Note: Please turn off all cell phones and pagers during the meeting.

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.

COUNCIL PRAYER
Ministerial Alliance

AGENDA OF THE ROLLA CITY COUNCIL
Monday, December 3, 2018; 6:30 P.M.
City Hall Council Chambers
901 North Elm Street

PRESIDING: MAYOR LOUIS J. MAGDITS, IV

COUNCIL ROLL: JONATHAN HINES, DANIEL JONES, MATTHEW CROWELL, ANN MURPHEY, JACOB ROHTER, DAVID SCHOTT, JODY EBERLY, JOHN MEUSCH, JIM WILLIAMS, BRIAN WOOLLEY, STEVEN JUNG, AND TIFFANY HENRY

PLEDGE OF ALLEGIANCE
Councilman Jim Williams

I. CONSENT AGENDA
A) Consider Approval of the City Council Minutes of:
   1) City Council Meeting – November 5, 2018
   2) City Council Closed Session Meeting – November 5, 2018
   3) City Council Meeting – November 19, 2018
   4) City Council Closed Session Meeting – November 19, 2018

II. PUBLIC HEARINGS

III. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

IV. REPORT OF MAYOR and COUNCIL/REPORTS OF BOARDS AND COMMISSIONS/CITY DEPARTMENTS
   A) Environmental Services Department Monthly Report – October 2018
   B) Police Department Monthly Report – October 2018
   C) Animal Control Division Monthly Report – October 2018
   D) The Centre Financial Analysis – October 2018
   E) Park Financial Analysis – October 2018
   F) The Centre Board Meeting Minutes – October 16, 2018
   G) Building Codes Division Monthly Report – October 2018
   H) Rolla Municipal Utilities Monthly Report – October 2018
   I) Rolla Board of Public Works Meeting Minutes – October 30, 2018
V. OLD BUSINESS
   A) Ordinance Amending Article III of Chapter 42 of the Code Pertaining to the Permitting of Temporary and Portable Signage – (City Planner James Shields) – Final Reading
   B) Ordinance Consolidating Lots 2, 3, and Part of 6, Block 5, Newman’s Addition (aka 300/302 Rhodes Avenue & 203 S. Olive Street) into Two Lots (Thoennes Addition) – (City Planner James Shields) – Final Reading

VI. NEW BUSINESS
   A) Resolution Renaming West End of Twelfth Street to Fitch Street – (City Planner James Shields) – Motion
   B) Motion Accepting November 6, 2018, Certified Election Results – (City Administrator John Butz) - Motion
   C) Ordinance Adopting 2018 International Codes – (Codes Administrator Steve Flowers) – First Reading
   D) Ordinance Approving Technical Service Agreement with Rolla Public Library – (Finance Director Steffanie Rogers) – First Reading
   E) Ordinance Amending Sections 27-92 and 27-118 of the Code Relating to Parking – (Public Works Director Steve Hargis) – First Reading

VII. CLAIMS and/or FISCAL TRANSACTIONS
   A) Motion Awarding Bid for Two-Post Vehicle Lift – (Environmental Services Director Brady Wilson) – Motion
   B) Motion Authorizing Purchase of a New Computer Aided Dispatch & Report Management System – (Police Chief Sean Fagan) – 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 RSMo. 610.021, the Council will discuss the following in Closed Session:
   A) Real Estate

XII. ADJOURNMENT
ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 5, 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, Daniel Jones, Ann Murphey, Matthew Crowell, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, Steven Jung, and Tiffany Henry

Council Members Absent: Brian Woolley

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

Other City Officials in Attendance: City Administrator John Butz, City Counselor Lance Thurman, City Engineer Darin Pryor, and City Clerk Carol Daniels

A member of the Rolla Ministerial Alliance gave the invocation.

Following the invocation Mayor Magdits called the meeting to order at approximately 6:31 p.m. and asked Councilman John Meusch to lead in the Pledge of Allegiance.

I. CONSENT AGENDA

A motion was made by Williams and seconded by Jung to approve the consent agenda as submitted. A voice vote on the motion showed eleven 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 October 1, 2018
2) City Council Closed Session Meeting – October 1, 2018
3) City Council Meeting – October 15, 2018

NOVEMBER 5, 2018
II. PUBLIC HEARINGS

(A) Ordinance Approving the Final Plat of St. Maria’s Tatandra: City Planner James Shields explained the subject property is located approximately 250 feet north of the intersection of Liberty Drive and McCutchen Drive. The property was recently annexed and zoned R-3 (Multi-Family District) and a development agreement was approved in conjunction with this development. St. Maria LLC is the owner and Mike Woessner is the registered agent for the LLC. It is a 58-unit subdivision between one to four units per lot. Mr. Shields asked the Council to conduct a public hearing and consider the first reading of the ordinance that would approve the final plat of St. Maria’s Tatandra.

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

City Counselor Lance Thurman read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO APPROVE THE FINAL PLAT OF ST. MARIA’S TATANDRA, WHICH IS A MAJOR SUBDIVISION PLAT THAT DIVIDES AN APPROXIMATELY 42-ACRE TRACT OF LAND THAT IS IDENTIFIED BY THE PHELPS COUNTY ASSESSOR’S ACCOUNT NUMBER OF 12081, INTO 58 LOTS AND FIVE OUTLOTS. (ST. MARIA’S TATANDRA)

III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS

(A) Presentation of Rolla Police Department Civilian Service Award to Mr. Richard Aegan: Police Chief Sean Fagan informed the Council that if Mr. Richard Aegan had not become involved, a Rolla police officer might have been killed. For his heroic efforts in assisting the police officer, Police Chief Fagan awarded Mr. Aegan with the Rolla Police Department’s Civilian Service Award, which is the highest award that can be given a citizen.

Chief Fagan continued by describing the events that took place in October 2018. He told the Council the officer was literally fighting for his life and the officer used a Taser on the suspect, but it had no effect. He said that is when Mr. Aegan stepped in. Chief Fagan also noted there were four or five people standing around, with their cell phones out videoing the fight, but not trying to help the officer. Chief Fagan said his officer told him that had it not been for Mr. Aegan’s actions, an officer and/or the suspect could have been killed.
III. ACKNOWLEDGEMENTS AND SPECIAL PRESENTATIONS (continued)

(B) Review of Fiscal Year 2017 City of Rolla Independent Audit & a Motion Accepting the Audit: Ms. Tammy Alsop, with Hochschild, Bloom & Co., LLC, CPAs, provided an overview of the City’s FY 2017 audit report. She pointed out the City received an unmodified opinion, which is the highest form of assurance a city or entity can receive on its financial statements. Because the City expended over $750,000 in Federal awards, a single audit report was also issued. Ms. Alsop added there were no material weaknesses noted.

A motion was made by Williams and seconded by Jones to accept the Fiscal Year 2017 independent audit. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(C) Camp David Presentation: Mr. Benjamin Smith, Co-Founder and Director of Camp David of the Ozarks, told the Council that Camp David is a summer camp program for children and families who have been affected by incarceration in Missouri. He expanded on the program and also invited the Council to attend the inaugural “Let’s Go Change the World” gala, which will be held on November 30, 2018, at the Havener Center in Rolla.

(D) Rolla Regional Economic Commission Report (RREC): Mayor Morgan announced this item has been postponed until the next Council meeting.

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

Mayor Magdits referred the Council to (A) the September 2018, Environmental Services Department Monthly Report; (B) the September 2018, Police Department Monthly Report; (C) the September 2018, Animal Control Division Monthly Report; (D) the September 2018 Centre Financial Analysis; (E) the September 2018, Park Financial Analysis; (F) the August 15, 2018, Centre Board Meeting Minutes; (G) the July 25, 2018, Park Advisory Commission Meeting Minutes; (H) the September 2018 Building Codes Division Monthly Report; (I) the September 2018 Municipal Court Report; (J) the October 9, 2018 Preliminary Planning & Zoning Commission Meeting Minutes; (K) the October 30, 2018, Development Review Committee Meeting Minutes; (L) the August and September 2018, Rolla Municipal Utilities Monthly Report; and (M) the August 28, September 25, and October 18, 2018, Rolla Board of Public Works Meeting Minutes.
V. OLD BUSINESS

(A) Ordinance Rezoning Lot 2, Poe's Subdivision (104 E. 4th St.) from General Retail District (C-2) to Highway Commercial District (C-3) (Bahr): City Planner James Shields explained the subject property is located at the intersection of Fourth and Oak Streets and the property is owned by Anthony and Susan Bahr. The agent is Mr. Madison Daily, who is the owner of Talema Group. Mr. Shields said the subject property is currently zoned C-2 (General Retail District) and the proposal is to rezone the property to C-3 (Highway Commercial District) in order to operate a warehouse distribution facility for small electronic components. Mr. Shields pointed out there are a wide range of current uses, but is mostly used as residential. He said it is located within the central core district, which is in the comprehensive plan, and there is a mix of commercial, residential, and institutional uses. Mr. Shields reported that in a five to one vote, a majority of the Planning and Zoning Commission recommended approval of the proposal.

Mr. Tony Bahr, 906 W. 12th Street, owner of the subject property, informed the Council that this building has been used for storage. The warehouse was constructed for storage for overflow of the former Mom and Pop’s Furniture. When the Salvation Army purchased the furniture building, Mr. Bahr said the warehouse was used for personal storage. Mr. Bahr said Talema Group ultimately contacted him and he said he thought he would construct a restroom facility in the warehouse and lease it. Mr. Bahr said there are no plans for the warehouse other than for storage.

After a lengthy discussion, City Counselor Lance Thurman read the following proposed ordinance for its final reading, by title. ORDINANCE: AN ORDINANCE THAT REZONES LOT 2 OF POE’S SUBDIVISION, WHICH IS, AS CURRENTLY CONFIGURED, THE PARCEL IDENTIFIED WITH THE PHELPS COUNTY ASSESSOR ACCOUNT NUMBER OF 7642 AND THE ADDRESS OF 104 EAST 4TH STREET, FROM THE GENERAL RETAIL (ZONING) DISTRICT (C-2) TO THE HIGHWAY COMMERCIAL (ZONING) DISTRICT (C-3). (BAHR). A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes; Murphey, Hines, Jung, Henry, Williams, and Meusch. Nays; Rohter, Crowell, Schott, Jones and Eberly. Absent; Woolley. Motion failed. The ordinance failed.

Mayor Magdits asked staff if there is a way to accommodate the concerns of the Council and permit the request.
V. OLD BUSINESS (continued)

(A) Ordinance Rezoning Lot 2, Poe's Subdivision (104 E. 4th St.) from General Retail District (C-2) to Highway Commercial District (C-3) (Bahr) (continued): City Planner James Shields indicated a conditional use permit could be approved in a C-2 (General Retail District). City Administrator John Butz noted this would require about a 60-day process.

Mayor Magdits asked staff to present this option to the property owners, with the understanding there is no guarantee the Council will follow through on it, but just so they have their options.

VI. NEW BUSINESS

(A) Consideration to Provide Sales Tax Exemption on Major Subdivision: City Administrator John Butz noted Mr. Mike Woessner is doing a major subdivision, which is located off McCutchen Drive. He said the City has not had many of these over the last few years because the cost of doing subdivision developments is expensive and the return or the risk to the developer has made it difficult to do them. Mr. Butz stated developers have always looked for ways where they can reduce their costs/risks in the project. He explained public improvements, which are done by a developer in support of their subdivision development, then become the City's assets to maintain in perpetuity. If the City were to have built those same improvements and used City crews, the City would not pay sales tax on the purchases of those items. Mr. Woessner has asked if the City's sales tax on the materials needed on the public improvement portion could be exempted. Mr. Butz indicated staff spoke with legal counsel about the ability of a city to be able to use their sales tax exemption on the public improvement portions of subdivisions. Their response was it can be done and should be done under a development agreement that stipulates the conditions. Mr. Butz said staff needs direction from City Council to determine whether this is something the City is willing to do, not just for this project, but also like projects. More recently, he noted the issue was raised whether doing this kind of public improvements raise the prevailing wage question. When posed to legal counsel, their reactions are that it does as a public improvement and as a participation of a tax advantage.

The Council appeared to be comfortable discussing future implementation of an exemption policy, but not approving an exemption before having a policy in place.
VI. NEW BUSINESS (continued)

(A) Consideration to Provide Sales Tax Exemption on Major Subdivision
(continued): Mr. Butz referred the Council to the draft policy included in the Council packets, which is a mechanism that would allow Council to adopt a policy and then to apply it to an application. He said it would be helpful over the next two weeks to review the draft policy and staff will bring back to Council if the prevailing wage answer is received.

(B) Resolution Granting License to Lehman Construction for Temporary Concrete Plant: City Administrator John Butz recalled Lehman Construction, the contractor for the Highway 72 extension, received a conditional use permit with a duration through December 2018, to build a temporary concrete plant. In this case, the St. Maria’s Tatandra project is interested in doing concrete. Mr. Butz said Lehman Construction possibly doing the concrete work required either an extension at its current location on Mercy Parkway or the possibility of relocating it to the City’s public works yard, which happens to be zoned C-3 (Highway Commercial District) where a concrete plant would be a by right or permitted use requiring Council approval to place it on City property. Mr. Butz noted this location is a much closer proximity to the project on McCutchen Drive. He referred the Council to the proposed “Grant of License” by the City to Lehman through 2019. A $500 per month rental on the facility was negotiated.

City Counselor Lance Thurman read the following proposed resolution for one reading, by title. RESOLUTION NO. 1937: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A GRANT OF LICENSE BY THE CITY OF ROLLA BETWEEN THE CITY OF ROLLA AND LEHMAN CONSTRUCTION, L.L.C. A motion was made by Williams and seconded by Jung to approve the proposed resolution. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried. The resolution passed.

(C) Discussion Pertaining to Gas Stations – Leave Without Paying/Drive Offs: Before speaking to the gas station issue, Police Chief Sean Fagan reminded citizens the Police Department parking lot and lobby are safe places to make internet transactions. He noted the Police Department parking lot is completely covered by surveillance. Chief Fagan relayed an armed robbery recently occurred in the Salvation Army parking lot during an internet transaction.
VI. NEW BUSINESS (continued)

(C) Discussion Pertaining to Gas Stations – Leave Without Paying/Drive Offs (continued): Chief Fagan explained the Police Department is having problems with some people pumping gas and driving off without paying. He noted some gas stations require pre-payment, either by paying the cashier before pumping gas or by credit/debit card. However, others do not require it and they experience a large number of drive offs and then contact the Police Department. Chief Fagan reported that last year the Police Department received 187 drive off reports, which includes taking a report, investigating, and officers trying to locate the offender. He emphasized this is a large drain on the resources of the Police Department for something that is 100% preventable. Chief Fagan said he wanted to make the Council aware that he would be sending a letter to the gas stations stating the Police Department will no longer be taking drive off reports unless the Police Department has enough information to actually apprehend the person. He said the gas station would need to contact the Police Department within a timely manner and have a vehicle description and license plate number of the offender.

VII. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for Police Vehicle Equipment: Police Chief Sean Fagan recalled that earlier this year the Council authorized the purchase of four new 2019 Police SUV’s. Staff is asking the Council to consider authorizing the purchase of equipment for these vehicles from the low bidder Public Safety Upfitters at a cost of $6,490.20 per vehicle for a total of $25,960.80. A motion was made by Williams and seconded by Jung to authorize the purchase of police vehicle equipment to Public Safety Upfitters for a total of $25,960.80. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) Motion Awarding Bid for Sludge Truck: Public Works Director Steve Hargis informed the Council that bids were obtained for replacement of a 2003 sludge truck. One bid was received from Linco-Precision, LLC, El Paso, Illinois, for $462,250. They offered a trade in allowance for the current unit of $28,750 for a total of $433,500. A motion was made by Schott and seconded by Jones to authorize the purchase of a new sludge truck from Linco-Precision, LLC, El Paso, Illinois, for $433,500, which includes trade-in. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.
VIII. CITIZEN COMMUNICATION

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

(1) Mr. Ray Schweikardt, 1342 South Rolla Street, Rolla, Missouri, stated he is against the “sales tax give-a-way” to the subdivision (McCutchen Drive). He said the developer has had a year to ask for it and at the last moment he is asking for it.

Mayor Magdits asked Mr. Schweikardt if his reasoning is the timing or in principle.

Mr. Schweikardt responded generally in principle, but especially the timing.

(2) Mr. Frank Furman representing the Friends of the Rolla Public Library reported they are having their semi-annual book sale beginning on Thursday, November 15 through Saturday, November 17, 2018. He noted the proceeds from the sale go to the Library.

No one else present addressed the Council.

IX. MAYOR/CITY COUNCIL COMMENTS

(A) Motion Appointing Ms. Sara Marcus to the Library Board (May 2021) to Replace Ms. Melody Lloyd who Completed the Term Limit on the Board: A motion was made by Williams and seconded by Hines to appoint Ms. Sara Marcus to the Library Board until May 2021 to replace Ms. Melody Lloyd’s term, which expired in May 2018. A voice vote on the motion showed eleven ayes, zero nays, and one absent. Motion carried.

(B) No Shave November: Councilman Jim Williams noted the Rolla Police Department and Phelps County Sheriff’s Department are participating in “No Shave November.” Members of these departments are accepting donations for the “Shop with a Cop” fundraiser program for 150 needy children.

(C) November 6, 2018, Election: Mayor Magdits reminded everyone to vote in tomorrow’s important election.

(D) Boo Palooza: Mayor Magdits reported the Boo Palooza on Halloween was very well attended and a great success. He thanked Councilwomen Eberly and Henry for their work.
X. COMMENTS FOR THE GOOD OF THE ORDER

None.

XI. CLOSED SESSION

A motion was made by Williams and seconded by Jones to adjourn into Closed Session pursuant to RSMo. 610.021, to discuss contract negotiations. A roll call vote on the motion showed the following: Ayes; Jones, Williams, Jung, Hines, Murphey, Henry, Crowell, Meusch, Rohter, Eberly, and Schott. Nays; None. Absent; Woolley. Motion carried.

The Council adjourned into Closed Session at approximately 8:31 p.m.

XII. CLOSED SESSION ACTION

The Council reconvened into open session at approximately 8:52 p.m.

City Counselor Lance Thurman reported that during Closed Session the Council discussed contract negotiations. No final action was taken.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:53 p.m.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

NOVEMBER 5, 2018
ROLLA CITY COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 19, 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, Daniel Jones, Ann Murphey, Matthew Crowell, Jacob Rohter, David Schott, Jody Eberly, John Meusch, Jim Williams, Brian Woolley, Steven Jung, and Tiffany Henry

Council Members Absent: None.

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

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

Mayor Magdits called the meeting to order at approximately 6:32 p.m. and asked a Boy Scout group in attendance to lead in the Pledge of Allegiance.

Mayor Magdits then asked new senator-elect for the 16th District Justin Brown and representative-elect Don Mayhew for the 121st District to introduce themselves to the Council.

I. PUBLIC HEARINGS

(A) Ordinance Amending Article III of Chapter 42 of the Code Pertaining to the Permitting of Temporary and Portable Signage: City Planner James Shields provided an overview of the proposed ordinance. He reported the Planning and Zoning Commission recommended denial of the proposed ordinance. Mr. Shields indicated the recommendation was given because of the following reasons: Off-premised real estate signs were only permitted for a limited time in residential areas. Mr. Shields noted the proposed ordinance has since been changed to allow them year-round. Complaint-driven enforcement is an insufficient method of enforcement and unfair and there were too many “grey” areas.

NOVEMBER 19, 2018

I. A. 10.
I. PUBLIC HEARINGS (continued)

(A) Ordinance Amending Article III of Chapter 42 of the Code Pertaining to the Permitting of Temporary and Portable Signage (continued): Following discussion, Mayor Magdits opened the public hearing to anyone wishing to address the Council concerning the subject ordinance. No one present addressed the Council. Mayor Magdits closed the public hearing.

After further discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 42, WHICH IS KNOWN AS THE ROLLA PLANNING AND ZONING CODE, BY DELETING AND ADDING LANGUAGE TO DIVISION 18 OF SAID ARTICLE, WHICH IS KNOWN AS SIGNS, FOR THE PARTICULAR PURPOSE OF PERMITTING TEMPORARY AND PORTABLE SIGNAGE. (SIGN ORDINANCE). A motion was made by Hines and seconded by Jones to amend the ordinance by changing the maximum square footage on properties in residential zones from 24 square feet to 32 square feet. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

II. SPECIAL PRESENTATIONS

(A) Mr. Jonathan Ahl, Local Reporter from St. Louis Public Radio: Mr. Jonathan Ahl informed the Council he is the new Rolla bureau reporter for St. Louis Public Radio. He said this means he is living and working in Rolla for St. Louis Public Radio and reporting on the region for the entire St. Louis Public Radio network, which includes radio station KMST in Rolla. Mr. Ahl said he is looking forward to continuing to learn a lot about the community and do a good job of making sure people outside of Rolla and Phelps County understand many things going on.

(B) Rolla Regional Economic Commission (RREC) Report: RREC Executive Director Cyndra Lorey provided an overview of the Commission’s quarterly report and explained how leads are generated for economic development projects. She also informed the Council she would be retiring at the end of 2019.

(C) Rolla Municipal Utilities (RMU) FY 2018 Fourth Quarter Report: RMU General Manager Rodney Bourne provided a recap of the FY 2018 fourth quarter report and a wrap up of the fiscal year end.
III. OLD BUSINESS

(A) Ordinance Approving the Final Plat of St. Maria's Tatandra: City Planner James Shields explained the subject subdivision consists of 58 lots with one to four family units. Before the Council could approve the proposal, the final development plans must be approved. Mr. Shields reported the final plans have now been approved by Rolla Municipal Utilities and the Public Works Department. He recalled that by a vote of eight ayes and three nays, the majority of the Council voted to approve the preliminary plat of St. Maria's Tatandra. Mr. Shields asked the Council to consider the final reading of the subject ordinance, which would approve the final plat of St. Maria's Tatandra.

ORDINANCE NO. 4451: AN ORDINANCE TO APPROVE THE FINAL PLAT OF ST. MARIA'S TATANDRA, WHICH IS A MAJOR SUBDIVISION PLAT THAT DIVIDES AN APPROXIMATELY 42-ACRE TRACT OF LAND THAT IS IDENTIFIED BY THE PHELPS COUNTY ASSESSOR'S ACCOUNT NUMBER OF 12081, INTO 58 LOTS AND FIVE OUTLOTS. (ST. MARIA'S TATANDRA). A motion was made by Williams and seconded by Jung to approve the proposed ordinance. A roll call vote on the motion showed the following: Ayes: Crowell, Schott, Jung, Hines, Jones, Murphey, Henry, Williams, Meusch, Rohter, Eberly, and Woolley. Nays: None. Absent: None. Motion carried. The ordinance passed.

IV. NEW BUSINESS

(A) Ordinance Consolidating Lots 2, 3 and Part of 6, Block 5, Newman's Addition (aka 300/302 Rhodes Avenue & 203 South Olive Street) into Two Lots (Thoennes Addition): City Planner James Shields explained the property is located in central Rolla on the southeast side of Olive Street and Rhodes Avenue. The two subject parcels constitute two subdivided lots and a fraction of another. Mr. Shields said the Thoennes plan to sell the structure to the east as a single-family house. In order to do this without including the structure to the west, the parcel must be on its own lot. If the plat is approved, Mr. Shields said the lot's use would be single family. Mr. Shields reported the Planning and Zoning Commission recommend approval of the request.

After some discussion, City Counselor Carolyn Buschjost read the following proposed ordinance for its first reading, by title. ORDINANCE: AN ORDINANCE TO CONSOLIDATE LOTS 2, 3, AND PART OF 6 OF BLOCK 5 OF NEWMAN'S
IV. NEW BUSINESS (continued)

(A) Ordinance Consolidating Lots 2, 3 and Part of 6, Block 5, Newman’s Addition (aka 300/302 Rhodes Avenue & 203 South Olive Street) into Two Lots (Thoennes Addition) (continued): ADDITION, WHICH, TOGETHER, CURRENTLY CONSTITUTE TWO DEEDED PARCELS THAT ARE IDENTIFIED BY THEIR PHELPS COUNTY ASSESSOR ACCOUNT NUMBERS OF 8200 AND 8199 AND BY THE ADDRESSES OF 300/302 RHODES AVENUE AND 203 SOUTH OLIVE STREET, INTO TWO LOTS. (THOENNES ADDITION)

(B) Resolution Authorizing the Mayor to Enter into Two Agreements with the South Central Drug Task Force: Police Chief Sean Fagan asked the Council to consider allowing the Rolla Police Department to enter into a Memorandum of Understanding with the South Central Drug Task Force (SCDTF). He said the Police Department currently has two officers assigned to the Task Force. Chief Fagan said it was recently noted the City has never had a Memorandum of Understanding and thought now would be a good time to have one.

Secondly, Chief Fagan asked the Council to consider authorizing the City to act as a fiduciary on behalf of the SCDTF, specifically in handling their drug seizure money and in distributing the funds. He explained this must be done because the Federal government has determined task forces are no longer allowed to handle their own drug seizure monies. Since the SCDTF is a multi-jurisdictional unit, it must be done through a city.

