</td>
</tr>
<tr>
<td>Active Bicycle Advisory Committee</td>
<td>MEETS EVERY TWO MONTHS</td>
<td>NONE</td>
</tr>
<tr>
<td>Bicycle-Friendly Laws &amp; Ordinances</td>
<td>AVERAGE</td>
<td>NEEDS IMPROVEMENT</td>
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<tr>
<td>Bike Plan is Current and is Being Implemented</td>
<td>YES</td>
<td>UNDER DEVELOPMENT</td>
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<tr>
<td>Bike Program Staff to Population</td>
<td>1 PER 148K</td>
<td>1 PER 10K</td>
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</table>

**Category Scores**

| Engineering | 1.7 / 0 |
| Education | 1.3 / 0 |
| Encouragement | 1.7 / 0 |
| Enforcement | 3.3 / 0 |
| Evaluation & Planning | 1.0 / 0 |

**Key Outcomes**

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<th>Ridership</th>
<th>HIGH</th>
<th>LOW</th>
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<tbody>
<tr>
<td>Percentage of commuters who bike</td>
<td>1.3%</td>
<td>1.1%</td>
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<th>Safety Measures - Crashes</th>
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<td>Crashes per 10k bicycle commuters</td>
<td>1170</td>
<td>2414</td>
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<th>Safety Measures - Fatalities</th>
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<tbody>
<tr>
<td>Fatalities per 10k bicycle commuters</td>
<td>23</td>
<td>0.0</td>
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**Key Steps to Bronze**

- Continue to increase the amount of high quality bicycle parking throughout the community. Ensure that people arriving by bicycle have a secure and legal place to lock their bikes at popular destinations through the use of bike corrals, bike valets, and incentives or requirements for bike parking in buildings.

- Bicycle-safety education should be a routine part of education for students of all ages, and schools and the surrounding neighborhoods should be particularly safe and convenient for biking and walking. Work with your local bicycle groups or interested parents to expand and improve the Safe Routes to School program to all schools. In particular, middle and high school education efforts could be improved. These efforts are particularly important as students learn to drive and share the road.

- Improve Bike Month activities by creating a Bike to Work Day event and Bike to School Day event. Bike to Work Day events can include competitions for participation between businesses and “energizer” stations where people can get coffee on the way to work. Bike to School Day events can include competitions related to bicycle use, outreach to parents, and coordination between the schools and the city to create safer routes to schools.

- Create an official Bicycle & Pedestrian Advisory Committee (BPAC) to create a systematic method for ongoing citizen input into the development of important policies, plans, and projects. Ensure that the members of the committee reflect the diversity and ability levels of cyclists in your community. In addition, increase the amount of staff time spent on improving conditions for people who bike and walk.
CITY OF ROLLA BICYCLE/PEDESTRIAN ADVISORY COMMITTEE

BYLAWS, ROLES, AND RESPONSIBILITIES

ARTICLE I - NAME

The name of the Committee is the City of Rolla Bicycle/Pedestrian Advisory Committee, hereinafter referred to as the "Bicycle/Pedestrian Advisory Committee."

ARTICLE II - PURPOSE

The purpose of the Bicycle/Pedestrian Advisory Committee is:

1. To promote the development and maintenance of the City's bikeway and pedestrian facilities, by:
   a. Maintaining existing street pavements,
   b. Removing sidewalk trip hazards,
   c. Connecting missing links in the sidewalk network,
   d. Achieving ADA compliance,
   e. Developing a Street Bicycle Route Network, and
   f. Expanding the Multi-Use Path Network

2. To promote, through education, bicycling and walking as an alternative means of transportation; and

3. To ensure sensitivity to bicycle, pedestrian, and disabled transportation issues in the design and implementation of public works projects which impact bicycles and pedestrians.

ARTICLE III - MEMBERSHIP

Section 1. Composition. Appointment to the Bicycle/Pedestrian Advisory Committee shall be approved by the City Council of Rolla. The Bicycle/Pedestrian Advisory Committee shall consist of nine (9) members who shall live or work within the city limits and have a strong interest and enthusiasm for the planning, improving, and maintaining of bicycle and pedestrian facilities. The committee shall consist of representatives from the following organizations and/or backgrounds:

1. Public Works Director – non-voting ex officio member
2. Planning
3. Law Enforcement
4. Parks and Recreation
5. Missouri S&T
6. Rolla Public Schools
7. Rolla City Council
8. Community Pedestrian Advocate
Section 2. Term of Membership. Terms of membership of the Bicycle/Pedestrian Advisory Committee shall be according to the wishes of the committee member.

