

Please Note: The Council Meeting will be conducted at Rolla City Hall but physical participation will be limited per CDC guidelines. Citizens are encouraged to watch the proceedings live on Fidelity Cable Channel 16 or through the Fidelity YouTube link at <https://www.youtube.com/channel/UCffrbYSQqtuhOAVkCCyeA>

COUNCIL PRAYER

Ministerial Alliance

AGENDA OF THE ROLLA CITY COUNCIL

Monday, October 18th, 2021; 6:30 P.M.

City Hall Council Chambers

901 North Elm Street

PRESIDING: **MAYOR LOUIS J. MAGDITS, IV**

COUNCIL ROLL: **MORIAH RENAUD, TERRY HIGGINS, MEGAN JOHNSON, ANN MURPHEY, LISTER B. FLORENCE, JR., MATTHEW FRIDLEY, JODY EBERLY, ROBERT KESSINGER, CARROLYN BOLIN, STANLEY MAYBERRY, VICTORIA STEEN, AND DEANNE LYONS**

PLEDGE OF ALLEGIANCE

Councilman Fridley

I. PUBLIC HEARINGS –

- A. Public hearing: Request to allow Conditional Use Permit (CUP) for wireless communications facility. (City Planner Tom Coots) **Public Hearing**
- B. Public hearing and Ordinance: Request to rezone 438 W. Little Oaks Rd from the C-2, General Retail district to the RMH, Residential Manufactured Home district. (City Planner Tom Coots) **Public Hearing/First Reading**
- C. Public hearing and Ordinance: Request to rezone 1879 Longview Ln from the R-R, Rural Residential district to the R-1, Single-family district. (City Planner Tom Coots) **Public Hearing/First and Final Requested**.
- D. Public hearing and Ordinance: Request to rezone vacant property on Old Hwy 66 west of HyPoint Industrial Park Dr. from M-2, Heavy Manufacturing to the C-3, Highway Commercial district. (City Planner Tom Coots) **Public Hearing/First Reading**
- E. Public hearing and Ordinance: Request to rezone 900 Meriweather Ct from the R-1, Single-family district to the GI, Government and Institutional district. (City Planner Tom Coots) **Public Hearing/First Reading**
- F. Public Hearing and Ordinance: Ward Redistricting 2020 Census (Public Works Director Steve Hargis) **Public Hearing and First Reading**

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

- A. Nicole Hood – MoDOT State Highway Safety and Traffic Engineer: Buckle Up Phone Down program with proclamation by Mayor Magdits.

October 18th, 2021

III. OLD BUSINESS

- A. **Ordinance** Authorizing the Mayor to enter into a Missouri Highway & Transportation Commission Amendment to State Block Grant Agreement #2. (Public Works Director Steve Hargis) **Final Reading**
- B. **Ordinance** authorizing the Mayor to enter into a Missouri Highways & Transportation Commission Supplemental Agreement to Airport Aid Agreement. (Public Works Director Steve Hargis) **Final Reading**

IV. NEW BUSINESS

- A. **Ordinance** Authorizing the Mayor to enter into an agreement with Motorola for the purchase of Public Safety portable and mobile radios. (Police Chief Sean Fagan and Fire Chief Ron Smith) **First Reading**
- B. **Ordinance** Authorizing the Mayor to enter into an agreement with Wireless USA for the Installation and programming of the portable and mobile radios. (Police Chief Sean Fagan and Fire Chief Ron Smith) **First Reading**
- C. Report on Animal Shelter Design Progress. (City Administrator John Butz) **Information Only**
- D. **Ordinance** allowing a final plat to reconfigure two residential lots: Parker Addition (City Planner Tom Coots) **First Reading**
- E. Presentation of Pine Street/Downtown circulation study (Public Works Director Steve Hargis)

V. CLAIMS and/or FISCAL TRANSACTIONS

- A. **Motion** to allow the purchase of 1000 refuse carts from Schaefer Carts-\$59,809.75. (Environmental Services Director Brady Wilson)
- B. **Motion** to allow the purchase of new refuse collection truck-\$358,969.00. (Environmental Services Director Brady Wilson)
- C. **Motion** to allow the purchase of a Britespan Building System Structure for salt storage-\$51,264.56. (Public Works Director, Steve Hargis)

VI. CITIZEN COMMUNICATION

VII. MAYOR/CITY COUNCIL COMMENTS

- A. City Council agenda preparation process (Councilperson Victoria Steen)

VIII. COMMENTS FOR THE GOOD OF THE ORDER

IX. CLOSED SESSION – Closed Session Pursuant to RSMO 610.021 (1) for legal actions/legal work product.

X. ADJOURNMENT



CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing

SUBJECT: Conditional Use Permit (CUP) to allow a Wireless Communications Facility not permitted by Section 42-400 or 42-401

MEETING DATE: October 18, 2021

Application and Notice:

Applicant - Russel Been or Collective Solutions, LLC
Owner - Barry Dunnigan of B Dunnigan Tours, LLC
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property; <https://www.rollacity.org/agenda.shtml>

Background: The applicant seeks to construct a wireless communications tower. The tower is proposed to be 95 feet tall, plus 5 foot lightning rod, monopole design, and have a fenced area for ground equipment. The Wireless Communications Facilities Code was adopted in 2019. The new code provides allowances for "small-cell" technology and disguised facilities. Any other type of wireless communications not excepted requires a Conditional Use Permit, including the more traditional towers such as is proposed.

The City Council voted to continue the public hearing for this request at their September 20 meeting to allow for the Planning and Zoning Commission to conclude their review.

Property Details:

Current zoning - C-3, Highway Commercial
Proposed use - Wireless Communications Tower
Land area - Lease area: About 9,800 sq. ft. of 1.7 acre lot

Public Facilities/Improvements:

Streets - The subject property has frontage on Old St. James Rd, a major arterial road.
Sidewalks - A sidewalk is located adjacent to the property along Old St. James Rd.
Utilities - The property is already served by all needed utilities.

Comprehensive Plan: The Comprehensive Plan indicates that the subject property is appropriate for Industrial uses.

I.A.1

Discussion: The proposed tower would be located in a predominantly industrial area. The equipment area is proposed to be fenced and screened. The applicant does propose to use a graveled drive to service the tower and equipment. Due to the height, the tower would be visible from a distance. The proposed location is about 350 feet from the nearest residence and from the Truman Elementary School property.

The following standards for review (paraphrased) apply to Conditional Use Permits. The Council should find that the standards are met, or could be met with the imposition of conditions of approval.

1. Complies with all applicable provisions of the district regulations.
2. No significant impact to traffic and safety.
3. Consistent with neighborhood in scale, intensity, and impact.
4. Adequate utility, drainage, etc. infrastructure proposed/existing.
5. Negative impacts are mitigated.

The CUP does appear to meet the minimum standards for a Conditional Use Permit application, however, the Wireless Communications Facilities Code also does require that the following standards be met:

1. That the design of the Wireless Communications Facilities, including ground layout, maximally reduces visual degradation and otherwise complies with provisions and intent of this Division.
2. That the design is visually compatible with the area, will not distract from the view of the surrounding area, is maximally concealed or blended in with the environment, and will not adversely affect property values.
3. That such conditional use shall not be inconsistent or adversely affect the regular permitted uses in the district in which the same is located.
4. That the proposal fully complies with applicable law including the General Requirements herein; provided that an exception to the General Requirements, other than building or safety code compliance, may be approved upon evidence that compliance is not feasible or is shown to be unreasonable under the specific circumstances shown.

The Wireless Communications Facilities Code also states that "No Conditional Use Permit shall be issued unless the applicant has clearly demonstrated by substantial evidence that placement of Wireless Communications Facilities pursuant to Section 42-400 or Section 42-401 of this Division is not technologically or economically feasible. The City may consider current or emerging industry standards and practices, among other information, in determining feasibility."

The Wireless Communications Facilities Code also does specifically require a paved access and requires that any tower meet a “fall zone” setback from all property lines, rights-of-way, streets, sidewalks, buildings, and parking areas. The applicant is requesting an exception from these requirements for this application due to the site specific circumstances.

The “fall zone” setback may be excessive for applying to buildings and parking areas within the subject property. The “fall zone” for this tower would also include buildings and property on an adjacent property and the sidewalk and right-of-way of Old Saint James Rd. The tower is proposed about 64 feet from the nearest building; about 25 feet from the closest property line; and about 87 feet from the Old Saint James Rd right-of-way. No residential structures are located in the “fall zone”. However, all towers are required to be designed and constructed to meet the minimum requirements of the International Building Code. The IBC will require that the tower be designed to withstand a 106 mph wind, as are all commercial buildings and structures within the city.

The gravel paving can be approved if the applicant is able to show that compliance is not feasible or unreasonable under the specific circumstances. The “fall zone” setback may also be similarly reduced. The City Council also does have the option of requiring that the setback be reviewed by the Board of Adjustment. Board of Adjustment review may be the most appropriate way to approve the setback reduction.

The general requirements in the Wireless Communications Facilities regulations also reference tower height. The code states that towers may exceed the zoning district regulations (64 feet in the C-3, Highway Commercial district) “only where shown to be necessary, provided that no reasonable and feasible alternative exists.”

Much testimony was received at the Planning and Zoning Commission meetings. Several residents and the representative of the tower on which the applicants’ current customer are currently located. Some opposition included testimony about the negative health impacts of such a tower and the proximity to the elementary school and residential neighborhood. State statutes specifically prohibit municipalities from considering the health impacts of telecommunications towers. Such issues are regulated by the Federal Communications Commission. Any telecommunications facility is required to meet FCC requirements.

Other testimony indicated that there may not be a need for the proposed tower, being located only about 1,300 feet from the current location. State statutes also prohibit municipalities from basing their decisions on the business decisions made by the applicant. The applicant is presumed to be assured that the tower is needed for the business.

State statutes also require that the municipality act on an application within 120 days of the application date. The CUP was submitted on August 10, 2021.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on September 14, 2021 and voted to continue the deliberations to their October 12, 2021 meeting. At the October 12 meeting the Planning and Zoning Commission voted 4-0 to recommend approval of the request with the following conditions:

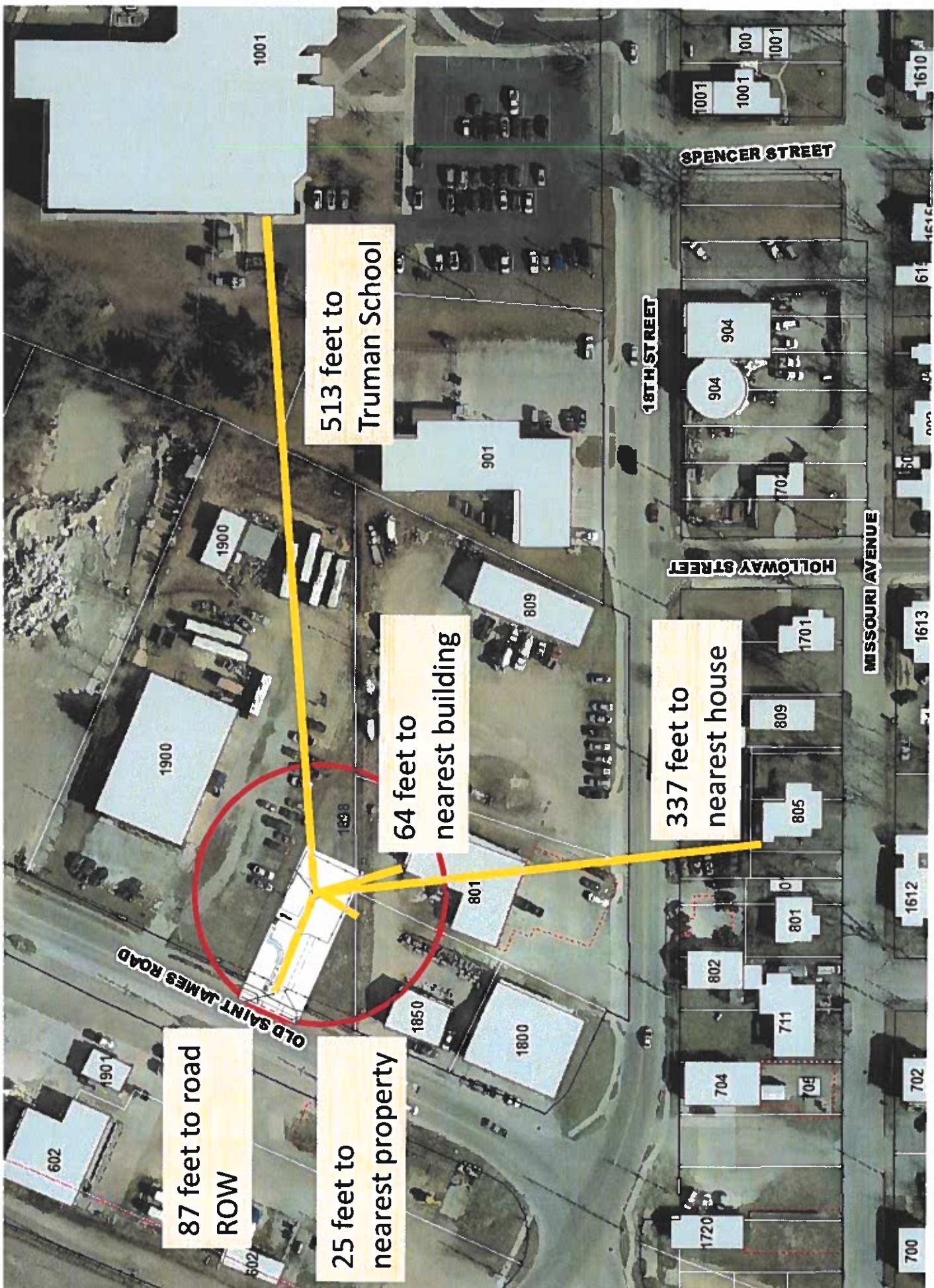
1. The Conditional Use Permit is granted only to allow the proposed tower and fenced area.
2. The gravel access area is permitted, however, the driveway must be paved within the right-of-way to prevent gravel from leaving the property.
3. The reduction in the tower setbacks are permitted, however, the tower must be designed and constructed to meet the minimum building codes.
4. A copy of all required FAA and FCC permits be submitted for the file.
5. Security fencing and systems must be maintained for the duration of the use.

Additional Information:

At this time, the City Council is asked to conduct the public hearing and discussions. The ordinance will be drafted to include the recommended conditions of approval and include any pertinent statements of fact and presented for the November 1, 2021 City Council meeting.

Prepared by: Tom Coots, City Planner

Attachments: Public Notice Letter; Letter of Request; Site Plan; Location Map; Exempts from Wireless Communications Facilities regulations



TAS



memo

Collective Solutions, LLC

To: Tom Coots
From: Russell S. Been, Collective Solutions, LLC, agent for Parallel Infrastructure
CC: City of Rolla Missouri Planning and Zoning Commission
Date: 9/10/2021 UPDATED 10/6/2021
Re: Conditional Use Permit Application 1900 Old St. James Road, Rolla, MO for a 95' tall monopole style wireless telecommunication facility.

AT&T, in order to improve service and capacity in the Rolla, Missouri area, has contracted with Parallel Infrastructure to construct a 95' tall monopole style wireless communications facility. This facility will include a lighting rod and associated fencing and ground equipment. At the suggestion of the City of Rolla planning department, privacy slats have been added to the fencing.