City Counselor Carolyn Buschjost read the following proposed resolution for one reading, by title. RESOLUTION NO. 1938: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN AGREEMENT AND FIDUCIARY AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE SOUTH CENTRAL DRUG TASK FORCE. A motion was made by Williams and seconded by Jung to approve the proposed resolution. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(C) Motion Approving Annexation of Property Located in Shady Oaks Sewer District: Public Works Director Steve Hargis informed the Council the Shady Oaks Sewer District has been approached by a property owner on County Road 5030 about annexing into the Sewer District. He said the Sewer District’s chair and Phelps County
IV. NEW BUSINESS (continued)

(C) Motion Approving Annexation of Property Located in Shady Oaks Sewer District (continued): Commission are agreeable to the annexation. Mr. Hargis stated before he proceeds with preparing the necessary documents, he requested direction from the Council. He noted the property owner would be responsible for all costs associated with the connection to the Shady Oaks sewer system.

Councilman Woolley commented if people want City services they should be part of the City. If the Council approves it, he said we are giving people less reason to annex into the city.

A motion was made by Williams and seconded by Schott to authorize Public Works Director Steve Hargis to prepare the documents for the annexation of the subject property into the Shady Oaks Sewer District. A hand count on the motion showed nine ayes, three nays, and zero absent. Motion carried.

V. CLAIMS and/or FISCAL TRANSACTIONS

(A) Motion Awarding Bid for One 10 Cubic-Yard Refuse Truck: Environmental Services Director Brady Wilson asked the Council to consider awarding the bid for one, 10 cubic-yard packer truck to the lowest bidder, Elliott Equipment, Grandview, Missouri, for $118,515. A motion was made by Schott and seconded by Meusch to award the bid for a new 2019 or 2020 Freightliner with Nu-Way body for $118,515. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

Mr. Wilson noted that once the order on all the trucks are placed, it would take six to eight months before receipt.

(B) Motion Awarding Bid for One 20 Cubic-Yard Refuse Truck: Environmental Services Director Brady Wilson asked the Council to consider awarding the bid for one, 20 cubic-yard refuse truck, to Scheppers International, Jefferson City, Missouri for $153,397.34. Although there are lower bids listed, Mr. Wilson noted the lower bid trucks did not meet the needed specifications on the packer body for the City. A motion was made by Williams and seconded by Jung to award the bid for one, 20 cubic-yard refuse truck to the lowest bidder meeting specifications, Scheppers International, for $153,397.34. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.
V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(C) Motion Awarding Bid for One Roll-Off Hoist Truck: Environmental Services Director Brady Wilson asked the Council to consider awarding the bid for a 2019 Freightliner with a Galbreath Hoist system from Armor Equipment, Arnold, Missouri for $124,936. He added once the new vehicles are received, staff recommends advertising the surplus vehicles through GovDeals.com. A motion was made by Williams and seconded by Jung to award the bid for a 2019 Freightliner with Galbreath hoist system to Armor Equipment, Arnold, Missouri for $124,936. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

(D) Motion Awarding Bid for Buehler Park Restroom: Parks and Recreation Director Floyd Jernigan told the Council Buehler Park last had a bathroom in 2004, which was originally constructed in the 1960s, and over time has deteriorated. In the meantime, portables have been used, which was before Proposition P was approved. Mr. Jernigan noted that during some open houses, the citizens told the City that new bathrooms were one of the things they thought was important to use with Proposition P dollars. Mr. Jernigan told the Council staff recommends placing a similar facility as was recently installed at Green Acres Park. Staff and the Park Advisory Board are recommending the bid be awarded to CXT, Inc., Spokane, Washington, (State bid), for $52,415. An additional $20,000 is estimated to be needed for a concrete slab, electric, water line, and sewer line work.

Councilman Woolley questioned why the City is not trying to find local companies to construct the bathrooms.

Mr. Jernigan said in his research, he has not been able to find any Missouri companies that build bathrooms on this scale.

Mr. Woolley said he did not understand why one of Rolla’s numerous local contractors could not construct a bathroom.

A motion was made by Schott and seconded by Jones to award the Buehler Park restroom bid to CXT, Inc., Spokane, Washington for $52,415. A hand count on the motion showed six ayes, six nays, zero absent. Mayor Magdits broke the tie by voting “nay.” The motion failed.

Mayor Magdits suggested staff approach the local market with one opportunity within a reasonably short timeframe and see what we get.
V. CLAIMS and/or FISCAL TRANSACTIONS (continued)

(D) Motion Awarding Bid for Buehler Park Restroom (continued): City Administrator John Butz said it would probably be a sealed design project, which will need to be bid out for comparison purposes. He suggested seeing what is involved with this before the next meeting. Mr. Butz estimated it might take $5,000 to $10,000 to do a design close to what has been bid.

After further discussion, a motion was made by Crowell and seconded by Rohter to reconsider the motion. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

A motion was made by Schott and seconded by Henry to award the Buehler Park restroom bid to CXT, Inc., Spokane, Washington for $52,415. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

VI. MAYOR/CITY COUNCIL COMMENTS

(A) 2018 Small Business Saturday Proclamation: Mayor Magdits announced he issued a proclamation earlier today in recognition of “Small Business Saturday”, which is November 24. He asked residents to consider local, small business, during the holiday shopping season.

(B) Motion Appointing Ms. Alex Blackwell to the Rolla Regional Economic Commission (RREC) to Replace Mr. Robert Tessaro: A motion was made by Williams and seconded by Jung to appoint Ms. Alex Blackwell to the RREC. A voice vote on the motion showed twelve ayes, zero nays, and zero absent. Motion carried.

Mayor Magdits expressed his appreciation to Mr. Robert Tessaro for his service on the RREC.

(C) Highway 63/72 Intersection: Councilman Meusch asked Public Works Director Steve Hargis if the City has been studying patterns at the Highway 63/72 intersection.

Mr. Hargis informed the Council the TDD (Transportation Development District) authorized the City to enter into a contract with HNTB for several projects. One of those projects is intersection improvements at Highway 63 and Highway 72, and Highway 63 and Kingshighway. He said the study would also look at how we are accessing the entire neighborhood, including Wal-Mart and the residential area around it. Staff plans to request bids in summer.
VII. CITIZEN COMMUNICATION

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

Ms. Elaine Grover, 1203 Vista Drive, addressed the Council regarding the letter she and her neighbors recently received from the City informing them the TDD (Transportation Development District) had purchased one of their neighbor's houses at the end of their dead end street. She expressed her concern about the City’s plans to destroy their neighborhood by taking several houses and opening up Vista Drive. Ms. Grover said the residents of Vista Drive worry that opening it would increase safety risks from traffic and non-residents in the area as well as affect property values. She said the residents were assured by the City there was neither money nor intentions to make these changes for many years to come, possibly 20 years if ever pursued. Now that a house has been purchased, Ms. Grover stated they are once again left to worry and wonder what will come next. If the plans are so far in the future, she asked why would the City get involved in this land acquisition at this point. Ms. Grover asked the Council to consider these issues before approving any further actions that cause unwanted changes in this close-knit neighborhood.

Ms. Charlotte Wiggins, 1001 Bluebird Lane, recalled she served on the city council from 1999 to 2007 in Ward VI, which is now Ward V. She stated she is here to answer Council’s questions as well as make sure she and the Council both have the same information. Ms. Wiggins said she is here to talk about the public involvement process, which she sees the City improving on, but still struggling. She said if you made a decision about acquiring the property because you did not hear from the neighbors, it is not correct. Ms. Wiggins said the reason her neighbor offered his house to the City was because his wife was concerned about how close the bike path would be to their home. Ms. Wiggins said her bottom line is the City needs to continue working on its public involvement process. If the City were planning a bike path through this neighborhood and they wanted to consider where to place it, the neighbors did not know that.

No one else present addressed the Council.

VIII. COMMENTS FOR THE GOOD OF THE ORDER

(A) Thanksgiving Holiday Sanitation Schedule and Leaf Pickup: Environmental Services Director Brady Wilson announced with the upcoming holiday, the normal Thursday collection route would be done on Wednesday. Friday’s collection will not be affected.
VIII. COMMENTS FOR THE GOOD OF THE ORDER (continued)

(A) Thanksgiving Holiday Sanitation Schedule and Leaf Pickup (continued): City Administrator John Butz asked Mr. Wilson to look into using the Everbridge System for making similar announcements.

Mr. Wilson also announced the City is still collecting leaves in the brown paper bags through December 14. After that, the collection will be suspended until March. The compost site remains open year round.

IX. CLOSED SESSION

A motion was made by Meusch and seconded by Jones to adjourn into Closed Session pursuant to RSMo. 610.021, to discuss legal product. A roll call vote on the motion showed the following: Ayes; Eberly, Woolley, Murphey, Williams, Hines, Jung, Meusch, Jones, Henry, Crowell, Schott, and Rohter. Nays; None. Absent; None. Motion carried.

The Council adjourned into Closed Session at approximately 9:02 p.m.

X. ADJOURNMENT

The Council reconvened into open session at approximately 9:02 p.m. and adjourned.

Minutes respectfully submitted by City Clerk Carol Daniels.

CITY CLERK

MAYOR

NOVEMBER 19, 2018
<table>
<thead>
<tr>
<th>Material</th>
<th>Oct 2018</th>
<th>Sep 2018</th>
<th>Oct 2017</th>
<th>Year-to-Date 2018</th>
<th>Year-to-Date 2017</th>
<th>Yearly Total 2017</th>
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<th>Year-to-Date 2018</th>
<th>Year-to-Date 2017</th>
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<td>Special Pick-ups</td>
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<td>Paper Shredding</td>
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<td>Household Dropping Off</td>
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<td>77</td>
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<th>Material</th>
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<th>Year-to-Date 2017</th>
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<td>Hazardous Waste</td>
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<td>1,204.3 ton</td>
<td>1,601.3 ton</td>
<td>14,320.8 ton</td>
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# Part I Crimes

## 2018

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<th></th>
<th>Criminal Homicide</th>
<th>Rape</th>
<th>Robbery</th>
<th>Felony Assault</th>
<th>Burglary</th>
<th>Larceny</th>
<th>Auto Theft</th>
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## 2017

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<th>Burglary</th>
<th>Larceny</th>
<th>Auto Theft</th>
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## 2016

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<th>Felony Assault</th>
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<th>Auto Theft</th>
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<th>Total Part I Crimes</th>
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<tr>
<td>This Month</td>
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## Rolla Police Department
### Calls for Service
#### October 2018

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<td>Accident - Leave the scene</td>
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<td>Accident - No Injury</td>
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<td>Accident - Private Property</td>
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<td>Accident - Road Blocked</td>
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<td>Alarm LE</td>
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<td>Ambulance Needed</td>
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<td>Ambulance/Fire Dual Response</td>
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<tr>
<td>Animal Control</td>
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<td>Assault</td>
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<td>Assist Agency</td>
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<td>Assist Ambulance</td>
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<td>Assist Citizen</td>
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<td>Assist Fire</td>
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<td>Assist Law Agency</td>
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<td>Assist Motorist</td>
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<td>Benevolent Fund</td>
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<td>Building Check</td>
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<td>Burglary</td>
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<td>Busy/Out At</td>
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<td>Child Abuse</td>
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<td>Civil Defense Test</td>
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<td>CWB 911 Hangup</td>
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<td>Fingertips</td>
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<td>Fraud</td>
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<td>Leave without Pay</td>
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<td>Loud Noise Complaint</td>
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<td>Malicious Mischief</td>
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<td>Overdose</td>
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<td>Runaway</td>
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<td>Veterinary Call</td>
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<td>Weapons Call</td>
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**Total** 2725
## ANIMAL CONTROL MONTHLY TOTALS

### October 2018

#### ANIMALS IMPOUNDED

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<tr>
<th></th>
<th>Canine</th>
<th>Feline</th>
<th>Other</th>
<th>Wildlife</th>
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<td>Other Agencies</td>
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<td>St. James Area</td>
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<td>0</td>
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<td>0</td>
<td>2</td>
<td>3</td>
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<tr>
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<td>20</td>
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<tr>
<td>2018 YTD Total</td>
<td>297</td>
<td>132</td>
<td>8</td>
<td>135</td>
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<td>572</td>
<td>646</td>
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<td>2017 YTD Total</td>
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<td>156</td>
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<td>Total Phelps County</td>
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</table>

#### ANIMAL DISPOSITION

<table>
<thead>
<tr>
<th></th>
<th>Canine</th>
<th>Feline</th>
<th>Other</th>
<th>Wildlife</th>
<th>Monthly</th>
<th>2018</th>
<th>2017</th>
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<tr>
<td>Animals Adopted</td>
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<td>Animals Claimed</td>
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<td>Euthanized(Dangerous)</td>
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<td>Euthanized(Un-Placed)</td>
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<td>Deceased on Arrival</td>
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<td>3</td>
<td>0</td>
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<td>Wildlife Relocated</td>
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<td>144</td>
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<td>576</td>
<td>640</td>
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<td>2017 YTD Total</td>
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### ADDITIONAL STATISTICS

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<th>Monthly Total</th>
<th>2018 YTD Total</th>
<th>2017 YTD Total</th>
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<td>Adoption Rate ($\text{\textcircled{1}} + \text{\textcircled{3}} + (\text{\textcircled{1}} + \text{\textcircled{2}} + \text{\textcircled{3}}))$</td>
<td>100.00%</td>
<td>100.00%</td>
<td>100.00%</td>
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<tr>
<td>PR Programs</td>
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<td>Calls for Service</td>
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<td>2,332</td>
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<td>Citations</td>
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<tr>
<td>Total Incinerator Hours</td>
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## Recreation Revenue over Expenses

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>20,149.30</td>
<td>21,944.71</td>
<td>13,848.58</td>
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<tr>
<td>Oct-18</td>
<td>15,523.30</td>
<td>15,517.33</td>
<td>8,540.74</td>
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</table>

## Aquatics Revenue over Expenses

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>10,054.78</td>
<td>5,997.00</td>
<td>6,188.50</td>
<td>5,225.00</td>
</tr>
<tr>
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<td>10,444.00</td>
<td>11,878.00</td>
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## Fitness Revenue over Expenses

<table>
<thead>
<tr>
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<th>Revenue</th>
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<tbody>
<tr>
<td>Oct-17</td>
<td>26.10</td>
<td>53.25</td>
<td>265.00</td>
<td>371.63</td>
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<tr>
<td>Oct-18</td>
<td>751.86</td>
<td>1,018.46</td>
<td>783.51</td>
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## Miscellaneous

<table>
<thead>
<tr>
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<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
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</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>416.00</td>
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<td>190.00</td>
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</table>

## Commissions

<table>
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<tr>
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<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>25.00</td>
<td>24.58</td>
<td>733.00</td>
<td>229.46</td>
</tr>
<tr>
<td>Oct-18</td>
<td>336.68</td>
<td>333.78</td>
<td>421.01</td>
<td>515.79</td>
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</table>

## Maintenance

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
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<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>10,000.35</td>
<td>963.95</td>
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<td>842.75</td>
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<td>Oct-18</td>
<td>63,642.39</td>
<td>72,011.14</td>
<td>91,915.29</td>
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## Personnel

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>1,316.50</td>
<td>1,146.00</td>
<td>1,436.00</td>
<td>1,069.00</td>
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<td>831.13</td>
<td>43.70</td>
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## Supplies

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>1,805.00</td>
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<tr>
<td>Oct-18</td>
<td>1,603.00</td>
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## Concessions

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<thead>
<tr>
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<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
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</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>-25.00</td>
<td>-24.58</td>
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<td>229.46</td>
</tr>
<tr>
<td>Oct-18</td>
<td>336.68</td>
<td>333.78</td>
<td>421.01</td>
<td>515.79</td>
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</table>

## Resale

<table>
<thead>
<tr>
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<tr>
<td>Oct-17</td>
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## Miscellaneous

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
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<th>Total Revenue</th>
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</thead>
<tbody>
<tr>
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<td>9,872.31</td>
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## Miscellaneous

<table>
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<tr>
<th>Month</th>
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</thead>
<tbody>
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## Miscellaneous

<table>
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<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
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</thead>
<tbody>
<tr>
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## Miscellaneous

<table>
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<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>1,405.00</td>
<td>784.83</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Oct-18</td>
<td>1,780.72</td>
<td>3,502.63</td>
<td>-</td>
<td>-</td>
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</tbody>
</table>

## Miscellaneous

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>-108.93</td>
<td>3,169.74</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Oct-18</td>
<td>105,000.00</td>
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<td>-</td>
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</table>

## Miscellaneous

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
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<tbody>
<tr>
<td>Oct-17</td>
<td>1,405.00</td>
<td>784.83</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Oct-18</td>
<td>1,780.72</td>
<td>3,502.63</td>
<td>-</td>
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## Miscellaneous

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Total Expenses</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-17</td>
<td>-108.93</td>
<td>3,169.74</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Oct-18</td>
<td>105,000.00</td>
<td>-</td>
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## THE CENTRE

### FY18 - FY19 FINANCIAL ANALYSIS - OCTOBER 2018

### DESCRIPTION

#### ADMINISTRATION

<table>
<thead>
<tr>
<th>Description</th>
<th>Oct-17</th>
<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$1,790.00</td>
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<td>$1,790.00</td>
<td>$9,630.00</td>
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<td>$2,200.00</td>
<td>$2,200.00</td>
<td>$2,200.00</td>
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<td>$6,221.24</td>
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<td>$6,221.24</td>
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#### Expenses

<table>
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<tr>
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<th>Oct-17</th>
<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>$56,810.66</td>
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<td>$56,810.66</td>
<td>$10,122.50</td>
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<td>$24,384.02</td>
<td>$24,393.20</td>
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<tr>
<td>Services</td>
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<td>$1,476.97</td>
<td>$3,166.54</td>
<td>$1,476.97</td>
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<td>Maintenance</td>
<td>$72,125.00</td>
<td>$19,859.01</td>
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<td>$19,859.01</td>
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#### MAINTENANCE

<table>
<thead>
<tr>
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<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
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<td>$615.99</td>
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<td>$3,039.11</td>
<td>$1,916.11</td>
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#### MAINTENANCE Expenses

<table>
<thead>
<tr>
<th>Description</th>
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<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
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<td>$24,891.70</td>
<td>$22,290.64</td>
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<td>$2,888.42</td>
<td>$2,209.48</td>
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<tr>
<td>Services</td>
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<td>$1,642.00</td>
<td>$175.93</td>
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<td>$1,039.34</td>
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<tr>
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<td>$24,254.91</td>
<td>$29,588.58</td>
<td>$24,254.91</td>
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</table>

#### Operating Revenues Over Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>Oct-17</th>
<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Operating Revenues</td>
<td>$95,497.16</td>
<td>$115,174.91</td>
<td>$95,497.16</td>
<td>$115,174.91</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
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<td>$149,102.86</td>
<td>$127,950.40</td>
<td>$149,102.86</td>
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<tr>
<td>Operating Revenues Over Expenses</td>
<td>$14,492.79</td>
<td>$163,880.85</td>
<td>$14,492.79</td>
<td>$163,880.85</td>
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</table>

#### Operating %

<table>
<thead>
<tr>
<th>Description</th>
<th>Oct-17</th>
<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
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</thead>
<tbody>
<tr>
<td>Operating %</td>
<td>74.64%</td>
<td>77.25%</td>
<td>74.64%</td>
<td>77.25%</td>
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</table>

#### OTHER REVENUES

<table>
<thead>
<tr>
<th>Description</th>
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<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
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<tbody>
<tr>
<td>Recreational Sales Tax</td>
<td>$111.61</td>
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<td>$111.61</td>
<td>$57.17</td>
</tr>
<tr>
<td>Reimbursement/Donations</td>
<td>$12.63</td>
<td>$165.76</td>
<td>$12.63</td>
<td>$165.76</td>
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<tr>
<td>Sale of Surplus Property</td>
<td>$467.79</td>
<td>$150.10</td>
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<td>$150.10</td>
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<td>Interest Income</td>
<td>$1,178.76</td>
<td>$2,175.60</td>
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<td>Miscellaneous</td>
<td>($3,780.00)</td>
<td>$3,009.01</td>
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<tr>
<td>Contribution to General Fund</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>TOTAL OTHER REVENUES</td>
<td>($4,130.18)</td>
<td>$1,928.73</td>
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<td>$1,928.73</td>
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</table>

#### CAPITAL EXPENSES

<table>
<thead>
<tr>
<th>Description</th>
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<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equipment</td>
<td>$2,709.99</td>
<td>$2,777.76</td>
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<td>Lease Purchases</td>
<td>$599.99</td>
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<td>Vehicles</td>
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<td>Building &amp; Grounds</td>
<td>$778.94</td>
<td>$674.82</td>
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<td>TOTAL CAPITAL EXPENSES</td>
<td>$11,267.69</td>
<td>$16,576.53</td>
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### Total Revenues (Operating + Other)

<table>
<thead>
<tr>
<th>Description</th>
<th>Oct-17</th>
<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Revenue</td>
<td>$91,366.98</td>
<td>$117,133.64</td>
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<td>$117,133.64</td>
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### Total Expenses (Operating + Capital)

<table>
<thead>
<tr>
<th>Description</th>
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<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Expenses</td>
<td>$139,218.09</td>
<td>$163,679.39</td>
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</table>

### Total Revenues Over Expenses

<table>
<thead>
<tr>
<th>Description</th>
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<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Revenues Over Expenses</td>
<td>($47,851.11)</td>
<td>($46,545.75)</td>
<td>($47,851.11)</td>
<td>($46,545.75)</td>
</tr>
</tbody>
</table>

---

Page 2 of 2
## PARK FINANCIAL ANALYSIS (UNAUDITED) FY 18-19 - OCTOBER

**Revenue**

- **Rolla Dog Park**
  - Revenue: $12,548.00
  - Expenses: $10,403.00
  - Revenue over Expenses: $2,145.00

- **Reimburse/Donations**
  - Revenue: $1,186.00
  - Expenses: $990.00
  - Revenue over Expenses: $196.00

- **Sale of Property**
  - Revenue: $2,500.00
  - Revenue over Expenses: $2,500.00

**Expenses**

- **Rolla Dog Park**
  - Personnel: $6,970.00
  - Supplies: $1,500.00
  - Maintenance: $475.00
  - Total Expenses: $8,945.00

- **Reimburse/Donations**
  - Personnel: $1,200.00
  - Supplies: $339.00
  - Maintenance: $175.00
  - Total Expenses: $1,684.00

- **Sale of Property**
  - Personnel: $0.00
  - Supplies: $0.00
  - Maintenance: $0.00
  - Total Expenses: $0.00

**Total Revenue**

- **Rolla Dog Park**
  - Revenue: $23,516.39

- **Reimburse/Donations**
  - Revenue: $3,020.43

- **Sale of Property**
  - Revenue: $475.00

- **Total Revenue**: $26,997.72

**Total Expenses**

- **Rolla Dog Park**
  - Expenses: $8,826.87

- **Reimburse/Donations**
  - Expenses: $2,500.00

- **Sale of Property**
  - Expenses: $0.00

- **Total Expenses**: $11,326.87

**Revenue over Expenses**

- **Rolla Dog Park**: $14,689.52
- **Reimburse/Donations**: $720.43
- **Sale of Property**: $475.00
- **Total Revenue over Expenses**: $15,884.95

**Administration**

- **Revenue**
  - Personnel: $5,928.00
  - Supplies: $3,651.00
  - Total Revenue: $9,579.00

- **Expenses**
  - Personnel: $6,000.00
  - Supplies: $1,000.00
  - Total Expenses: $7,000.00

**Total Revenue**

- **Administration**
  - Revenue: $9,579.00

- **Expenses**: $7,000.00

- **Total Revenue**: $16,579.00

**Total Expenses**

- **Administration**: $7,000.00

**Revenue over Expenses**

- **Administration**: $9,579.00

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<tr>
<th>DESCRIPTION</th>
<th>Aug-17</th>
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<th>Sep-17</th>
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<th>Oct-17</th>
<th>Oct-18</th>
<th>October-17</th>
<th>October-18</th>
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</tbody>
</table>

**Parks**

- **Revenue**
  - Charges for Services: $2,970.00
  - Cemetery Burial Fees: $1,800.00
  - Total Revenue: $4,770.00

- **Expenses**
  - Personnel: $2,000.00
  - Supplies: $300.00
  - Maintenance: $600.00
  - Total Expenses: $2,900.00

**Rolla Dog Park Revenue**

- **Revenue**
  - Reimburse/Donations/Programs: $2,500.00
  - Supplies: $1,500.00
  - Total Revenue: $4,000.00

**Rolla Dog Park Expenses**

- **Revenue**
  - Reimburse/Donations/Programs: $2,500.00

**Sales/Alcoholic Beverages**

- **Revenue**
  - Reimburse/Donations/Programs: $2,500.00

**Personnel**

- **Revenue**
  - Personnel: $5,928.00

**Supply**

- **Revenue**
  - Supplies: $3,651.00

**Maintenance**

- **Revenue**
  - Personnel: $5,928.00

**Description**

- **Revenue**
  - Personnel: $5,928.00

- **Expenses**
  - Supplies: $3,651.00

- **Total Revenue**
  - Personnel: $5,928.00

**Total Expenses**

- **Personnel**
  - Personnel: $6,000.00

**Revenue over Expenses**

- **Personnel**: $3,701.00

**Administration Revenue over Expenses**

- **Revenue**: $9,579.00

- **Expenses**: $7,000.00

**Total Revenue**: $16,579.00

**Total Expenses**: $7,000.00

**Revenue over Expenses**: $9,579.00
## PARK FINANCIAL ANALYSIS (UNAUDITED) FY 18-19 - OCTOBER

<table>
<thead>
<tr>
<th>Total Expenses</th>
<th>Revenue</th>
<th>Expenses</th>
<th>Operating Revenues/Deficit</th>
<th>Operating Revenues/Deficit %</th>
<th>Operating Revenues/Deficit Adjusted %</th>
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</thead>
<tbody>
<tr>
<td>$25,065,74</td>
<td>$9,291,16</td>
<td>$15,774,58</td>
<td>$3,516,58</td>
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</table>

**Total Other Revenues:**

<table>
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<th>Revenue</th>
<th>Total Other Revenues</th>
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<tbody>
<tr>
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<td>$7,800,97</td>
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</tbody>
</table>

**Total Revenue:**

| Total Revenue | $238,000.00 |
| Total Revenue | $238,000.00 |
| Total Revenue | $238,000.00 |
| Total Revenue | $238,000.00 |
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| Total Revenue | $238,000.00 |

**Total Expenses:**

| Total Expenses | $188,000.00 |
| Total Expenses | $188,000.00 |
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| Total Expenses | $188,000.00 |

**Operating Revenues/Deficit:**

| Operating Revenues/Deficit | $50,000.00 |
| Operating Revenues/Deficit | $50,000.00 |
| Operating Revenues/Deficit | $50,000.00 |
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| Operating Revenues/Deficit | $50,000.00 |
| Operating Revenues/Deficit | $50,000.00 |

**Operating Revenues/Deficit %:**

| Operating Revenues/Deficit % | $23.65 % |
| Operating Revenues/Deficit % | $23.65 % |
| Operating Revenues/Deficit % | $23.65 % |
| Operating Revenues/Deficit % | $23.65 % |
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| Operating Revenues/Deficit % | $23.65 % |

**Operating Revenues/Deficit Adjusted %:**

| Operating Revenues/Deficit Adjusted % | $23.65 % |
| Operating Revenues/Deficit Adjusted % | $23.65 % |
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| Operating Revenues/Deficit Adjusted % | $23.65 % |

**Total Revenue Adjusted:**

| Total Revenue Adjusted | $190,000.00 |
| Total Revenue Adjusted | $190,000.00 |
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**Total Expenses Adjusted:**

| Total Expenses Adjusted | $140,000.00 |
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| Total Expenses Adjusted | $140,000.00 |

**Operating Revenues/Deficit Adjusted:**

| Operating Revenues/Deficit Adjusted | $50,000.00 |
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**Operating Revenues/Deficit Adjusted %:**

| Operating Revenues/Deficit Adjusted % | $23.65 % |
| Operating Revenues/Deficit Adjusted % | $23.65 % |
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| Operating Revenues/Deficit Adjusted % | $23.65 % |
| Operating Revenues/Deficit Adjusted % | $23.65 % |
The Centre
Board Meeting Minutes:
Date: 10/16/18 – Time: 6:30pm
Location: Centre Meeting Room

Board Members Present: Bill Moorkamp, Doug Roberts, Kent Wray (via phone), and Francine Merenghi

Others Present: Parks & Rec Director Floyd Jernigan, City Administrator John Butz, Mayor Lou Magdits, Kristy Rich, Meleena Littlejohn, Matt Whittingham, Chad Lewis, R.D. Hohenfeldt, Sabrina McAfee

Called to order: Mr. Moorkamp called meeting to order at 6:45 pm

Approval of Minutes: Motion to approve August 15, 2018 meeting minutes was made by Kent Wray, seconded by Doug Roberts and the motion carried unanimously.