Section 3. Voting Rights. Each member shall be entitled to one (1) vote on each matter submitted to a vote of the members. In case of a tie, the Chairperson shall cast the deciding vote. Voting by proxy or absentee ballot shall not be permitted.

Section 4. Resignation and Termination of Membership. Any member may resign by filing a written resignation with the Chairperson of the Bicycle/Pedestrian Advisory Committee and/or the City Council. An advisory board member’s seat shall become vacant if the member has been absent from three (3) regular consecutive meetings without a minimum of 24 hours advance notice to either a committee officer, the ex officio member or the Committee Coordinator.

Section 5. Vacancies. Vacancies in the membership of the Bicycle/Pedestrian Advisory Committee shall be filled in the same manner as provided in the case of the original selection in accordance with Article III, Sections 1 and 2.

ARTICLE IV — MEETINGS OF MEMBERSHIP

Section 1. Regular Meetings. Regular meetings shall be scheduled six (6) times a year, as follows:

1. January, fourth week
2. March, first week
3. May, first week
4. August, second week
5. September, fourth week
6. November, fourth week

The Bicycle/Pedestrian Advisory Committee may cancel meetings or schedule additional meetings as deemed necessary.

Section 2. Special Meetings. Special meetings of the Bicycle/Pedestrian Advisory Committee may be called by the Chairperson or Vice Chairperson.

Section 3. Place of Meetings. The Bicycle/Pedestrian Advisory Committee shall designate a place within the City as the place of any meeting.

Section 4. Notice of Meetings. Notice stating the place, day, hour, and agenda of any meeting of the Bicycle/Pedestrian Advisory Committee shall be provided to the public pursuant to the requirements of the Missouri Sunshine Law (§ 610.011, Chapter 610, Revised Statutes of Missouri (RSMo)).

Section 5. Quorum. A quorum shall constitute five (5) members.
ARTICLE V – COMMITTEE ROLE AND RESPONSIBILITIES

The Bicycle/Pedestrian Advisory Committee shall be an advisory body to the City Council on matters relating to bicycle and pedestrian transportation. The fundamental responsibility of the Bicycle/Pedestrian Advisory Committee shall be to advise and make recommendations to the City Council on policy, improvement, operation, and maintenance of the City's bicycle/pedestrian facilities. The Committee's role which defines and supports this basic charge includes, but is not specifically limited to, the following:

- Propose, review, prioritize, and recommend bicycle/pedestrian/disabled transportation projects for application for State or Federal bicycle, pedestrian or access grant programs.
- Participate in the development and review of comprehensive bicycle/pedestrian facility plans and regulations.
- Review the City's existing bikeway system and pedestrian facilities and make recommendations on operational improvements to the existing bicycle/pedestrian facilities.
- Make recommendations on capital improvements to the bicycle/pedestrian facilities (e.g., bikeways, pedestrian/bicycle bridges, bike parking facilities, intersection and traffic signals and walkways, etc.).
- Review private development standards.
- Review public projects that impact bicycle and pedestrian facilities to ensure adequate consideration of the needs of bicyclists, pedestrians, and the disabled (site access, bicycle parking, etc.).
- Review the City's roadway system for bicycle and pedestrian suitability.
- Work with the Police Department to promote bicycle/pedestrian safety through education and enforcement.

The Bicycle/Pedestrian Advisory Committee shall render an annual report to the Mayor and City Council in May, which shall include:

- Summary of activities and accomplishments,
- Budget suggestions,
- Future goals, and
- Other items as deemed necessary.

ARTICLE VI - OFFICERS

Section 1. Officers. The officers of the Bicycle/Pedestrian Advisory Committee shall be a Chairperson and Vice Chairperson. The coordination of staff support shall be designated by the ex officio member.

Section 2. Election of Officers. The officers shall be elected annually by the Bicycle/ Pedestrian Advisory Committee members from their own membership at the first meeting each calendar year.
Section 3. Duties. The Chairperson shall preside at all meetings of the members. The City’s Public Works Director shall serve as ex officio member. The Vice Chairperson, in the absence of the Chairperson, shall perform duties of the Chairperson. A City of Rolla staff person shall act as the Committee Coordinator and shall provide information, plans, documentation, and support services as needed by the committee.