Applicant would request that in lieu of requiring engineering drawings prior to zoning approval that the board would make such requirements a condition of approval prior to approval of the building permit. Towers will always be designed to meet at least the minimum building code, if not exceed the minimum code.

Strict application of the setbacks would severely interfere with the operation of the existing business. A strict application of the setbacks would put the proposed tower in the center of the driveway of the auto repair business operating on the property. The separated fenced area on the southern property line of the commercially zoned property is the logical place to locate the tower on this property.

In order to construct a new wireless communications facility, even within heavy commercial or manufacturing districts, a Conditional Use Permit is required. In order to be approved, Section 42.234.2 requires the following burden of proof:

1. Does the proposed conditional use comply with all applicable provisions of the applicable District regulations.
A: Yes, the proposed conditional use does comply.
2. The applicant has demonstrated through the provision of a traffic impact study or other acceptable method that the proposed conditional use at the specified location will not adversely affect the safety of the motoring public and pedestrians using the facility and surrounding area from traffic congestion or other hazards.
A: Due to the limited visits required to the site, this tower will not affect traffic or pedestrian traffic.

3. The location and size of the conditional use, the nature and intensity of operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning District regulations or the policies of the Rolla Comprehensive Plan. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls, and fences on the site.
A: The tower will not dominate the area versus the industrial and commercial uses already in use in the area.
 - b. The nature and extent of proposed landscaping and screening on the site.
A: The site will have site proof slats added to the fencing.
 - c. The noise characteristics of the use compared to the typical use in the District and any reduction solutions.
A: The tower will create almost no noise and definitely less than existing surrounding uses.
 - d. The potential glare of vehicles and stationary lights on site and any measures employed to mitigate their impact.
A: The site is unmanned and will have no regular vehicle traffic. The site will not be lit, beyond a small work light that will be utilized only when an emergency outage requires a technician to visit during evening hours.
 - e. Sign location, type, size, and lighting.
A: The site will only have a very small site identification sign on the gate and FAA/FCC required fence signs. As per question d. the only lighting will be a work light utilized during any emergency nighttime visits.
 - f. The impact on or potential interference with any easements, roadways, driveways, rail lines, utilities and storm water management systems. Off-street parking and loading areas will be provided in accordance with the standards set forth in this Article.
A: This site will have no impact on any of the above-mentioned items.
4. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
A: utilities, drainage and other such facilities have been accounted for in the design of this site.
5. The proposed uses where such developments and uses are deemed consistent with good planning practice; can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and are deemed essential, convenient, or desirable to preserve and promote the public health, safety, and general welfare of the City of Rolla.
A: The addition of coverage and capacity to the existing wireless service is like adding infrastructure. Adding infrastructure where needed is always a good planning practice. By adding the coverage and capacity, this allows for such things as Enhanced 911 and other safety measures. Allows for triangulation location and enhances response times for emergency responders, thus, enhancing and promoting the health safety and general welfare of the City of Rolla.

Section 42-402 of the Rolla Zoning Code requires that no Conditional Use Permit be issued unless the applicant has clearly demonstrated by substantial evidence that placement of Wireless Communications Facilities pursuant to Section 42-400 or Section 42-401 of this Division is not technologically or economically feasible. The City may consider current or emerging industry standards and practices, among other information, in determining feasibility.

A: 42-402.3 the current technology which is being utilized isn't even the most up to date technology and capacity available. As will be explained further at the hearing, since the 1990s when the technology that was taken into consideration when a lot of the facilities in this area were built out, the antenna technology has drastically changed along with the needs placed on wireless facilities. Antennas were 4' to 6' tall, 6" to 8" wide and 1" to 3" deep. The capacity demands were the 1 or 2 people out of 10 that had mobile phones in their cars. Now, the vast majority of

Americans, nearly 97%, own a cell phone, nearly 75% of Americans utilize a smart phone. Compared to the 30% of the population that had cellphones in 1999 when the decade was ending. The capacity and coverage demands on wireless facilities have exponentially increased. The solution to this increased demand was a major redesign of the equipment, antennas and radios, located at the various wireless facilities. The antennas were increased in size and the radios, once located at the base of the towers, were found to be more effective on the top of the tower and now have even been incorporated into the antennas. Where one antenna per sector was suitable, in order to achieve their desired coverage objectives 2, 3 and even 4 antennas are becoming the standard for wireless facilities. In order to achieve their coverage objective in the most technological and economically efficient way possible, a new monopole style facility is required.

Section 42-402.4 require the following 4 conditions exist:

1. That the design of the Wireless Communications Facilities, including ground layout, maximally reduces visual degradation and otherwise complies with provisions and intent of this Division;
A: The proposed site is adjoined on three sides by Heavy Industrial and on the 4th by a service garage for Missouri S&T. This use is very much compatible with the commercial and industrial area in which it is proposed.
2. That the design is visually compatible with the area, will not distract from the view of the surrounding area, is maximally concealed or blended in with the environment, and will not adversely affect property values;
A: The design is very consistent with the surrounding uses. Efforts were made to conceal the ground equipment from view by slatting the fence. In a commercial/industrial area such as we are proposing, increased coverage and capacity of a wireless facility is considered necessary infrastructure. By allowing the tower, coverage and capacity are increased, making the property more desirable and therefore, not only not adversely affecting property values, but increasing the values of those surrounding properties.
3. That such conditional use shall not be inconsistent or adversely affect the regular permitted uses in the district in which the same is located
A: This conditional use is consistent with and will not adversely affect the regular permitted uses of the district or surrounding districts.
4. That the proposal fully complies with applicable law including the General Requirements herein; provided that an exception to the General Requirements, other than building or safety code compliance, may be approved upon evidence that compliance is not feasible or is shown to be unreasonable under the specific circumstances shown.
A: The proposed use complies with all Federal, State and local laws.

<p>Parallel</p> <p>PLANS PREPARED FOR: AT&T</p> <p>15109 JOHN J. DELANEY DRIVE SUITE C-1 CHARLOTTE, NC 28277</p> <p>PLANS PREPARED BY: T-SQUARED SITE SERVICES</p> <p>2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 724.308.7855 www.t-squared.com</p>																															
<p>ATT</p> <p>CALL MISSOURI ONE CALL. (800) DIG-RITE ONE WORKING DAYS BETWEEN YOU AND US!</p> <p>PLANS PREPARED BY: T-SQUARED SITE SERVICES</p> <p>2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 724.308.7855 www.t-squared.com</p>																															
<p>PI TOWER ID: PIMO632 NEW FA SITE #: 15456793 AT&T SITE NAME: ROLLA SITE ADDRESS: 1900 OLD ST JAMES RD ROLLA, MO JURISDICTION: PHELPS COUNTY SITE TYPE: 95' MONOPOLE</p>																															
<p>LOCATION MAP</p>																															
<p>DRAWING INDEX</p> <table border="1"> <thead> <tr> <th>Sheets</th> <th>Title Sheet</th> <th>Site Description</th> </tr> </thead> <tbody> <tr> <td>I-1</td> <td>SURVEY PLAT (B1 OTHERS)</td> <td></td> </tr> <tr> <td>ID-1</td> <td>SITE PLAN</td> <td></td> </tr> <tr> <td>ID-2</td> <td>ENLARGED SITE PLAN</td> <td></td> </tr> <tr> <td>ID-3</td> <td>ELEVATION</td> <td></td> </tr> </tbody> </table> <p>LEND/LEASE CONSTRUCTION DRAWINGS</p> <table border="1"> <thead> <tr> <th>Sheets</th> <th>Title Sheet</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>I-1</td> <td>95' TOWER</td> <td>ISSUE D: 04/14/16 W: 04/17/16 F: 04/17/16</td> </tr> <tr> <td>I-2</td> <td>MONOPOLE TOWER</td> <td>ISSUE D: 04/14/16 W: 04/17/16 F: 04/17/16</td> </tr> </tbody> </table> <p>DIRECTIONS:</p> <p>Scan QR code for directions.</p>	Sheets	Title Sheet	Site Description	I-1	SURVEY PLAT (B1 OTHERS)		ID-1	SITE PLAN		ID-2	ENLARGED SITE PLAN		ID-3	ELEVATION		Sheets	Title Sheet	Description	I-1	95' TOWER	ISSUE D: 04/14/16 W: 04/17/16 F: 04/17/16	I-2	MONOPOLE TOWER	ISSUE D: 04/14/16 W: 04/17/16 F: 04/17/16	<p>APPLICABLE CODES / REFERENCE DOCUMENTS</p> <p>ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NO PART OF THESE PLANS IS TO BE CONSTRUCTED OR PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.</p> <ul style="list-style-type: none"> 2015 INTERNATIONAL BUILDING CODE 2015 NATIONAL ELECTRICAL CODE 2015 INTERNATIONAL FIRE CODE 2015 INTERNATIONAL MECHANICAL CODE 2015 INTERNATIONAL RESIDENTIAL CODE <p>PROJECT DESCRIPTION</p> <p>THE PURPOSE OF THIS PROJECT IS TO ENHANCE BROADBAND CONNECTIVITY AND CAPACITY TO THE EXISTING ELICIBLE WIRELESS FACILITY.</p> <ul style="list-style-type: none"> INSTALL 95' MONOPOLE TOWER INSTALL CRIMSON INK FENCING INSTALL UTILITY PIPING INSTALL ACCESS ROAD <p>PROJECT TEAM</p> <table border="1"> <thead> <tr> <th>Project Managers:</th> <th>T-SQUARED SITE SERVICES, LLC 2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 (724) 308-7855</th> </tr> </thead> <tbody> <tr> <td>Contact:</td> <td>MARK THOMPSON (724) 308-7855</td> </tr> </tbody> </table> <p>A/E Firm:</p> <table border="1"> <thead> <tr> <th>Project Managers:</th> <th>T-SQUARED SITE SERVICES, LLC 2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 (724) 308-7855</th> </tr> </thead> </table>	Project Managers:	T-SQUARED SITE SERVICES, LLC 2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 (724) 308-7855	Contact:	MARK THOMPSON (724) 308-7855	Project Managers:	T-SQUARED SITE SERVICES, LLC 2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 (724) 308-7855
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I.A.9

Parallel

15105 JOHN L GELANTRY DRIVE
SUITE D-3
CHARLOTTE, NC 28277

PLANS PREPARED BY:



2500 HIGHLAND ROAD, SUITE 201
HERMITAGE, PA 15643

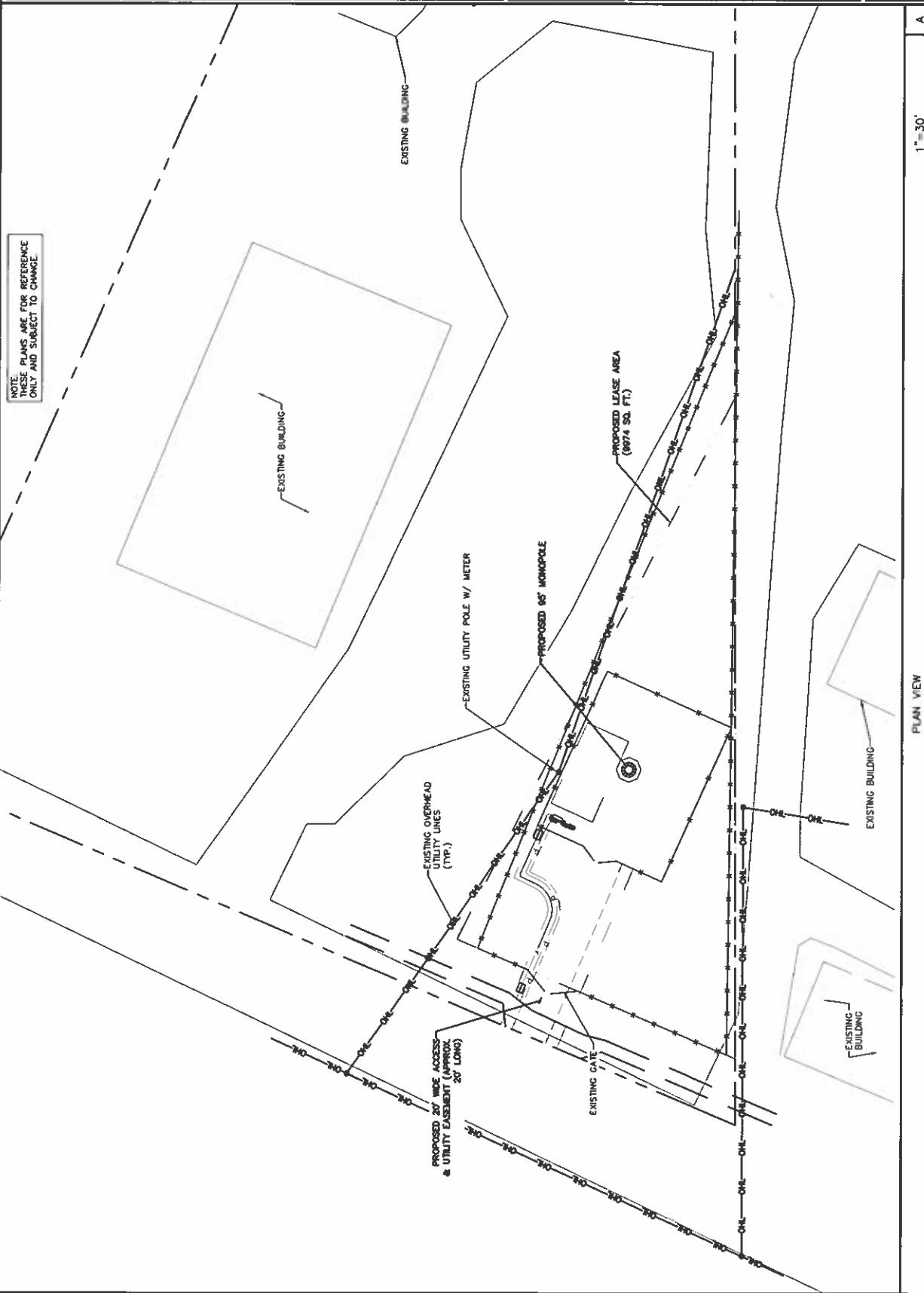
724.308.7855

www.t-sqrd.com

OPERATION & MAINTENANCE BY: T-Squared Site Services LLC

15105 JOHN L GELANTRY DRIVE, U.S.A.

NOTE:
THESE PLANS ARE FOR REFERENCE
ONLY AND SUBJECT TO CHANGE



I.A.10

Parallel

1505 JOHN J. DELAWARE DRIVE
SUITE 0-3
CHARLOTTE, NC 28217



SITZ SERVICES
1-800-227-1222
2500 HIGHLAND ROAD, SUITE 201
HERITAGE, PA 16148
724.308.7055
www.sitz.com

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REASON OR DESCRIPTION	DATE	BY WHOM
SEARCHED FOR EX-VRK W	8/14/61	R. G.
REFUSED TO DOB	10/16/61	R. G.
1st VISIT TO DOB	10/20/61	R. G.