Old Business:

Stay & Play Program:
- Further discussion on the viability of program.
- Board has requested a detailed analysis of program before determining how to proceed.
- Reports to be presented at next meeting.

Sales Position:
- Position was created and filled in March 2018.
- Board requested an analysis on performance to date of the position.
- To be presented at next meeting.

Marketing & Sales:
- Board requested a presentation on current marketing and sales for next meeting.

Celebration of Nations:
- Went well had a lot of people play on equipment. Kia did a great job on representing the Centre.
- This event offers an opportunity to reach the community, showing things happening at the Centre for members and non-members.
- Board request that presentation displays (banners, tabletop, etc.) be available for future events.

New Business: No new business

Financials Review:
- Year-end financials to be reviewed at next month meeting.
Members Metrics:

- Graphs — Board will determine the type of information they want to be reflected within the next two weeks.
- Board requested that membership types be broken out again on metrics (ex. Silver Sneakers, Students, etc.)

Director’s Report

Software:

- Payroll software will be implement on November 7, 2018.
- Centre/Parks software will be revisited in 6 months for inclusion in 2019-20 budget:
  - What does the upgrade get us?
  - Is it comparable with a new product?

Customer Appreciation:

- Mr. Moorkamp commended and explained the member’s appreciation day sponsorships;
  - One per month
  - Sponsor provides through fee fruit or something healthy for members all day.
  - Fee for sponsorship is $200.00
  - Sponsor receives promotion / acknowledgement through various forms of communication to the members.

Facility etiquette and safety:

- Discussion on capacity and new equipment.
  - Additional plates for new equipment will be purchased over the next few months.
  - Facility safety – etiquette class to be given
    - mandatory for new / renewing patrons

Citizens Comments:

Chad Lewis – thanked the Board for allowing him the opportunity to address them. As a citizen of Rolla and a member of the Centre I am vested in the successfullness of the Centre.

- Does not like the way the Centre is being managed of late.
- The floor is crowded and unsafe.
- Feels the Centre has a branding issue that needs to be address a.s.a.p.
- Will be at future meetings with suggestions on how to help resolve the above issues.

Minutes prepared by Sabrina McAfee, Accounting Specialist City of Rolla
## Building Permits Issued

<table>
<thead>
<tr>
<th>Building Permits Issued</th>
<th>October YTD FY 2018</th>
<th>FY 2017</th>
<th># ISSUED</th>
<th>$ VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric, Plumbing, etc. Only</td>
<td>14</td>
<td>$263,452</td>
<td>14</td>
<td>$263,452</td>
</tr>
<tr>
<td>Single Famil Detached</td>
<td>3</td>
<td>$263,452</td>
<td>3</td>
<td>$263,452</td>
</tr>
<tr>
<td>Single Famly Attached</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Duplexes</td>
<td>1</td>
<td>$347,366</td>
<td>1</td>
<td>$347,366</td>
</tr>
<tr>
<td>3-or-4 Family</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>5-or-more Family</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hotels, Motels</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other nonhousekeeping shelter</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Amusement, social, recreational</td>
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<td>$33,800</td>
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<tr>
<td>Churches, other religious</td>
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<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Industrial</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Parking garages</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Service stations, repair garages</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hospitals, institutional</td>
<td>-</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Offices, banks, professional</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Public Works, utilities</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Schools, other educational</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Stores, customer</td>
<td>1</td>
<td>$183,840</td>
<td>1</td>
<td>$183,840</td>
</tr>
<tr>
<td>Towers, antennas</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Signs, attached and detached</td>
<td>4</td>
<td>$18,250</td>
<td>5</td>
<td>$49,200</td>
</tr>
<tr>
<td>Residential addition, remodel</td>
<td>9</td>
<td>$177,000</td>
<td>3</td>
<td>$70,200</td>
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<tr>
<td>Commercial addition, remodel</td>
<td>4</td>
<td>$480,720</td>
<td>5</td>
<td>$1,749,873</td>
</tr>
<tr>
<td>Residential garage, carport</td>
<td>1</td>
<td>$8,000</td>
<td>1</td>
<td>$8,000</td>
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<tr>
<td>Demolition, single family</td>
<td>3</td>
<td>-</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Demolition, 2-family</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Demolition, 3-or-4 family</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Demolition, 5-or-more family</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Demolition, all other</td>
<td>2</td>
<td>-</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>Total residential units</td>
<td>$347,366</td>
<td>-</td>
<td>$347,366</td>
<td>-</td>
</tr>
<tr>
<td>EST. CONSTRUCTION COSTS</td>
<td>$1,123,262</td>
<td>$2,258,439</td>
<td>$1,123,262</td>
<td>$2,258,439</td>
</tr>
</tbody>
</table>

## Inspections Performed

<table>
<thead>
<tr>
<th>Inspections Performed</th>
<th>October FY 2018</th>
<th>October FY 2017</th>
<th>YTD FY 2018</th>
<th>YTD FY 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Inspections</td>
<td>179</td>
<td>99</td>
<td>179</td>
<td>99</td>
</tr>
<tr>
<td>Electrical Inspections</td>
<td>61</td>
<td>91</td>
<td>61</td>
<td>91</td>
</tr>
<tr>
<td>Excavation Inspections</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Plumbing Inspections</td>
<td>55</td>
<td>65</td>
<td>55</td>
<td>65</td>
</tr>
<tr>
<td>Mechanical Inspections</td>
<td>23</td>
<td>29</td>
<td>23</td>
<td>29</td>
</tr>
<tr>
<td>Code Inspections</td>
<td>223</td>
<td>167</td>
<td>223</td>
<td>167</td>
</tr>
<tr>
<td>Nuisance Inspections</td>
<td>90</td>
<td>87</td>
<td>90</td>
<td>87</td>
</tr>
<tr>
<td>Business License Inspections</td>
<td>10</td>
<td>5</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>TOTAL INSPECTIONS</td>
<td>641</td>
<td>539</td>
<td>641</td>
<td>539</td>
</tr>
</tbody>
</table>

11/13/2018
# Financial Statement

## October 2018

### Receipts:
- Electric, Water, Tax, Sewer and Refuse Charge: $3,483,879.80
- Accounts Receivable - Miscellaneous: $87,061.39
- Customer's Deposits - Refundable: $36,346.71
- Misc Non-Operating Revenue: $24,454.86
- **Total Receipts:** $3,631,742.76

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FSCB Super-Now Account Interest (Sept 30)</td>
<td>$3,341.00</td>
</tr>
<tr>
<td>FSCB Money Market Account Interest (Sept 30)</td>
<td>$9,950.54</td>
</tr>
<tr>
<td>FSCB Electronic Payment Account Interest</td>
<td>$332.35</td>
</tr>
<tr>
<td>PCB Super-Now Account Interest (Sept 30)</td>
<td>$0.20</td>
</tr>
<tr>
<td>PCB Electronic Payment Account Interest (Sept 30)</td>
<td>$6.69</td>
</tr>
<tr>
<td>Public Utility Cash in Bank (Sept 30)</td>
<td>$18,162,300.33</td>
</tr>
</tbody>
</table>

**Total Receipts and Cash In Bank:** $21,827,673.87

### Disbursements:
- Power Purchased: $1,717,237.94
- Operating Expenses: $138,727.64
- Administrative and General Expenses: $141,114.62
- Payroll: $175,516.64
- Electric and Water Capital Expenditures: $81,401.05
- Stock Purchases (Inventory): $12,160.00
- Balance of Customer's Deposits after Finals: $13,315.28
- Medical, Dental, Vision and Life Insurance Paid by Employees: $13,387.93
- Support Payment: $515.19
- U.S. Withholding Tax: $21,726.90
- Missouri Dept. of Revenue (Sales Tax): $52,272.82
- Missouri Dept. of Revenue (Income Tax): $9,607.00
- Phelps County Bank (Social Security): $35,734.12
- Sewer Service Charge: $368,556.30
- Refuse Service Charge: $179,526.80
- PILOT to City of Rolla: $18,209.22
- Purchase U.S. Treasury Bill / Certificates of Deposit: $0.00
- Standpipes Lease/Purchase: $3,164.25
- Construction in Progress: $10,775.70
- Primacy Fees: $0.00
- Void Checks: $0.00
- Unclaimed Deposit to State of Missouri: $0.00
- **Total Disbursements:** $3,105,420.14

**Cash in Bank (October 31):** $18,722,253.73

**Total Disbursements and Cash in Bank:** $21,827,673.87

### Balance of Other Funds:

#### Public Utility Accounts:
- **Total Public Utility Accounts and Reserves:** $18,722,253.73

#### Electric Reserves:
- Certificates of Deposit: $0.00
- Money Market Account: $8,166,218.00
- U.S. Treasury Bills: $0.00
- **Total Electric Reserves:** $8,166,218.00

#### Water Reserves:
- Certificates of Deposit: $0.00
- Money Market Account: $3,224,131.00
- U.S. Treasury Bills: $0.00
- **Total Water Reserves:** $3,224,131.00

#### Total Reserves:
- **Total Reserves:** $11,390,349.00

---

**TOTAL PUBLIC UTILITY ACCOUNTS AND RESERVES:** $18,722,253.73
## STATISTICS

October 2018

### PRODUCTION

<table>
<thead>
<tr>
<th>Date of Demand</th>
<th>Time of Demand</th>
<th>Scada Demand kWh Purchased</th>
<th>Total Cost</th>
<th>Cost per kWh</th>
<th>Load Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/03/2018</td>
<td>04:40 PM</td>
<td>50,780.00</td>
<td>$1,729,950.90 *</td>
<td>0.072600 *</td>
<td>62.7%</td>
</tr>
</tbody>
</table>

**Pumped Wells**

- Pumped #2 Well: 5,236,000 kWh
- Pumped #3 Well: 0 kWh
- Pumped #4 Well: 2,714,000 kWh
- Pumped #5 Well: 2,425,000 kWh
- Pumped #6 Well: 2,931,000 kWh
- Pumped #7 Well: 1,534,000 kWh
- Pumped #8 Well: 2,168,000 kWh
- Pumped #9 Well: 2,725,000 kWh
- Pumped #10 Well: 3,579,000 kWh
- Pumped #11 Well: 5,923,000 kWh
- Pumped #12 Well: 1,518,000 kWh
- Pumped #13 Well: 6,451,000 kWh
- Pumped #14 Well: 7,632,000 kWh
- Pumped #15 Well: 2,430,000 kWh
- Pumped #16 Well: 8,361,000 kWh
- Pumped #17 Well: 2,525,000 kWh
- Pumped #1 Ind Park Well: 3,589,000 kWh
- Pumped #2 Ind Park Well: 2,085,000 kWh

**Total Gallons**

63,716,000 kWh

### ELECTRIC SALES

- Residential - Single Phase kWh: 6,041,256
- Residential - Three Phase kWh: 143,175
- Commercial - Single Phase kWh: 1,195,156
- Commercial - Three Phase kWh: 2,415,591
- Power Service kWh: 7,325,530
- Industrial kWh: 4,740,480
- Area/Street Lighting kWh: 50,432
- Rental Lights kWh: 78,687

**Total kWh Sold**: 21,990,307 kWh

**Demand kWh**: 32,064 kWh

**Revenue**: $2,103,214.45

**Monthly Loss**: 7.71%

**Fiscal Year to Date Loss**: 7.71%

### WATER SALES

- Residential - Single Phase Gallons: 24,476,000
- Residential - Three Phase Gallons: 460,000
- Commercial - Single Phase Gallons: 6,208,000
- Commercial - Three Phase Gallons: 4,111,000
- Power Service Gallons: 10,172,000
- Industrial Gallons: 948,000
- Missouri S&T Gallons: 5,709,000
- PWSD #2 Gallons: 2,022,000

**Total Gallons Sold**: 54,106,000

**Revenue**: $225,668.18

**Pumping Cost, Electric**: $35,307.70

**Monthly Unidentified Loss**: 11.56%

**Fiscal Year to Date Unidentified Loss**: 11.56%

**Sewer Service Charge**: $295,736.68

**Refuse Service Charge**: $180,413.66

**Gross Payroll**: $238,198.65

---

* Energy losses are not included in this statistic and are estimated at an additional 12%.

** Loss includes 2,245,000 gallons per water main flushing records.

*** FY loss includes 2,245,000 gallons per water main flushing records.
ELECTRIC

E1. 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

E2. Electric system improvements associated with Highway 72 extension
- 1) Elimination of overhead lines on Kingshighway between Bridge School Road and Fairgrounds Road
- 2) Reconstruction of system on Gale Drive and HoJo Drive
- 3) New system on Hwy 72 southeast to Williams Road and Faulkner Ave
  Started: February 13, 2018
  Ongoing

E3. Sonic of Rolla (109 South Bishop)
- Relocation of overhead electric to allow for construction of new facility.
  Started: March 21, 2018
  Ongoing

E4. Phelps County Regional Medical Center parking lot improvements
- Installation of poles, transformers, and meters in various locations around the project.
  Started: October 9, 2018
  Ongoing

E5. Dewing substation transformer
- Failure causing the need to install spare transformer and diagnosis / repair this unit.
  Started: October 1, 2018
  Shipped out for diagnosis: November 13, 2018
  Ongoing

E6. Planet Fitness (1056 South Bishop)
- Replacement of primary conductor and improvements to metering in conjunction with redevelopment of building.
  Started: November 3, 2018
  Completed: November 3, 2018

E7. Testing of settings in relays for control of reclosers at substations
- Grove, Industrial, Dewing, and Bridge School Road substations
  Started: November 5, 2018
  Completed: November 8, 2018

E8. ΣΠI (Sigma Pi) fraternity (12th and Railroad Streets)
- Relocate an existing pole at the request of the property owner and connect new underground primary to overhead primary remaining in place. Installation of underground primary conductor, transformer, and metering.
  Started: November 19, 2018
  Ongoing

ELECTRIC GENERATION

G1. NESHAP RICE control equipment for generators
- Reviewing operations of pressure transducers for catalyst monitoring. Replacing pressure transducers and related wiring.
  Started: Spring 2017
  Ongoing
FIBER / SCADA

F1. Reconfiguring fiber system to allow for removal of fiber on Kingshighway and portion of Faulkner Street that is being abandoned.

- Installation of some equipment to reconfigure existing fiber system to allow for short term deletion of that portion of the system along Kingshighway and in the area of Faulkner Street.

WATER

W1. Sonic of Rolla (109 South Bishop)

- Installation of system connections and valves to allow for contractor to relocate water main around new store.
  Started: October 26, 2018
  Completed: October 26, 2018

W2. Brookside Lane

- Extension of water main to replace long service and eliminate a dead end.
  - Installed: 300 feet of 6" PVC
  Started: October 29, 2018
  Completed: November 14, 2018

W3. Brookside Lane and Cottage Circle

- Replacement of water service lines.
  Started: October 29, 2018
  Ongoing:

W3. Conversion of water meters to radio reads
  - 5/8" meters: Delivery of 3,504 meters was completed November 16, 2017.

- Installation being performed by staff members from RMU.
  Started: November 20, 2017
  Completed since last report: 174
  Completed to date: 5,186
  Ongoing
  Note: Approximately 83% of the water meters now have radio read technology in place.

TRAINING / PERSONNEL

1. Operations staff

- Hank Stiritz promoted to Purchasing Agent / Warehouseman
  Effective: November 11, 2018
- Bruce Light transferred to Grounds Maintenance / Tree Trimmer
  Effective: November 11, 2018
REGULAR SESSION - October 30, 2018
~ Meeting was held in the Board Room at RMU’s Tucker Professional Center at 4:30 p.m. ~

The meeting was called to order at 4:30 p.m. by Rolla Board of Public Works ("RBPW" or "Board") 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

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

I. APPROVAL OF MINUTES
Williams made a motion, seconded by Showalter, the minutes of the September 25, 2018, Board meeting Regular and Executive sessions and Regular session of the October 18, 2018, be approved as presented. Motion passed unanimously.

II. CITIZEN COMMUNICATION  (None)

III. SPECIAL PRESENTATION
A. Kelly Beets, Senior Loss Control Consultation MIRMA.
   1. 2018 Safety Grant Award.
      • Kelly Beets reported that RMU was awarded a safety grant for $6,000.00 for four (4) power cable cutters and $389.40 for a pole saw. The power cable cutters and pole saw will help with personal safety for RMU staff while working on power lines and tree trimming. The Risk Management Program provides an opportunity for MIRMA to assist utilities and cities in purchasing safety equipment.

IV. STAFF REPORTS
A. BUSINESS/FINANCE MANAGER’S REPORT (Roberts)
   1. The Board received the Statement of Income & Expenses reports for September 2018 (FY18).

   Roberts noted that period twelve for FY18 has ended. In the next months, reports will include one or two more periods for FY18 with additional adjustments and/or audit entries.

   • Roberts reviewed the September 2018 report (FY18), with the following comparisons:

     Month-to-Date comparison of September 2018 to September 2017
     • Operating Income increased $158,204. Purchased Power expense increased $84,695; Operating Expenses increased $27,040 resulting in an Operating Income of $412,626.38 which showed an increased Income of $131,164; Total Other Income increased $682,933. Total Net Income for September 2018 was $1,155,225.96, an increased Income of $814,097 in comparison to September 2017.

   Roberts noted that the total other income is higher this year due to the amount of contractor mains that were accepted by RMU. It was last year when we had very few contractor mains to accept into the system, roughly $31,720 and this is mostly due to a change in policy. There is now a warranty period in place for when these contractor mains can be accepted. Also, the contractor mains are a non cash entry.

   Year-to-Date (YTD) FY2018 and FY2017
   • Operating Income increased $2,378,427. Purchased Power expense increased $782,347; Operating Expenses increased $1,160,896 resulting in an Operating Income of $1,372,699.98 which showed an increased Income of $1,217,531; Total Other Income increased $749,758. Total Net Income was $2,644,486.63, an increased Income of $1,957,289 in comparison to 2017.

   Barrack asked, "Do you recall what the City Capital YTD reimbursement was for?" Roberts replied that is the portion of the water meter installation that: the City owes RMU.

   Barrack asked, "If we remove $709,000, RMU is ahead $2M?" Bourne replied that RMU is up $1.9M over FY2017 and if we remove contractor mains this puts RMU at a $1.2M range due to winter sales.

   2. Roberts presented RMU’s Financial Statement, Statistics report, and the Disbursement Summary for September 2018 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 #26311</th>
</tr>
</thead>
<tbody>
<tr>
<td>First State Community Bank - Super Now</td>
<td>Checks #30784-30883</td>
<td></td>
</tr>
<tr>
<td>Transfer of funds</td>
<td>First State Community Bank - Electronic Pmt Acct</td>
<td>Check #1018</td>
</tr>
</tbody>
</table>
Williams made a motion, seconded by Crump, the reports be approved as presented and forwarded to the City. Motion passed unanimously.

Roberts reported that there is an insert in your Board packet showing a break down of the Power and Water Cost Adjustments. Adjustments include additional kWh and T-gals that RMU has sold through FY2018. In total, RMU provided a $1.5M rate relief in FY2018.

Barrack asked, “So RMU had $1.5M credit back?”
Roberts replied yes, $1,500,873.36 to be exact.

Barrack stated that RMU should consider lowering rates.

Bournereported that with the sale of transmission assets it has been discussed to include a permanent rate decrease in our future.

Williams asked, “Does RMU see any threat with commodity prices increasing?”
Bourne replied that RMU is always up against the commodity prices. However, between now and budget time, RMU will continue to evaluate rates and discounts will continue, as RMU has budgeted another $1.4M rate relief for FY2019.

Roberts reported that the other side of the insert shows a break down of the uncollectible debt. RMU wrote off slightly more this year than the prior FY. RMU did well on recoveries and collecting on write offs from prior years. The net expense for FY2018 was $24,685.60 compared to $22,821.58 for the prior year. RMU had budgeted $42k for uncollectible expenses and as of September 30, 2018, RMU used 58.78% of that.

Showalter asked, “How does RMU collect uncollectibles?”
Roberts replied that an uncollectible can be recovered by either our collection agency or through the front counter, usually from these customers needing service with RMU again, and the customers must pay their outstanding bill first.

B. OPERATION MANAGER’S REPORT (Davis)

1. Updates on:
   a. Development Review Committee. Davis reported the DRC did not meet in September but there was one item for consideration. RMU did not have any comments relative to a request to rezone 104 East 4th Street. RMU is continuing to work with the developer of St. Maria’s Tatanda to refine the water and electric system improvements and the easements that will be necessary.
   b. Contractor Mains. Davis reported that there are no contractor mains under construction.
   c. GIS Mapping Project. Davis reported Archer-Elgin has completed collecting field data, pending QC review. HDR is starting to review the data that has been collected and developing the GIS interface.

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

d. Current RMU projects

ELECTRIC DEPARTMENT -
(E2) Electric System Improvements associated with Highway 72 extension.
   1) Elimination of overhead lines on Kingshighway between Bridge School Road and Fairgrounds Road.
   2) Reconstruction of system on Gale Drive and Hojo Drive.
   3) New system on Hwy 72 Southeast to Williams Road and Faulkner Avenue.
(E6) Phelps County Regional Medical Center Parking lot improvements. Installation of poles, transformers, and meters, in various locations around the project. Started, October 9, 2018. Ongoing.
(E7) Dewing substation transformer. Failure causing the need to install spare transformer and diagnosis/repair this unit. Started, October 1, 2018. Ongoing.
(E8) Replace decorative street light pole north 12th Street and North Pine Street. Project coordinated by
City of Rolla to install additional Christmas decoration over Pine Street. Started, October 9, 2018. Completed, October 15, 2018.

ELECTRIC GENERATION
(G1) NESHAP PRICE control equipment for generators. Staff is reviewing the operations of pressure transducers for catalyst monitoring. Replacing pressure transducers and related wiring. Started, Spring 2017. Ongoing.

FIBER/SCADA -
(F1) Reconfiguring fiber system to allow for removal of fiber on Kingshighway and portion of Faulkner Street that is being abandoned. Installation of some equipment to reconfigure existing fiber system to allow for short-term deletion of that portion of the system along Kingshighway and in the area of Faulkner Street.