ARTICLE VII – DURATION AND REVIEW OF THE BICYCLE/PEDESTRIAN ADVISORY COMMITTEE

The Bicycle/Pedestrian Advisory Committee shall continue for as long as the City Council deems necessary or desirable. The Rolla City Council shall have the authority to dissolve the Bicycle/Pedestrian Advisory Committee upon determination that it is in the best interest of the City that the Bicycle/Pedestrian Advisory Committee be dissolved. The Council may review the Committee’s activities and make changes in their role or functions as needed.
BICYCLE PEDESTRIAN ADVISORY COMMITTEE (BPAC)

Position:
BPAC Committee Member

Purpose and Duties of BPAC Committee Member:
The City of Rolla is in the process of forming a Bicycle Pedestrian Advisory Committee (BPAC). The purpose behind this committee is to make the community more livable by promoting bicycling and walking as an alternative means of transportation while ensuring we provide the best facilities and are sensitive to the needs of all users. Transportation enhancements such as new construction, rehabilitation or maintenance of streets and sidewalks can be viewed as opportunities to realize these goals.

Committee member’s duties and responsibilities are the following:
• Review, prioritize and propose changes to the staff proposed 2018 Bicycle Pedestrian Master Plan,
• Submit an annual report to the City Council summarizing the past years activities and make recommendations regarding the funding of bicycle and pedestrian related projects,
• Participate in community activities such as “Bike to Work Day”,
• Attend public evening meetings approximately six times per year.

Committee member requirements include:
• Proven track record of working well in a group setting,
• Desire to be involved in the growth and prosperity of the Rolla community,
• Ability to remain open-minded about providing facilities for all skill sets of bicyclist and pedestrians,
• There are not technical requirements, only a passion for developing public facilities to adequately serve the needs of the bicycling and pedestrian community
• We are looking for individuals with interests or experiences in the areas of city planning, law enforcement, parks and recreation, Missouri S&T, Rolla Public Schools, pedestrian advocacy and bicycling advocacy.

Application information:
• Name, address, phone and email
• Qualifications
• Experiences and affiliations that would bring benefit to the City of Rolla Bicycle Pedestrian Advisory Committee

Members will be appointed by the Mayor and approved by the City Council.

City staff contact:
Steve Hargis, P.E., Director of Public Works
Rolla City Hall
P.O. Box 979, 901 North Elm Street
Rolla, MO 65402
shargis@rollacity.org
(573) 364-8659
2018 BIKE AND PEDESTRIAN IMPROVEMENT PLAN
Over the Past 20 years, the sidewalk network in the City of Rolla has more than tripled in size, from just over 20 miles to nearly 76 miles. In addition, 12 miles of shared use paths have been developed primarily along linear parks in the southern portion of the city.

In 2011, the United States Access Board proposed Americans with Disabilities Act (ADA) standards for Public Right of Way. In 2013, ADA standards for shared use paths were proposed. One of the significant additional modifications to these standards was the imperative that truncated domes were required on ramps entering into a public street. Truncated domes are detectable warning devices that alert visually impaired pedestrians, through tactile and visual means, of approaching hazards. Since that time, we have been systematically going through our system adding these domes and to date, have installed them at 613 of the 1266 ramps the city maintains, leaving 653 ramps still in a state of noncompliance.

In addition, up until 2011, a trip hazard was considered to be a difference of ½ inch between two level surfaces. In 2011, that number was reduced to ¼ inch. ADA guidelines accept grinding and cutting for displacements of between ¼ inch and ½ inch. If the displacement is over ½ inch, the sidewalk must be removed and replaced, or repaired. We currently inspect and repair sidewalks on a five year rotating schedule.