SITE NAME:
ROLLA

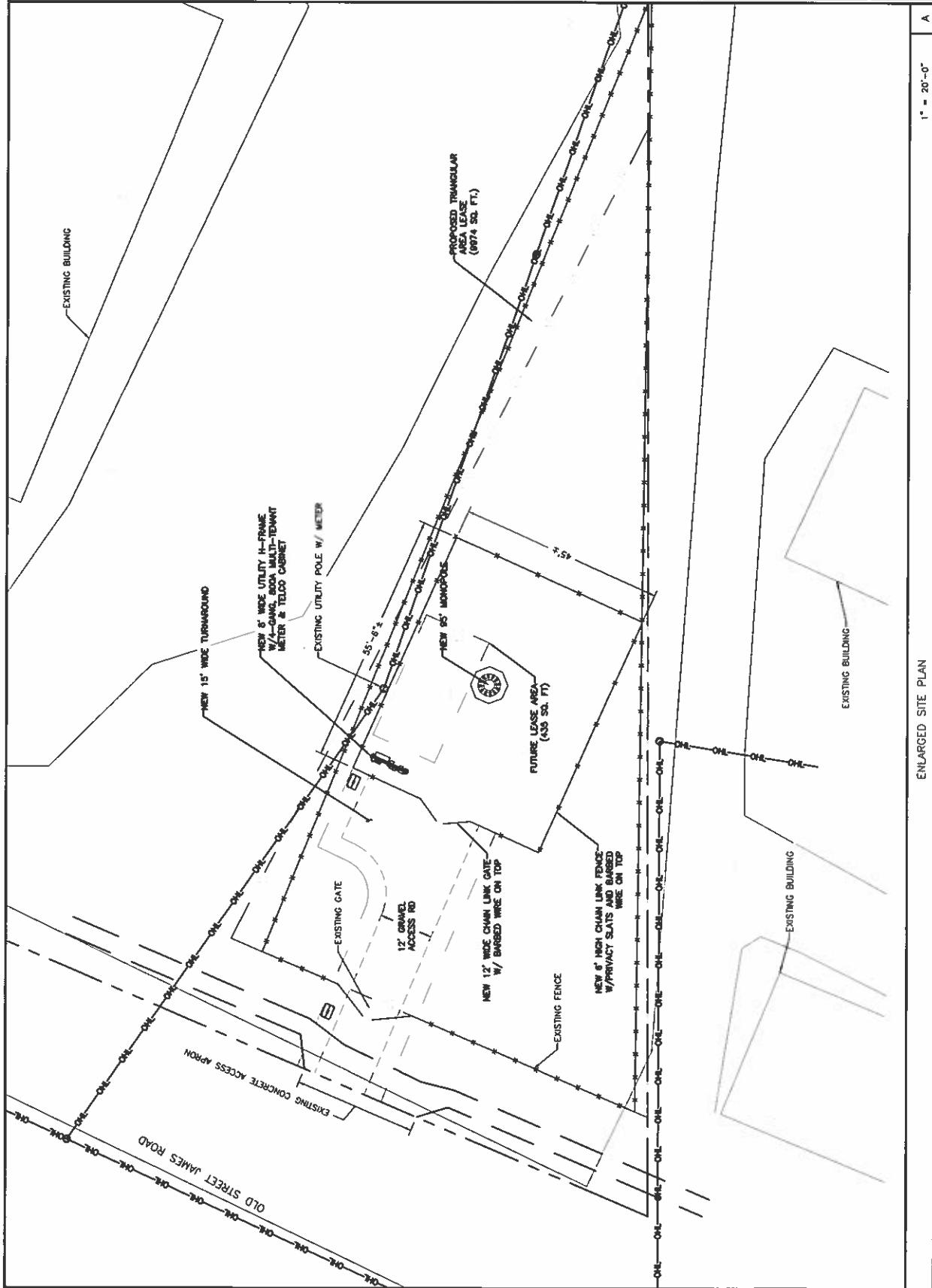
PI #: PIMU632
FA #: 15456793

1900 OLD ST JAMES RD
ROLLA, MO

**PROPOSED
95' MONOPOLE TOWER**

37:958550 - 91/7626728

ZD-2



EXCERPTS FROM WIRELESS COMMUNICATIONS FACILITIES CODE

Sec. 42-396. Purpose.

Statement of Purpose. The general purpose of this Division 22 ("Division") is to regulate the placement, construction, and modification of telecommunications Wireless Communications Facilities to protect the health, safety, and welfare of the public, while at the same time not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the City of Rolla. Specifically, this Division is intended to:

Provide for the appropriate location and development of telecommunications facilities and systems to serve the citizens and businesses of the City of Rolla;

Minimize adverse visual impacts of Wireless Communications Facilities through careful design, siting, landscape screening, and innovative camouflaging techniques that provide predictability for nearby property owners and others that future uses will not materially alter such approved aesthetic protections without zoning hearing procedures and input from interested parties;

Ensure that any new Wireless Communications Facilities are compatible with the neighborhood or surrounding community to the extent possible; and

Ensure that regulation of Wireless Communications Facilities does not have the effect of prohibiting the provision of personal wireless services, does not unreasonably discriminate among functionally equivalent providers of such service and promotes the provision and availability of communication services within the City, and is no more burdensome than regulations applied to other types of infrastructure deployments.

Applicability; preemption. Notwithstanding any ordinance to the contrary, the procedures set forth in this Division shall be applicable to all Wireless Communications Facilities existing or installed, built, or modified after the effective date of this Division to the fullest extent permitted by law. No provision of this Division shall apply to any circumstance in which such application shall be unlawful under superseding federal or state law and furthermore, if any section, subsection, sentence, clause, phrase, or portion of this Division is now or in the future superseded or preempted by state or federal law or found by a court of competent jurisdiction to be unauthorized, such provision shall be automatically interpreted and applied as required by law.

Sec. 42-397. Definitions.

As used in this Division, the following terms shall have the meanings and usages indicated:

Accessory Use: Any use authorized herein that exists in addition to the principal use of the property.

Antenna: Any device that transmits and/or receives wireless radio waves for voice, data, or video communications purposes including, but not limited to, television, AM/FM radio, texts, microwave, cellular telephone, and similar forms of communications. The term shall exclude satellite earth station antenna less than two meters in diameter (mounted within 12 feet of the ground or building-mounted) and any receive-only home television antenna.

Disguised Support Structure: Any freestanding, artificial structure designed for the support of Antenna, the presence of which is camouflaged or concealed as an appropriately placed and designed architectural or natural feature. Depending on the location and type of disguise used, such concealment may require placement underground of the utilities leading to the structure. Such structures may include but are not limited to clock towers, campaniles, observation towers, light standards, flagpoles, and artificial trees. For purposes of this

definition, a structure "camouflaged or concealed as an appropriately-placed and designed architectural or natural feature" shall mean:

It is consistent with and contributes to and does not detract from the character and property values and use of the area and neighborhood in which it is located;

It does not contain distorted proportions, size, or other features not typically found on the type of structure or feature to which it is designed to replicate;

It cannot be identified as a Support Structure by persons with reasonable sensibilities and knowledge;

Its equipment, accessory buildings, or other aspects or attachments relating to the Disguised Support Structure are wholly concealed using a manner consistent with and typically associated with the architectural or natural structure or feature being replicated; and

It is of a height, design, and type that would ordinarily occur at the location and neighborhood selected.

Fast-Track Small Wireless Facility or Fast-Track: A Small Wireless Facility that meets the following requirements for an Antenna and associated equipment:

No more than seven cubic feet in volume (comprised of no more than 27 square feet of exterior surface area, excluding the surface width equal to the width of the Existing Structure or Utility Pole to which it is mounted, on an imaginary enclosure around the perimeter thereof, excluding cable or cable conduit of four inches or less). Volume shall be the measure of the exterior displacement of the Antenna and associated equipment;

Located with the consent of the owner on an Existing Structure or Utility Pole, or concealed within or on a replacement Utility Pole if appearance is not materially altered and the replacement Existing Structure or Utility Pole is no more than five feet taller;

Not exceeding six feet above the top of an Existing Structure or Utility Pole for a total height not exceeding 50 feet nor taller than more than six feet above the average of similar poles within 300 feet.

Height: The vertical distance measured from the center location of measurement at ground level to its highest point and including the main structure and all attachments thereto.

Small Wireless Facility: Antennas and associated equipment that meet the following:

Each Antenna could fit within an enclosure of no more than six cubic feet in volume; and

All other associated equipment, to the extent permitted by applicable law to be calculated, of cumulatively no more than 28 cubic feet in volume; provided that no single piece of equipment on the Authority Pole shall exceed nine cubic feet in volume, and no single piece of ground mounted equipment shall exceed 15 cubic feet in volume.

Support Structure: A Tower or Disguised Support Structure.

Tower: A structure designed for the support of one or more Antenna and including guyed towers, self-supporting (lattice) towers, or monopoles, but not Disguised Support Structures, Utility Poles, or buildings. The term shall also not include any Support Structure that includes attachments of 50 feet or less in height owned and operated solely for use by an amateur radio operator licensed by the FCC.

Wireless Communications Facility: Any Antenna, Small Wireless Facility, Fast Track, Cabinet, Shelter, and Support Structure and associated equipment.

Sec. 42-398. Application Procedures; Timing.

Applications. Applications for permitted, administrative, or conditional uses pursuant to this Division shall be subject to the supplementary procedures in this Division. Applications shall be submitted to the City as a complete application on forms provided by the City. A "complete application" shall be an application submitted on the forms provided by the City, fully executed by the applicant, identifying the specific approval sought, and containing all attachments, fees as may be established to reimburse the City for its inspection and review costs, and information as required thereon or by the City, consistent with this Division. Applications shall be accompanied by a building permit application and other applicable forms.

Proof of Owner Consent. Applications for permitted, administrative, or conditional uses pursuant to this Division shall be required to provide proof of owner consent, which shall minimally include:

Written consent to pursue the application by all fee simple owners of the underlying real estate (or where located in street rights-of-way, the rights-of-way owner thereof), including when the proposed location is also in a utility easement; and

Written consent to pursue the application of the owner of the structure on which such Facility is to be placed, if different than applicant.

Timing. Applications shall be decided upon within a reasonable time, subject further to state or federal specific additional time requirements as may apply to the particular application.

Opportunity to Cure. In case of a denial, the applicant may cure the deficiencies identified by the City and resubmit the application within 30 days of the denial without paying an additional application fee. The City shall approve or deny the revised application within 30 days of resubmission and limit its review to the deficiencies cited in the original denial.

Sec. 42-399. General Requirements.

Applicability. The requirements set forth in this Division shall be applicable to all Wireless Communications Facilities within the City installed, built, or modified after the effective date of this Division to the full extent permitted by law. Such zoning review and approvals required in this Division shall be in addition to any other generally applicable permitting requirement, including applicable building, excavation, rights-of-way, or other permits or approvals.

Principal or accessory use. Towers may be either a principal or accessory use in all non-residential zoning districts, subject to any applicable requirement relating to yard or setback. An accessory use subject to a leasehold interest of a person other than the lot owner may be approved for a Tower only if the leasehold area separately meets all requirements for a separate subdivided lot, including dedicated access, parking, setbacks, and lot size, applicable to a principal use in the district in which the use is proposed as if it was a separate subdivided lot. No other district shall allow Towers unless required by law. All other Wireless Communications Facilities and Utility Poles other than Towers, may be a principal or accessory use in all districts subject to the requirements herein.

Building codes, safety standards, and zoning compliance. Wireless Communications Facilities shall be constructed and maintained in compliance with all standards contained in applicable state and local building codes. A certified engineer's structural report shall be required for all applications to construct a new or modify, or any way alter, a Support Structure, a Utility Pole, or Antenna, including Small Wireless Facility and Fast Track, unless waived upon application to the Director stating why such report is unnecessary to the specific application and a determination in the discretion of the Director approving such statement. In addition to any other approvals required by this Division, no Wireless Communication Facility or portion thereof, except for a

modification under 47 U.S.C. § 1455(a), shall be erected, replaced, or expanded prior to receipt of a Certificate of Zoning Compliance, unless otherwise required by law, and the issuance of a Building Permit. For sites within City rights-of-way, (1) the most restrictive adjacent underlying zoning district classification shall apply unless otherwise specifically zoned and designated on the official zoning map, (2) Wireless Communications Facilities shall be installed and maintained as not to obstruct or hinder the usual travel or public safety on the rights-of-way or obstruct the legal use of such rights-of-way by authorities or authorized rights-of-way users; and (3) such use shall be required to obtain applicable permits and comply with the City's ROW management rules and regulations set forth in Article III of Chapter 36.

Regulatory compliance. All Wireless Communications Facilities shall meet or exceed current standards and regulations of the FAA, FCC, and any other local, state, or federal agency with the authority to regulate Wireless Communications Facilities, and including all required licenses, permits, and taxes applicable to such structure and/or modification. Should such standards or regulations be amended, then the owner shall bring such devices and structures into compliance with the revised standards or regulations within the time period mandated by the controlling agency. No approval for any placement, construction, or modification of any Wireless Communications Facilities permitted by this Division shall be granted for any applicant having an uncured violation of this Division, any zoning regulation regarding the lot on which the structure is proposed, or any other governmental regulatory, licensing, or tax requirement applicable to such Wireless Communications Facilities within the City unless preempted by applicable law. Modifications under 47 U.S.C. § 1455(a) shall be approved without regard to zoning regulations regarding the lot on which the modification is proposed.

Security. All Wireless Communications Facilities shall be protected from unauthorized access by appropriate security measures. A description of proposed security measures shall be provided as part of any application to install, build, alter, or modify Wireless Communications Facilities. Additional measures may be required as a condition of the issuance of a Building Permit as deemed necessary by the Director or by the City Council in the case of a Conditional Use Permit.

Lighting. Antenna, Small Wireless Facilities, Fast Track, and Support Structures shall not be lighted unless required by the FAA or other state or federal agency with authority to regulate, in which case a description of the required lighting scheme will be made a part of the application to install, build, alter, or modify the Antenna, Small Wireless Facilities, Fast Track, or Support Structure. Lighting may also be approved as a consistent component of a Disguised Support Structure. Equipment Cabinets and Shelters may have lighting only as approved by the Director or City Council on the approved site plan.

Advertising. Except for a Disguised Support Structure in the form of an otherwise lawfully permitted sign, the placement of advertising on Wireless Communications Facilities is prohibited other than on-premises signage of not greater than one square foot on ground equipment or required safety signage.

Design.

Color. Subject to the requirements of the FAA or any applicable state or federal agency, Wireless Communications Facilities and attachments shall be painted a neutral color consistent with the natural or built environment of the site or an alternative painting scheme approved by the Director, or the City Council in the case of Conditional Use Permits, consistent with the requirements of this Division.

Ground equipment. When authorized, equipment Shelters, or Cabinets shall have an exterior finish reasonably compatible with the natural or built environment of the site and shall also comply with any design guidelines as may be applicable to the particular zoning district in which the facility is located unless not feasible. All ground equipment shall be either placed underground, contained in a single Shelter or Cabinet, or concealed within a building or approved walled compound.

Height. Support Structures and Antenna shall not exceed the height limitation of any airport overlay zone as may be adopted by the City or other regulatory agency. Support Structures and Utility Poles may exceed underlying zoning district height restrictions for buildings and structures only where shown to be necessary, provided that no reasonable and feasible alternative exists. To the extent permitted by applicable law, district height restrictions shall be considered by the City in determining the appropriateness of the design and location of the application under the applicable standards for approval. No Support Structure shall be approved at a height exceeding 120 feet AGL unless the applicant clearly demonstrates that such height is required for the proper function of the applicant's system.

Monopole design. All Towers shall be of a monopole design. Lattice, guyed Towers, or other non-monopole Tower designs shall not be permitted.