WATER DEPARTMENT -
(W1) 10th Street - Asher to Spring as part of City Street Reconstruction Program and 10th Street - Spring to Bishop (Hwy 63) while in the area.
• Replacement of existing mains with new 16" and 8" PVC mains in conjunction with City's reconstruction of street.
• Installed: 100 feet of 6" PVC, 820 feet of 8" PVC, 1,440 feet of 16" PVC, and seven (7) fire hydrants.

(W2) 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.
Started: November 20, 2017; Completed since last report: 571; Completed to date: 5,012. Ongoing.
NOTE: Approximately 81% of the water meters now have radio read technology in place.

(N/A) FY2018 Summary.
• Water main replacements: 7,000 feet
• Fire hydrants: 18

MPUA/MoPEP UPDATE
(1) MPUA Annual Conference. Attended by Chad Davis on October 3-5, 2018.

TRAINING/PERSONNEL
1) Missouri Public Utility Alliance (MPUA) Apprentice Lineman Training Program.
• Troubleshooting (4th year) attended by Joshua McBride and Jestin Casto on September 26-27, 2018 in Kansas City, MO.
• Single Phase Transformer School (2nd year) attended by Jeremy Brown on October 10-11, 2018 in Paragould, AR.
• URD Splicing and Terminations School (3rd year) attended by Tommy Carroll on October 17-18, 2018 in Paragould, AR.
3) CPR/AED certification training Rolla Technical Center.
• Attended by new hired staff that did not have current certifications on September 26, 2018.
4) Advanced Journeyman Lineman Training conducted by Missouri Public Utility Alliance.

MISCELLANEOUS -
(1) Street repairs for RMU water projects - Various locations around Rolla (September 7, 2018 invoices).
• Total quantity: 48.30 tons
• Total cost: $4,540.20
(2) Street repairs for RMU water projects - Various locations around Rolla (September 10, 2018 invoices).
• Total quantity: 16.14 tons
• Total cost: $1,517.16
(3) Street repairs for RMU water projects - 10th Street water main replacement (October 17, 2018 invoices).
• Total quantity: 302.45 tons
• Total cost: $27,220.50
C. GENERAL MANAGER'S REPORT

1. MPUA/MoPEP Update.
   - Bourne reported that he and Chad Davis attended the MPUA Annual Conference which was held in early October at the Lake of the Ozarks.
   - Bourne reported that power plants are running well and MJMEUC staff has done a good job of optimizing power supply to reduce all-in cost for pool. RMU also benefitted from high winter sales.
   - Bourne reported that there is anticipation for a small delay in the Clean Line project which may open an opportunity for reduced pricing on the transmission component to bring low cost wind energy from western Kansas to Missouri and then east in the PJM RTO market. Additional discussions regarding transmission pricing will continue.
   - Bourne reported that there is not a lot of press in Rolla, but the L-44 natural gas pipeline has a FERC filing to raise the transportation costs for all communities west of Sullivan. If successful, heavy impacts in municipal gas systems are to be expected. Not known the affect to the Ameren gas pricing in Rolla, Owensville and Salem. This situation has been reported in some of the L-44 Corridor local papers.
   - Bourne reported that, as a pool the Demand Charge Cap is set at $7,700/MW-Mo. It is estimated for the following year, RMU will pay approx 2% less than the MoPEP average all-in cost with this new demand cap. Last year, we were 1% under the average cost. This Cap is set annually.
   - Bourne reported that Marshall County Wind project hit a 50% capacity factor in it's first year of commercial operation. This is higher than anticipated. This provided benefits to MS&T and Brewer Science as they were able to increase their participation in wind resources to meet their sustainability goals.
   - Bourne reported that MoPEP had an all time high winter peak of 478MW in January while Rolla's peak was just over 72MW. The pool experienced an increase of 8% in kWh usage over 2017 and hit a summer peak of 529MW on July 11, 2018, which is earlier than normal.

2. LAGERS Annual Conference. Bourne reported that the LAGERS Annual Conference was held October 25 & 26th, 2018. Bourne and Roberts attended the meeting. LAGERS program is going strong and is a top rated program in the country. LAGERS currently has 715 Employers participating in the MOLAGERS Plan. LAGERS is 95.6% pre-funded which ranks in the top 10% of public pension plans in the US. As of February 2018, RMU is 112.1% funded. LAGERS has $7.8 Billion in fiduciary net position, up 11% from their prior years, and a 13.70% rate of return after fees for their most recent prior year, which was 5.77% over the LAGERS custom benchmark.

3. Solar Communities Missouri Update. Bourne reported in the last month, RMU has 30 metered customers registered, along with additional customers inquiring. Each participant is requesting between 1-15 blocks, or 100-1,500 kWh/month. RMU averages 4.33 blocks/meter. So far, these 30 customers, subscribe to 156,000 kWh/year which is 5% of RMU's solar resource allocation. RMU is providing yard signage to customers that have committed to solar energy and our hope is that the RMU newsletter, Facebook page, and word of mouth continues to increases participation into the winter months.

4. Miscellaneous.
   - Prairie State Energy Tour - November 5th. Bourne reported that annually RMU sends a group of RMU staff members to tour Prairie State facility. This year, there are five staff members and one Board member attending the tour on Monday, November 5, 2018.
   - APPA Legislative Rally. Bourne reported that he will be attending the APPA Legislative Rally next year in late February. The conference will be held in Washington D.C.

V. OLD BUSINESS (None)

VI. NEW BUSINESS

A. Update on Substation Transformers.
   - Bourne reported that the 10MVA Dewing Substation transformer failed on October 1, 2018. Prior to the failure, on September 26th, 2018, Fletcher-Reinhardt staff attempted to replace two high voltage bushings on the same transformer. A crew from Jordan Transformer conducted on-site testing and a spare is currently in-place at the substation. RMU has submitted a notice of incident to MIRMA, however, because other parties are involved and the cause of the failure is unknown, we are unsure if any of the cost will be covered by MIRMA, or any other insurance policy. We are coordinating logistics for the unit to be sent to a repair shop for untanking and a determination of the root failure. At that point, we should start to identify which party may be picking up the cost for repair. Once RMU sorts out the details, MIRMA will be able to make a decision if they will provide any insurance coverage.
   - Bourne reported that while Jordan's crew was here, RMU requested that they test a spare transformer and the Holloway transformer. The Holloway transformer is nearly 50 years old and on the brink of failure based on Dissolved Gas Analysis (DGA) and the testing performed by Jordan. Staff recommends getting pricing for a rebuild to be presented at the November Board meeting. Davis is working on pricing now and we are estimating $175k - $200k. This substation also needs to be reworked to obtain better operating clearances around the major electric equipment.

Williams asked, "Is there land that RMU owns surrounding the Holloway Substation?"
Bourne replied yes, we believe that this will be enough land to expand to make things work.
Barrack asked, "Is there anyway to eliminate this substation?"
Bourne replied I do not think so.
Williams asked, "Are you worried about building a retaining wall to keep oil out of the creek?"
Bourne replied that historically we have not done that and are not required under current regulations.
- Bourne reported that the spare transformer has a high DGA testing indicating a past high temperature event occurred. A rebuild may be in order. While RMU is reviewing those units, we are also reviewing test reports on all remaining transformers to determine which units may require rebuild or servicing to extend useful life. When that analysis is complete, we will update the Board.
Williams asked, "How many spare transformers does RMU have?"
Davis replied that four transformers and a fifth one that is iffy. The spare being used at Dewing is a similar design to the one that failed. For Holloway, the spare to be used is older than the one in place and has a smaller capacity but the transformer with a larger capacity is too large to fit in the space available. Each transformer has a past history and RMU continues to test annually and generally we try not to use the backups for long periods of times. Bourne replied that four to six times a year there are other cities needing a distribution level transformer quickly. RMU has always tried to maintain spare transformers in our inventory. It is very important to always have a spare, if and when you need one. You can't always find what you need through a distributor.
Davis replied that keep in mind, a substation transformer rebuild typically can take anywhere from 24-36 weeks which is another reason having spares on hand is helpful.
Barrack asked, "Are we able to isolate each substation?"
Davis replied that each substation has at least one solution for a backup, and some have two or three solutions.
Barrack asked, "What about out at HyPoint?"
Bourne replied yes, the HyPoint substation has always had a backup, but RMU used to be lacking for the Dewing Substation, which we have corrected.

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

\[\text{Signed:} \quad \text{Nick Barrack, President} \]
\[\text{Signed:} \quad \text{Matthew Z. Williams, Secretary} \]

The Board's next meeting is scheduled for Tuesday, November 27, at 4:30 p.m.
A request for the City of Rolla to amend Article III of Chapter 42, which is known as the Rolla Planning and Zoning Code, by deleting and adding language to Division 18 of said article, which is known as Signs, for the particular purpose of permitting temporary and portable signage.

MEETING DATE: 12-03-2018

BACKGROUND:

PROJECT DESCRIPTION: At the City Council meeting on July 16, 2018, six local business owners and the executive director of the Rolla Area Chamber of Commerce, who spoke on behalf of several business owners in attendance, spoke to the fact that temporary signage should be permitted. The process of drafting new temporary sign provisions began about two weeks later (See Fig. 1 for current code, Fig. 2 for new code, and Fig. 3 for sign type examples). In September, members of the Community Development Department and the City Administrator met with five business owners, a representative of business owners, and one local real estate agent to discuss the most recent draft of a new sign ordinance. While there were some concerns about temporary off-premise signage in residential areas, most of the group were satisfied with the provisions in the draft that pertained to the type, size, and duration of on-premises temporary signage in nonresidential zones, elements that have not changed since. However, this new ordinance goes beyond permitting temporary signage. It also attempts to protect the first amendment rights of the citizens of Rolla in light of a recent U.S. Supreme Court decision that is discussed below.

PUBLIC PURPOSE & CASE LAW: Traffic safety and aesthetics are the two public purposes that have been held as valid reasons to regulate signage. However, sign regulations are susceptible to claims of violations of the free speech clause of the First Amendment of the U.S. Constitution. When such claims involve noncommercial speech, the courts analyze such claims with strict scrutiny, a type of scrutiny that is difficult to survive. Strict scrutiny requires the government to show there is a compelling state interest behind the regulation, that the regulation is narrowly tailored (i.e. not too broad), and the least restrictive means of regulation were being used. As discussed in the different opinions of the U.S. Supreme Court case of Reed v. the Town of Gilbert, “Speech regulation is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed”. In addition, the majority opinion of Reed states that “laws favoring some speakers over others demand strict scrutiny when the legislature’s speaker preference reflects a content preference”. For these reasons, a sign ordinance should be content-neutral, which includes refraining from discriminating between speakers. A content-neutral code will regulate the time, place, and manner in which a sign is posted, not its message. In a concurring opinion of Reed, a non-exhaustive list of ways in which signs can be regulated was submitted. Such permitted distinctions include off-premises v. on-premises, freestanding v. attached, illuminated v. unilluminated, and placement on commercial v. residential properties.
ANALYSIS:
EXISTING TEMPORARY SIGN REGULATIONS: Division 19 of the Rolla Planning and Zoning Code (the Code) bans all temporary and portable signs except for those that are listed as exempt. Exemptions are known to be the area of a sign code that are often found to be content-based and undermine the aesthetic purpose of the code. In regards to temporary/portable signage, the current exemptions listed are “banner signs” (limited to 30 days per four months and messaging that is not considered to be an “official flag”, as those are fully exempt), “political signs” (limited to 14 days after an election, but not limited to any time before the election), “real estate/lessee/construction signs” (restricted to only residential zones, an area of six or 34 sq. ft., and obligated to be removed within 14 days of a sale date or 30 days of construction completion date), “residential garage, estate, or public auction sale signs”, and signs “advertising drives or events of a charitable, educational, or religious nature” (restricted to six sq. ft. and a posting time period that correlated with the duration of the event and no more than 30 days a year). In Reed, the Town of Gilbert exempted three different types of noncommercial temporary signs, directional, political, and ideological, each with its own size limits and time limits. Based on that fact, this ordinance was found facially unconstitutional. With all this considered, one can see why Rolla’s sign provisions are problematic as currently written and needed to be rewritten.

SIGN REGULATIONS, RESIDENTIAL: Only minor changes to number and area requirements were made to permanent signs in residential zones. The Code, as of today, indicates that in addition to address numbers and nameplates, which are exempt up to a certain size and number, all multi-family or commercial properties within residential zones are permitted one detached sign (limited to 60 sq. ft.) and one attached sign (limited to two sq. ft. per lineal ft. of wall length). New Code permits any use/structure not considered a single-family house or duplex located in residential zones one pole/ground sign per entrance/exit and one wall sign per building (any permanent sign is limited to 64 SF). The new Code permits all residationally zoned properties an unlimited number of year-round temporary signs, as long as all signs together equate to 32 SF (formerly 24 SF, but amended to 32 per Council Motion) of area or less and are less than six feet in height. This method of ensuring people’s rights to free expression is recommended by experts, but is usually less liberal (typ. unlimited number if no sign is more than three SF). Altogether, these provisions were added, in part, to ensure free speech opportunities are provided at any given time of the year and to accommodate unique periods in history that encourage people to speak more than other times (e.g. political seasons, social movements) while still attempting to protect the aesthetic quality of residential areas. In addition, only temporary freestanding signs are permitted in residential districts (signs that are considered more aesthetically degrading are not permitted, such as inflatable signs/feather banners). All permanent signage in all zones is required to be on-premises signage, except that off-premise signage may be posted for no more than 14 days in any given quarter of a year. Lastly, any of the 32 SF of temporary signage for one- and two-family residences can be substituted with permanent wall, ground, or pole signs.

SIGN REGULATIONS, NONRESIDENTIAL: Except for permitting corner lots to have two detached signs without the requirement of 500 feet separation, the size and number of permanent signs permitted in nonresidential districts did not change with the proposed revisions. However, the new Code permits Electronic Message Center (EMC) signs in nonresidential signs without restrictions, except that it cannot flash, or play full motion video or film display, or be within 100 feet of a residential district. This was done because research has shown no correlation between
EMC signs and traffic accidents. In addition, the new Code permits permanent mechanical movement and revolving signs in zones of C-2 and higher and permits roof signs in C-3 and C-C zoning districts. We permitted these three types of signs, in part, because they should not be any more distracting than electronic signage and large amounts of temporary signage. In addition to these permanent sign provisions, we permitted each tenant space within a nonresidential zoning districts two temporary signs at any given time, unless the tenant space is locating a balloon sign or inflatable sign on the premises, in which case, they are only permitted that one temporary sign. This was done, in part, because inflatable signs and balloon signs can be very large and are potentially more distracting (we permit these types to be up to 75 SF in size and 24 ft. high).

PUBLIC PURPOSE OF CODE: The current sign Code permits a liberal amount of sign copy area for nonresidential areas, which enables businesses to have large enough letter height to make signs legible from a safe distance. However, no mechanisms exist to control the legibility, size, placement, and height of signs in a way that directly promotes traffic safety in way that is science-based. However, by adding temporary signage to the very liberal amount of permanent signage already permitted increases visual stimuli, which is related to delayed detection times, and degrades the aesthetic quality of the city. Apart from the idea that liberal sign regulations promote a thriving business community that could result in the protection of the tax base, without science-based controls on signage (e.g. copy area and speed limit area associated), the extent to which Rolla’s current/proposed sign regulations promote valid public purposes is limited to limiting the aesthetic degradation and amount of visual stimuli that excessive signage may cause by limiting the amount and height of signage, which could promote traffic safety and aesthetics. In addition, the liberal amounts of copy area permitted does not restrict legibility, which could also promote traffic safety. Lastly, while constitutionality is mandatory for any law, the new Code protects people’s freedom of speech.

PUBLIC & INTERNAL COMMENTS: No protest petitions or official comments have been filed to this department. The City did meet with business owners at two different meetings.

ACTION REQUIRED: By a six to two vote, the Planning & Zoning Commission recommended that the City Council deny this proposal. This recommendation was given because of three explicitly stated reasons: Off-premises real estate signs were only permitted for a limited time in residential areas (this has been corrected by defining real estate signs as on-premises), complaint-driven enforcement is an insufficient method of enforcement, and too many “gray areas”. The action required from the City Council is to conduct the final reading on the City of Rolla’s request to amend the sign regulations of Rolla’s Planning and Zoning Code.
Figure 1, Current Sign Ordinance

DIVISION 18. SIGNS.

Sec. 42-244. Purpose of Sign Regulations.

The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) and to enable the fair and consistent enforcement of these restrictions. (Ord. 3414)

Sec. 42-244.1. Definitions.

a. Animation: Any action or motion other than flashing lights and automatic changeable copy in an attempt to develop a pictorial scene through the movement of lights or parts of a sign.

b. Attached Sign: Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, or supported by, any part of a building.

c. Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device illuminated or non illuminated which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify, or convey information.


e. Detached Sign: Any freestanding sign, and including any inoperable vehicle or any trailer located for the primary purpose of advertising.

f. Directional Sign: An on-premise informational sign.
g. Effective Area: The effective area of sign shall be computed from the area enclosed by the perimeter upon which sign copy are placed, except that when individual letters, numbers, logo, etc. are mounted individually and directly upon a building surface without a change in color or appearance of the surface background, the effective area of the sign shall be deemed to be the rectangle or other geometric form that encompasses the letters, numbers, logo, etc. One (1) face of a double-sided sign shall be used to determine effective area.

h. Freestanding Signs: A sign supported permanently upon the ground by poles or columns installed in the ground or mechanically fastened or welded to a foundation installed in the ground and are independent from any building or other structure. All freestanding signs, supports, and foundations shall be designed to withstand all required loads imposed at any point upon the sign.

i. Internally Illuminated Signs: Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than reflected off the surface of the sign from an external source.

j. Off-Premise Sign: Any sign intended or used to advertise or inform the public of uses, goods, services offered off the premises where the sign is located.

k. On-Premise Sign: Any sign designating the name of the owner or occupant of the premises upon which the sign is placed, or identifying such premises; or advertising goods manufactured or produced or services rendered on or listing the sale or lease of, the premises upon which the entire sign is located.

l. Permanent Sign: Any sign that is not a portable or a temporary sign. Permanent signs may be freestanding (detached) or attached to a building or other structure.

m. Portable Sign: Any sign not permanently attached to the ground or to a permanent structure or building; or a sign designed to be transported or moved by lifting, hoisting, or hauling. This definition includes portable signs that are designed to be transported by means of wheels; signs converted to "A" or "T" frames, menu or sandwich board signs; balloons and other inflatable objects used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said signs are exempt vehicular signs, as defined herein.

n. Street Frontage: The distance for which a lot line adjoins a public street right-of-way, from one lot line intersecting the right-of-way to the furthest distant lot line intersecting the same right-of-way.

o. Temporary Sign: A sign that meets the definition of a portable sign, as defined herein.

(Ord. 3414; Ord. 3542, §1; Ord. 3566, §4; Ord. 3611, §8)
Sec. 42-244.2. Exempt Signs.

The following signs shall not require the issuance of a sign permit, but must conform to other City codes. These signs are allowed in addition to all other signs allowed under this Article.

a. Address Numbers and Name Plates: Address numbers for each residential and business building shall not exceed one (1) square foot in effective area per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business.

b. Banner Sign: A sign of lightweight, flexible fabric or similar material that is attached to a structure or building at one or more edges. National, state, and municipal flags, or the official flag of any other public or private entity, shall not be considered as banners. Banner signs may not be posted for more than thirty (30) days per four (4) month period per premise. (Ord. 3566, §5; Ord. 3611, §9)

c. Directional Signs: Detached on-premise directional signs that do not exceed five (5) square feet in effective area. No part of the sign shall exceed four (4) feet in height above finished grade, excluding berms or other landscaping features.

d. Flags: Any lightweight fabric, bunting, or similar highly flexible material containing the distinctive colors, patterns, or designs used as a symbol of any government, political subdivision, or other public or private entity. (Ord. 3611, §9)

e. Temporary Displays: Non commercial signs, flags, banners, or other materials displayed in conjunction with traditionally accepted patriotic, religious, or seasonal celebrations, holidays, community events, or charitable drives. (Ord. 3611, §9)

f. Government Signs: Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any government function or required or authorized by law, ordinance, or governmental regulations.

g. Political Signs: Temporary political signs announcing the candidates seeking public office and other pertinent information. Political signs shall be removed within fourteen (14) days following a general election.

h. Internal Signs: Any on premise sign located entirely within a building. (Ord. 3611, §9)

i. Neighborhood Identification or Monument Sign: A detached sign, masonry wall, wooden support, landscaping or similar material or
features which, when combined, form a display for neighborhood or tract identification consisting of the neighborhood, subdivision, tract, or historic district name. (Ord. 4068, §2)

j. Real Estate Sale, Lessee and Construction Signs: A detached or attached non illuminated temporary on-premise sign pertaining to the construction, sale, or lease of that premise, not to exceed thirty-four (34) square feet in effective area in the Rural Residential District or commercial or industrial zones and not to exceed six (6) square feet in effective area in other residential zones. Real estate, lessee and construction signs shall be removed within fourteen (14) days after closing of the sale or lease or within thirty (30) days after the completion of construction.

k. Vehicular Signs: Any permanently attached vehicular sign advertising a business which regularly uses the vehicle for transportation off-premise and is licensed by the State of Missouri for current operation.

l. Inflatable Display Objects: (Repealed by Ord. 3542, §2).

m. Miscellaneous Exempt Signs:

a. Signs located on machinery or equipment which are necessary and customary to a business, such as gasoline pumps or vending machines.

b. Temporary residential garage, estate, or public auction sale signs.

c. Signs used as part of a public bench provided it does not interfere with driver vision or pedestrian movement.

d. Signs on facilities located in public places that provide information that is incidental to a sponsored activity, such as a scoreboard or time clock.

e. Building memorial signs or tablets reflecting building names, construction dates, and other relevant information when cut into any masonry surface, cast in metal, or constructed of other non-combustible material.

f. On-premise attached bulletin boards no more than thirty-four (34) square feet in area for public, not-for-profit, or religious institutions. Such signs may only be internally illuminated.

g. Temporary attached or detached signs not exceeding six (6) square feet in effective area advertising drives or events of a charitable, educational, or religious nature, provided that such sign shall be posted only during the drive or event for no more than thirty (30) days per year.

h. Historic landmark signs attached to any locally or nationally designated historic site, landmark or used to identify an historic district.

i. Lettering painted on a window or door of a business; and window signs located inside a building, excluding flashing or animated illuminated signs.

j. Private parking signs not to exceed three (3) square feet in effective area.
k. Handicapped parking space signs not exceeding two (2) square feet in areas reserving parking for handicapped persons. (Ord. 4068, §2)

l. Public viewable artwork that does not include any commercial message or reference, such as murals or sculptures. (Ord. 4068, §2)

(Ord. 3414; Ord. 3542, §2; Ord. 3566, §5; Ord. 3611, §9)

Sec. 42-244.3. Exempt Operations.

The following operations shall not require the issuance of a sign permit:

a. Changing the copy on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and

b. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural changes in size, location, or placement. (Ord. 3414)

Sec. 42-244.4. General Sign Provisions.

a. Except where a building is located within the "CC" Center City District, no private sign shall be allowed to be located within or projecting over any public property. In the Center City District signs, whether attached or detached, shall not project beyond a vertical plane two (2) feet from the curb line and the bottom of said sign shall not be less than ten (10) feet above the highest level of the ground under the sign’s lowest point

b. The following signs are prohibited, which:
   1. Employ flashing or animated features;
   2. Employ any searchlights or strobe lights;
   3. May be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason of their size, location, movement, content, coloring, or manner of illumination; and

ゕ. A.8.
4. Shield from view any traffic control device, sign, signal or other government sign.

c. Illuminated signs shall be designed, located, and constructed to reduce glare and shall not be placed to permit focused light to be directed or beamed upon a public right-of-way, so as to cause a traffic hazard, or adjacent premises not under the same ownership and control, so as to create a nuisance.

d. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City.

e. Signs may be erected near the intersection of two (2) streets or a driveway/street intersection provided the location of such sign does not create a sight distance problem by obstructing the vision of motorists or pedestrians. The City Engineer shall make this determination.

f. If required, an application to erect an on-premise sign shall be accompanied by a Sign Plan. Sign Plans shall be consistent with the requirements specified in Section 42-244.8(d). Plans Required. (Ord. 3414; Ord. 3493, §9)

g. Setbacks for on and off-premise detached signs shall be located within the setbacks established for buildings and structures in accordance with their respective residential, commercial, or industrial zoning district standards. The minimum front and rear yard setback shall be ten (10) feet – five (5) feet for side yards. Setbacks for detached signs shall be measured from the property line to the edge of the vertical support structure for the sign. (Ord. 4068, §3)

h. Electronic Message Center Signs (EMCS) (See Section 42-244.10) are not permitted for use in any residential zoning district. (Ord. 4068, §3)

Sec. 42-244.5. Provisions for Residential Zoning Districts.

a. General Provisions: Only on-premise signs are permitted. Signs may be internally illuminated.

b. Detached Signs: One (1) detached sign shall be allowed for each premise containing either a multi-family use (three (3) or more units) or a permitted non-residential use. No detached sign shall exceed sixty (60) square feet in effective area or fifteen (15) feet in height above grade, as measured from the highest part of the sign, excluding supports.
c. Attached Signs: One (1) attached sign shall be allowed for each premise containing a multi-family use or a permitted nonresidential use. The total effective area shall not exceed two (2) square feet of effective area per lineal foot of wall length upon which the sign shall be mounted. Attached signs shall not extend above the roof line or beyond the wall edge of the building. (Ord. 3414)

Sec. 42-244.6. Provisions for Signs in Non-Residential Zoning Districts.

a. General Provisions: No sign shall be permitted within twenty-five (25) feet of a residential zoning district boundary line.

b. Signs permitted in "C-O" and "C-1" Districts:
   1. Only on-premise detached and attached signs shall be permitted. Illuminated signs must be internally lit.
   2. Permanently attached flush mounted wall signs may be used. The effective sign area available for a single premise shall be limited to two (2) square feet of effective sign area for each lineal foot of building frontage facing a street. In no case shall an attached wall mounted sign project above the roof line or beyond a wall edge. Flush mounted wall signs shall not extend further than eighteen (18) inches.
   3. Projecting signs shall have a minimum clearance of ten (10) feet above grade as measured from the lowest part of the sign and shall not exceed twenty (20) square feet in effective area.
   4. A premise shall be permitted one (1) detached sign. The sign shall be limited to a maximum effective area of one hundred (100) square feet and shall be limited to a maximum height of twenty (20) feet as measured from the highest part of the sign, excluding supports.

c. On-premise signs permitted in any "C-2, C-3, CC, M-1, or M-2" District:
   1. All on-premise signs permitted in the preceding Section, except that a limit of four (4) square feet of effective area shall be permitted for each lineal foot of building frontage facing a street.
   2. On-premise signs may be externally or internally illuminated.
   3. Detached on-premise signs may have one (1) surface containing copy in each direction. The maximum effective area shall be four hundred (400) square feet.
4. A premise shall be permitted to use up to two (2) detached signs, provided that the signs shall be separated by a minimum spacing of at least five-hundred (500) feet on the same side of the street between all other off-premise or on-premise detached signs and are prohibited within one hundred twenty-five feet (125) of any residential zone. Premises may use detached, internally illuminated, menu board signs that do not front on a public right-of-way in addition to other exempt or permitted detached signs.