In 2017, the City of Rolla adopted a Complete Streets Strategy. In that strategy, the department is tasked with providing safe and efficient transportation that ensures mobility choices for all users and integrates sidewalks, bicycle facilities and safe crossings. In keeping with this strategy, during 2017 the city also applied for recognition as a Bicycle Friendly Community (BFC) through the League of American Bicyclists and received an Honorable Mention. The city’s ultimate goal is official recognition as a BFC.
ACCESSIBLE RAMP PLAN

There are currently 1,458 accessible or "handicapped" ramps in the City of Rolla. The state maintains 192 of those. Of the remaining 1,266 ramps, 613 are considered to be compliant with Americans with Disabilities Act (ADA) guidelines. The remaining 653 are noncompliant and need to be brought into compliance. Noncompliance is an all or nothing situation, meaning each component of the ramp must meet guidelines, from the slope or width of the ramp, to the presence of appropriately colored detectable warning devices, or truncated domes. If one item is out of compliance, the entire ramp is out of compliance. The majority of the ramps that need to be upgraded require the installation of detectable warning devices. Work should begin in areas of high pedestrian traffic, such as the downtown area, campus or school zones and neighborhoods. The estimated cost per year is ±$165,000.

ESTIMATED ANNUAL COST - ± $165,000
The city currently maintains over 76 miles of sidewalk that must be maintained for accessibility purposes. This means all trip hazards must be removed. A trip hazard is considered to be a displacement of more than ⅛ inch. ADA draft guidelines accept grinding and cutting for displacements of between ⅛ inch and ⅜ inch. If the displacement is over ½ inch, the sidewalk must be removed and replaced, or repaired at or below the grade of a ramp, i.e. 8.3%. The estimated cost per year is ±$250,000.

ESTIMATED ANNUAL COST - ± $250,000
SHARED USE NETWORK / SHARROWS / BIKE LANES

The next ten years call for the installation of 42,998 ft of "shared use" paths. A shared use path is built to accommodate multiple transportation and recreation opportunities, such as walking, biking, and inline skating, while remaining accessible to all users. Typically, these will be ten foot wide concrete paths and incorporate all the required accessibility improvements. Plans are currently in place for 6,989 ft of path and will be funded using federal money through the Transportation Alternatives Program (TAP) grant or the city's balance of Surface Transportation Program (STP) funds. The remainder, or 36,009 ft, will be divided over the next ten years. Scheduling will depend upon such factors as school opening and closing dates, additional scheduled construction, and additional funding. The estimated cost per year is ±$150,000.

Public Works Department estimates that the installation of 133,493 ft of sharrows or bike lanes can be completed in five years. The choice of surface treatment will be determined by the Bicycle Pedestrian Advisory Committee (BPAC) and should be based on traffic volume, nearby destinations, proximity of schools, and connecting points. Details can be seen on the following sheet. The estimated cost for the first five years is ±$46,000 annually, then ±$35,000 thereafter.

SHARED USE ESTIMATED ANNUAL COST - ± $150,000
SHARROW/BIKE LANE ESTIMATED ANNUAL COST -
YEAR 1-5 ± $46,000
YEAR 6-10 ± $35,000
FY18 PLANNED PROJECTS

HIGHWAY E SIDEWALK IMPROVEMENTS

Design - 2018
Construct - 2019

EDESTRIAN WALKWAY

ODOT Funded - 2018
Transportation
Bridge over I-44

Community Funded - 2021

9th AND HOLLOWAY IMPROVEMENTS

Reconstruct of ramps and sidewalks on 9th and Holloway

Design - 2018
Construct - 2019

ADA ACCESSIBILITY IMPROVEMENTS

Install 81 accessible ramps in MSRT

Design - 2018
Construct - 2019

GROVE ST.

Reconstruct sidewalks from Kingsway to Highway 72.

TDD Funded - 2018

GtFSREC IMPROVEMENTS

City reconstruct sidewalks and accessible ramps from railroad tracks to Walnut Street

Design - 2017
Construct - 2018

4th STREET IMPROVEMENTS

City reconstruct sidewalks and accessible ramps from newspaper to Walnut Street

Design - 2017
Construct - 2018

SHICHWAY IMPROVEMENTS

Funded by TDD

Design - 2018
Construct - 2019
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Chief Sean Fagan
ACTION REQUESTED: 1st & Final Readings

ITEM/SUBJECT: MoDOT Grant Authorization Form

BUDGET APPROPRIATION (IF APPLICABLE): $ N/A
DATE: February 5, 2018

Commentary:

The attached form authorizes the City of Rolla Police Department to apply for traffic grants through the Missouri Department Of Transportation (MoDOT). The grants are 100% funded by MoDOT, so there is no cost to the City of Rolla. This authorization form is simply a formality required annually by MoDOT before approval may be granted.

Some of the things that can be obtained through these grant funds, if approved, are: overtime funding for DWI enforcement/checkpoints and “Hazardous Moving Violation” enforcement (speeding, etc.); radars; trailers and vehicles; etc.