Compound walls/landscaping. All Towers shall be surrounded by a minimum of a six-foot high decorative wall constructed of brick, stone, or comparable masonry materials and a landscape strip of not less than ten feet in width and planted with materials, which will provide a visual barrier to a minimum height of six feet. The landscape strip shall be exterior to any security wall. In lieu of the required wall and landscape strip, an alternative means of screening may be approved by the Director, or by the City Council in the case of a Conditional Use Permit, upon demonstration by the applicant that an equivalent degree of visual screening will be achieved. Landscaping or other improvements may be required for Disguised Support Structures if needed to implement an approved disguise.

Setbacks. All Support Structures, including any portions of any Wireless Communications Facilities thereon and associated structures, fences, and walls (except for parking associated with the Wireless Communications Facility) shall be separated from any rights-of-way, sidewalk or street, alley, parking area, playground, or other building, and from the property line of any adjacent property at least a horizontal distance equal to the height of the Support Structure, including any portions of any Wireless Communications Facilities thereon.

Storage. Vehicle or outdoor storage on any Wireless Communications Facilities site is prohibited, unless otherwise permitted by the zoning district.

Parking. One hard-surfaced parking spot per Support Structure for periodic maintenance and service shall be provided.

Sec. 42-400. Permitted Use.

Permitted use. The placement of Wireless Communications Facilities fully conforming with the applicable General Requirements in this Division are permitted in all zoning districts ...

Sec. 42-402. Conditional Use Permit.

Conditional Use Permit Required. All proposals to construct or modify a Wireless Communications Facilities not permitted by Section 42-400 or Section 42-401 or not fully complying with the General Requirements of this Division and except for modifications under 47 U.S.C. § 1455(a) which must be approved, shall be permitted only upon the approval of a Conditional Use Permit authorized consistent with Division 16 of Chapter 42 following a duly advertised public hearing, subject to the following additional requirements, procedures, and limitations:

Applications. Applications for Conditional Use Permits shall be filed on such forms required by the Director and processed subject to the requirements of and in the manner established by applicable law, herein, and for Conditional Use Permits in the Zoning Code and, in addition to such other requirements, shall be accompanied by a deposit of \$1,500.00, to the extent permitted by applicable law to the specific Wireless Communications Facility. Any amount not used by the City shall be refunded to the applicant upon written request after a final

decision. Applications requesting any information that is prohibited by federal or state law under the applicable circumstance shall be deemed inapplicable to the subject application.

Decision and findings required. A decision shall be contemporaneously accompanied by substantial evidence supporting the decision, which shall be made a part of the written record of the meeting at which a final decision on the application is rendered. Evidence shall be under oath and may be submitted with the application or thereafter or presented during the public hearing by the applicant or others.

Additional minimum requirements. No Conditional Use Permit shall be issued unless the applicant has clearly demonstrated by substantial evidence that placement of Wireless Communications Facilities pursuant to Section 42-400 or Section 42-401 of this Division is not technologically or economically feasible. The City may consider current or emerging industry standards and practices, among other information, in determining feasibility.

Findings required. In addition to the determinations or limitations specified herein and by the applicable provisions of Division 16 of Chapter 42 of this Zoning Code for the consideration of Conditional Use Permits, no Conditional Use Permit shall be approved by the City Council unless findings in the affirmative are made that the following conditions exist:

That the design of the Wireless Communications Facilities, including ground layout, maximally reduces visual degradation and otherwise complies with provisions and intent of this Division;

That the design is visually compatible with the area, will not distract from the view of the surrounding area, is maximally concealed or blended in with the environment, and will not adversely affect property values;

That such conditional use shall not be inconsistent or adversely affect the regular permitted uses in the district in which the same is located; and

That the proposal fully complies with applicable law including the General Requirements herein; provided that an exception to the General Requirements, other than building or safety code compliance, may be approved upon evidence that compliance is not feasible or is shown to be unreasonable under the specific circumstances shown.

Sec. 42-406. Appeals.

The procedures of the Board of Adjustment, pursuant to Division 21 of Chapter 42 shall govern appeals by any aggrieved person of a final action of any City Officer, employee, board, commission, or the City Council that are claimed by an aggrieved person to be unlawful or an unconstitutional taking of property without compensation. To the fullest extent permitted by law, the review procedures of Board of Adjustment, pursuant to Division 21 of Chapter 42 shall be exhausted before any action may be filed in any court against the City or its officers, employees, boards, officials or commissions. Nothing herein shall be deemed to unlawfully limit any remedy that is required to be available as a matter of law.



Project Information:

Case No: CUP 21-02
 Location: 1900 Old Saint James Rd
 Applicant: Russell Been of Collective Solutions, LLC

Request:
 CUP to allow a telecommunications tower in the C-3, Highway Commercial district

Public Hearings:

Planning and Zoning Commission
September 14, 2021
5:30 PM
 City Hall: 1st Floor

City Council
September 20, 2021
6:30 PM
 City Hall: 1st Floor

For More Information Contact:

Tom Coots, City Planner
tcoots@rollacity.org
 (573) 426-6974
 901 North Elm Street
 City Hall: 2nd Floor
 8:00 – 5:00 P.M.
 Monday - Friday

FREQUENTLY ASKED QUESTIONS



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

What is a Conditional Use Permit (CUP)?

A Conditional Use Permit is a request for a special use in a zoning district which requires additional review. The Planning and Zoning Commission may recommend conditions which the applicant must continue to meet for as long they own the property.

What is Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.



LEGAL DESCRIPTION

SITUATED IN THE COUNTY OF PHELPS,
STATE OF MISSOURI:

COMMENCING AT THE
INTERSECTION OF THE CENTER LINE
OF THE MAIN TRACK OF THE ST.
LOUIS & SAN FRANCISCO RAILROAD
WITH THE EAST AND WEST
CENTERLINE OF SECTION ONE (1), IN
TOWNSHIP THIRTY-SEVEN (37) NORTH,
OF RANGE EIGHT (8) WEST, THENCE
SOUTHWESTERLY ALONG THE CENTER
LINE OF TRACK, A DISTANCE OF 332
FEET, THENCE SOUTHEASTERLY AT
RIGHT ANGLES TO THE LAST
DESCRIBED COURSE A DISTANCE OF
162 FEET, THENCE DUE EAST A
DISTANCE OF 33 FEET AND 4 INCHES
FOR A POINT OF BEGINNING.
THENCE NORTHEASTERLY PARALLEL
TO CENTER LINE OF MAIN TRACK, A
DISTANCE OF 466 FEET AND 8
INCHES; THENCE SOUTHWESTERLY
PARALLEL TO AFORESAID CENTER
LINE MAIN TRACK A DISTANCE OF
700 FEET, THENCE DUE WEST A
DISTANCE OF 466 FEET AND 8
INCHES TO THE POINT OF
BEGINNING, EXCEPT A STRIP 35 FEET
WIDE OFF SOUTH SIDE OF SAID
TRACK, EXCEPTING ALL THAT PART
CONVEYED TO THE CITY OF ROLLA,
MISSOURI VIA WARRANTY DEED
DATED DECEMBER 15, 1955, FILED
JANUARY 6TH, 1956 IN BOOK 144 AT
PAGE 26 OF THE PHELPS COUNTY
DEED RECORDS. ALSO EXCEPTING
ALL THAT PART CONVEYED TO
CHARLES A. BLINNE AND MARY
BLINNE, HIS WIFE, VIA WARRANTY
DEED DATED SEPTEMBER 14TH, 1955,
FILED JULY 24, 1956 IN BOOK 144 AT
PAGE 485 OF THE PHELPS COUNTY
DEED RECORDS. ALSO EXCEPTING
ALL THAT PART CONVEYED TO C. A.
BLINNE AND MARY BLINNE, HIS WIFE,
VIA WARRANTY DEED DATED
DECEMBER 20TH, 1960, FILED MAY
4TH, 1961 IN BOOK 158 AT PAGES
440.441 OF THE PHELPS COUNTY
DEED RECORDS.

ALSO EXCEPTING ALL THAT PART
CONVEYED TO MARY L. BLINNE, VIA
QUIT CLAIM DEED DATED DECEMBER
15, 1980, FILED JUNE 30, 1981, IN
BOOK 311, PAGE 41, OF THE PHELPS
COUNTY RECORDS.

ALSO EXCEPTING THAT PROPERTY
CONVEYED IN THE DEEDS
RECORDED IN BOOK 207, PAGE 273,
AND BOOK 182, PAGE 428, OF THE
PHELPS COUNTY RECORDS.

TAX ID: 71-09-1.0-01-002-001-015.000

BEING THE SAME PROPERTY
CONVEYED TO B DUNNIGAN TOURS
LLC, GRANTEE, FROM MARY H.
OGLE, A SINGLE PERSON, GRANTOR,
BY DEED RECORDED 12/31/2018, AS
DOCUMENT NO. 2018-5993, OF THE
PHELPS COUNTY RECORDS.

I.A.19

PUBLIC NOTICE



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing/First Reading

SUBJECT: Map Amendment (rezoning): 438 W Little Oaks Rd from the C-2, General Retail district to the RMH, Residential Manufactured Home district

(ZON21-06)

MEETING DATE: October 18, 2021

Application and Notice:

Applicant/Owner - Joshua and Jasmine Humphrey

Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property;
<https://www.rollacity.org/agenda.shtml>

Background: The applicant is seeking to rezone the property to allow for a planned manufactured home to be placed on the property. The property is currently zoned for commercial uses, but is used residentially with a single-family home. The RMH zoning would allow for an additional manufactured home to be placed on the same property without being subdivided.

Property Details:

Current zoning - C-2, General Retail to RMH, Residential Manufactured Home district

Current use - Residential

Proposed use - Residential

Land area - About 1 acre

Public Facilities/Improvements:

Streets - The subject property has frontage on Little Oaks Rd, a collector street.

Sidewalks - No sidewalks are located adjacent to the property. There are no sidewalks in the vicinity. The ordinance does allow for the sidewalk to be waived when the property is developed.

Utilities - The subject property should have access to all needed public utilities. RMU does not currently serve the house with electric service, but RMU does intend to provide service to the proposed manufactured home.

I.B.1

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Community Commercial uses. The adjacent property is designated for medium/high density residential uses.

Discussion: The subject property is located adjacent to an existing mobile home park. The surrounding area is a mixture of residential and commercial uses. The subject property is located adjacent to the corporate limits of the city. The applicant only intends to place one manufactured home on the property at this time. If any additional development is ever proposed, a site plan compliant with the Mobile Home Park regulations must be submitted and approved.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on October 12, 2021 and voted 3-1 to recommend the City Council rezone the east 80 feet to the RMH, Residential Manufactured Home district and rezone the remainder of the property to the R-1, Single-family district.

Prepared by: Tom Coots, City Planner

Attachments: Ordinance; Public Notice Letter, Letter of Request, Site Plan



Project Information:

Case No: ZON21-06
 Location: 438 W Little Oaks Rd
 Applicant: Joshua and Jasmine Humphrey
 Request:
 Rezoning from the C-2, General Retail district
 to the RMH, Manufactured Home district



Public Hearings:

Planning and Zoning
 Commission
October 12, 2021
5:30 PM
 City Hall: 1st Floor

 City Council
October 18, 2021
6:30 PM
 City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
tcoots@rollacity.org

 (573) 426-6974
 901 North Elm Street
 City Hall: 2nd Floor
 8:00 – 5:00 P.M.
 Monday - Friday

FREQUENTLY ASKED QUESTIONS



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

LEGAL DESCRIPTION

All that part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 37 North, Range 8 West of the 5th P.M. described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence North 00°06'50" East, 25.00 feet to the Northerly right of way of West Little Oaks Road; thence South 89°21'29" West, 208.60 feet along said Northerly right of way to the point of beginning; thence continue South 89°21'29" West, 15.00 feet; thence North 00°06'50" East, 208.60 feet; thence North 89°21'29" East, 15.00 feet; thence South 00°06'50" West, 208.60 feet to the point of beginning. Contains 0.07 acres per Survey No. L-865 by Lortz Surveying, LLC

And a fractional part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 37 North, Range 8 West, more particularly described as follows: Beginning at a point 25 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of Sec. 23, Township 37 North, Range 8 West, thence North 208.6 feet; thence West 208.6 feet; thence South 208.6 feet; thence East 208.6 feet to the place of beginning. Containing 1.0 acre, more or less.

I.B.4

What is a Rezoning (Map Amendment)?

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

What is Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.

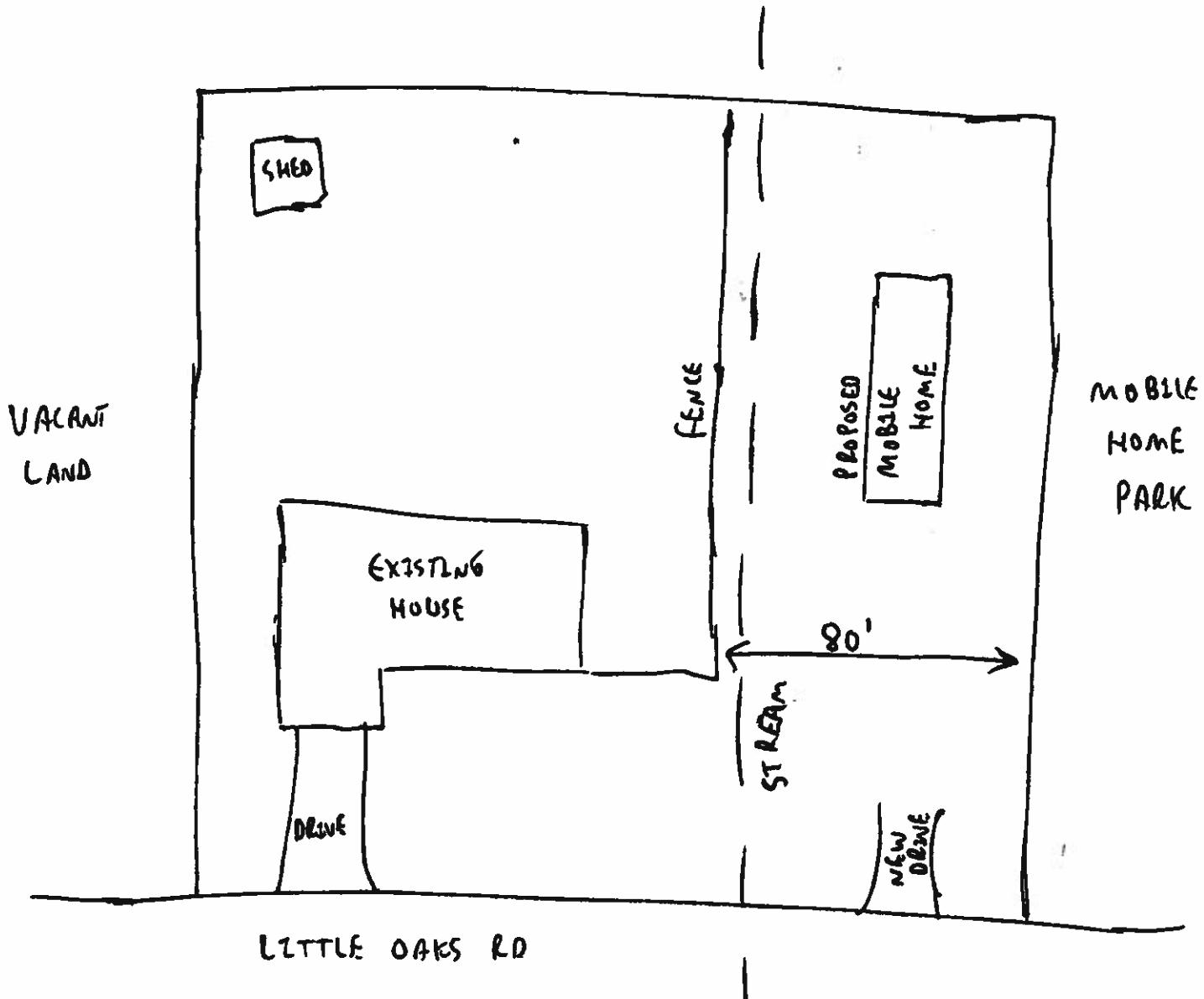


PUBLIC NOTICE

SITE PLAN

Our goal is to place a mobile home on the East side of the creek (The side closest to the existing mobile home park next door). It will be placed further back of the land away from the street. We will have an asphalt roadway paved going onto the lot with sufficient space for the natural drainage of the roadway. We will connect City utilities to the mobile home.