5. All detached signs shall be limited to a maximum height of forty (40) feet as measured from the highest part of the sign, excluding supports.

(Ord. 3414)

Sec. 42-244.7. Temporary Portable Signs.

a. All temporary portable non-exempt signs are prohibited. The owner(s) of the premise where any temporary portable sign is located or displayed made non-conforming as a result of the adoption of this ordinance shall have sixty (60) days following the said adoption to comply with the provisions of the Planning and Zoning Code, as per the provisions of Section 42-244.9 (g). Non-Conforming Signs. (Ord. 3611, §10)
b. No temporary portable sign may be located in any parking stall, driveway, or in any required landscaping area. Temporary portable signs may not be attached to any light pole, tree, telephone pole, column, or other structure, excluding signs placed in windows.
c. In the event a permanent sign is substantially damaged through fire, flood, act of God, insurrection or similar emergency beyond the control of the business owner or occupant, a temporary portable sign shall be allowed for a period of time not to exceed ninety (90) days. (Ord. 3414; Ord. 3542, §3; Ord. 3611, §10)

Sec. 42-244.8. Outdoor Advertising Structures (Off-premise Billboards).
Outdoor advertising structures, off-premise billboards, shall comply with all the requirements of this Section and shall only be permitted upon property having frontage on either Interstate 44, Highway 63, or Business Loop 44 and zoned C-3, M-1, or M-2. Within areas zoned Planned Unit Development District, or property in any District upon which a conditional use permit has been issued in the above mentioned corridors, such advertising structures shall only be permitted when specifically authorized upon the final development plan or permit approval. (Ord. 3414)

a. (a) Area, Height, Location - I-44:
   1. The maximum height of a billboard along Interstate 44 shall not exceed forty-five (45) feet from the highest point on the sign above the natural grade at the base of the sign or the adjacent street grade, whichever is higher. No part of structure shall extend below fifteen (15) feet.
   2. The maximum surface area along Interstate 44 shall be six hundred seventy two (672) square feet with a maximum sign height of 20 feet and a maximum sign width of forty eight (48) feet. The sign shall be limited to two signs in each direction with one message per sign. In no case will the total sign surface in any one direction exceed six hundred seventy two (672) square feet.
   3. Sign spacing along I-44 shall be five hundred (500) lineal feet per side.

b. Area, Height, Location - Hwy. 63 and Business Loop-44:
   1. The maximum height of a billboard along Highway 63 and Business Loop 44 shall be thirty (30) feet above the natural grade at the base of the sign or the adjacent street grade whichever is higher.
   2. The maximum surface area of a billboard along Highway 63 and Business Loop 44 shall be one-hundred ninety-two (192) square feet surface on each side with a maximum sign height of twelve (12) feet and a maximum sign width of twenty four (24) feet. No part of structure shall extend below fifteen (15) feet.
   3. Sign spacing along Highway 63 and Business Loop-44 shall be one thousand (1000) lineal feet per side.
   4. Billboards along Business Loop 44 and Highway 63 shall not exceed two sign surfaces, one surface in each direction, with one hundred ninety two (192) square feet surface on each side and not more than two (2) advertising faces on each side.
   5. No sign shall be located within one thousand (1000) feet of a residential zoning district.
   6. The minimum front yard setback for such signs shall be fifteen (15) feet from any public right-of-way, and/or private roadway
easement. The maximum setback for such sign shall be fifty (50) feet from the public right of way.

c. Restrictions for all highways:
   1. External lighting of billboards, such as floodlights, thin line and goose-neck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any residential structure or into any portion of the main traveled way. The lights should not be of such intensity so as to interfere with the residential use of property or to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
   2. No such sign shall be located in such a manner as to obstruct or otherwise interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
   3. No part of any billboard shall be located on any public street or private utility easement, drainage easement, or railroad right-of-way.
   4. All lineal distances required by this section shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, or easement involved.

d. Plans Required: An application to erect such a sign shall include the following:
   1. A set of plans, to scale, approved and sealed by a licensed engineer, providing all necessary construction and electrical details of the sign and sign structure, including height.
   2. A Sign Plan, to scale containing:
      i. The proposed location of the sign on the property.
      ii. The distance from the proposed sign location to any buildings upon the property, and adjoining street right-of-way lines, and driveway entrances.
      iii. In conditional use areas, the distance from the proposed sign location to the next nearest billboard sign within one hundred (100) feet on either side of the street in either direction.
      iv. The distance from the proposed sign location to the nearest street intersection in either direction.
      v. Other information deemed necessary by city officials.
   3. A representation of the proposed sign, to scale, including the width and length of the sign faces, and height from surrounding grade.
4. Construction Specifications: Any sign erected under this Article shall be a single pedestal type, constructed of non-flammable material, excluding wood. Construction of the sign and material specifications shall meet the structural requirements of the City's Building Code.

(Ord. 3414)

Sec. 42-244.9. Non-Conforming Signs.

a. All nonconforming attached and detached on-premise signs, including such signs existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, shall, at the owner's expense, be removed or altered/moved in a way that brings the sign into conformance with the provisions of this Article before receiving any sign permits for existing or proposed signs with the one following exception. If the nonconforming sign has not been discontinued and the sign face is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations may be made to an on-premise sign. If structural alteration is needed to maintain structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal. A sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses). (Ord. 4068, §4)

b. If the sign face of a nonconforming, off-premise sign is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations shall be permitted. If structural alteration is needed to maintain the sign's structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

c. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the
Sec. 42-244.10. Electronic Message Center Signs.

An EMCS is defined as any sign or portion of a sign that uses changing lights to form a sign message or messages in text form or by video image display wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. The definition includes standard television screens, plasma display panel (PDP) screens, digital (HDTV) screens, flat panel display screen, light-emitting diode (LED) screens, video boards, and holographic 2 or 3D animation presentation displays. (Ord. 3982, §2)

a. Portable or temporary EMCS are prohibited. The use EMCS shall be further restricted by the additional standards in this section and the lighting standards in Section 42-244.4, General Sign Provisions. (Ord. 3982, §2)

b. An EMCS may be used with other sign types and the area of the EMCS shall be included in the calculation to determine total permitted sign advertising area for a specific business application. (Ord. 3982, §2)

c. Advertising messages, information, images and background shall remain in a fixed static position for a minimum of eight (8) seconds. The change sequence must be accomplished within an interval of two (2) seconds or less. (Ord. 3982, §2)

d. The EMCS shall have an automatic dimmer (factory set to the illumination intensities as follows) and a photo cell sensor to adjust the illumination intensity of brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle. The sign shall not exceed a maximum illumination of seven thousand five hundred (7,500) nits (candelas per square meter) during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn as measured from the sign's face at maximum brightness. Any external illumination devices shall be effectively shielded so as to prevent beams
or rays of light from being directed at any portion or a street or highway or any residential use. (Ord. 3982, §2)

e. No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or blue casting components are permitted. “Blue casting” refers to any digital media transmitter device provisioned over Bluetooth used to send an unsolicited electronic message directly to any cell phone within range if switched on. The EMCS shall not display any message that moves, appears to move, scrolls, or changes in light intensity during the fixed display period. (Ord. 3982, §2)

f. The MECS shall contain a default sign design that will freeze the sign in one (1) position if a malfunction occurs to avoid flashing. (Ord. 3982, §2)
ORDINANCE NO. ______

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 42, WHICH IS KNOWN AS THE ROLLA PLANNING AND ZONING CODE, BY DELETING AND ADDING LANGUAGE TO DIVISION 18 OF SAID ARTICLE, WHICH IS KNOWN AS SIGNS, FOR THE PARTICULAR PURPOSE OF PERMITTING TEMPORARY AND PORTABLE SIGNAGE. (SIGN ORDINANCE)

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

SECTION 1. Section 42-244, Purpose of Sign Regulations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) and to enable the fair and consistent enforcement of these restrictions.

SECTION 2. Section 42-244, Purpose of Sign Regulations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) to preserve the right of free speech and expression; (6) and to enable the fair and consistent enforcement of these restrictions.

SECTION 3. Section 42-244.1, Definitions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. Animation: Any action or motion other than flashing lights and automatic changeable copy in an attempt to develop a pictorial scene through the movement of lights or parts of a sign.

b. Attached Sign: Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, or supported by, any part of a building.

c. Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device illuminated or non illuminated which directs

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attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify, or convey information.


e. Detached Sign: Any freestanding sign, and including any inoperable vehicle or any trailer located for the primary purpose of advertising.

f. Directional Sign: An on-premise informational sign.

g. Effective Area: The effective area of sign shall be computed from the area enclosed by the perimeter upon which sign copy are placed, except that when individual letters, numbers, logo, etc. are mounted individually and directly upon a building surface without a change in color or appearance of the surface background, the effective area of the sign shall be deemed to be the rectangle or other geometric form that encompasses the letters, numbers, logo, etc. One face of a double-sided sign shall be used to determine effective area.

h. Freestanding Signs: A sign supported permanently upon the ground by poles or columns installed in the ground or mechanically fastened or welded to a foundation installed in the ground and are independent from any building or other structure. All freestanding signs, supports, and foundations shall be designed to withstand all required loads imposed at any point upon the sign.

i. Internally Illuminated Signs: Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than reflected off the surface of the sign from an external source.

j. Off-Premise Sign: Any sign intended or used to advertise or inform the public of uses, goods, services offered off the premises where the sign is located.

k. On-Premise Sign: Any sign designating the name of the owner or occupant of the premises upon which the sign is placed, or identifying such premises; or advertising goods manufactured or produced or services rendered on or listing the sale or lease of, the premises upon which the entire sign is located.

l. Permanent Sign: Any sign that is not a portable or a temporary sign. Permanent signs may be freestanding (detached) or attached to a building or other structure.

m. Portable Sign: Any sign not permanently attached to the ground or to a permanent structure or building; or a sign designed to be transported or moved by lifting, hoisting, or hauling. This definition includes portable signs that are designed to be transported by means of wheels; signs converted to "A" or "T" frames, menu or sandwich board signs; balloons and other inflatable objects used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said signs are exempt vehicular signs, as defined herein.

n. Street Frontage: The distance for which a lot line adjoins a public street right-of-way, from one lot line intersecting the right-of-way to the furthest distant lot line intersecting the same right-of-way.

o. Temporary Sign: A sign that meets the definition of a portable sign, as defined herein.

SECTION 4. Section 42-244.1, Definitions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:
a. Balloon Sign: A lighter-than-air, gas-filled balloon, tethered in a fixed location, which may or may not contain an advertisement message on its surface or attached to the balloon in any manner.

b. Banner: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing that is anchored on two or more edges or at all four corners, or by one edge when not on a pole or staff. Banners do not include flags.

c. Changeable Copy Sign: A sign with the capability of content change by means of manual or remote input, includes the following types:
   1. Manually Activated - Changeable sign whose message copy or content can be changed manually on a display surface.
   2. Electrically Activated - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface.

d. Decorations: Displays (including lighting) that are a non-permanent installation for one-time or yearly events.

e. Electronic Message Center or Sign (EMC): An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. EMCs typically use light emitting diodes (LEDs) as a lighting source. Any reference to EMC also refers to digitally activated changeable copy signs.

f. Feather Flags (Also known as advertising flags, flag banners, swooper flags, flutter flags, blade flags, sail flags, bow flags, tear drop flags): These advertising tools come in the form of a long, narrow, lightweight canvas or other non-rigid material that is attached to a flexible pole (generally) that can be placed into the ground or attached to a weighted stand that allows them to be portable. The shape of the canvas usually resembles a feather or tear drop or a sail with its long side attached to the pole and perpendicular to the ground. Feather flags are temporary in nature and do not include flags or banners.

g. Flag: Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols and is attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

h. Flashing Signs: Signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of nonillumination. Generally, a message is continuously repeated, with the sign used as an attention-getting device.

i. Freestanding Signs: A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are subtypes of freestanding signs:
   1. Ground Sign (Also known as monument sign): A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.
   2. Pole Sign: A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure. This definition includes pylon signs.
   3. Temporary Freestanding Sign: A freestanding sign that is not anchored in the ground or supported by a structure that is anchored in the ground.
or a freestanding sign that is easily removed from the ground by hand, such as h-frame lawn signs. This type of sign does not include balloon signs, inflatable signs, feather banners, sandwich board signs, vehicular signs, animated/electronic signs, mechanical movement signs, or revolving signs.

j. Frontage, Building: The length of an exterior building wall or structure of a single premises along the public’s rights-of-way.

k. Frontage, Property: The length of the property line(s) of any single premises along a public street. When the word “frontage” is used alone, it refers to property frontage.

l. Illumination: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.
   1. External Illumination: Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.
   2. Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this ordinance.

m. Illuminated Sign: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

n. Inflatable Sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

o. Internal Signs: Any on-premises sign located entirely within a building.

p. Mechanical Movement Sign: A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement, such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

q. Off-Premises Sign (Also known as a third-party sign, billboard, or outdoor advertising): An outdoor sign that contains a message or messages that directs attention to a specific business, product, service, event or activity, or other commercial or non-commercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located.

r. On-Premises Sign: A sign that contains a message or messages and design that relates to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

s. Permanent Sign: A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and its intended use appears to be indefinite.
t. Portable Sign: Portable signs are signs that are designed to be transported or moved and not permanently attached to the ground, a building, or other structure. The following types of signs are portable signs.
   1. Sandwich Board Sign (Also known as A-frame sign): A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and its message is targeted to pedestrians. Includes a board sign on a stand instead of hinged.
   2. Vehicular Sign: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle’s primary purpose.

u. Premises: The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased.

v. Projecting Sign (Also known as a blade sign): A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall. Signs and banners that hang from a canopy, awning, or roof shall be considered projecting signs.

w. Revolving Sign: A sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

x. Roof Sign: A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. When permitted, a roof sign will be considered a wall sign for the purpose of calculating maximum sign area.

y. Sign: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for communicating a message. A sign includes the sign faces as well as any sign supporting structure.

z. Sign Area or Face: The area of a sign enclosed by the perimeter upon which sign copy is placed. The computation details are described below:
   1. Where the sign consists of individual letters, designs, or symbols that are attached individually and directly upon a wall without a change in color or appearance of the surface background, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.
   2. In the case of panel or cabinet type signs, the sign area shall include the entire area of the sign panel or cabinet upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
   3. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.
   4. Only one side of a double-sided sign shall be considered when determining the sign area if the faces are equal in size and the interior angle formed by the faces is zero degrees.
   5. Where the faces of a double-sided sign are not equal in size, but the interior angle formed by the faces is zero degrees, the larger sign face shall be used as the basis for calculating sign area.
6. When the interior angle of a double-sided sign formed by the faces is greater than zero degrees, all sides of such sign shall be considered in calculating the sign area.

7. The sign area for signs that are (or include) a three-dimensional object is calculated as the sum of two adjacent vertical faces of the smallest cube encompassing the sign or object.

   aa. Sign Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device comprising the content or message of a sign; or any emblem or painting designed to advertise, communicate, identify, or convey information.

   bb. Sign Height: The vertical dimension of a sign. The computation details and relevant regulations are as follows:

      1. Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.

      2. Clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements that project from the wall.

   cc. Snipe Sign (Also known as bandit sign): A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public’s rights-of-way or on any private property without the permission of the property owner.

   dd. Streamers: A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

   ee. Temporary Sign: A sign that cannot be defined as a permanent sign. The only types of temporary signs permitted in the City of Rolla are listed under Subsection 42-244.7(b)

   ff. Wall Sign (Also known a fascia sign, parallel wall sign, or band sign): A building-mounted sign, which is either attached to or displayed on an exterior wall in a manner parallel with the wall surface. A sign or banner installed on a roof, eave, canopy, or awning in a manner parallel with the structure's surface is also considered a wall sign. See projecting signs for signs that hang from such structures.

   gg. Zoning District, Nonresidential: C-O, C-1, C-2, C-3, CC, M-1, M-2, GI, and PUDs that contain commercial, office, civic, or industrial uses.

   hh. Zoning District, Residential: R-R, R-1, R-2, R-3, R-3b, and PUDs that do not contain commercial, office, civic, or industrial uses.

**SECTION 5.** Section 42-244.2, Exempt Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

The following signs shall not require the issuance of a sign permit, but must conform to other City codes. These signs are allowed in addition to all other signs allowed under this Article.
a. Address Numbers and Name Plates: Address numbers for each residential and business building shall not exceed one (1) square foot in effective area per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business.

b. Banner Sign: A sign of lightweight, flexible fabric or similar material that is attached to a structure or building at one or more edges. National, state, and municipal flags, or the official flag of any other public or private entity, shall not be considered as banners. Banner signs may not be posted for more than thirty (30) days per four (4) month period per premise. (Ord. 3566, §5; Ord. 3611, §9)

c. Directional Signs: Detached on-premise directional signs that do not exceed five (5) square feet in effective area. No part of the sign shall exceed four (4) feet in height above finished grade, excluding berms or other landscaping features.

d. Flags: Any lightweight fabric, bunting, or similar highly flexible material containing the distinctive colors, patterns, or designs used as a symbol of any government, political subdivision, or other public or private entity. (Ord. 3611, §9)

e. Temporary Displays: Non commercial signs, flags, banners, or other materials displayed in conjunction with traditionally accepted patriotic, religious, or seasonal celebrations, holidays, community events, or charitable drives. (Ord. 3611, §9)

f. Government Signs: Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any government function or required or authorized by law, ordinance, or governmental regulations.

g. Political Signs: Temporary political signs announcing the candidates seeking public office and other pertinent information. Political signs shall be removed within fourteen (14) days following a general election.

h. Internal Signs: Any on premise sign located entirely within a building. (Ord. 3611, §9)

i. Neighborhood Identification or Monument Sign: A detached sign, masonry wall, wooden support, landscaping or similar material or features which, when combined, form a display for neighborhood or tract identification consisting of the neighborhood, subdivision, tract, or historic district name. (Ord. 4068, §2)

j. Real Estate Sale, Lessee and Construction Signs: A detached or attached non illuminated temporary on-premise sign pertaining to the construction, sale, or lease of that premise, not to exceed thirty-four (34) square feet in effective area in the Rural Residential District or commercial or industrial zones and not to exceed six (6) square feet in effective area in other residential zones. Real estate, lessee and construction signs shall be removed within fourteen (14) days after closing of the sale or lease or within thirty (30) days after the completion of construction.

k. Vehicular Signs: Any permanently attached vehicular sign advertising a business which regularly uses the vehicle for transportation off-premise and is licensed by the State of Missouri for current operation.

l. Inflatable Display Objects: (Repealed by Ord. 3542, §2).

m. Miscellaneous Exempt Signs:
a. Signs located on machinery or equipment which are necessary and customary to a business, such as gasoline pumps or vending machines.
b. Temporary residential garage, estate, or public auction sale signs.
c. Signs used as part of a public bench provided it does not interfere with driver vision or pedestrian movement.
d. Signs on facilities located in public places that provide information that is incidental to a sponsored activity, such as a scoreboard or time clock.
e. Building memorial signs or tablets reflecting building names, construction dates, and other relevant information when cut into any masonry surface, cast in metal, or constructed of other non-combustible material.
f. On-premise attached bulletin boards no more than thirty-four (34) square feet in area for public, not-for-profit, or religious institutions. Such signs may only be internally illuminated.
g. Temporary attached or detached signs not exceeding six (6) square feet in effective area advertising drives or events of a charitable, educational, or religious nature, provided that such sign shall be posted only during the drive or event for no more than thirty (30) days per year.
h. Historic landmark signs attached to any locally or nationally designated historic site, landmark or used to identify an historic district.
i. Lettering painted on a window or door of a business; and window signs located inside a building, excluding flashing or animated illuminated signs.
j. Private parking signs not to exceed three (3) square feet in effective area.
k. Handicapped parking space signs not exceeding two (2) square feet in area reserving parking for handicapped persons. (Ord. 4068, §2)
l. Public viewable artwork that does not include any commercial message or reference, such as murals or sculptures. (Ord. 4068, §2)

SECTION 6. Section 42-244.2, Exempt Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The following signs are exempt from the provisions of this Division, unless otherwise noted, but must conform to all other federal, state, and local codes/rules, including building codes.

a. Any sign that is posted by a governmental unit on government property and any sign required by local, state, or federal law.
b. Any sign posted on the property of a public school district or public university if that sign is posted by the school district or university that owns such property.
c. Signs that are less than seven feet in height if the sign face is not visible from the public's rights-of-way.
d. In nonresidential districts, any sign less than seven feet in height and that is more than 100 feet away from any lot line fronting a street.
e. In nonresidential districts, if the signs are four square feet or less in area and four feet or less in height, one pole sign at each exit and each entrance of any property.
f. Flags. This provision does not include banners or feather flags. However, flags and supporting structures that lawfully project into the public rights-of-way shall not hang below seven feet in height.

g. Internal signs, including lettering painted on or attached to a window or door and window signs located inside a building, but excluding flashing signs that do not conform to the regulations of this Division related to electronic message center signs.

h. Balloons (does not include balloon signs) that are less than 36 inches in diameter. Balloons that are deflated or faded will be deemed unmaintained and required to be removed.

i. A sign that is integrated into or on a coin-operated machine, credit-card machine, vending machine, gasoline pump, or telephone booth.

j. Decorations, except that they shall not be displayed for more than 120 days in a year.

k. Signs printed on or attached to a public bench if it does not interfere with driver vision or pedestrian movement and does not extend beyond the public bench’s structural width and height.

l. Signs carved into a building or raised in integral relief on a building.

SECTION 7. Section 42-244.3, Exempt Operations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting this Section’s title, Exempt Signs, and adding the following title to this Section:

Prohibited Signs

SECTION 8. Section 42-244.3, Prohibited Signs, which was formally known as Exempt Operations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

The following operations shall not require the issuance of a sign permit:
   a. Changing the copy on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and
   b. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural changes in size, location, or placement.

SECTION 9. Section 42-244.3, Prohibited Signs, which was formally known as Exempt Operations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The following signs are prohibited.
   a. Flashing signs.
   b. Signs that employ pyrotechnic or blue casting components and signs that emit smoke, visible vapors, particulate matter, or odor.
   c. Signs that employ any searchlights or strobe lights and Reflective signs or signs containing mirrors.
d. Signs that may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason of their size, location, movement, coloring, or manner of illumination.

e. Signs that shield from view any traffic control device, sign, signal or other government sign.

f. Snipe signs.

g. Vehicular signs. This regulation does not include operable vehicles primarily and actively used for business purposes and/or personal transportation.

h. Signs that are unlawful.