Recommendation:

Motion to approve an ordinance allowing the Mayor and City Clerk to sign an authorization form on behalf of the City of Rolla to permit the Rolla Police Department to apply for free traffic safety grants through the Missouri Department of Transportation.

ITEM NO. VI.C.1.
AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE MISSOURI DEPARTMENT OF TRANSPORTATION PERTAINING TO GRANTS.

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

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

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5th DAY OF FEBRUARY 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR
On February 5, 2018, the Council of Rolla, Missouri held a meeting and discussed the City’s participation in Missouri’s Highway Safety Program.

It is agreed by the Council that the City of Rolla will participate in Missouri’s Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the financial assistance available under the Missouri Highway Safety Program for Traffic Enforcement and report back to the Council his/her recommendations. When funding through the Highway Safety Division is no longer available, the local government entity agrees to make a dedicated attempt to continue support for this traffic safety effort.

DATE: ____________________

APPROVED:

ATTEST: ____________________

MAYOR

CITY CLERK

\[\sqrt{63}.\]
DEPARTMENT HEAD: Floyd Jernigan, Parks & Recreation Director

ACTION REQUESTED: Resolution

ITEM/SUBJECT: LWCF Grant for Buehler Park

BUDGET APPROPRIATION (IF APPLICABLE) $101,000 DATE: Feb. 5, 2018

COMMENTARY:
The Parks and Recreation Department is applying for a Land Water Conservation Fund grant that would help pay for phases 2 and 3 of the Buehler Park Master Plan approved by Council — playground structures, new restroom, pavilion upgrade, park benches and picnic tables, and new parks signage. Costs of these upgrades are estimates and the options proposed in the grant are just that. In other words, the playground structure quoted as representative of a possible playground option and its inclusion doesn’t mean that this particular structure would be the final one selected. If awarded, this 50/50 grant (total project cost is $202,000) would only be used for upgrading these amenities/features. Further, a requirement of the grant stipulates that the area earmarked for the grant funds must be maintained for outdoor use as parks, which dovetails nicely with the court declaration that the park remain as such in perpetuity.

The grant application deadline is Feb. 16. Grant applications are scored according to information provided on the application and supporting documentation. Those applications with higher scores will receive an on-site inspection before being pre-approved at the state level. At that time, the application will be forwarded to the National Park Service for review and final approval. This process may take nine to 12 months from the time the application is submitted.

Rolla last received an LWCF grant on the acquisition of BerJuan Park in the 1970s.

Recommendation: Staff is asking the council to approve the resolution in support of the grant process.
State and Local Grant Funding

Land and Water Conservation Fund (LWCF) Grants - The State Side

The State Side of the LWCF provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. Over its first 49 years (1965 - 2014), LWCF has provided more than $16.7 billion to acquire new Federal recreation lands as grants to State and local governments. The fund has provided 40,400 grants to state and local governments over 40 years: $4.1 billion, matched for a total of $8.2 billion

- 10,600 grants for acquisition of park and recreation lands, including 3,200 "combination" projects for both land purchase and initial recreation development
- 26,420 grants for development of recreation facilities, in addition to the "combination" projects above
- 2,760 grants for redevelopment of older recreation facilities, including improved access for people with disabilities
- 641 state planning grants, to produce six "generations" of analytic studies on recreation potentials, needs, opportunities and policies

Over 40,000 grants to states and localities have been approved under the LWCF grants program for acquisition, development and planning of outdoor recreation opportunities in the United States. Grants have supported purchase and protection of 3 million acres of recreation lands and over 29,000 projects to develop basic recreation facilities in every State and territory of the nation.