VACANT LAND



N↑

UNINCORPORATED
PHELPS COUNTY

I.B.6

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE RE-ZONING OF 438 W LITTLE OAKS FROM THE C-2, GENERAL RETAIL DISTRICT TO THE R-1, SINGLE-FAMILY DISTRICT AND THE RMH, RESIDENTIAL MANUFACTURED HOME DISTRICT

(ZON21-06)

WHEREAS, an application for a rezoning was duly filed with the Community Development Department requesting the property described above be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri, so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published in the Phelps County Focus for this according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on October 12, 2021 and recommended the City Council approve the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its October 18, 2021 meeting, conducted a public hearing concerning the proposed rezoning to hear the first reading of the attached ordinance;

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

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

SECTION 1: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from C-2 (General Retail) to R-1 (Single-family) Zoning described as follows:

All that part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 37 North, Range 8 West of the 5th P.M. described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence North 00°06'50" East, 25.00 feet to the Northerly right of way of West Little Oaks Road; thence South 89°21'29" West, 208.60 feet along said Northerly right of way to the point of beginning; thence continue South 89°21'29" West, 15.00 feet; thence North 00°06'50" East, 208.60 feet; thence North 89°21'29" East, 15.00 feet; thence South 00°06'50" West, 208.60 feet to the point of beginning. Contains 0.07 acres per Survey No. L-865 by Lortz Surveying, LLC

And a fractional part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 37 North, Range 8 West, more particularly described as follows: Beginning at a point 25 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of Sec. 23, Township 37 North, Range 8 West, thence North 208.6 feet; thence West 208.6 feet; thence South 208.6 feet; thence East 208.6 feet to the place of beginning; Less and except the east 80 feet thereof.

SECTION 2: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from C-2 (General Retail) to RMH (Residential Manufactured Home) Zoning described as follows:

All that part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 37 North, Range 8 West of the 5th P.M. described as follows:

The East 80 feet of the following:

A fractional part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 37 North, Range 8 West, more particularly described as follows: Beginning at a point 25 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of Sec. 23, Township 37 North, Range 8 West, thence North 208.6 feet; thence West 208.6 feet; thence South 208.6 feet; thence East 208.6 feet to the place of beginning.

SECTION 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 1ST DAY OF NOVEMBER, 2021.

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

T.B.8



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing/First Reading
Second Reading requested

SUBJECT: Map Amendment (rezoning): 1879 Longview Ln from the R-R, Rural Residential district to the R-1, Single-family district
(ZON21-07)

MEETING DATE: October 18, 2021

Application and Notice:

Applicant/Owner - Bryan and Cindy Parker

Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property;
<https://www.rollacity.org/agenda.shtml>

Background: The applicant is seeking to rezone the property to allow for a proposed minor subdivision to reorganize the platted lots. The applicant has submitted the subdivision. One of the lots was found to not meet the minimum lot size for the R-R district. Rezoning the property to the R-1 district would allow for the minor subdivision to be approved. A single-family house is already located on the property. The subdivision would create a lot that would allow for an additional single-family house.

Property Details:

Current zoning - R-R, Rural Residential district to the R-1, Single-family district

Current use - Residential

Proposed use - Residential

Land area - About 1.8 acres (about 77,000 sq. ft.)

Public Facilities/Improvements:

Streets - The subject property has frontage on Longview Ln, a local street; and frontage on Hwy 72, a primary arterial road. One lot will have direct access from Hwy 72 via an existing access point, with approval from MoDOT.

Sidewalks - No sidewalks are located adjacent to the property. There are no sidewalks in the vicinity. The ordinance does allow for the sidewalk to be waived when the property is developed.

Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Low Density Residential uses.

Discussion: The proposed zoning would match the zoning of all other developed lots in the vicinity. The R-1 zoning is appropriate for platted lots with access to all utilities. The applicant has submitted a minor subdivision to reorganize the property as well.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on October 12, 2021 and voted 4-0 to recommend the City Council approve the request.

Prepared by: Tom Coots, City Planner

Attachments: Ordinance; Public Notice Letter, Letter requesting First and Final Reading



Project Information:

Case No: ZON21-07
Location: 1879 Longview Lane
Applicant: Brian and Cindy Parker
Request:
Rezoning from the R-R, Rural Residential
district to the R-1, Single-Family district



Public Hearings:

Planning and Zoning
Commission
October 12, 2021
5:30 PM
City Hall: 1st Floor

City Council
October 18, 2021
6:30 PM
City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
tcoots@rollacity.org

(573) 426-6974
901 North Elm Street
City Hall: 2nd Floor
8:00 – 5:00 P.M.
Monday - Friday

I.C.3

FREQUENTLY ASKED QUESTIONS



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

What is a Rezoning (Map Amendment)?

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

What is Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.

LEGAL DESCRIPTION

Lots 17 and 18, Longview Subdivision, Rolla, Phelps County, Missouri

To be replatted as Lots 1 and 2, Parker Addition, Rolla, Phelps County, Missouri



I.C.4

PUBLIC NOTICE

October 12, 2021

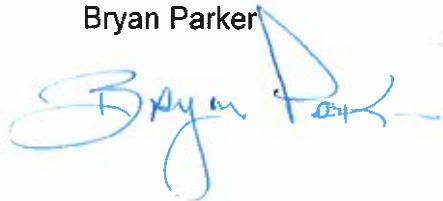
Mayor Magdits & Rolla City Council
City of Rolla
PO Box 979
Rolla, MO 65402

Dear Mayor Magdits & City Council Members,

Thank you for time and consideration of our request for approval of the rezoning and minor subdivision for my lands located off Long View Lane. If there are no objects or further details/additions which need to be addressed as a part of the City's approval process, I would like to respectfully request a First and Final Reading of both the Ordinance to approve the rezoning and the ordinance to approve the subdivision plat of PARKER ADDITION at the next Council Meeting on Monday, October 28.

Sincerely,

Bryan Parker



I.C.5

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE RE-ZONING OF 1879 LONGVIEW LN FROM THE R-R, RURAL RESIDENTIAL DISTRICT TO THE R-1, SINGLE-FAMILY DISTRICT

(ZON21-07)

WHEREAS, an application for a rezoning was duly filed with the Community Development Department requesting the property described above be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri, so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published in the Phelps County Focus for this according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on October 12, 2021 and recommended the City Council approve the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its October 18, 2021 meeting, conducted a public hearing concerning the proposed rezoning to hear the first reading of the attached ordinance;

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

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

SECTION 1: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from R-R (Rural Residential) to R-1 (Single-family) Zoning described as follows:

Lots 17 and 18, Longview Subdivision, Rolla, Phelps County, Missouri
To be replatted as Lots 1 and 2, Parker Addition, Rolla, Phelps County, Missouri

SECTION 2: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 18th DAY OF OCTOBER, 2021.

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

I.C.7



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing/First Reading

SUBJECT: Map Amendment (rezoning): Vacant property on Old Hwy 66 west of Hy Point Industrial Park Dr from M-2, Heavy Manufacturing to the C-3, Highway Commercial district
(ZON21-08)

MEETING DATE: October 18, 2021

Application and Notice:

Applicant/Owner - Matt Williams of RCDC, Rolla Community Development Corporation
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property;
<https://www.rollacity.org/agenda.shtml>

Background: The subject property is owned by the Rolla Community Development Corporation. RCDC owns the undeveloped properties in the Hy Point Industrial park and works to attract new industrial and commercial businesses to the park. RCDC has an interested buyer, but the buyers proposed use would require that the property be rezoned. The property is adjacent to the QuikTrip property, which was also sold by RCDC and rezoned from M-2 to C-3 to allow for a more commercial use.

Property Details:

Current zoning - M-2, Heavy Manufacturing to the C-3, Highway Commercial district
Current use - Vacant/undeveloped
Proposed use - Commercial
Land area - About 8 acres

Public Facilities/Improvements:

Current zoning - M-2, Heavy Manufacturing to the C-3, Highway Commercial district
Current use - Vacant/undeveloped
Proposed use - Commercial
Land area - About 8 acres

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Industrial uses.

Discussion: The subject property is adjacent to other C-3 zoned property and has visibility from I-44. The actual development of the property may be subject to review by MoDOT for access, traffic study, and the potential need for roadway improvements. The Hy Point Industrial Park Drive and I-44 interchange is already nearing maximum capacity. The property is also adjacent to a RMU community well, which serves the industrial park area and is connected to the system serving the city proper. The state does regulate activities which could impact the water supply.

Although the property is located in the industrial park, the property has been available for sale for many years. The visibility to I-44 does allow for many commercial uses to be viable in addition to the industrial uses.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on October 12, 2021 and voted 4-0 to recommend the City Council approve the request.

Prepared by: Tom Coots, City Planner

Attachments: Ordinance; Letter of Request, Public Notice Letter



Project Information:

Case No: ZON21-08
 Location: Old Hwy 66 west of HyPoint Industrial Park Drive
 Applicant: Rolla Community Development Corporation (RCDC)

Request:

Rezoning from the M-2, Heavy Manufacturing district to C-3, Highway Commercial district



Public Hearings:

Planning and Zoning Commission
October 12, 2021
5:30 PM
 City Hall: 1st Floor

City Council
October 18, 2021
6:30 PM
 City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
tcoots@rollacity.org
 (573) 426-6974
 901 North Elm Street
 City Hall: 2nd Floor
 8:00 – 5:00 P.M.
 Monday - Friday

F.O.3

FREQUENTLY ASKED QUESTIONS



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

What is a Rezoning (Map Amendment)?

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

What is Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.

LEGAL DESCRIPTION

A fractional part of Lot B of QUICKTRIP #7067 ADDITION, Rolla, Missouri more particularly described as follows:

Beginning at the Southwest Corner of Lot B of said QUICKTRIP #7067 ADDITION; thence North 0°15'00" West, 431.57 feet, and, South 88°45'40" East, 203.59 feet, and, North 0°11'20" East, 199.98 feet, and, North 88°43'40" West, 202.32 feet, and, North 0°04'00" West, 83.71 feet, and, North 0°14'20" East, 11.29 feet, and, North 0°17'10" West, 249.78 feet, all along the westerly line of said Lot B; thence South 88°30'20" East, 96.80 feet; thence South 89°38'40" East, 186.86 feet; thence South 87°11'30" East, 56.46 feet to the West right of way of Enterprise Drive; thence South 0°22'50" East, 250.58 feet along said West right of way; thence South 88°46'40" East, 69.88 feet along the end of said Enterprise Drive to the easterly line of the aforesaid Lot B of QUICKTRIP #7067 ADDITION; thence South 0°19'20" East, 38.46 feet, and, South 40°50'00" East, 266.75 feet, all along said easterly line to the northwesterly right of way of U.S. Interstate 44; thence South 31°13'00" West, 168.73 feet, and, South 45°49'00" West, 310.34 feet, and, South 67°20'10" West, 141.36 feet, and, South 66°35'50" West, 157.45 feet, all along said northwesterly right of way to the point of beginning. Above described tract contains 7.82 acres, more or less, per plat of survey J-3999, dated September 10, 2021, by CM Archer Group, P.C.



I.D.4

PUBLIC NOTICE

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE RE-ZONING OF A VACANT PROPERTY LOCATED ON OLD HWY 66 (I-44 OUTER ROAD) FROM THE M-2, HEAVY MANUFACTURING DISTRICT TO THE C-3, HIGHWAY COMMERCIAL DISTRICT (ZON21-08)

WHEREAS, an application for a rezoning was duly filed with the Community Development Department requesting the property described above be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri, so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published in the Phelps County Focus for this according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on October 12, 2021 and recommended the City Council approve the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its October 18, 2021 meeting, conducted a public hearing concerning the proposed rezoning to hear the first reading of the attached ordinance;

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

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

SECTION 1: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from M-2 (Heavy Manufacturing) to C-3 (Highway Commercial) Zoning described as follows:

A fractional part of Lot B of QUICKTRIP #7067 ADDITION, Rolla, Missouri more particularly described as follows:

Beginning at the Southwest Corner of Lot B of said QUICKTRIP #7067 ADDITION; thence North 0°15'00" West, 431.57 feet, and, South 88°45'40" East, 203.59 feet, and, North 0°11'20" East, 199.98 feet, and, North 88°43'40" West, 202.32 feet, and, North 0°04'00" West, 83.71 feet, and, North 0°14'20" East, 11.29 feet, and, North 0°17'10" West, 249.78 feet, all along the westerly line of said Lot B; thence South 88°30'20" East, 96.80 feet; thence South 89°38'40" East, 186.86 feet; thence South 87°11'30" East, 56.46 feet to the West right of way of Enterprise Drive; thence South 0°22'50" East, 250.58 feet

T.O.S

along said West right of way; thence South 88°46'40" East, 69.88 feet along the end of said Enterprise Drive to the easterly line of the aforesaid Lot B of QUICKTRIP #7067 ADDITION; thence South 0°19'20" East, 38.46 feet, and, South 40°50'00" East, 266.75 feet, all along said easterly line to the northwesterly right of way of U.S. Interstate 44; thence South 31°13'00" West, 168.73 feet, and, South 45°49'00" West, 310.34 feet, and, South 67°20'10" West, 141.36 feet, and, South 66°35'50" West, 157.45 feet, all along said northwesterly right of way to the point of beginning. Above described tract contains 7.82 acres, more or less, per plat of survey J-3999, dated September 10, 2021, by CM Archer Group, P.C.

SECTION 2: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 1st DAY OF NOVEMBER, 2021.

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

I.D.4

October 7, 2021

City of Rolla

Attn: Tom Coots

PO Box 979

Rolla, MO 65401

RE: Zoning Change Request Enterprise Dr. Lot B

Dear Mr. Coots,

In a follow up from our application to rezone the property owned by the Rolla Community Development Corporation located at Enterprise Drive Lot B off of Hwy V in the Rolla Industrial Park, please be advised we are under contract to sell this parcel. Recall the current zoning is M1.

The buyer of this plot of land desires to open a new convenience store, restaurant and potentially a truck wash. Therefore, RCDC requests the downzoning of this parcel of land from M1 to C3.

Sincerely,

DocuSigned by:



Matthew Z Williams

President of the Rolla Community Development Corporation

I.O.7



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing/First Reading

SUBJECT: Map Amendment (rezoning): 900 Meriweather Ct from the R-1, Single-family district to the GI, Government and Institutional district.