SECTION 10. Section 42-244.4, General Sign Provisions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. Except where a building is located within the "CC" Center City District, no private sign shall be allowed to be located within or projecting over any public property. In the Center City District signs, whether attached or detached, shall not project beyond a vertical plane two (2) feet from the curb line and the bottom of said sign shall not be less than ten (10) feet above the highest level of the ground under the sign's lowest point.

b. The following signs are prohibited, which:
   1. Employ flashing or animated features;
   2. Employ any searchlights or strobe lights;
   3. May be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason of their size, location, movement, content, coloring, or manner of illumination; and
   4. Shield from view any traffic control device, sign, signal or other government sign.

c. Illuminated signs shall be designed, located, and constructed to reduce glare and shall not be placed to permit focused light to be directed or beamed upon a public right-of-way, so as to cause a traffic hazard, or adjacent premises not under the same ownership and control, so as to create a nuisance.

d. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City.

e. Signs may be erected near the intersection of two (2) streets or a driveway/street intersection provided the location of such sign does not create a sight distance problem by obstructing the vision of motorists or pedestrians. The City Engineer shall make this determination.

f. If required, an application to erect an on-premise sign shall be accompanied by a Sign Plan. Sign Plans shall be consistent with the requirements specified in Section 42-244.8(d). Plans Required. (Ord. 3414; Ord. 3493, §9)

g. Setbacks for on and off-premise detached signs shall be located within the setbacks established for buildings and structures in accordance with their respective residential, commercial, or industrial zoning district standards. The minimum front and rear yard setback shall be ten (10) feet – five (5) feet for
side yards. Setbacks for detached signs shall be measured from the property line to the edge of the vertical support structure for the sign. (Ord. 4068, §3)

h. Electronic Message Center Signs (EMCS) (See Section 42-244.10) are not permitted for use in any residential zoning district. (Ord. 4068, §3)

SECTION 11. Section 42-244.4, General Sign Provisions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

a. On-Premises Signage. Permanent signage, except as authorized by Section 42-244.8 and signs authorized by federal and state law, shall only be on-premises signage. Temporary signage shall be on-premises signage, except as authorized in Sections 42-244.5 and 42-244.6.

b. Messaging. Any signage authorized to be displayed by this ordinance may contain a noncommercial message.

c. Permitting Exceptions. The following operations shall not require the issuance of a sign permit:

1. Changing the copy on an existing conforming sign that has not been discontinued and that is specifically designed for the use of manually or digitally activated changeable copy sign, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and

2. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural alterations or changes in size, location, or placement.

d. Permitting Process. Except for exempt signs, all permanent signs, regardless of the fact that a building permit may be required for its erection/installation, require the submission and approval of an application for a sign permit and a sign site plan. Sign permits are not building permits for signs. Some signs may require building permits, even if they are exempt from this Division. Applications for sign permits or supporting material, such as elevations, shall indicate the type, number, size, shape, and dimensions of all of the existing and proposed signage on the premises. If needed, elevation views or other relevant information may be required. No sign permits shall be issued if the premises requesting the permit contains an illegal sign.

e. Site Plan Requirements. Sign site plans shall be provided as follows:

1. The site plan shall be drawn to scale or shall show the dimensions of all relevant objects/elements and show all the distances between all of the relevant objects/elements.

2. The site plan shall indicate the property lines of the premises and, in cases whereby signs are being placed in the rights-of-way, the site plan shall indicate the type of ROW surface, the location of the curbline, the sidewalk, and any objects within the ROW in front of the property subject to the proposal.

3. The site plan shall show the proposed location of each sign in relation to property lines, nearby buildings, walkways, streets, driveways and parking areas.

f. Sign Location and ROW. All signs and other objects regulated by or exempt from this Division, including merchandise, patio furniture, sign structures, flags, decorations, and temporary signs, must be erected/placed and attached
totally on or within private property, except that if a tenant space is located in a nonresidential zoning district along the public’s rights-of-way and there is less than five feet between the full building frontage of the tenant space and the public’s rights-of-way, certain types of signs and other objects may be placed in or project over the public’s rights-of-way, but not in or over any roadway. Apart from all other provisions that apply, Subsection 42-244.7(f) and the following provisions listed below describe the applicability and the restrictions of such an allowance:

1. Only wall signs, flags, streamers, and projecting signs shall be permitted to project over sidewalks. The minimum clearance of such objects shall be seven feet and the object shall not occupy space beyond a vertical plane of two feet from the curb line.

2. Only patio furniture, merchandise, and sandwich board signs are permitted on sidewalks. The maximum height for such signs/objects shall be five feet.

3. One flag or temporary freestanding sign may be located in each city-owned flowerpot if the sign is less than two square feet in area, the object does not exceed five feet in height when in the flowerpot, the flowerpot is watered and maintained by the tenant, and those flowerpots are on a public sidewalk and abut the tenant space responsible for locating such a sign in said flowerpot.

4. See Subsection 42-244.7(f) for all other restrictions pertaining to this allowance.

g. Permission. The party constructing/installing/placing the sign or object on private property is responsible for obtaining the permission of the property owner before such action is taken.

h. Setbacks. Unless exempt by Subsection 42-244.4(f), all signs, including temporary signs and exempt signs, shall conform to the side and rear setback requirements of the zoning district they are located in. However, the front of the lot shall be defined as any lot line that fronts a street. Such signs shall have a minimum rear yard setback of ten feet and a minimum side yard setback of five feet.

i. Residential Protection. Even if a sign is exempt under Section 42-244.2, no sign that makes noise or is a freestanding sign that is more than seven feet tall shall be permitted in or within 100 feet of a residential zoning district that is not the public’s rights-of-way.

j. Illumination. All permanent signs may be unilluminated, internally illuminated, or externally illuminated. Externally lit signs shall be illuminated only with steady, stationary, and shielded light sources directed solely onto the sign. The illumination of signs shall not be brighter than is necessary for clear and adequate visibility. Illumination shall not exceed approximately 750 cd/m² or Nits at night. The illumination of signs shall not be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver’s operation of a motor vehicle.

k. Roof Signs and Sign Placement. In no instance shall a wall sign or projecting sign project above the eave line or beyond a wall edge, except for roof signs in the C-3 and C-C zoning districts.

l. Maintenance. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated
signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City of Rolla.

m. Clearances.

1. Vision clearance areas: Vision clearance areas or triangles are triangular shaped areas located at the intersection of any combination of rights-of-way, alleys, or driveways. The size of the triangle shall be determined by the City Engineer. The vision or path of pedestrians, bicyclists, or motor-vehicle operators shall not be obstructed with any object regulated by or exempt from this Division. No object shall be located within any vision clearance triangle, the size of which is determined by the city engineer,

2. Clearances from fire escapes, means of egress or standpipes: Signs, sign structures and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, means of egress or standpipe. Attaching signs, sign structures or awnings to a fire escape is prohibited, unless such a sign is required for safety.

3. Obstruction of windows and ventilation: Signs, sign structures and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation, or exhaust are reduced to a level below that required by either the Building Code, Plumbing Regulations, Heating and Ventilating Regulations, or Housing and Maintenance Regulations.

n. Measurements. All lineal distances required by this Division shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, property line, easement, or other object/element involved. Other measurement specifications are within the definition section of this Division, Section 42-244.1.

o. Changeable Copy. Changeable copy, whether digitally or manually activated, is permitted only if it is integrated into a pole, ground, marquee, projecting, or wall sign. In addition, only manually activated changeable copy is permitted on sandwich board signs. See Section 42-244.10 for restrictions on the use of EMCs.

p. Movement. Mechanical movement and revolving signs are only permitted in nonresidential districts.

q. Rules for interpretation and applicability.

1. When the word “sign” or “signs” is used in this Division it may also be referring to patio furniture, merchandise, and decorations.

2. Where this Division is silent, or where the rules of this Division do not provide a basis for concluding that a sign is allowed, said sign is therefore prohibited.

SECTION 12. Section 42-244.5, Provisions for Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the title of this Section, Provisions for Residential Zoning Districts, and adding the following title:

Sign Regulations for Residential Zoning Districts
SECTION 13. Section 42-244.5, Sign Regulations for Residential Zoning Districts, which was formally known as Provisions for Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. General Provisions: Only on-premise signs are permitted. Signs may be internally illuminated.

b. Detached Signs: One (1) detached sign shall be allowed for each premise containing either a multi-family use (three (3) or more units) or a permitted non-residential use. No detached sign shall exceed sixty (60) square feet in effective area or fifteen (15) feet in height above grade, as measured from the highest part of the sign, excluding supports.

c. Attached Signs: One (1) attached sign shall be allowed for each premise containing a multi-family use or a permitted nonresidential use. The total effective area shall not exceed two (2) square feet of effective area per lineal foot of wall length upon which the sign shall be mounted. Attached signs shall not extend above the roof line or beyond the wall edge of the building.

SECTION 14. Section 42-244.5, Sign Regulations for Residential Zoning Districts, which was formally known as Provisions for Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

a. Sign standards for properties within residential zoning districts containing single-family houses and duplexes, even if business is being conducted in the building:
   1. Type. Any wall sign or freestanding sign, as defined and limited in Subsection 42-244.1(i). No sign is permitted to have changeable copy. Off-premises temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.
   2. Number and Sign Area. If the total sign area of all signs does not exceed 32 square feet, there is no limit on the number of signs permitted.
   3. Height. Freestanding signs shall be less than six feet in height and wall signs shall not project higher than the lowest eave line.

b. Sign standards for residentially-zoned properties that serve as the entrance/exit ways to subdivisions, contain multi-family complexes and condominium complexes, or contain permitted or nonconforming nonresidential uses that are not considered home occupations and are not located in single-family houses or duplexes:
   1. Type. Any wall sign or freestanding sign, as defined and limited in Subsection 42-244.1(i). Off-premise temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.
   2. Number and Sign Area. One wall sign is permitted on each building and one ground or pole sign is permitted per entrance/exit to a public street or, in the case of a subdivision, per entrance/exit to the subdivision. The
maximum sign area of any one permanent sign is 64 square feet. An unlimited amount of temporary freestanding signs, as defined and limited in Subsection 42-244.1(i), is permitted if the total sign area of all temporary freestanding signs does not exceed 32 square feet.

3. Height. Ground and pole signs shall be limited to a maximum height of 15 feet. Temporary freestanding signs shall be limited to six feet in height.

SECTION 15. Section 42-244.6, Provisions for Signs in Non-Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the title of this Section, Provisions for Signs in Non-Residential Zoning Districts, and adding the following title:

Sign Regulations for Nonresidential Zoning Districts

SECTION 16. Section 42-244.6, Sign Regulations for Nonresidential Zoning Districts, which was formally known as Provisions for Signs in Non-Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. General Provisions: No sign shall be permitted within twenty-five (25) feet of a residential zoning district boundary line.

b. Signs permitted in "C-O" and "C-1" Districts:
   1. Only on-premise detached and attached signs shall be permitted. Illuminated signs must be internally lit.
   2. Permanently attached flush mounted wall signs may be used. The effective sign area available for a single premise shall be limited to two (2) square feet of effective sign area for each lineal foot of building frontage facing a street. In no case shall an attached wall mounted sign project above the roof line or beyond a wall edge. Flush mounted wall signs shall not extend further than eighteen (18) inches.
   3. Projecting signs shall have a minimum clearance of ten (10) feet above grade as measured from the lowest part of the sign and shall not exceed twenty (20) square feet in effective area.
   4. A premise shall be permitted one (1) detached sign. The sign shall be limited to a maximum effective area of one hundred (100) square feet and shall be limited to a maximum height of twenty (20) feet as measured from the highest part of the sign, excluding supports.

c. On-premise signs permitted in any "C-2, C-3, CC, M-1, or M-2" District:
   1. All on-premise signs permitted in the preceding Section, except that a limit of four (4) square feet of effective area shall be permitted for each lineal foot of building frontage facing a street.
   2. On-premise signs may be externally or internally illuminated.
   3. Detached on-premise signs may have one (1) surface containing copy in each direction. The maximum effective area shall be four hundred (400) square feet.
   4. A premise shall be permitted to use up to two (2) detached signs, provided that the signs shall be separated by a minimum spacing of at least five-hundred (500) feet on the same side of the street between all
other off-premise or on premise detached signs and are prohibited within one hundred twenty-five feet (125) of any residential zone. Premises may use detached, internally illuminated, menu board signs that do not front on a public right-of-way in addition to other exempt or permitted detached signs.

5. All detached signs shall be limited to a maximum height of forty (40) feet as measured from the highest part of the sign, excluding supports.

SECTION 17. Section 42-244.6, Sign Regulations for Nonresidential Zoning Districts, which was formally known as Provisions for Signs in Non-Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

a. General Provisions:
   1. In addition to the signs listed in Subsections 42-244.6(b) and 42-244.6(c), properties within nonresidential zoning districts are permitted temporary/portable signs, as regulated in Section 42-244.7.
   2. Each building, not individual tenants, are permitted a maximum amount of area for wall signs. The owner(s) of the premises may divide and distribute the allowable sign area in any way she/he/they chooses. It is the responsibility of the person/entity posting the sign to obtain permission from the owner to install/locate a sign of a certain size on the owner's property.

b. Sign standards for properties located in C-O and C-1 Districts:
   1. Type. Pole signs, ground signs, projecting signs, and wall signs shall be permitted.
   2. Number. Each premises is permitted an unlimited amount of wall signs and is permitted one projecting sign for each tenant space. In addition, all premises are permitted two permanent freestanding signs (i.e. ground signs and pole signs) if there is a distance of 500 feet or more between the two signs. Corner lots and parcels shall be permitted one permanent freestanding sign per street frontage, up to two signs, if each sign is located along a different street, regardless of distance between the two signs. Otherwise, there must be 500 feet of separation between the signs in order for two signs to be permitted on such premises.
   3. Sign Area. Maximum wall sign area shall be determined by multiplying the lineal feet of building frontage facing a street by two square feet. Projecting signs shall not exceed 20 square feet in area, regardless of the amount of other signage on the premises. Each Pole or ground sign shall be limited to 100 square feet each.
   4. Height and Clearance. Ground and pole signs shall be limited to a maximum height of 20 feet. Projecting signs shall have a minimum clearance of seven feet.

c. Sign standards properties located in C-2, C-3, CC, M-1, M-2, or GI Zoning Districts and, unless otherwise restricted by a final development plan, any PUDs with commercial, industrial, or civic uses:
   1. Type. Same as Subsection 42-244.6(b)(1), except that mechanical movement and revolving signs are also permitted. In addition, roof signs are only permitted in C-3 and C-C zoning districts and such signs will
be considered wall signs in the calculation of maximum sign area. If a mechanical movement or revolving sign is attached to a building it will be considered a projecting sign and if such signs are not connected to a building, they will be considered a permanent freestanding sign (i.e. ground signs and pole signs).

2. Number. Same as Subsection 42-244.6(b)(2).
3. Sign Area. Maximum wall sign area shall be determined by multiplying the lineal feet of building frontage facing a street by four square feet. Projecting signs shall not exceed 20 square feet in area, regardless of the amount of other signage on the premises. Each Pole or ground sign shall be limited to 400 square feet each.
4. Height and Clearance. Ground and pole signs shall be limited to a maximum height of 40 feet. Roof signs shall not exceed the building height limit of the zoning district in which the sign is located. Projecting signs shall have a clearance of seven feet.

SECTION 18. Section 42-244.7, Temporary Portable Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the title of this Section, Provisions for Signs in Non-Residential Zoning Districts, and adding the following title:

Temporary and Portable Signs

SECTION 19. Section 42-244.7, Temporary and Portable Signs, which was formally known as Temporary Portable Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. All temporary portable non-exempt signs are prohibited. The owner(s) of the premise where any temporary portable sign is located or displayed made non-conforming as a result of the adoption of this ordinance shall have sixty (60) days following the said adoption to comply with the provisions of the Planning and Zoning Code, as per the provisions of Section 42-244.9 (g). Non-Conforming Signs. (Ord. 3611, §10)
b. No temporary portable sign may be located in any parking stall, driveway, or in any required landscaping area. Temporary portable signs may not be attached to any light pole, tree, telephone pole, column, or other structure, excluding signs placed in windows.
c. In the event a permanent sign is substantially damaged through fire, flood, act of God, insurrection or similar emergency beyond the control of the business owner or occupant, a temporary portable sign shall be allowed for a period of time not to exceed ninety (90) days.

SECTION 20. Section 42-244.7, Temporary and Portable Signs, which was formally known as Temporary Portable Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The following provisions apply to nonresidential zoning districts only. Temporary signs that comply with the requirements of Section 42-244.7 shall not be included in the determination of the type, number, or area of the signs permitted on a property
per Subsections 42-244.6(b) and 42-244.6(c). The following restrictions apply to all temporary and portable sign placement/installation/construction.

a. **Each tenant space on a property in a nonresidential district is permitted to locate two temporary signs on such a property**, except that when a tenant locates a balloon sign or inflatable sign on the property, the tenant shall not locate any other temporary or portable sign on the property. Off-premise temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.

b. Tenants may only choose from the following types of temporary and portable signs:
   1. Temporary freestanding signs
   2. Banners, if not considered a wall sign per Subsection 42-244.1(ff)
   3. Balloon signs
   4. Inflatable signs
   5. Feather flags
   6. Sandwich board signs
   7. Streamers

c. **Area restrictions by sign type:**
   1. Temporary freestanding signs, banners, and feather flags shall not exceed 32 square feet.
   2. Sandwich board signs shall not exceed 16 square feet
   3. Inflatable signs and balloon signs are limited to 75 square feet (See Subsection 42-244.1(z)(7) for the method of calculating area for three-dimensional objects).

d. **Height restrictions by sign type:**
   1. Temporary freestanding signs and sandwich board signs shall be limited to five feet in height.
   2. Feather Flags, balloon signs, banners, streamers, and inflatable signs shall be limited to 24 feet in height.

e. **General restrictions:**
   1. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.
   2. Except for movement caused by air compressors for inflatable signs, mechanical motion, illumination, EMC technology, and electronically activated changeable copy is prohibited.
   3. Manual changeable copy is only permitted when integrated into a sandwich board sign.
   4. Inflatable signs, feather flags, and balloon signs shall have a minimum setback requirement from all lot lines that is equal to its height. All other temporary/portable signs, except when certain such signs are permitted within the sidewalk area, must conform to the same setback requirements to which permeant signs must conform.
   5. Inflatable signs are not permitted within 100 feet of a residential zoning district and air compressors (and other noisy motors associated with any sign) must be turned off between the hours of 11 P.M. to 7 A.M.
6. No temporary or portable sign that is more than seven feet tall shall be permitted within 100 feet of a residential zoning district.
7. Vehicular signs are prohibited, except that the use of business logos, identification, or advertising on operable vehicles primarily and actively used for business purposes and/or personal transportation is permitted.
8. Signs located on patio furniture, merchandise, or the structures on or from which such merchandise sits or hangs, respectively, shall be considered temporary signs and count towards the total temporary/portable signage permitted per property.

f. Sidewalk restrictions. If permitted by Subsection 42-244.4(f), the following restrictions apply:
1. If signs are permitted on sidewalks, signs shall only be located on the sidewalk space that abuts the tenant space that is permitted to locate such signs on such sidewalks.
2. No object shall obstruct a continuous through pedestrian zone of at least five feet in width.
3. All permitted signs that are on a public sidewalk shall be located within 12 feet of the primary public entrance of the tenant’s establishment.
4. Sandwich board signs shall be weighted, temporarily secured, or strategically placed to avoid being carried away by high winds.
5. Sandwich board signs and merchandise shall not be displayed on any sidewalk during hours of non-operation.
6. No signs shall obstruct pedestrian and wheelchair access from the sidewalk to parking spaces or access ramps designated for people with disabilities or building exits, including fire escapes.

g. Installation and Maintenance
1. All signs/objects must be installed such that, in the opinion of Rolla’s building official, they do not create a safety hazard.
2. All signs must be made of durable materials and shall be well maintained. Signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.
3. Owner or tenant will be given one warning for violating any of the provisions pertaining to temporary/portable signs. After the initial warning, all subsequent violations may result in the issuance of a citation without any further notice in perpetuity.

SECTION 21. Section 42-244.8, Off-Premises Sign (Third-party sign, billboard, or outdoor advertising), of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby reinstated as follows:

Permanent off-premise signage shall comply with all the requirements of this Division and shall only be permitted upon property having frontage on either Interstate 44, Highway 63, or Business Loop 44, and zoned C-3, M-1, or M-2. Within areas zoned Planned Unit Development District or property in any zoning district upon which a conditional use permit has been issued in the above mentioned corridors, such advertising structures shall only be permitted when specifically authorized upon the final development plan or permit approval. (Ord. 3414)
a. Area, Height, Location – Interstate 44:
   1. The maximum height of a billboard along Interstate 44 shall not exceed 45 feet. No part of structure shall extend below 15 feet.
   2. The maximum surface area along Interstate 44 shall be 672 square feet with a maximum sign height of 20 feet and a maximum sign width of 48 feet. The sign shall be limited to two signs in each direction with one message per sign. In no case will the total sign surface in any one direction exceed 672 square feet.
   3. Sign spacing along I-44 shall be 500 lineal feet per side of the highway.

b. Area, Height, Location - Highway 63 and Business Loop 44:
   1. The maximum height of a billboard along Highway 63 and Business Loop 44 shall be 30 feet. The maximum surface area of a billboard along Highway 63 and Business Loop 44 shall be 192 square feet surface on each side with a maximum sign height of 12 feet and a maximum sign width of 24 feet. No part of the structure shall extend below 15 feet.
   2. Sign spacing along Highway 63 and Business Loop-44 shall be one thousand 1000 lineal feet per side.
   3. Billboards along Business Loop 44 and Highway 63 shall not exceed two sign surfaces, one surface in each direction, with 192 square feet surface on each side and not more than two advertising faces on each side.
   4. No sign shall be located within 1000 feet of a residential zoning district.
   5. The minimum front yard setback for such signs shall be 15 feet from any public right-of-way and/or private roadway easement. The maximum setback for such sign shall be 50 feet from the public right of way.

c. Restrictions for all highways:
   1. External lighting of billboards, such as floodlights, thin line, and goose-neck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any residential structure or into any portion of the main travel way. The lights should not be of such intensity so as to interfere with the residential use of property or to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
   2. No such sign shall be located in such a manner as to obstruct or otherwise interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
   3. No part of any billboard shall be located on any public street or private utility easement, drainage easement, or railroad right-of-way.
   4. All lineal distances required by this Division shall be measured from the nearest outside edge of the subject sign, whether a support,
structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, or easement involved.

d. Plans Required: An application to erect such a sign shall include the following:

1. A set of plans, to scale, approved and sealed by a licensed engineer, providing all necessary construction and electrical details of the sign and sign structure, including height.

2. A Sign Plan, to scale containing:
   - The proposed location of the sign on the property.
   - The distance from the proposed sign location to any buildings upon the property, and adjoining street right-of-way lines, and driveway entrances.
   - In conditional use areas, the distance from the proposed sign location to the next nearest billboard sign within 100 feet on either side of the street in either direction.
   - The distance from the proposed sign location to the nearest street intersection in either direction.
   - Other information deemed necessary by city officials.

3. A representation of the proposed sign, to scale, including the width and length of the sign faces, and height from surrounding grade.

4. Construction Specifications: Any sign erected under this Article shall be a single pedestal type, constructed of non-flammable material, excluding wood. Construction of the sign and material specifications shall meet the structural requirements of the City's Building Code.

SECTION 22. Section 42-244.9, Nonconforming Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. All nonconforming attached and detached on-premise signs, including such signs existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, shall, at the owner's expense, be removed or altered/moved in a way that brings the sign into conformance with the provisions of this section before receiving any sign permits for existing or proposed signs with the one following exception. If the nonconforming sign has not been discontinued and the sign face is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations may be made to an on-premise sign. If structural alteration is needed to maintain structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal. A sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses). (Ord. 4068, §4)
b. If the sign face of a nonconforming, off-premise sign is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations shall be permitted. If structural alteration is needed to maintain the sign’s structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

c. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the Codes Administrator, and subject to appeal to the Board of Adjustment.

SECTION 23. Section 42-244.9, Nonconforming Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

Nonconforming signs are signs that do not conform to this Division, yet were legally established prior to the adoption of this Division. The burden of proof will be on the property owner to show that the sign was legally established. Nonconforming signs, including those existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, may continue to exist after passage of this Division if they maintain their nonconforming status. Nonconforming signs will be removed and/or changed in accordance with the provisions of this Section.

a. Permanent signs and sign structures that are moved, removed, replaced, or structurally altered, as defined in the Definitions Section of this Article, must be brought into conformance with the sign regulations. However, nonconforming signs required to be moved because of public right-of-way improvements may be reestablished. Removable faces or sign panel inserts in a cabinet style sign may also be changed by right, and such change does not constitute a structural alteration nor trigger loss of nonconforming status.

b. Nonconforming temporary signs must be removed within 30 days of the passage of this language.

c. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established.

d. Loss of nonconforming sign status.

1. If a sign is discontinued, it loses its nonconforming status. Except for signs that were legally established as Billboards according to state and/or federal law, a sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses).

2. Destruction. When a sign or sign structure is removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards. However, if a sign or sign structure that has nonconforming elements is partially or totally damaged by fire or other causes beyond the control of the owner, the
sign and sign structure may be rebuilt to the same size and height using the same materials.

e. Once a sign loses its nonconforming status, it must be removed before any other permits for signs shall be issued for the premises on which the sign that has lost its nonconforming status exists.

f. If structural alteration is needed to maintain the sign’s structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

g. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the Codes Administrator and such a determination shall be subject to appeal to the Board of Adjustment.