Seventy-five percent of the total funds obligated have gone to locally sponsored projects to provide close-to-home recreation opportunities that are readily accessible to America's youth, adults, senior citizens and the physically or mentally challenged. In addition to the thousands of smaller recreation areas, grants have helped to acquire and develop new parks of statewide or national significance such as the Allagash Wilderness Waterway (Maine), Liberty State Park (New Jersey), the Willamette River Greenway (Oregon), Platte River Park (Denver), Herman Brown Park (Houston), and Illinois Beach State Park (Chicago). The State side of LWCF is administered by the State and Local Assistance Programs Division.
<table>
<thead>
<tr>
<th>Organization</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Silex R-I School District</td>
<td>Silex R-I Community Track and Softball Field Project</td>
<td>$149,850.00</td>
</tr>
<tr>
<td>Cape Girardeau County</td>
<td>South County Park Playground Update</td>
<td>$150,000.00</td>
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<tr>
<td>City of Brookfield</td>
<td>West Twin Park Accessible Playground</td>
<td>$150,000.00</td>
</tr>
<tr>
<td>City of Osage Beach</td>
<td>Peanick Park Playground Enhancement Project</td>
<td>$32,810.00</td>
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<tr>
<td>City of Glasgow</td>
<td>Glasgow Public Pool Renovation</td>
<td>$82,928.00</td>
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<tr>
<td>Malden R-I School District</td>
<td>Maiden Elementary School Walking Track</td>
<td>$10,125.00</td>
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<tr>
<td>City of Columbia</td>
<td>Norma Smith Park Development Project</td>
<td>$150,000.00</td>
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<tr>
<td>City of Troy</td>
<td>Crooked Creek Development</td>
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<tr>
<td>Cole County</td>
<td>Brooks Park Development</td>
<td>$38,000.00</td>
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<tr>
<td>City of Berkeley</td>
<td>Edgewood Park Pavilion</td>
<td>$20,642.00</td>
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<tr>
<td>City of Campbell</td>
<td>Campbell ADA Development and Renovation</td>
<td>$45,203.00</td>
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<tr>
<td>City of Union</td>
<td>Veterans Memorial Park Playground</td>
<td>$33,750.00</td>
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<tr>
<td>City of Warrensburg</td>
<td>Playgrounds For All- Phase I</td>
<td>$150,000.00</td>
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<tr>
<td>City of Salem</td>
<td>Salem All Inclusive Playground</td>
<td>$150,000.00</td>
</tr>
<tr>
<td>North Harrison R-III School District</td>
<td>North Harrison Sports Complex</td>
<td>$150,000.00</td>
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**FY2016 FUNDED GRANTS**
<table>
<thead>
<tr>
<th>Parks Capital Projects Prop P</th>
<th>Budget amount</th>
<th>Actual cost</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Larry May Playground</td>
<td>$ 100,000</td>
<td>$ 89,932</td>
<td>2017</td>
</tr>
<tr>
<td>Splash Zone improvements</td>
<td>$ 50,000</td>
<td>$ 23,514</td>
<td>2016</td>
</tr>
<tr>
<td>Resurface tennis courts</td>
<td>$ 51,000</td>
<td>$ 58,088</td>
<td>2017</td>
</tr>
<tr>
<td>Ber Juan lake cleanup aeration, treatment</td>
<td>$ 20,000</td>
<td>$ 17,342</td>
<td>2016</td>
</tr>
<tr>
<td>New signage in parks(Larry May)</td>
<td>$ 5,000</td>
<td>$ 2,000</td>
<td>2017</td>
</tr>
<tr>
<td>Green Acres playground</td>
<td>$ 110,000</td>
<td>$ 105,509</td>
<td>2018</td>
</tr>
<tr>
<td>Buehler pavilion improvements</td>
<td>$ 3,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Ballfields**

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget amount</th>
<th>Actual cost</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kimmel Field Fence</td>
<td>$ 20,000</td>
<td></td>
<td>2018</td>
</tr>
<tr>
<td>Larry Wilson Memorial Field fence</td>
<td>$ 20,000</td>
<td>$ 3,790</td>
<td>2017</td>
</tr>
<tr>
<td>new scoreboards</td>
<td>$ 7,300</td>
<td></td>
<td>2018</td>
</tr>
<tr>
<td>Pitching mounds</td>
<td>$ 10,000</td>
<td>$ 6,000</td>
<td>2016</td>
</tr>
</tbody>
</table>

**Restrooms**

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget amount</th>
<th>Actual cost</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green Acres</td>
<td>$ 50,000</td>
<td></td>
<td>2018</td>
</tr>
<tr>
<td>Buehler</td>
<td>$ 50,000</td>
<td></td>
<td>2018</td>
</tr>
</tbody>
</table>