(ZON21-09)

MEETING DATE: October 18, 2021

Application and Notice:

Applicant/Owner - Conway Hawn of the Ozark Rivers Chapter of the National Audubon Society
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property;
<https://www.rollacity.org/agenda.shtml>

Background: The Ozark Rivers Chapter of the National Audubon Society has operated the subject property for many years. The property is used for wildlife refuge, recreational trails, and education. The group operates as a non-profit and allows the general public to freely access the property. The property is very similar to a public park, but is privately owned and maintained.

The applicant has proposed to construct a pavilion on the property to serve as an outdoor classroom, to host events, and for shelter from the elements. However, with the property being zoned R-1, Single-family, the building permit could not be approved for the pavilion, as the R-1 district does not permit any use similar to how the applicant uses the property. Rezoning to the GI, Government and Institutional district will allow for the pavilion to be permitted and will allow for the property to continue to be used as it has been used.

The area proposed to be rezoned does not include the platted lots in the Sylvan Hills subdivision and a non-contiguous property also owned by the organization. This will allow the organization the flexibility to sell those properties in the future, if desired. A portion of the property is already zoned GI. This property was deeded to the current owner from the city.

Property Details:

Current zoning - R-1, Single-family district to the GI, Government and Institutional district
Current use - Recreational
Proposed use - Recreational
Land area - About 57 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on White Columns Dr, a collector street; and is accessed via Meriwether Ct, a local street.
Sidewalks - No sidewalks are located adjacent to the property. There are no sidewalks in the vicinity. The ordinance does allow for the sidewalk to be waived when the property is developed.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Semi-public/Church uses.

Discussion: The property is used very similar to a public park. Although the GI district is most commonly utilized for properties which are owned by the city, or the university, Phelps County, or any other level of government, the zoning code also states that the GI zoning is appropriate for "recreational facilities". GI zoning will help to allow the property owner to provide all forms of public and semi-public uses. The zoning will also prevent private development if the property is sold, unless the property is rezoned again at that time.

Planning and Zoning Commission Recommendation:

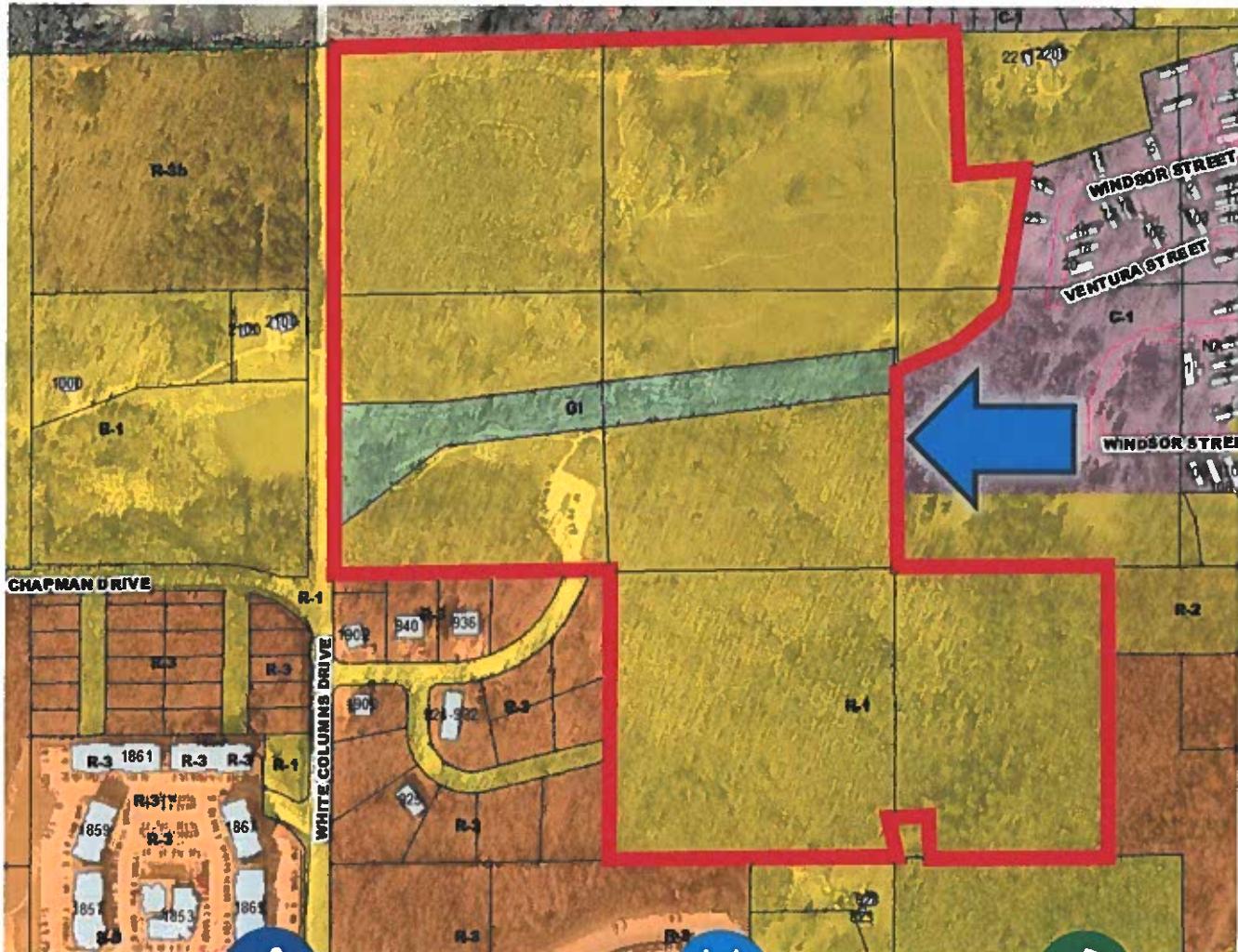
The Rolla Planning and Zoning Commission conducted a public hearing on October 12, 2021 and voted 4-0 to recommend the City Council approve the request.

Prepared by: Tom Coots, City Planner

Attachments: Ordinance; Letter of Request, Public Notice Letter



PUBLIC NOTICE



Project Information:

Case No: ZON21-09
Location: 900 Merriweather Ct
Applicant: Ozark Rivers Chapter of the National Audubon Society
Request:
Rezoning from the R-1, Single-Family district to the GI, Government and Institutional district



Public Hearings:

Planning and Zoning Commission
October 12, 2021
5:30 PM
City Hall: 1st Floor

City Council
October 18, 2021
6:30 PM
City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
tcoots@rollacity.org

(573) 426-6974
901 North Elm Street
City Hall: 2nd Floor
8:00 – 5:00 P.M.
Monday - Friday

I.E.3

FREQUENTLY ASKED QUESTIONS



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

What is a Rezoning (Map Amendment)?

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

What is Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.

LEGAL DESCRIPTION

All in the N1/2 of Sec. 2, Twp 37 N., Rng. 8 W., Phelps County, Missouri, more particularly described as follows:

All of Lots 6, 7, 10, 11, and 20 in the Railroad Addition to the City of Rolla, Missouri, and;

A portion of Lots 5 and 12, Railroad Addition to the City of Rolla, described as beginning at the Southeast Corner of said Lot 11; thence North 0°4' East, 461.18 feet to a point; thence North 74°06' East, 143.04 feet to a point; thence North 49°13' East, 162.60 feet to a point; thence North 4°44' East, 297.98 feet to a point; thence South 88°45' West, 149.06 feet to a point; thence North 1°15' West, 334.34 feet to a point; thence South 88°45' West, 129.79 feet to the Northeast Corner of said Lot 6, thence to the point of beginning, and;

All of Lot 19, Railroad Addition to the city of Rolla, except that part platted as Kids Garden No 2 and Jordans Pass No 2, and also except that part conveyed to Fidelity Cablevision Inc. of record in Book 1992, Page 1258 being described as a property beginning at the Southwest Corner of Lot 19 in the Railroad Addition to the City of Rolla, Missouri; thence North 0°08' West, 85.0 feet to a point; thence North 89°19'41" East, 80.0 feet to a point; thence South 0°08' West, 85.0 feet to a point; thence to the point of beginning, and;

Except that part conveyed to the City of Rolla, Missouri via Warranty Deed dated June 24, 1983, filed June 30, 1983 of record in Book 323 at page 241.

I.E.4

PUBLIC NOTICE



ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE RE-ZONING OF 900 MERIWETHER CT FROM THE R-1, SINGLE-FAMILY DISTRICT TO THE GI, GOVERNMENT AND INSTITUTIONAL DISTRICT

(ZON21-09)

WHEREAS, an application for a rezoning was duly filed with the Community Development Department requesting the property described above be rezoned according to the Basic Zoning Ordinance of the City of Rolla, Missouri, so as to change the class of the real property hereinafter described; and

WHEREAS, a public notice was duly published in the Phelps County Focus for this according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, Rolla, Missouri; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on October 12, 2021 and recommended the City Council approve the rezoning of the subject property; and

WHEREAS, the Rolla City Council, during its October 18, 2021 meeting, conducted a public hearing concerning the proposed rezoning to hear the first reading of the attached ordinance;

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

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

SECTION 1: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri which zoning ordinances adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan is hereby amended by changing the zoning classification of the following property situated within the City of Rolla, Missouri, from R-1 (Single-family) to GI (Government and Institutional) Zoning described as follows:

All in the N1/2 of Sec. 2, Twp 37 N., Rng. 8 W., Phelps County, Missouri, more particularly described as follows:

All of Lots 6, 7, 10, 11, and 20 in the Railroad Addition to the City of Rolla, Missouri, and; A portion of Lots 5 and 12, Railroad Addition to the City of Rolla, described as beginning at the Southeast Corner of said Lot 11; thence North 0°4' East, 461.18 feet to a point; thence North 74°06' East, 143.04 feet to a point; thence North 49°13' East, 162.60 feet to a point; thence North 4°44' East, 297.98 feet to a point; thence South 88°45' West, 149.06 feet to a point; thence North 1°15' West, 334.34 feet to a point; thence South 88°45' West, 129.79 feet to the Northeast Corner of said Lot 6, thence to the point of beginning, and;

I.E.S

All of Lot 19, Railroad Addition to the city of Rolla, except that part platted as Kids Garden No 2 and Jordans Pass No 2, and also except that part conveyed to Fidelity Cablevision Inc. of record in Book 1992, Page 1258 being described as a property beginning at the Southwest Corner of Lot 19 in the Railroad Addition to the City of Rolla, Missouri; thence North 0°08' West, 85.0 feet to a point; thence North 89°19'41" East, 80.0 feet to a point; thence South 0°08' West, 85.0 feet to a point; thence to the point of beginning, and; Except that part conveyed to the City of Rolla, Missouri via Warranty Deed dated June 24, 1983, filed June 30, 1983 of record in Book 323 at page 241.

SECTION 2: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 1st DAY OF NOVEMBER, 2021.

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

I.E.6



Ozark Rivers Audubon Chapter and Nature Center
Post Office Box 429 • Rolla, MO 65402
www.OzarkRiversAudubon.org

September 10, 2021

Tom Coots, AICP
City Planner
City of Rolla
Community Development Department
901 North Elm Street
Rolla, MO 65401

Dear Tom,

Enclosed is a Land Use Application requesting rezoning of property located on Merriweather Court and owned by The Ozark Rivers Chapter of the National Audubon Society, a nonprofit organization.

The mission of the Ozark Rivers Chapter is to conserve and restore the Ozarks ecosystem by focusing on birds while emphasizing habitat preservation and restoration through education, conservation, art, public awareness, and advocacy for the benefit of all.

The Chapter leased this land in 2002 for use as a Nature Center open to the public. The Chapter purchased the land in 2013. Long term improvement plans include a nature/education center, a meeting hall, restrooms, storage facility and an outdoor education classroom. We are currently planning to build the outdoor education classroom/pavilion. Upon submitting a permit request, we were advised that the planned location is Zoned R-1. Since we plan to do more improvements, we are requesting that the entire property be rezoned to G-1 as suggested by the City Community Development Department.

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

Conway Hawn, President
Ozark Rivers Chapter of the
National Audubon Society
conway@hawnlawoffice.com
417 260-4849

Nancy Jeffers, Treasurer
Ozark Rivers Chapter of the
National Audubon Society
rollanancy@gmail.com
573 466-2048

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Public Hearing/ Ordinance 1st Reading

ITEM/SUBJECT: Ward Redistricting 2020 Census

BUDGET APPROPRIATION N/A DATE: 10/18/2021

COMMENTARY:

After each Census we are required to evaluate our ward boundaries and adjust them in order to keep the population of each ward as equal as possible. When it comes to drawing the actual ward boundary lines, the deviation can be up to 10 percent.

Even though the underlying principal is one-person one-vote, ward boundaries are to be established by population, not voters. Other criteria includes compact districts of contiguous territory, retention of neighborhood boundaries, retention of precinct boundaries, retention of other community interests, desire to retain historic boundaries and consideration of incumbency.

I have attached a Missouri Municipal League article which gives an overview of redistricting in Missouri after the 2020 Census. Also attached is our proposed changes to the City of Rolla Ward Map.

The population in Rolla increased from 19,559 to 19,943. Notable changes affecting the distribution of population were; property acquisitions in Ward 5 for the 72 Extension, the closing of Huffman Trailer Park in Ward 3 and an increase of housing units in Ward 6, Ward 4 and Ward 2. Ward 1 remained unchanged.

Staff recommends the first reading of the Ordinance.

ITEM NO. I. F. 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING EXISTING ROLLA CITY CODE SECTION 9-1, PROVIDING FOR REAPPORTIONMENT OF POPULATION OF SAID CITY AND DIVISION OF SAID CITY INTO WARDS AND DESCRIBING THE BOUNDARIES OF SAID WARDS.

WHEREAS, there now exists in the City of Rolla, Missouri, a malapportionment of population in the division of said City into wards; and

WHEREAS, said malapportionment has the effect of diluting the weight of votes in districts having larger populations, impairing the basic constitutional rights under the Fourteenth Amendment of the Constitution of the United States of America; and,

WHEREAS, the Council does desire to conform to constitutional standards by dividing the City of Rolla into wards in such manner as to apportion inhabitants among wards as equally as possible, and by observing the requirement that wards newly created be composed of contiguous territory as compact as possible;

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

Section 1: Section 9-1(a) is hereby repealed and a new section 9-1(a) enacted as follows:

(a) The City is hereby divided into six wards, named and bounded as follows:

WARD NUMBER ONE: Beginning at the centerline intersection of Missouri Highway 72 and Rolla Street; thence, North along the centerline of Rolla Street to the centerline of 12th Street; thence, East along the centerline of 12th Street to the centerline of Pine Street; thence, North along the centerline of Pine Street to the centerline of Bishop Avenue; thence, Northeast along the centerline of Bishop Avenue to the centerline of Walnut Street; thence, South along the centerline of Walnut Street to the centerline of 18th Street; thence, East along the centerline of 18th Street to the centerline of Farrar Drive; thence, South along the centerline of Farrar Drive to the centerline of 14th Street; thence, West along the centerline of 14th Street to the centerline of Holloway Street; thence, South along the centerline of Holloway Street to the centerline of Salem Avenue; thence, Southeast along the centerline of Salem Avenue to the centerline of Summit Avenue; thence, South along the centerline of Summit Avenue to the centerline of Missouri Highway 72; thence, Northwest along the centerline of Missouri Highway 72 to the centerline of Rolla Street being the Point of Beginning.