SECTION 24. Section 42-244.10, Electronic Message Center Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

An EMCS is defined as any sign or portion of a sign that uses changing lights to form a sign message or messages in text form or by video image display wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. The definition includes standard television screens, plasma display panel (PDP) screens, digital (HDTV) screens, flat panel display screen, light-emitting diode (LED) screens, video boards, and holographic 2 or 3D animation presentation displays. (Ord. 3982, §2)

a. Portable or temporary EMCS are prohibited. The use EMCS shall be further restricted by the additional standards in this section and the lighting standards in Section 42-244.4, General Sign Provisions. (Ord. 3982, §2)

b. An EMCS may be used with other sign types and the area of the EMCS shall be included in the calculation to determine total permitted sign advertising area for a specific business application. (Ord. 3982, §2)

c. Advertising messages, information, images and background shall remain in a fixed static position for a minimum of eight (8) seconds. The change sequence must be accomplished within an interval of two (2) seconds or less. (Ord. 3982, §2)

d. The EMCS shall have an automatic dimmer (factory set to the illumination intensities as follows) and a photo cell sensor to adjust the illumination intensity of brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver’s operation of a motor vehicle. The sign shall not exceed a maximum illumination of seven thousand five hundred (7,500) nits (candelas per square meter) during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn as measured from the sign’s face at maximum brightness. Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion or a street or highway or any residential use. (Ord. 3982, §2)

e. No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or blue casting components are permitted. “Blue casting” refers to any digital media transmitter device provisioned over Bluetooth used to send an unsolicited
electronic message directly to any cell phone within range if switched on. The EMCS shall not display any message that moves, appears to move, scrolls, or changes in light intensity during the fixed display period. (Ord. 3982, §2)

f. The MECS shall contain a default sign design that will freeze the sign in one (1) position if a malfunction occurs to avoid flashing. (Ord. 3982, §2)

SECTION 25. Section 42-244.10, **Electronic Message Center Signs**, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

In nonresidential zones, Electronic Message Centers (EMCs), which includes electronically activated changeable copy signs and signs that imitate movement through electronic means, are permitted in accordance with the permitted sign area regulations of the district in which the sign is located. The following restrictions apply:

a. With the exception of flashing signs and full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC, EMC display features and functions are permitted in nonresidential zoning districts only.

b. No EMCs are permitted within 100 feet of any residential zone.

c. An EMC sign may be a portion or comprise the entirety of the sign face of a wall sign, pole sign, ground sign, or projecting sign. No other types of sign shall be integrated with EMC or other digital display technology.

d. All EMC signs shall have automatic dimming controls, either by photocell (hardwired) or via software settings, in order to bring the EMC lighting level at night into compliance with sign illumination standards of this division in Subsection 42-244.4(j).

SECTION 26. Section 42-207.2, **Use Limitations**, of Division 15 of Article III of Chapter 42 of the Rolla City Code is hereby reinstated as follows:

a. No person other than someone related by blood, marriage, adoption or custodial relationship to the person conducting the home occupation and who also resides in the dwelling unit shall be employed in the home occupation;

b. The home occupation shall be conducted entirely within the principal residential building and shall be limited to one room;

c. No manufacturing or processing of any sort whatsoever shall be done, except as permitted by Section 42-207.2. (6);

d. No stock in trade, except articles produced by members of the family residing on the premises, shall be stored on the premises;

e. No alteration of the principal residential building shall be made which changes the character thereof as a dwelling;

f. The home occupation shall not produce offensive noise, vibration, smoke, electrical interference, dust, odors or heat. Any noise, vibration, smoke, electrical interference, dust odors, or heat detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily structure, shall constitute a violation;
g. No mechanical or electrical equipment other than normal domestic or household equipment shall be used;
h. There shall be no outdoor storage of equipment or materials used in the home occupation;
i. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 24,000 pounds or less; and
j. Not more than one commercial vehicle utilized in the business shall be parked on site.


APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor
DEPARTMENT: Community Development
ACTION REQUESTED: Final Reading

SUBJECT: A request to consolidate Lots 2, 3, and part of 6 of Block 5 of Newman’s Addition, which, together, currently constitute two deeded parcels that are identified by their Phelps County Assessor Account Numbers of 8200 and 8199 and by the addresses of 300/302 Rhodes Avenue and 203 South Olive Street, into two lots.

(Thoennes Addition)

MEETING DATE: 12-03-2018

GENERAL INFORMATION:
CASE NUMBER: SUB18-09
LEGAL AD DATE: NA
SUBMISSION DATE: 10-19-2018
300-FOOT NOTICE: NA

APPLICANT: The parcels subject to this proposal (the subject parcels) are owned by Brandon & Jessica, Michael & Mary Thoennes. The agent and surveyor for this project is Sylvester Furse of Archer-Elgin Surveying and Engineering, LLC.

LOCATION: The two subject parcels constitute two subdivided lots and a fraction of another. The two deeded parcels, the subject parcels, that constitute these lots are identified by their Phelps County Assessor Account Numbers of 8200 (parcel to the south) and 8199 (parcel to the north). The subject parcels are located on the southeast side of the intersection of Olive Street and Rhodes Avenue (See Figure 1 for a general location map and Figure 2 for the site map).

CURRENT USE/ZONING: The subject parcels are within the Multi-Family District (R-3). There are two structures on parcel 8199 and parcel 8200 is vacant. The agent has indicated that the larger of the structures (structure on the west side of parcel 8199) has been used as a church in the past, but is now vacant and that the smaller of the two structures (structure on the east side of parcel 8199) has been used as single-family home and is occupied at this time.

PROJECT DESCRIPTION & ANALYSIS: The applicant is planning to sell the structure to the east as a single-family house. In order to do this without including the structure to the west, which would technically make the use of the lot multi-family or mixed-use, the parcel must be on its own lot. If this plat were approved, the lot’s (Lot 2 on the Final Plat in Figure 3) use would be single-family. If the plat were approved, Lot 1 would become a vacant church on its own lot that could be rehabilitated for other purposes, such as a residential unit. Any new construction or change of use on Lot 1 would require hard-surface parking. While Lot 1 will not have access to the alley, it would have access on Olive Street and Rhodes Avenue. In their current configuration, the subject parcels are undersized and have insufficient width to meet the area requirements of R-3. If the plat were approved, the result would be that there is no net change in the number of undersized, width-deficient lots. Lot 1 and Lot 2 would remain undersized and width-deficient. Comment memos from Rolla Municipal Utilities and the Public Works Department have been submitted and can be found in Figure 4 and Figure 5, respectively, and their requests have been satisfied at this time.
**PUBLIC COMMENTS:** No protest petitions or public comments have been filed to this department.

**ACTION REQUIRED:** Unanimously, the Planning & Zoning Commission recommended the approval of the applicant’s proposal. The action required from the City Council is to conduct the final reading of an ordinance that would approve the Final Plat of Thoennes Addition.
Figure 1, SUB18-09, General Location Map
• Existing Nonconforming Status: Two undersized lots that do not meet minimum lot widths and end with.
• Nonconforming Status of Lots after Proposal: Two undersized lots that do not meet minimum lot widths.
• Result: No net change in number of undersized/width-deficient lots.
• Existing Structures: One single-family home and one Structure that was used as a church.

THOENNIES LOT RECONFIGURATION: Site Details

Figure 2, SUB18-06, Site Map
Figure 3, SUB18-09, First Draft of Plat Map
MEMO

To:        James Shields
From:      Nathan Randolph
Subject:   Development Review Committee
Date:      October 30, 2018

RMU has reviewed the articles submitted for discussion at the October 30, 2018 meeting and provides the following comments:

1. **St. Maria's Final Plat**: RMU is in the process of reviewing the final plat and utility system improvements proposed by the developer. There are some refinements to the project plans still under review but we anticipate being able to provide approval in the very near future.

2. **New Sign Ordinance**: RMU has no comments on the changes to this proposed ordinance.

3. **Thoennes Lot reconfiguration**: The property owner needs to make provisions for water service to both lots, but most notably Lot 2 since the water service will be either a long service in street right-of-way or will require a private easement from Lot 1.

4. **Krishnavillas lot consolidation**: RMU is requesting easement along the east boundary of what are currently Lot 2. There is currently a 10' utility easement along the eastern property line from the south property line north to the south boundary of Gale Drive. RMU's request is to extend the easement west so that the west side of the easement is at least 10 feet west of the curb to accommodate installation of a new water main at a later date to replace the existing main. The proposed easement would still need to be located from the south boundary of current Lot 2 north to the south boundary of Gale Drive.

c: Rodney Bourne, RMU General Manager
    Chad Davis, RMU Operations Manager
Memo

TO: Community Development

FROM: Everett Briggs/Public Works Staff

Cc: Sylvester Furse, SH, DP, DJ, DF, TF, AM and File

DATE: October 24, 2018

SUBJECT: Final Plat Review of Thoennes Addition

The public works staff has completed review of the above referenced plat and except for the following finds it to be in accordance with City of Rolla, Missouri Subdivision codes. The City of Rolla Codes can be accessed online at www.rollacity.org and then click on the city ordinance button.

1) The size of this development is less than one acre and will not require a Land Development Permit. However, all Best Management Practices (BMP’s) should be used to insure that sediment does not leave the construction site.

2) This is a minor re-subdivision of an existing platted subdivision and as such a fee in lieu of Storm Water Detention facilities will not be necessary.

3) The out boundary of the tract as labeled meets closure requirements.
ORDINANCE NO. _______

AN ORDINANCE TO CONSOLIDATE LOTS 2, 3, AND PART OF 6 OF BLOCK 5 OF NEWMAN'S ADDITION, WHICH, TOGETHER, CURRENTLY CONSTITUTE TWO DEEDED PARCELS THAT ARE IDENTIFIED BY THEIR PHELPS COUNTY ASSESSOR ACCOUNT NUMBERS OF 8200 AND 8199 AND BY THE ADDRESSES OF 300/302 RHODES AVENUE AND 203 SOUTH OLIVE STREET, INTO TWO LOTS.

(THOENNES ADDITION)

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

SECTION 1: An ordinance to consolidate Lots 2, 3, and part of 6 of Block 5 of Newman’s Addition, which, together, currently constitute two deeded parcels that are identified by their Phelps County Assessor Account Numbers of 8200 and 8199 and by the addresses of 300/302 Rhodes Avenue and 203 South Olive Street, into two lots.

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 and, if required, development plans for public improvements have been approved by the Public Works Director.


APPROVED:

________________________________________
Mayor

ATTEST:

________________________________________
City Clerk

APPROVED AS TO FORM:

________________________________________
City Counselor
CITYOFROLLA
CITYCOUNCIL AGENDA

DEPARTMENT: Community Development ACTION REQUESTED: Resolution

SUBJECT: A resolution deem it necessary to rename the west end of 12th Street that is situated between 14th Street and the vacated section of 12th Street, which is currently part of the parcel identified by the Phelps County Assessor Account Number of 7071, to Fitch Street and to authorize the public notification process for such change.

MEETING DATE: 12-03-2018

GENERAL INFORMATION:
CASE NUMBER: STR18-02 SUBMISSION DATE: 10-30-2018

APPLICANT: Three separate property owners own property along the approximately 315 foot stretch of road to be renamed: the Phelps County Regional Medical Center (PCRMC), Mark & Stephanie Fitch (the Fitches), and Wu Cheng-Hsiao. See Figure 1 for an ownership map. However, the only property’s address affected by the proposed street name change (the subject parcel) is owned by the Fitches and is located at 1016 West 12th Street. The Fitches are the applicants of this proposal.

LOCATION: The streets subject to this resolution (the subject street) is located in west Rolla immediately south of the intersection of 12th Street and 14th Street. More exactly, the subject street is the isolated west end of 12th Street that is situated between 14th Street and the vacated section of 12th Street that is currently part of the parcel identified by the Phelps County Assessor Account Number of 7071. The vacated section of 12th street that is now property owned by PCRMC (Parcel 7071) was vacated in early 2018 to accommodate the construction of a parking lot for PCRMC. See Figure 2 for the location of the subject street and a version of PCRMC’s parking plan (Subject to change).

PROJECT DESCRIPTION: The purpose of the applicants’ proposal is as follows: Since streets should be continuous, there is a need to distinguish the isolated subject street from the remaining majority of 12th Street. In other words, the street name change is proposed because it is illogical to have two separated sections of street that are identically named. Another part of the applicant’s argument is because this isolated section of 12th Street does not run west-east like the rest of the numbered streets in the area, which has a mostly gridiron street plan, it should not be a numbered street. In addition, a letter of support for the proposal submitted to the Community Development Department that details why a street name change is in order further explains the logic of the applicants’ proposal (See Figure 3 for the letter).

ANALYSIS:
PLANNING PERSPECTIVE
The numbered street naming convention used in Rolla assigns numbers to streets that run west-east in a classic gridiron street system. The promotion of wayfinding is one of the key benefits of a gridiron street system. From a planning perspective, to promote wayfinding, the diagonal portion
of the end of 12th Street should never have been named 12th Street. Rather, 12th Street should have ended at Powell Street and that diagonal portion should have had a non-numbered street name. Not only will someone who is walking to the end of 14th Street and turning left onto 12th Street find it confusing why two numbered streets are intersecting, but will also shortly find himself or herself in a parking lot, not headed in an east direction towards downtown, which is what a section of 12th street in this neighborhood should do. In addition, as shown in Figure 2, 13th street will continue to end at Powell Street even when the most northern driveway of the PCRMC parking lot is built and because of this, this section of street to be renamed will always be isolated. Because streets that are isolated from other streets should have their own name to promote wayfinding, the subject street should have a non-numbered street name like the other diagonal streets nearby have (e.g. Joyce Avenue). Another option would be to name the subject street 14th Street. However, it is confusing to have a 3-way stop intersection with two identical street names (the street name signs would be identical at the intersection).

PROCESS
Section 77.220 of the Revised Statutes of Missouri requires the City Council to declare such name change necessary, if they find it necessary, by resolution and cause such resolution to be posted in a newspaper published in the city for the duration of at least one week before having the authority to rename a street by ordinance. Thus, if the resolution passes, it will posted in the Rolla Daily Newspaper for one week. Then, if within four weeks after such publication a majority of the resident property owners along the line of such street do not file with the City Clerk their written protest against such proposed change of name, the City Council shall rename the street by ordinance.

PUBLIC & INTERNAL COMMENTS: At the DRC meeting, the Fire Chief voiced some concerns about the street name change. One concern relates to the possibility of the street name change causing confusion for first responders (See Figure 4 for opposition letter from Fire Department). A letter of support was filed with the Community Development Department, which is attached to this report as Figure 3.

ACTION REQUIRED: The action requested from the City Council is to approve or deny a resolution that, if approved, would acknowledge that street name change is necessary and would initiate the process by which the City of Rolla would change the name of said section of 12th Street to Fitch Street.

ATTACHMENTS
Figure 1 – Ownership Map
Figure 2, Subject Street and Parking Plan

Key
- Street proposed to be changed
- Private Driveway
- Vacated Street
Mr. Shields,

I'm writing to express my support of the name change for the west-most detached portion of 12th Street. This short section of roadway was isolated from the majority of 12th Street after a portion of 12th Street was vacated to allow the construction of the hospital parking lots. 12th Street plus the other numbered streets (10th, 11th, 13th, and 14th) are parallel east of the new parking lots. This is standard for number streets and follows the typical grid pattern. However, the now isolated portion of 12th Street is acutely angled and connects the newly extended 13th Street with 14th Street. Since this isolated portion does not follow the typical or logical orientation, I agree with the proposed name change to distinguish it from the remaining majority of 12th Street.

My comments are based on a review of a Community Development Department Staff Report figure. (Please see attachment.)

Thanks,
Mike Sneed, PE
November 27, 2018

City of Rolla Community Development  
James Shields, City Planner  
Development Review Committee  
P.O. Box 979  
Rolla, MO 65402

Dear James:

The City of Rolla Fire & Rescue has reviewed the request for 12th Street between Duane Ave. and 14th Street to be renamed to Fitch Street.

The City of Rolla Fire & Rescue opposes the name change at this time.

We would request City Council delay consideration due to the area rapidly changing and final development plans are not complete by the Phelps County Regional Medical Center. With this in mind, the risk would be to change the name of the street this month and then realize at a later date that the change was inappropriate and needed to be changed again.

The risk of multiply changes to a street name could cause confusion to all public safety responders (Fire, Police, EMS) and delay an emergency response.

In the event, a name change is approved without delay, our request would be the street be renamed 14th Street. As it would be the most logical street name and address for the house located on this section of street.

Sincerely,

Ronald E. Smith  
Fire Chief
RESOLUTION NO. __________

A RESOLUTION TO DEEM IT NECESSARY TO RENAME THE WEST END OF 12TH STREET THAT IS SITUATED BETWEEN 14TH STREET AND THE VACATED SECTION OF 12TH STREET, WHICH IS CURRENTLY PART OF THE PARCEL THAT IS IDENTIFIED BY THE PHELPS COUNTY ASSESSOR ACCOUNT NUMBER OF 7071, TO FITCH STREET AND TO AUTHORIZE THE PUBLIC NOTIFICATION PROCESS FOR SAID STREET NAME CHANGE. (12TH TO FITCH STREET)

WHEREAS, Stephanie & Mark Fitch has requested rename the west end of 12th Street that is situated between 14th Street and the vacated section of 12th street that is currently part of the parcel that is identified by the Phelps County Assessor Account Number of 7071 to Fitch Street; and

WHEREAS, if the City Council deems it necessary to change the name of a street, Section 77.220 of the Revised Statutes of Missouri requires the City Council to declare such name change necessary by resolution and cause such resolution to be posted in a newspaper published in the city for the duration of at least one week before having the authority to rename a street by ordinance.

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

SECTION 1: That after consideration, the City Council approves this resolution to deem the renaming of the west end of 12th street necessary and to authorize the public notification process for said street name change.

SECTION 2: That this resolution shall be published for a period of at least one week to provide the public notice of the proposed street name change.

SECTION 3: That if within four weeks after such publication a majority of the resident property owners along the line of such street do not file with the City Clerk their written protest against such proposed change of name, the City Council shall have the power to rename said section of 12th Street, by ordinance, to Fitch Street.

SECTION 4: That this resolution shall be in full force and effect from and after the date of its passage and approval.


APPROVED:

________________________
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

________________________
City Counselor

APPROVED BY THE MAYOR THIS 3rd DAY OF DECEMBER 2018.

31
DEPT: John Butz, City Administrator  
ACTION REQUESTED: Motion  
SUBJECT: Consider Motion Accepting the Nov. 2018 Certified Election Results  

BUDGET APPROPRIATION (IF APPLICABLE): N/A  
DATE: Dec. 3, 2018  

COMMENTARY: Attached are the election results from the November 6, 2018, election as certified by the Phelps County Clerk and Election Authority Pamela K. Grow.  

Recommendation: A motion accepting the November 6, 2018, election results as certified by Phelps County Clerk and Election Authority Pamela K. Grow.
November 27, 2018

City of Rolla
Attn: Carol Daniels, City Clerk
301 N. Main St.
Rolla, MO 65401

CERTIFICATION OF ELECTION RESULTS
NOVEMBER 6, 2018 GENERAL ELECTION
FOR THE CITY OF ROLLA

City of Rolla – Proposition S

Shall the City of Rolla, Missouri issue its sewerage system revenue bonds in the amount of $27,750,000 for the purpose of extending and improving the sewerage system of said city, including improvements to the system’s wastewater treatment plants, the cost of operation and maintenance of said sewerage system and the principal of and interest on the sewerage system revenue bonds to be payable solely from the revenues derived by said City from the operation of its sewerage system?

Yes  4,301
No   1,026

Pamela K. Grow
Phelps County Clerk and Election Authority
DEPARTMENT HEAD: Steve Flowers, Codes Administrator ACTION REQUESTED: First Reading

ITEM/SUBJECT: Consider Adoption of 2018 ICC Building Codes

BUDGET APPROPRIATION: $6,000.00 (Books) DATE: Dec, 03, 2018

COMMENTARY:

On June 18th 2018 Council authorized staff to recommend adoption of a newer edition of the International Building Code and family of codes. Attached is the proposed ordinance recommending a new adoption. Council has approved the budget for FY 2019 that allowed $6000.00 for the purchase of new code books and related commentaries.

Recommendation: Final Reading.
ORDINANCE NO. __________


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

Section 1: That the City Council shall adopt the 2018 International Codes to protect the public health, safety, welfare, and well-being of the City of Rolla, Missouri, and continue to adopt the International Codes of every other International Codes cycle, with the next code adoption occurring in 2025, until otherwise decided by the City of Rolla, and that the following Sections of the Rolla City Code shall be amended in a way that ensures that the Rolla City Code conforms to the 2018 International Codes and every other International Codes Cycle thereafter:

Section 2: That the City Council desires to adopt the 2018 International Codes and National Electric Code to promote public health, safety, morals, and the general welfare of the City of Rolla, Missouri, and in doing so the following sections are in need of amendment so as to conform such provisions of said codes:

Chapter 6, Article III, Section 6-16 and 6-17, relating to Building Regulations
Chapter 6, Article IV, Sections 6-40 and 6-41, relating to Mechanical Code
Chapter 6, Article V, Sections 6-47 and 6-48, relating to Plumbing Code
Chapter 6 Article VI, Sections 6-55 and 6-56, relating to Residential Code
Chapter 10, Article I, Section 10-9, relating to In General
Chapter 10, Article II, Sections 10-20, 10-22, and 10-23, relating to Standards and Specifications
Chapter 14, Article I, Sections 14-1 and 14-2, relating to Fire Protection

Chapter 20 Article I, Sections 20-1 and 20-2, relating to Property Maintenance
Section 3: That the above-mentioned sections of the Code of the City of Rolla, Missouri is and the same are hereby amended such that said sections as amended read as follows:

Section 4: That Ordinance Number 3549 of the City of Rolla, and all other ordinances or parts or ordinances in conflict herewith are hereby repealed.

Section 5: This Ordinance shall be in full force and effect from and after the date of January 1, 2019.


APPROVED:

______________________________
Mayor

ATTEST:

______________________________
City Clerk

APPROVED AS TO FORM:

______________________________
City Counselor
Sec. 6-16. International Building Code/International existing Building Code

(a) There is here adopted by the purpose of establishing rules and regulations applicable to and governing all building and construction in the City that certain code known as the International Building Code, 2018 Edition and the Appendix Chapters A, B, I and K, of which code not less than two copies have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of Rolla, Missouri, as if set out at length.

(b) This Ordinance shall be in full force and effect from and after January 1, 2019

Sec. 6-17 Same – Amendments.

101.1 Title, is hereby amended by inserting the words “City of Rolla, Missouri”.

105.2 Work exempt from permit. Change the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 200 square feet
7. Roof covering, siding, painting, papering, tiling, carpeting, cabinets, Countertops, and similar finish work.

105.5 Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time the permit would become void and re-application would need to be made. A one-time, one-year extension of a valid permit may be obtained at a cost of one-half the original permit fee.

109.2 Schedule of permit fees. Insert the following

New Construction-BOCA Permit Fee Schedule (gross area x gross area modifier (72) x type of construction x permit fee multiplier (0.0041)) = permit fee
## Flat Rate Fee Schedule

<table>
<thead>
<tr>
<th>Service</th>
<th>Residential Fee</th>
<th>Commercial Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portable Storage Building &gt; 200 SF</td>
<td>$50</td>
<td></td>
</tr>
<tr>
<td>Portable Carport</td>
<td>$50</td>
<td></td>
</tr>
<tr>
<td>Deck, Porch or Stairs</td>
<td>$50</td>
<td>$100</td>
</tr>
<tr>
<td>Electric Service</td>
<td>$50</td>
<td>$100</td>
</tr>
<tr>
<td>Mechanical, Electric, Plumbing Work</td>
<td>$50</td>
<td>$100</td>
</tr>
<tr>
<td>Pool or Spa (Residential)</td>
<td>$50 Above-ground</td>
<td>$150 In-ground</td>
</tr>
<tr>
<td>Pool or Spa (Commercial)</td>
<td>$300</td>
<td></td>
</tr>
<tr>
<td>Mobile Home</td>
<td>$100</td>
<td></td>
</tr>
<tr>
<td>Alterations, &lt; 500 SF</td>
<td>$50</td>
<td>$100</td>
</tr>
<tr>
<td>Alterations, 501 – 1499 SF</td>
<td>$100</td>
<td>$200</td>
</tr>
<tr>
<td>Alterations, 1500 SF and larger</td>
<td>$150</td>
<td>$300</td>
</tr>
<tr>
<td>Signs, 50 SF and under</td>
<td>$75</td>
<td></td>
</tr>
<tr>
<td>Signs over 50 SF</td>
<td>$150</td>
<td></td>
</tr>
<tr>
<td>Communication Tower</td>
<td>$300</td>
<td></td>
</tr>
<tr>
<td>Demolition</td>
<td>$50 Residential (+ $200 Deposit)</td>
<td>$100 Commercial (+ $500 Deposit)</td>
</tr>
<tr>
<td>Excavation</td>
<td>$750</td>
<td></td>
</tr>
</tbody>
</table>

When construction has commenced without a permit, the permit fee shall be twice the original amount to cover the additional inspections and the time necessary to insure compliance with the code. When construction has begun under the authorization of a permit, but the permit holder has failed to obtain the required inspection, and the construction has passed the stage in which the inspection can be reasonably done, then an additional 25% of the original permit fee ($25 minimum) will be charged. A $200 deposit will be required on all residential permits and a $500 deposit will be required on all commercial construction permits with estimated construction costs greater than $2,500. This deposit shall be refunded after final inspection has been approved under a valid and current permit and the Public Works Department has approved all work and the condition of the right-of-way. Should the permit expire of final inspection not be obtained and approved within this timeframe, the deposit will be forfeited.
114.4 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

115.3 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $50.00 or more than $500.00.

903.2.8.1 Exceptions.

a) An automatic sprinkler system shall not be required in Group R as adopted by Missouri State Statute 67.281 “Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in section R317 of the 2006 International Residential Code for two-family dwellings (R317.1) and townhouses (R317.2).”

b) An automatic sprinkler system shall not be required in Group R when the habitable space is less than 3,750 sq. ft. for a three unit multiple family home (Three-Plex), or less than 5,000 sq. ft. for a four unit multiple family home (Four-Plex), and no more than 1 story above grade. Each individual apartment, must be constructed with a 1 hour fire separation between individual units and all garage areas must be protected by a one hour fire separation.