**Parkign lots**

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget amount</th>
<th>Actual cost</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ber Juan Chip and Seal</td>
<td>$ 28,500</td>
<td>$ 3,378</td>
<td>2018</td>
</tr>
<tr>
<td>Frisco Chip and Seal</td>
<td>$ -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presbyterian Chip and Seal</td>
<td>$ -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buehler overlay</td>
<td>$ 35,000</td>
<td>$ 41,113</td>
<td>2017</td>
</tr>
<tr>
<td>Highway O Acorn Trail</td>
<td>$ 14,000</td>
<td>$ 14,360</td>
<td>2016</td>
</tr>
<tr>
<td>Green Acres</td>
<td>$ 30,000</td>
<td>$ 29,429</td>
<td>2017</td>
</tr>
<tr>
<td>Veterans park</td>
<td>$ 30,000</td>
<td>$ 26,484</td>
<td>2017</td>
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<tr>
<td>Splash Zone, tennis courts</td>
<td>$ 15,000</td>
<td>$ 9,122</td>
<td>2017</td>
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</table>

**Equipment**

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget amount</th>
<th>Actual cost</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 mowers</td>
<td>$ 51,000</td>
<td>$ 42,063</td>
<td>2017</td>
</tr>
<tr>
<td>2 mowers</td>
<td>$ 34,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RTV tractor</td>
<td>$ 20,000</td>
<td>$ 19,000</td>
<td>2018</td>
</tr>
<tr>
<td>Pickup</td>
<td>$ 30,000</td>
<td>$ 27,137</td>
<td>2018</td>
</tr>
<tr>
<td>Dump truck</td>
<td>$ 60,000</td>
<td>$ 54,000</td>
<td>2018</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 783,800</strong></td>
<td><strong>$ 572,261</strong></td>
<td>5428</td>
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</tbody>
</table>
RESOLUTION NO. ________

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN APPLICATION FOR THE WATER CONSERVATION FUND PROGRAM FOR THE BUEHLER PARK RENOVATION IN ROLLA, MISSOURI.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri, a certain application for federal assistance and any other official project documents that are necessary to obtain assistance, including any agreements, contracts or other documents that are required by the State of Missouri or the U.S. Department of the Interior, National Park Service.

Section 2: The City of Rolla currently has the written commitment for the minimum 50% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.

Section 3: In the event a grant is awarded, the City of Rolla will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access in perpetuity.

Section 4: In the event a grant is awarded, the City of Rolla is prepared to complete the project within the time period identified on the signed project agreement.

Section 5: In the event a grant is awarded, the City of Rolla will comply with all rules and regulations of the Land & Water Conservation Fund program, applicable Executive Orders, and all federal and state laws that govern the grant applicant during the performance of the project.

Section 6: That this resolution be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5TH DAY OF FEBRUARY 2018.

APPROVED:


ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

\[\text{VI D.6.}\]
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Floyd Jemigan, Parks and Recreation Director
ACTION REQUESTED: Bid Award

ITEM/SUBJECT: 2 Park Mowers

BUDGET APPROPRIATION (IF APPLICABLE) $34,000 DATE: Feb. 5, 2018

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COMMENTARY:

The following bids were received Jan. 24, 2018, for two 2018 zero turning radius diesel mowers with 26 hp and 72 inch mower decks for the Parks Department. This will replace a 2008 Kubota 3680 4x4 front deck mower with over 1500 hours; and a 2010 Kubota 326 zero turn mower with over 1,700 hours. These mowers typically have a 7-year life cycle so replacements are past due. This will update a little more than a fourth of our 11-mower fleet and with the three purchased in 2017, will result in nearly half being updated. Nineteen different companies spanning a variety of brands in the region were mailed specs and were asked to bid. Additionally, a notice to bid advertisement was placed in The Rolla Daily News.