WARD NUMBER TWO: Beginning at a point located on the Rolla City Limits and its intersection with the centerline of 10th; thence, West along the centerline of 10th Street to the centerline of Holloway Street; thence, North along the centerline of Holloway Street to the centerline of 14th Street; thence, East along the centerline of 14th Street to the centerline of Farrar Drive; thence, North along the centerline of Farrar Drive to the centerline of 18th Street; thence, West along the centerline of 18th Street to the centerline of Old St. James Road; thence, North along the centerline of Old St. James Road and extending to the South

and West line of the extension of the Rolla City Limits; thence, East along the South line of the Rolla City Limits and following the North Right-of-Way line of Old St. James Road 1,310 feet, more or less; thence, North along the East line of the Rolla City Limits to a point being the extended Northwest line of Lot 1, Frontier Subdivision and continuing in a Northerly direction to the North Right-of-Way line of I-44, to encompass the South and West boundaries of Ward 2.

WARD NUMBER THREE: Beginning at a point located on the Rolla City Limits and also being the Southernmost point of Huffman East No 2 Subdivision; thence, southwesterly perpendicular to the centerline of Missouri Highway 72; thence, Westerly along the centerline of Missouri Highway 72 to the centerline of Summit Avenue; thence, Northerly along the centerline of Summit Avenue to the centerline of Salem Avenue; thence, Northwesterly along the centerline of Salem Avenue to the centerline of Holloway Street; thence, Northerly along the centerline of Holloway Street to the centerline of 10th Street; thence, East along the centerline of 10th Street to its intersection with the Eastern Rolla City Limits.

WARD NUMBER FOUR: Beginning at a point located on the Rolla City Limits and also being the Southernmost point of Huffman East No 2 Subdivision; thence, southwesterly perpendicular to the centerline of Missouri Highway 72; thence, Westerly along the centerline of Missouri Highway 72 to the centerline of Rolla Street; thence, Southerly along the centerline of Rolla Street to its intersection of the Southern Rolla City Limits.

WARD NUMBER FIVE: Beginning at the intersection of the centerline of Interstate 44 and the West line of Section 9, Township 37 North, Range 8 West; thence, following the centerline of Interstate 44 to the centerline intersection of Interstate 44 and University Drive; thence, Easterly along said centerline of University Drive to the centerline intersection of University Drive and Bishop Avenue; thence, Northeasterly along the centerline of Bishop Avenue to the centerline intersection of Bishop Avenue and Pine Street; thence, Southerly along the centerline of Pine Street to the centerline intersection of Pine Street and 12th Street; thence, Westerly along the centerline of 12th street to the centerline intersection of 12th Street and Rolla Street; thence, South along the centerline of Rolla Street to the South side of Little Oaks Road, also being the Rolla City Limits, to encompass the Easterly and Northern boundary of Ward No. 5.

WARD NUMBER SIX : Beginning at the intersection of the centerline of Interstate 44 and the West line of Section 9, Township 37 North, Range 8 West; thence, following the centerline of Interstate 44 to the centerline intersection of Interstate 44 and University Drive; thence, Easterly along said centerline of University Drive to the centerline intersection of University Drive and Bishop Avenue; thence, North along the centerline of Bishop Avenue to the centerline of Walnut Street; thence, South along the centerline of Walnut Street to the centerline of 18th Street; thence, East along the centerline of 18th Street to the centerline of Old St. James Road; thence, North along the centerline of Old St. James Road and extending to the South and West line of the Rolla City Limits; thence, North along the West line of the Rolla City Limits, also being the West line of the Railroad Right-of-Way to a point being

the extended Northwest line of Lot 1, Frontier Subdivision, and continuing in a Northerly direction to the North Right-of-Way line of I-44, to encompass the Southern boundary of Ward 6.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 1ST DAY OF NOVEMBER 2021.

APPROVED:

ATTEST:

MAYOR

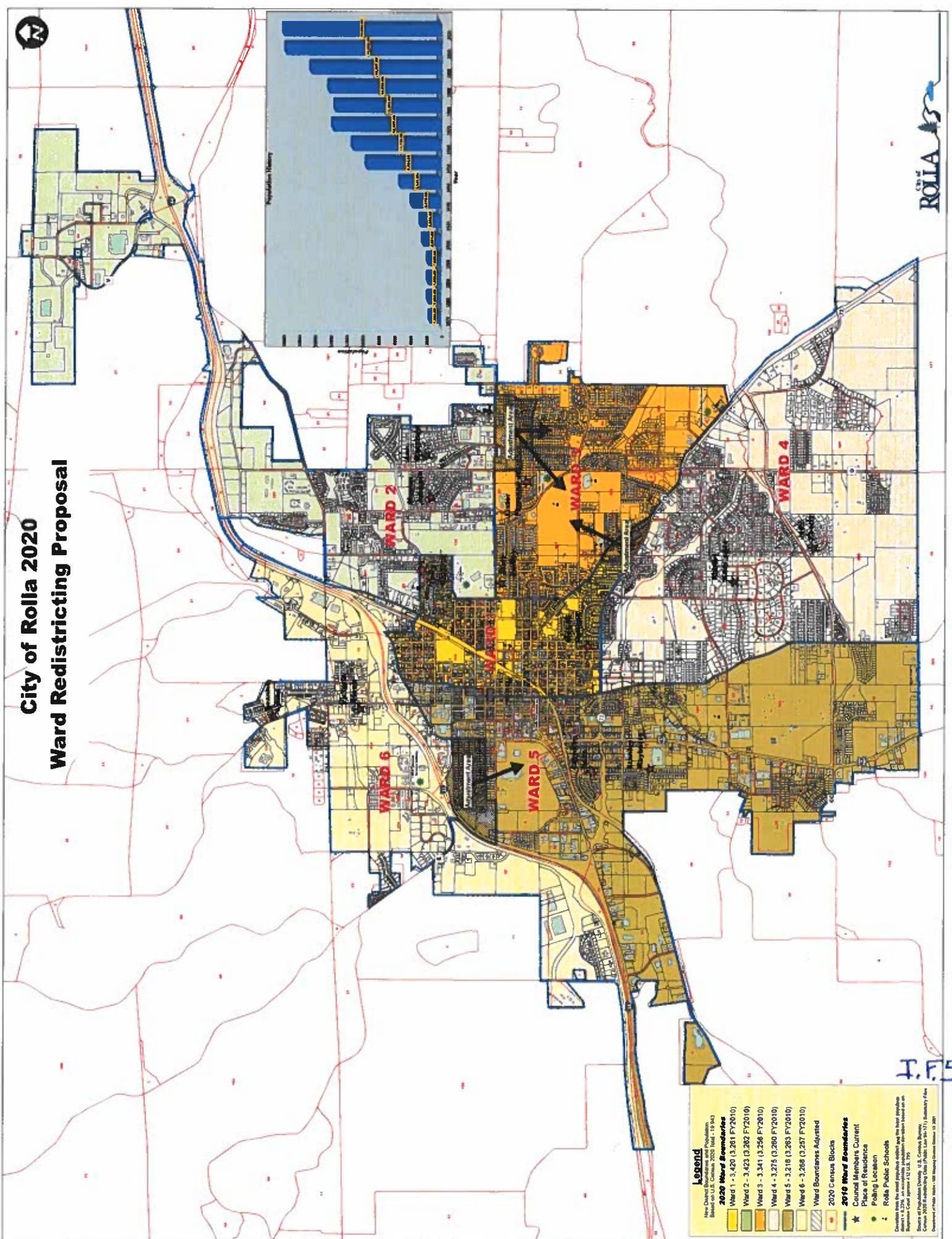
CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

F.F.4

City of Rolla 2020 Ward Redistricting Proposal



FEATURE Review

by Kevin O'Keefe and Katherine Henry

Redistricting In 2021: A Brief Overview For Local Government Officials



In 2021, most Missouri cities will face the challenge of redistricting the wards or districts from which members of their governing bodies are elected. The act of redistricting consists of drawing lines on a map of the city to define the geography and population from which local legislators are elected.

This issue arises every 10 years because the U.S. Census is conducted every 10 years, and is the source of the population data upon which the constitutionality of existing districts is measured and upon which the legality of new districts is assessed. Redistricting is a process fraught with political volatility and entails some measure of legal risk for every government.¹

Delayed Data

In 2021, the redistricting process will be especially challenging because the Census Bureau announced on Feb. 12, 2021, that the census results they normally report on or before April 1 will not be available until Sept. 30, 2021.

This allows very little time for cities to compile the relevant population and geographic data; assess whether existing districts need to be revised in order to meet constitutional standards; consider options for new district boundaries; enact legislation to adopt new boundaries; work with the applicable election authority to implement new jurisdictional lines for

election administration; and orient the public as to where the new lines are. It impacts the time for people to make a decision about whether to run for an office, especially when candidate filing begins in mid-December.

One Person, One Vote

The necessity for redistricting legislative districts arises from long-standing federal constitutional and statutory obligations generally encompassed by the rubric "One Person, One Vote." When new census data shows disparity in the populations of districts, the evidence needed to successfully sue the city for a civil rights violation is

I.F.6

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report to the governing body that retains discretion to modify and finally adopt new boundaries (e.g., City of Hazelwood Charter, Art. I, Sec. 4).

In general, in third- and fourth-class cities and charter cities where no process is specified, there would not appear to be any prohibition against the governing body appointing an advisory body to study options and recommend new boundaries. There is also not a bar to having a public engagement process whereby the governing body and/or an advisory group solicit public input on redistricting issues and help identify (and document in the event of future litigation) issues bearing on communities of interest, minority voter impact, natural dividing lines (highways, rail lines, topography, creeks, etc.), and community circumstances that may have a legitimate role in deciding exactly where a line should be drawn.

laid out on a platter just waiting for any aggrieved voter and hungry attorney to come along (and recover attorney fees in the process). Problematic data cannot be ignored, swept under the rug or wished away.

More than 50 years ago, the U.S. Supreme Court made it clear in *Reynolds v. Sims*, 377 U.S. 533 (1964) that the Equal Protection Clause of the Fourteenth Amendment to the U. S. Constitution requires that legislative districts within a jurisdiction be comprised of substantially equal population. And, Section 2 the federal Voting Rights Act of 1965, as amended in 1982, also prohibits any electoral practice that results in abridgment of the right to vote based on race or color.

These constitutional and statutory requirements are as applicable to municipal electoral districts as they are to state and federal legislative and congressional districts. If census data establishes that municipal electoral districts do not have substantially equal population, the Constitution requires district boundaries to be redrawn so that the disparity is erased. Additionally, if racial or ethnic groups are discriminated against by reason of an electoral practice (e.g., district boundaries) that results in less opportunity to participate in the political process and to elect

representatives of their choice, the Voting Rights Act mandates redrawing the boundaries to eliminate such a discriminatory result.

Redistricting Process

Missouri statutes specify that ward boundaries in third-class cities (Sec. 77.030 RSMo) and fourth-class cities (Sec. 79.060 RSMo) "shall" be established "by ordinance." There is nothing in state law specifying any other body or entity with authority to establish ward lines. Accordingly, it falls to the city council or board of aldermen to adopt a redistricting plan in third- and fourth-class cities.

Sec. 82.110 RSMo applies to charter cities in Missouri and specifies that ward redistricting "may be done by ordinance." This leaves open the possibility for home rule charter cities to establish a separate redistricting body or committee to assist or to actually carry out redistricting of city wards or districts under the broad grant of charter authority under Missouri Constitution Art VI, Section 19(a). Some Missouri home rule charters have provisions to establish a separate redistricting body with final authority to determine district lines (e.g., St. Louis County Charter, Sec. 2.035), while others provide for an advisory group to

Redistricting Criteria

Of course, it goes without saying that the overriding and constant consideration in drawing new district lines is equality of population. A basic principle universally referenced in case law is that legislative districts should be "compact" and "contiguous" and avoid the "legislative evil commonly known as the 'gerrymander.'" *Preisler v. Doherty*, 284 S.W.2d 427, 435 (Mo. banc 1955).

A city can help avoid a challenge to its districts by using standard redistricting criteria, although standard redistricting criteria does not guarantee a lawful map. Standard criterion includes (1) population equality; (2) compact districts of contiguous territory; (3) retention of existing neighborhood boundaries; (4) retention of precinct boundaries; (5) cohesion of other existing communities of interests; (6) desire to retain historic boundaries; and (7) consideration of incumbency.

How Equal Is Substantially Equal?

As stated above, local districts, wards or zones must have substantial equality of population among the various districts. When applying this standard to state and local districts, courts have generally acknowledged a concept that,

I.F.7

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while numeric equality is the goal, consideration of the kinds of criteria listed above, if supported by facts in the record, can allow a "*de minimis*" total deviation of not more than 10% between the largest and smallest districts. The formula courts have almost universally and exclusively adopted in determining an "acceptable" population deviation from the ideal is based on a Supreme Court opinion in *White v. Regester*, 412 U.S. 755 (1973) that can be described as follows:

The combined percentage of deviation of the most populous district and the percentage of deviation of the least populous district from the ideal district population may not exceed 10% and all other district populations must fall within that narrow range.

For example, assume a city has 20,000 residents and four wards. Ideally, each district would have 5,000 residents. ($20,000 \text{ people} \div 4 \text{ wards} = 5,000 \text{ people per ward}$). Now assume the city's four wards have the following population: Ward 1 – 4,875; Ward 2 – 4,600; Ward

3 – 5,275; Ward 4 – 5,250. The deviation for each ward is a comparison to the perfect district; in this example that is 5,000 people. The formula is $(\text{population of largest district} - \text{ideal population}) \div \text{ideal population} + (\text{population of ideal district} - \text{population of smallest district}) \div \text{ideal population} = \text{total deviation}$.

In this example, Ward 3 has the largest population (5,275) and exceeds the ideal population by 275 ($5,275 - 5,000$) that is a deviation 5.5% ($275 \div 5,000$). Ward 2 has the smallest population (4,600) and falls short of the ideal population by 400 ($5,000 - 4,600$) that is a deviation of 8% ($400 \div 5,000$).

The plan for these four wards then has a total deviation of 13.5% ($5.5\% + 8\%$) and lies outside the range that satisfies the one person, one vote "substantially equal" standard.

Note that the goal of redistricting is *equality* and setting out to draw a map with a 10% deviation is a dangerous approach. Without a proper justification, using a 10% deviation as the goal of

redistricting shortchanges the residents and risks a legal challenge by an affected protected group. The better approach is to use traditional redistricting criteria then determine the deviation to ensure equality.

Who Counts?

It is important to remember that members of a city council or board of aldermen represent people, not voters. Who is counted includes all persons living in an area on Census Day, April 1.

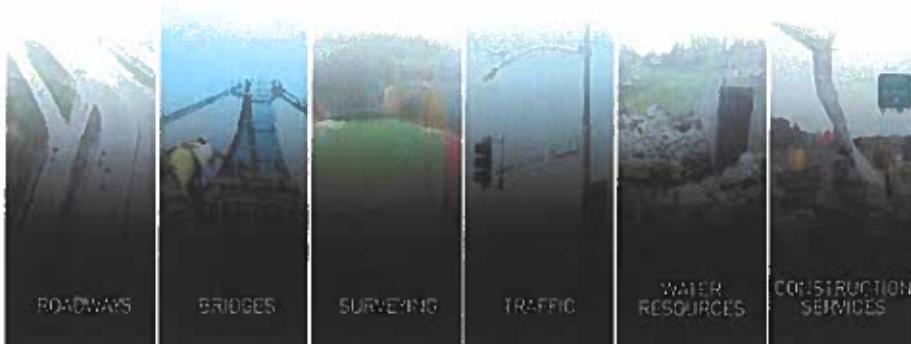
- Homeless people are counted where they sleep.
- Persons in the United States without proper immigration status are included in the count.
- Children are included.
- Persons prohibited from voting are counted.
- Incarcerated persons are counted as population of the location where they are incarcerated. (Some states have changed

I.F. 8

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their procedures for allocating incarcerated persons for legislative and congressional redistricting purposes, but Missouri has not.)