Sec. 6-40. International Mechanical Code-Adopted.

(a) There is hereby adopted by the City, for the purpose of establishing rules and regulations applicable to and governing all building and construction in the City, that certain code known as the International Mechanical Code, 2018 Edition, and the Appendix Chapter A, of which code not less than two copies have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of Rolla, Missouri, as if set out at length herein.

(b) This Ordinance shall be in full force and effect from and after January 1, 2019.
Sec. 6-17 Same-Amendments.

101.1 Title, is hereby amended by inserting the word “City of Rolla, Missouri”.

106.4.3. Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after its issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time the permit would become void and re-application would need to be made. A one-time, one-year extension of a valid permit may be obtained at a cost of one half of the original permit fee.

106.5.2 Fee Schedule. Refer to fee schedule provided in Section 108.7 of the International Building Code.

108.4 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $50.00 or more than $500.00.

Sec. 6-47. International Plumbing Code-Adopted.

(a) There is hereby adopted by the City, for the purpose of establishing rules and regulations applicable to and governing all building and construction in the City, that certain code known as the International Plumbing Code 2018 Edition, and the Appendix Chapter B, D, and E, of which code not less than two copies have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of Rolla, Missouri, as if set out at length herein.

(b) This Ordinance shall be full force and effect from and after January 1, 2019
Sec. 6-48 Same -Amendments.

101.1 Title, is hereby amended by inserting the words “City of Rolla, Missouri”.

106.5.3 Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after its issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time, one-year extension of a valid permit may be obtained at a cost of one-half of the original permit fee.

106.6.2 Fee Schedule. Refer to fee schedule provided in Section 108.7 of the International Building Code.

108.4 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct alter or repair a building or structure I violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $50.00 or more than $500.00.

903.1 Roof Extension. Insert the number 12 inches.

918.1 Air Admittance Valves Air admittance valves shall only be allowed in remodel or modification of the existing plumbing system when the vent cannot connect into the existing vent system or termite to the outside.

Sec. 6-55. International Residential Code Adopted/International Swimming Pool & Spa Code

(a) There is hereby adopted by the City, for the purpose of establishing rules and regulations applicable to and governing all building and construction in the City, that certain code known as the International Residential Code/International Swimming Pool and Spa Code 2018 Edition, and the Appendix Chapter A, B, C, E, G, H, J, N, P, Q and S, have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of Rolla, Missouri, as if set out at length herein.

(b) This Ordinance shall be in full force and effect from and after January 1, 2019
Sec. 6-56 Same – Amendments.

R101.1 Title, is hereby amended by inserting the words “City of Rolla, Missouri”.

R105.2 Work Exempt from Permit. Change the following:
Building:
   6. Roof covering, siding, painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.

R105.5 Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after its issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time, the permit would become void and re-application would need to be made. A one-time, one-year extension of a valid permit may be obtained at a cost of one-half of the original permit fee.

R108.2 Schedule of Permit Fees. Refer to fee schedule provided in Section 108.7 of the International Building Code.

R113.4 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit of certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

R114.2 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $50.00 or more than $500.00.

318.2 Chemical Termiticide Treatment. Chemical termiticide treatment shall include soil treatment or field-applied wood treatment. The concentration, rate of application and method of treatment of the chemical termiticide shall be in strict accordance with the termiticide label. When chemical protection against termites is used a certificate or proof of treatment from a licensed exterminator will be required.

R502.3.1 Sleeping areas and Attic Joist. Delete.

R2433.1 Log Lighters. Delete and replace with “Not allowed.”
**P2805.1 Water heater sizing chart.** Insert chart from 1995 CABO.

### Water Heater Sizing Chart

#### 1 to 1-1/2 Bathrooms

<table>
<thead>
<tr>
<th>Fuel Type (G/E/O = Gas/Electric/Oil)</th>
<th>G</th>
<th>E</th>
<th>O</th>
<th>G</th>
<th>E</th>
<th>O</th>
<th>G</th>
<th>E</th>
<th>O</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bedrooms</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage (gal)</td>
<td>20</td>
<td>20</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>40</td>
<td>30</td>
</tr>
<tr>
<td>Input (BTU/h or kw)</td>
<td>27k</td>
<td>2.5</td>
<td>70k</td>
<td>36k</td>
<td>3.5</td>
<td>70k</td>
<td>36k</td>
<td>4.5</td>
<td>70k</td>
</tr>
<tr>
<td>Draw (gph)</td>
<td>43</td>
<td>30</td>
<td>89</td>
<td>60</td>
<td>44</td>
<td>89</td>
<td>60</td>
<td>58</td>
<td>89</td>
</tr>
<tr>
<td>Recovery (gph)</td>
<td>23</td>
<td>10</td>
<td>59</td>
<td>30</td>
<td>14</td>
<td>59</td>
<td>30</td>
<td>18</td>
<td>59</td>
</tr>
</tbody>
</table>

#### 2 to 2-1/2 Bathrooms

<table>
<thead>
<tr>
<th>Fuel Type (G/E/O = Gas/Electric/Oil)</th>
<th>G</th>
<th>E</th>
<th>O</th>
<th>G</th>
<th>E</th>
<th>O</th>
<th>G</th>
<th>E</th>
<th>O</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bedrooms</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage (gal)</td>
<td>30</td>
<td>40</td>
<td>30</td>
<td>40</td>
<td>50</td>
<td>30</td>
<td>40</td>
<td>50</td>
<td>66</td>
</tr>
<tr>
<td>Input (BTU/h or kw)</td>
<td>36k</td>
<td>4.5</td>
<td>70k</td>
<td>36k</td>
<td>5.5</td>
<td>70k</td>
<td>38k</td>
<td>5.5</td>
<td>70k</td>
</tr>
<tr>
<td>Draw (gph)</td>
<td>60</td>
<td>58</td>
<td>89</td>
<td>70</td>
<td>72</td>
<td>89</td>
<td>72</td>
<td>89</td>
<td>90</td>
</tr>
<tr>
<td>Recovery (gph)</td>
<td>30</td>
<td>18</td>
<td>59</td>
<td>30</td>
<td>22</td>
<td>59</td>
<td>32</td>
<td>22</td>
<td>59</td>
</tr>
</tbody>
</table>

#### 3 to 3-1/2 Bathrooms

<table>
<thead>
<tr>
<th>Fuel Type (G/E/O = Gas/Electric/Oil)</th>
<th>G</th>
<th>E</th>
<th>O</th>
<th>G</th>
<th>E</th>
<th>O</th>
<th>G</th>
<th>E</th>
<th>O</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bedrooms</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage (gal)</td>
<td>40</td>
<td>50</td>
<td>30</td>
<td>50</td>
<td>66</td>
<td>30</td>
<td>50</td>
<td>66</td>
<td>30</td>
</tr>
<tr>
<td>Input (BTU/h or kw)</td>
<td>38k</td>
<td>5.5</td>
<td>70k</td>
<td>38k</td>
<td>5.5</td>
<td>70k</td>
<td>47k</td>
<td>5.5</td>
<td>70k</td>
</tr>
<tr>
<td>Draw (gph)</td>
<td>72</td>
<td>72</td>
<td>89</td>
<td>82</td>
<td>88</td>
<td>89</td>
<td>90</td>
<td>88</td>
<td>89</td>
</tr>
<tr>
<td>Recovery (gph)</td>
<td>32</td>
<td>22</td>
<td>59</td>
<td>32</td>
<td>22</td>
<td>59</td>
<td>40</td>
<td>22</td>
<td>59</td>
</tr>
</tbody>
</table>

**P3102.1 Required Vent Extension.** Every building shall have a main vent a minimum of three (3) inches in diameter that is either a vent stack or stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air above the roof. All other vent extensions to the outside shall be not less than two (2) inches in diameter.

**P3103.1 Roof Extensions.** All open vent pipes which extend through a roof shall be terminated at least twelve (12) inches above the upslope side of the penetration, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet above the roof.

**P3114.3 Where permitted.** Air admittance valves shall only be allowed in remodel or modification of the existing plumbing system when the vent cannot connect into the existing vent system or terminate to the outside.
E3902.16 Replace With. All branch circuits that supply 125-volt, single-phase, 15- and 20-ampere receptacle outlets installed in dwelling unit bedrooms shall be protected by an arc-fault circuit interrupter(s). This requirement shall become effective January 1, 2019.

Sec. 10-9 Inspection Fees.

Refer to fee schedule provided in Section 108.7 of the International Building Code.

Sec. 10-20 ICC Electrical Code—Adopted.

(a) There is hereby adopted by the City, for the purpose of establishing rules and regulations applicable to and governing all building and construction in the City, that certain code known as the National Electrical Code, 2017 Edition, of which code not less than two copies have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of Rolla, Missouri, as if set out at length herein.

(b) Amendments

101.1 Title, is hereby amended by inserting the words “City of Rolla, Missouri”.

403.2 Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after its issuance, or if the authorized by the permit is not commenced within 180 days after its issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time the permit would become void and re-application would need to be made. A one-time, One-year extension of a valid permit may be obtained at a cost of one half of the original permit fee.

404.1 Fee Schedule. Refer to fee schedule provided in Section 108.7 of the International Building Code.

1003.1 Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

1004.3 Unlawful Continuances. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violent or unsafe conditions, shall be liable to a fine of not less than $50.00 or more than $500.00.
(c) This Ordinance shall be in full force and effect from and after January 1, 2019.

Sec 10-22. Service Connections.

All exposed conduits to the Utility Company’s supply side of the meter base shall be rigid heavy-wall steel.

Sec. 10-23. Ground Wire Required.

All electrical systems in any structure within the city shall have an independent ground wire installed with such electrical system; and copper twelve (12) gauge shall be the minimum wire size for branch circuit receptacle outlets. Fourteen (14) gauge copper wire shall be allowed for residential fifteen amp lighting circuits.

Sec. 14-1. International Fire Code – Adopted.

(a) There is hereby adopted by the City for the purpose of establishing fire control measures and other rules and regulations controlling conditions which could impede or interfere with fire suppression forces, that certain code known as the International Fire Code, 2018 Edition, of which code not less than two copies have been and now are filed in the office of the City Clerk, and the same is hereby adopted and incorporated in the Code of the City of Rolla, Missouri, as if set out at length herein.

(b) This Ordinance shall be in full force and effect from and after January 1, 2019.

Sec. 14-2. Same – Amendments.

101.1 Title, is hereby amended by inserting the words “City of Rolla, Missouri”.

105.3.1 Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after its issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time the permit would become void and re-application would need to be made. A one-time, on-year extension of a valid permit may be obtained at a cost of one half of the original permit fee.

106.4 Fee Schedule. Refer to fee schedule provided in Section 108.7 of the International Building Code.

109.3 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or
both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

903.2.8.1 **Exceptions.**

(a) An automatic sprinkler system shall not be required in Group R as adopted by Missouri State Statute 67.281 “Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in section R317 of the 2006 International Residential Code for two-family dwellings (R317.1) and townhouses (R317.2).”

(B) An automatic sprinkler system shall not be required in Group R when the habitable space is less than 3,750 sq. ft. for a three unit multiple family home (Three-Plex), or less than 5,000 sq. ft. for a four unit multiple family home (Four-Plex), and no more than 1 story above grade. Each individual apartment, must be constructed with a 1 hour fire separation separating individual units and all garage areas must be protected by a one hour fire separation.

3301.1.3 **Fireworks** Add #5. to Exceptions:

5. (a) Any individual or organization may discharge fireworks as herein defined, without permit, on the 1st, 2nd, 3rd and 4th and 5th days of July.
(b) No fireworks shall be discharged within 50 feet of any stand, booth, or other location where fireworks are being sold.
(c) Every person who shall sell fireworks in a accordance with this Chapter shall post notice at his place of sale warning that no fireworks shall be discharged within 50 feet of such place of sale as per city ordinance and shall post notice that fireworks may be discharged within the city limits on July 1st, 2nd, 3rd, 4th and 5th.

(c) This Ordinance shall be in full force and effect from and after January 1, 2019.
Sec 20-1. International Property Maintenance Code — Adopted.

(a) That for the purpose of establishing minimum standards governing the condition and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to insure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; known as “International Property Maintenance Code of the City of Rolla, Missouri, and each and all of the regulations of the International Property Maintenance Code, are hereby referred to, adopted and made a part hereof, as if fully set out at length herein.

Sec. 20-2. Same — Amendments.

101.1 Title, is hereby amended by inserting the words “City of Rolla, Missouri”.

106.4.3 Expiration. Every permit issued shall be valid for one year after issuance unless work authorized by the permit is not commenced within 180 days after it’s issuance, or if the authorized by the permit is not commenced within 180 days after it’s issuance, or if the authorized work is suspended or abandoned for a period of 180 days after the time the work is commenced. At that time the permit would become void and re-application would need to be made.

106.4.4 Extensions. A one-time, One-year extension of a permit may be obtained at a cost of one half the original permit fee.

106.5.2 Fee Schedule. Refer to fee schedule provided in Section 108.7 of the International Building Code.

106.5.3 Fee Refunds. Delete.

108.4 Violation Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than $500.00, or by imprisonment not exceeding 90 days; or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than $50.00 or more than $500.00.

(c) This Ordinance shall be in full force and effect from and after January 1, 2019.
On October 20, 2017, City Council renewed a contract between the City of Rolla and Rolla Public Library Board for all accounting functions. The agreement authorizes the City of Rolla to provide accounting services for the Rolla Public Library, as provided by the attached contract. All related costs including administrative time incurred by the City are reimbursed by the Library Board. This agreement fosters a better working relationship with the Library Directory and Library Board, which is important. The proposed agreement can be amended but will last through 12/31/2022.

Staff is recommending the approval of this proposed contract.
ORDINANCE NO._______

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A TECHNICAL ASSISTANCE CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE ROLLA PUBLIC LIBRARY.

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

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

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


APPROVED:

______________________________
MAYOR

ATTEST:

______________________________
CITY CLERK

APPROVED AS TO FORM:

______________________________
CITY COUNSELOR
This Agreement is made and entered into on the 17th day of December, 2018 by and between Rolla Public Library, Rolla, Missouri, hereinafter referred to as "Library" and the City of Rolla, hereinafter referred to as "City".

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

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

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

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

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

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

      4) Maintenance and management of all necessary bank accounts.

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

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

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

      2) Assist the Library Board in the preparation and publication of agendas and any other materials necessary or required for those meetings, including telephone/e-mail verification of members attending.

      3) Keep on file all minutes of Library Board meetings and all other pertinent documents.
4) Preparation of any desired correspondence and mailings.

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

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

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

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

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

6. **Time of Performance.** City will provide the services described in this agreement for the period commencing January 1, 2019 through December 31, 2022. The time and services of this contract may be terminated, extended or amended by Addendum hereto, containing the signatories of the parties.

7. **Consideration.** The Library agrees to pay on a monthly basis the direct compensation and benefits of Library personnel. In addition Library shall pay the following amounts for indirect services (i.e. financial/accounting) to be billed on a monthly basis: $25 per hour for clerical support, $30 per hour for technical support and $50 per hour for management staff. Billing will include the date, name, rate of pay, and purpose of services provided.

VT. D.4.
8. **Termination of Agreement.** This agreement will terminate December 31, 2022, unless extended by Addendum hereto as provided in Section 6; however, City or the Library may terminate this contract without cause by giving the other party not less than ninety (90) days written notice thereof. In the event of termination prior to completion of the project, the Library shall pay the cost of services rendered by City and expenses incurred in the performance of this agreement to the effective date of termination.

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

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

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

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

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

14. **Notices.** All notices, requests, demands or other communications provided for herein shall be in writing and shall be deemed to have been given when sent by registered or certified mail, with return receipt requested, addressed, as the case may be to City at City Hall, P. O. Box 979, Rolla, Missouri 65402; and to the Library at 900 N. Pine St., Rolla, Missouri 65401; or to such address as any party shall designate to the other from time to time.

15. **Amendments.** No amendment, modification, termination, or waiver of any provision hereof shall be effective unless the same shall be in writing and signed by the parties hereto.
16. **Severability of Provisions.** Any provision hereof which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions of this agreement of affecting the validity or enforceability of such provision in any other jurisdiction.

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

**ROLLA PUBLIC LIBRARY**

Chairman

Attest

**CITY OF ROLLA, MO**

Mayor

Attest

[Signature]

[Signature]
CITY OF ROLLA

CITY COUNCIL AGENDA

DEPARTMENT HEAD: STEVE HARGIS

ACTION REQUESTED: Ordinance 1st Reading

ITEM/SUBJECT: Parking Ordinance

BUDGET APPROPRIATION (IF APPLICABLE) $

DATE: 12/03/18

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

COMMENTARY:

The property owner at 910 West 10th Street (Missouri S&T) has requested a No Parking zone be added on the north side of 10th Street along their property.

The property owner at 104 East 11th Street (Nick Barrack) has requested the 2 hour parking on 11th Street between Elm and Oak be removed.

Ashley Brooks, The Executive Director of the Mission (708 North Main Street) has requested the 2 hour parking on 8th Street in front of the Mission be removed and a loading zone be installed.

Staff is requesting the first reading of an ordinance making the above changes.

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

Section 1: That Section 27-92 of the Code of the City of Rolla, Missouri, pertaining to parking is hereby amended by adding the following:

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

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

Tenth Street, on the north side, from a point one hundred seventy-five feet west of the intersection of Tenth Street and Poole Avenue to a point three hundred thirty feet west of the intersection of Tenth Street and Poole Avenue.

Section 2: That the following segment of Section 27-118 of the Code of the City of Rolla, Missouri, pertaining to parking is hereby amended by deleting the following:

Article VII – Restricted Parking in Downtown Business District

Sec. 27-118 Two-Hour Parking Prohibited – From 8:00 A.M. TO 5:00 P.M. on certain streets or parts of streets.

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

.10 - Eighth Street, on the south side, from a point forty-eight feet east of the intersection of Eighth Street and Main Street, to a point one hundred six feet east of the intersection of Eighth Street and Main Street.

.26 - Eleventh Street, on the south side, from a point fifty-three feet west of the intersection of Eleventh Street and Oak Street, to a point one hundred fifty-eight feet west of the intersection of Eleventh Street and Oak Street.


APPROVED:

ATTEST:  
MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR
Section 27-92 Parking Prohibited
On certain streets or parts of streets
Tenth Street, on the north side, from a point one hundred seventy-five feet west of the intersection of Tenth Street and Poole Avenue to a point three hundred thirty feet west of the intersection of Tenth Street and Poole Avenue.

Proposed No Parking Area
Article VII - Restricted Parking in Downtown Business District
Sec. 27-118 Two-Hour Parking Prohibited - From 8:00 A.M. TO 5:00 P.M. on certain streets or parts of streets.

8 - Eighth Street, on the south side, from a point forty-eight feet east of the intersection of Eighth Street and Main Street, to a point one hundred six feet east of the intersection of Eighth Street and Main Street.

Proposal to remove 2 Hour Parking 8:00 A.M. to 5:00 P.M. and replace with No Parking Loading Zone

The Mission
708 North Main Street
Article VII - Restricted Parking in Downtown Business District
Sec. 27-118 Two-Hour Parking Prohibited - From 8:00 A.M. TO 5:00 P.M. on certain streets or parts of streets.

26 - Eleventh Street, on the south side, from a point fifty-three feet west of the intersection of Eleventh Street and Oak Street, to a point one hundred fifty-eight feet west of the intersection of Eleventh Street and Oak Street.

Proposal to remove 2 Hour Parking 8:00 A.M. TO 5:00 P.M.
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Brady Wilson ACTION: Bid Award
ITEM/SUBJECT: Two-Post Vehicle Lift
BUDGET APPROPRIATION: $17,000 DATE: December 3, 2018

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COMMENTARY:

The Vehicle Maintenance Division is planning for replacement of an existing light-duty vehicle lift. The existing lift is twenty years old and has a capacity of just 9,000 pounds. The proposed replacement lift will have a capacity of 18,000 pounds. The additional capacity is needed to accommodate many vehicles in the fleet and to ensure mechanic safety. This is a scheduled replacement and a budgeted expense.

Sealed bids were recently solicited for a new vehicle lift. Two bids were received and are listed below. The bid price includes delivery and installation. After reviewing the bids, staff recommends purchasing the lowest bid which is the Challenger model 18000 offered by Myers Tire Supply of Akron, Ohio. The bid price includes delivery and installation. Staff also recommends selling the existing lift on an internet auction site once the new lift is in place.

TWO-POST VEHICLE LIFT:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Make/Model</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don Carroll Tool Supply</td>
<td>Forward DP18N002RD</td>
<td>$18,800</td>
</tr>
<tr>
<td>Cabool, MO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myers Tire Supply</td>
<td>Challenger 18000</td>
<td>$16,994</td>
</tr>
<tr>
<td>Akron, OH</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Challenger offers a range of 2-post vehicle lifts in capacities from 9,000 lbs. to 18,000 lbs. Every 2-post is manufactured to the highest standards for lasting durability and designed with key productivity features to help you reach your full service potential. Ensure a higher return on investment by customizing your vehicle lift fleet with features you won’t find anywhere else. Contact your rep today for pricing information on our 2-post lift selection.

**QUICK CYCLE**

The Quick Cycle hydraulic enhancement increases lift service efficiency by saving rise and descent time. Boost the productivity and profitability of your shop by servicing more vehicles in the same amount of time.

**DRIVE-ON EXPRESS PAD**

A 9,000 lb. capacity low-profile pad allows vehicles to drive on with ease. Locking flip-up ramps provide easy pad extension for the quickest vehicle loading possible.

**DUAL PENDANT CONTROLS**

Always within technician reach when small spotting adjustments matter, dual pendant controls expedite vehicle spotting from either column by providing an unobstructed view to lifting points.

**EXTENDED HEIGHT**

Maximize your vertical shop space with an extended Challenger lift. Choose between 1', 2' or 3' column extensions to best suit your ceiling.
Commentary:

In a joint venture, and after an extensive search lasting two years, the Phelps County Emergency Services Board (PCESB) and several agencies in Phelps County have selected a new Computer Aided Dispatch and Report Management System. The cost for the system will be shared by the agencies, based on which elements of the system they each will be utilizing.

The primary concerns of the search committee were reliability and service length. The current system, Archonix, which was purchased by the agencies in 2011, has proven to be unreliable and has fallen extremely short by industry standards. Its frequent errors, poor design, lack of user-friendly operation, and shortfalls on promised functionality create a liability on the 911 Center, as well as concern regarding the integrity of the data entered into the Records Management system. We do not feel this company will be in business much longer due to the poor design of its product.

At the conclusion of the two-year search, the committee selected the Zuercher Suite software by Zuercher Technologies. Zuercher has been in service for 15 years and is one of the top rated Dispatch and Report Management Systems on the market. A week before this decision, Zuercher merged with Superion (the “runner-up” system) and Tri-Tech (another top-rated system designed for larger agencies), to form CentralSquare, which is now the largest public safety software provider. We have every confidence that Zuercher will meet both goals of reliability and service length.

This software will allow all participating agencies to share data in one database, while also allowing them to customize the system to do things that are unique to each agency. It is very modern and user-friendly, and will streamline the workflow for officers and Records Clerks. It also offers several additional features such as mobile ticketing, evidence bar-coding, and vehicle GPS tracking.

The overall cost to all participating agencies for the Zuercher system is $626,303, with $187,376 being the Rolla Police Department’s portion. The PCESB has agreed to finance our portion of the purchase at 2% interest over five years. The breakdown of payments is as follows, with the first payment being due around the start of the 2020 budget year:
<table>
<thead>
<tr>
<th>Year</th>
<th>Maintenance</th>
<th>Software</th>
<th>Total Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year One</td>
<td>N/A</td>
<td>$38,224.80</td>
<td>$38,224.80</td>
</tr>
<tr>
<td>Year Two</td>
<td>$27,705.60</td>
<td>$38,224.80</td>
<td>$65,930.40</td>
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<td>Year Three</td>
<td>$29,090.88</td>
<td>$38,224.80</td>
<td>$67,315.68</td>
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<tr>
<td>Year Four</td>
<td>$30,545.60</td>
<td>$38,224.80</td>
<td>$68,770.40</td>
</tr>
<tr>
<td>Year Five</td>
<td>$32,072.96</td>
<td>$38,224.80</td>
<td>$70,297.76</td>
</tr>
<tr>
<td>Year Six+</td>
<td>5% annual increase</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

The Rolla Police Department currently pays almost $15,000 in maintenance each year for the Archonix system. However, our current servers were neither purchased, nor maintained, by Archonix. We have experienced numerous issues with the servers, resulting in frequent down times and countless man-hours of work by our IT department. One of the added benefits of Zuercher is that they will purchase, maintain, and replace the servers themselves, which accounts for the higher maintenance fees, as servers are very expensive. We consider this maintenance cost to be reasonable, considering what it covers, and based on industry standards.

Transitioning to a new system is a lengthy process, and we need to move forward as quickly as possible. At this point in time, we are seeking Council approval to proceed with the purchase of the Zuercher software. A formal Inter-Agency agreement is currently being written and will be presented in the near future.

Recommendation:

Motion authorizing the Police Department to proceed with the purchase of the Zuercher Suite system.