<table>
<thead>
<tr>
<th>Company</th>
<th>Model</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schaeperkoetter Sales &amp; Service</td>
<td>2018 Kubota ZD1211L-72 – zero turning radius diesel mower</td>
<td>$27,523.13</td>
</tr>
<tr>
<td>Mt. Sterling, MO</td>
<td></td>
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<tr>
<td>Schaeperkoetter Sales &amp; Service</td>
<td>2018 Kubota ZD1211L-72 – zero turning radius diesel mower</td>
<td>$28,422.12</td>
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<tr>
<td>Owensville, MO</td>
<td></td>
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<tr>
<td>Heavy Duty Equipment</td>
<td>2018 Kubota ZD1211L-72 – zero turning radius diesel mower</td>
<td>$29,764</td>
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<tr>
<td>Chesterfield, MO</td>
<td></td>
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<tr>
<td>Wayde’s Equipment</td>
<td>2018 Kubota ZD211L-72 – zero turning radius diesel mower</td>
<td>$29,940.36</td>
</tr>
<tr>
<td>Steelville, MO</td>
<td></td>
<td></td>
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<tr>
<td>Heavy Duty Equipment</td>
<td>2018 Grasshopper 400D</td>
<td>$29,992</td>
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<tr>
<td>Chesterfield, MO</td>
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<tr>
<td>Mordt Tractor</td>
<td>2018 Grasshopper 400 D 1.3L</td>
<td>$30,038.42</td>
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<tr>
<td>Warrenton, MO</td>
<td></td>
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<tr>
<td>Larson Farm &amp; Home</td>
<td>2018 John Deere Z997R – zero turning radius diesel mower</td>
<td>$33,651.58</td>
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<tr>
<td>Rolla, MO</td>
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<tr>
<td>Heavy Duty Equipment</td>
<td>2018 Kubota ZD1511 – zero turning radius diesel mower</td>
<td>$38,172</td>
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<td>Chesterfield, MO</td>
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</tbody>
</table>
Staff recommends approving the low bid of Schaeperkoetter Sales of Mt. Sterling. The old mowers will either be transferred to the Airport for usage there. If not a need, they will be sold on govdeals.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Floyd Jemigan, Parks & Recreation Director
ACTION REQUESTED: Bid award
ITEM/SUBJECT: Outfield fence for Kimmel Field

BUDGET APPROPRIATION (IF APPLICABLE) $20,000 DATE: Feb. 5, 2018

COMMENTARY:
The following bids were received Jan. 24, 2018, for 912 feet of 6 inch tall chain link fence with a 16 foot gate, schedule 40 pipe and 9 gage chain link wire and 7 gage tension wire at the bottom. The top rail and fence will be covered by a yellow safety top cap. The existing fence around home plate and the infield remains in good shape, having been replaced 10 years ago. The existing outfield fence has suffered from rust and wind and is crimped and bent at key junctures. We have resleeved and collared several times previously, with posts redone 10 years ago, and temporary fixes done last year, to extend the life as much as possible within safety tolerances. There is also no current safety cap. The Kimmel Field fence is 36 years old and is in the worst condition of each of the fences around the ballfields, which were all believed to be placed in 1982. This is expected to be the first step in the process of replacing each of the fences, with subsequent fields to follow over the next three years. Eight different companies in the region were mailed specs and were asked to bid. Additionally, a notice to bid advertisement was placed in The Rolla Daily News.

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<thead>
<tr>
<th>Company</th>
<th>Model</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mid-Missouri Fence Co.</td>
<td>912’ 6 inch tall fence meeting specs</td>
<td>$19,100</td>
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<tr>
<td>Dixon, MO</td>
<td></td>
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</tr>
<tr>
<td>All-Type Fence Inc.</td>
<td>912’ 6 inch tall fence meeting specs</td>
<td>$22,440</td>
</tr>
<tr>
<td>Steelville, MO</td>
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</tbody>
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Recommendation: Staff is asking the council to approve low bid made by Mid-Missouri Fence Co. Price includes removal of old chain link fence.
The City of Rolla Public Works Department has been approached by PCRMC to install a rapid flash beacon at the crosswalk on 10th Street between the new parking lot at the former golf shop location on the south side of 10th Street and the entrance into the emergency department of PCRMC. They have offered to pay for materials.

We have also had discussions with S&T regarding installation of rapid flash beacons at existing crosswalks at 10th and Main Streets as well as 16th and Pine Streets. S&T has also agreed to pay for materials.

In addition, S&T has cooperated with MODOT to install rapid flash beacons at the crosswalks on University Drive between the student parking lots on the south side to the Residential College on the north side which accesses the shared use path and tunnel. (Photo attached)

The rapid flash beacons are push button activated and battery operated with a solar panel to charge the battery. LED technology has made battery operated signals much more commonplace. We have several location at stops and yields as well as school zones using LED technology.

Each installation would require $6,700.00 in material and require approximately $1,500.00 in labor.

All of the proposed locations have a considerable amount of pedestrian traffic and are major streets with automobile traffic in excess of 3,000 cars per day.

Staff recommends approval of this request provided the entity which contributes to the pedestrian volumes participates in purchasing materials.