- Students residing in an area to attend school, whether on campus or nearby, are counted where they live on April 1, not where their family home might be.

Ultimately, the Census counts all people, not just eligible voters. Even if there is a large difference between voting age people in districts that are substantially equal in total population, a city can safely act on the basis of census data total population figures. Efforts to cherry-pick what census data to use and efforts to use non-census data in lieu of reported census figures, are fraught with risk and it is likely that plans based on such alternative data will be challenged in court and thrown out by a judge.

Voting Rights Act Of 1965

The Voting Rights Act of 1965 must be considered when drawing wards, districts or zones. The Act invalidates any "voting qualification or prerequisite to voting or standing, practice or procedure" that results in a denial or abridgement of the right to vote because of race or color, or because a person is a member of a language minority. The protections guaranteed by the Act are directly implicated by redistricting.

A violation is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the political subdivision are not equally open to participation by members of a class of protected citizens in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

When the following three factors all exist, districts are almost certainly improperly drawn because they unlawfully dilute the voting power of a minority group.

- (1) The racial group is sufficiently large and geographically compact to constitute a majority in a single-member district;
- (2) The racial group is politically cohesive; and
- (3) The majority votes as a bloc to enable it to usually defeat a minority group's preferred candidate.

Although these factors are not sufficient to unqualifiedly establish a violation of the Voting Rights Act without a case-by-case determination of unique local circumstances, it seems few redistricting plans where all three factors are found will survive legal challenge.

Clean Missouri Redistricting Plan

On Tuesday, Nov. 4, 2020, Missouri voters passed Amendment 3 that ended the state legislative district redistricting system that voters previously passed in 2018, widely known as "Clean Missouri." The Clean Missouri plan would have empowered a demographer to draw state House and Senate districts. However, because voters passed Amendment 3, either bipartisan commissions or, potentially, appellate judges will draw state legislative maps.

Neither the Clean Missouri 2018 process nor the 2020 revisions, however, have any bearing on local government redistricting procedures or standards. The constitutional one person, one vote and substantial equality requirement and the procedures and considerations referenced in this article continue to govern municipal redistricting.

Conclusion

For a vote to count for something, it must have the potential to affect something. Traditional redistricting factors will guide a city through the redistricting process, helping it support its map. A deviation of less than 10% between the largest and smallest districts and sensitivity to minority voter interests will help, although not guarantee, a lawful map and a successful redistricting effort. 

Kevin O'Keefe is a lawyer with Curtis, Heinz, Garrett and O'Keefe, PC in Clayton, Missouri. He concentrates his practice on representing local governments. He is a recipient of the Distinguished Service Award from the MML and a frequent speaker on municipal law issues at MML programs.

Katherine Henry is a lawyer with Curtis, Heinz, Garrett and O'Keefe, PC. in Clayton, Missouri. She practices municipal law and assists in litigation ranging from alleged Constitutional violations to land use and regulation. She serves as assistant city attorney to many of the firm's municipal clients.

This article was updated from an MML Review Article in May 2011, authored by Bill Geary.

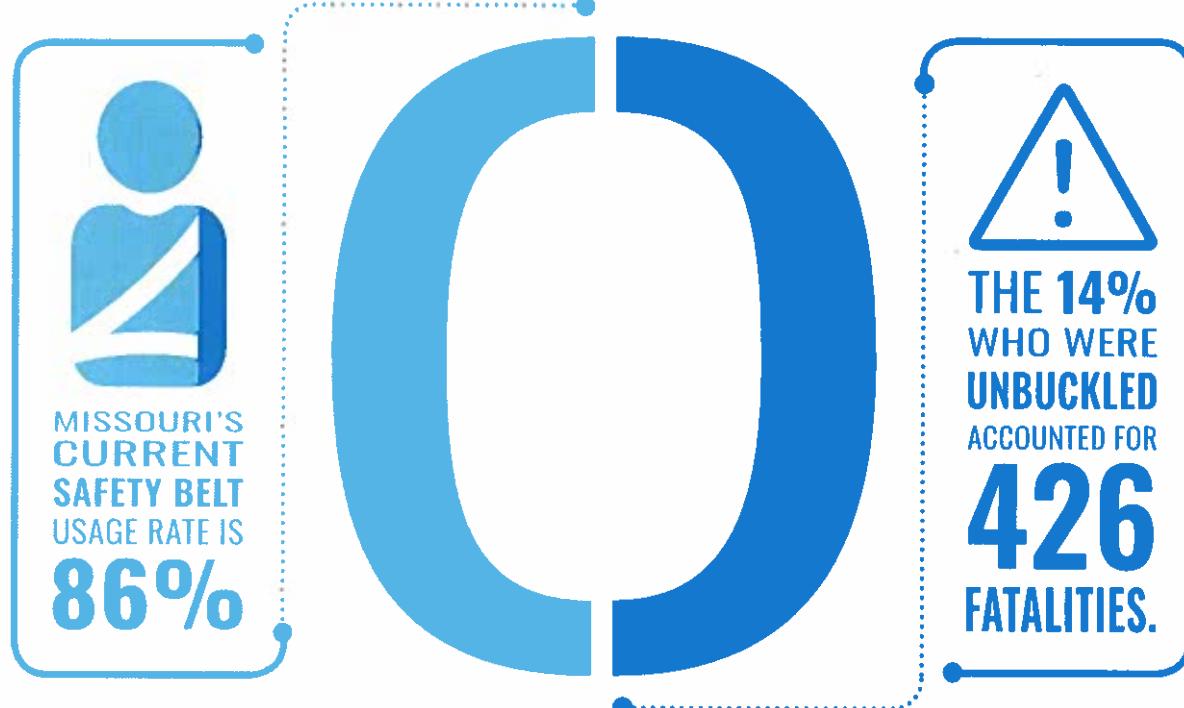
End Notes:

¹ Town and village trustees and the governing bodies of some charter cities are elected at large without the use of wards or districts, so there is nothing to redistrict in those communities.

I.F.9

Safety Belt Use

Help Missouri move
TOWARD ZERO DEATHS



If everyone had buckled up, an estimated 262 people would still be alive.

Vehicle Occupants



2020

701 Killed
67% Unbelted

Teens (15-19)



2020

54 Killed
73% Unbelted

Pickup



2020

122 Killed
77% Unbelted

II.A.1



Missouri Coalition
for Roadway Safety

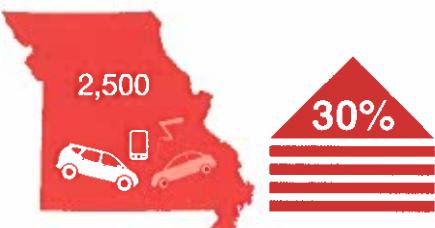
Data Sources: Missouri State Highway Patrol, Missouri Department of Transportation, National Highway Traffic Safety Administration.

**NEARLY
9 in 10
PEOPLE
ENGAGE IN
SMARTPHONE
ACTIVITIES
WHILE DRIVING.**

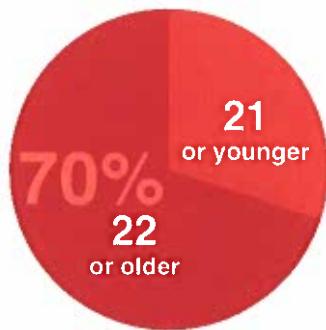
(AT&T)

The Dangers of Using **CELL PHONES** While Driving

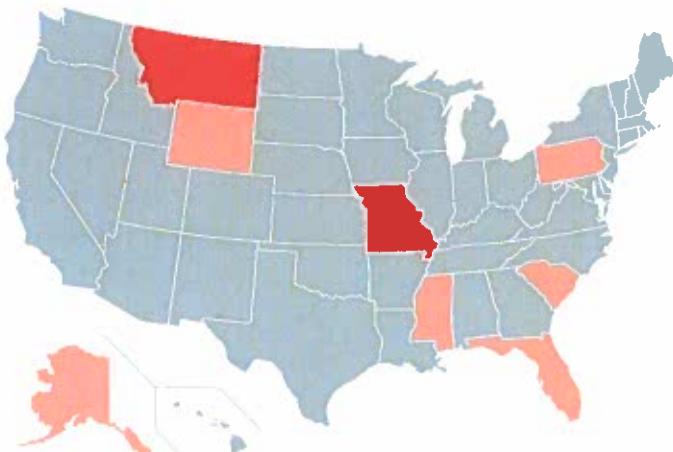
In 2020, more than 975 people lost their lives in Missouri traffic crashes, an increase of more than 10% from 2019.



Over the past 5 years, cell phone related crashes in Missouri have increased by 30%, with nearly 2,500 crashes in 2019.



Distracted driving is not just a younger driver problem. Approximately 70% of drivers using cell phones in Missouri traffic crashes were 22 years of age or older.



Missouri is ONE of TWO states without a no texting law for all drivers...

...and ONE of EIGHT states without a hands-free law for either all drivers or novice drivers.

12 OUT OF 15 STATES

and the District of Columbia experienced a decrease in fatality rates within 2 years of passing a hands-free law.

15.3%

20%

These 15 states experienced an average decrease in the fatality rate of 15.3%.

Six states and the District of Columbia experienced a decrease of more than 20%.



Sources: Missouri State Highway Patrol, Missouri Department of Transportation, AT&T, Governor's Highway Safety Association, and CTIA.

II.A.2

December 2019

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Ordinance Final Reading

**ITEM/SUBJECT: Amendment #2 Missouri Highways and Transportation
Commission to State Block Grant Agreement**

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 10/18/2021

COMMENTARY:

Attached is an ordinance with authorizes the Mayor to enter into a Missouri Highway and Transportation Commission Amendment to a State Block Grant Agreement, Amendment #2.

This block grant provided the funding to rehabilitate Runway 4/22 at the Rolla National Airport. This amendment extends the project complete date from June 30, 2021 to June 30, 2022. The work has been completed for this project and should be closed out by the end of October of this year.

Staff Recommend approval of the Ordinance.

ITEM NO. III. A.1

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR AMENDMENT TO STATE BLOCK GRANT AGREEMENT, AMENDMENT #2.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri an agreement between the City of Rolla, Missouri and Missouri Highways and Transportation Commission for Amendment to State Block Grant Agreement, Amendment #2, a copy of said agreement being attached hereto and marked Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 18TH DAY OF OCTOBER 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

III.A.2

CCO Form: MO18

Approved: 05/94 (MLH)

Revised: 03/17 (MWH)

Modified:

Sponsor: City of Rolla

Project No.: 19-056A-1

CFDA Number: CFDA #20.106

CFDA Title: Airport Improvement Program

Federal Agency: Federal Aviation Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AMENDMENT TO STATE BLOCK GRANT AGREEMENT**

AMENDMENT #2

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

WITNESSETH:

WHEREAS, the parties entered into an Agreement executed by the Sponsor on May 20, 2019, and executed by the Commission on June 12, 2019, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Two Hundred Thousand Eighty-Three Dollars (\$200,083) to the Sponsor to assist with Design Runway 4/22 Rehabilitation and Exhibit "A" Update; and

WHEREAS, the parties entered into an Amendment #1 to the Original Agreement executed by the Sponsor on September 4, 2019, and executed by the Commission on October 1, 2019 (hereinafter, "Amendment #1") under which the Commission granted an additional sum not to exceed Two Million Nine Hundred Twenty-Eight Thousand Four Hundred Twelve Dollars (\$2,928,412) for Design and Construct Runway 4/22 Rehabilitation and Exhibit "A" Update; and

WHEREAS, the parties wish to extend the project time period to allow for completion of the work.

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

(1) PROJECT TIME PERIOD: Based upon the revised project schedule the project time period of June 30, 2021, will be extended to June 30, 2022, to allow for completion of the work. Paragraph (2) of the Original Agreement is hereby amended accordingly.

III.A.3

(2) ADDITIONAL PROVISIONS:

(A) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in the Original Agreement.

(B) This Amendment shall expire and the Commission shall not be obligated to pay any part of the costs of the project unless this grant amendment has been executed by the Sponsor on or before December 1, 2021, or such subsequent date as may be prescribed in writing by the Commission.

(C) All other terms and conditions of the Original Agreement and Amendment #1 entered into between the parties shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Sponsor this ____ day of _____, 20____.

Executed by the Commission this ____ day of _____, 20____.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

Title _____

Secretary to the Commission

Approved as to Form:

Commission Counsel

CITY OF ROLLA

By _____

Title _____

By _____

Title _____

Approved as to Form:

Title _____

Ordinance No. _____
(if applicable)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing grant Agreement and the actions taken by said Sponsor and Sponsor's official representative have been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and the Airport and Airway Improvement Act of 1982, as amended. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said grant constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

CITY OF ROLLA

Name of Sponsor's Attorney (typed)

Signature of Sponsor's Attorney

Date _____

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Ordinance Final Reading

**ITEM/SUBJECT: Missouri Highways and Transportation Commission
Supplemental Agreement to Airport Aid Agreement.**

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 10/18/2021

COMMENTARY:

Attached is an ordinance with authorizes the Mayor to enter into a Missouri Highways and Transportation Commission Supplemental Agreement to Airport Aid Agreement.

This Airport Aid Agreement provided further funding to rehabilitate Runway 4/22 at the Rolla National Airport. This amendment extends the project complete date from June 30, 2021 to June 30, 2022. The work has been completed for this project and should be closed out by the end of October of this year.

Staff Recommend approval of the Ordinance.

ITEM NO. III.B.1

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO DESIGN AND CONSTRUCT RUNWAY 4/22 REHABILITATION AND EXHIBIT "A" UPDATE.

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri an agreement between the City of Rolla, Missouri and Missouri Highways and Transportation Commission to Design and Construct Runway 4/22 Rehabilitation and Exhibit "A" Update, a copy of said agreement being attached hereto and marked Exhibit "A".

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 18th DAY OF OCTOBER 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

III.B.2

Exhibit A

CCO Form: MO03
Approved: 7/94 (MLH)
Revised: 03/17 (MWH)
Modified:

Sponsor: City of Rolla
Project No.: AIR 196-056A-1

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
SUPPLEMENTAL AGREEMENT TO AIRPORT AID AGREEMENT**

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

WITNESSETH:

WHEREAS, the parties entered into an Airport Aid Agreement executed by Sponsor on September 4, 2019, and executed by the Commission on October 1, 2019 (hereinafter, "Original Agreement") under which the Commission granted the sum of One Hundred Sixty-Two Thousand Six Hundred Eighty-Nine Dollars (\$162,689) to the Sponsor to assist in specified Design and Construct Runway 4/22 Rehabilitation and Exhibit "A" Update; and

WHEREAS, the parties desire to extend the project time period to allow for completion of the work.

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

(1) PROJECT TIME PERIOD: Based upon the revised project schedule, the original project time period of June 30, 2021, will be extended to June 30, 2022, to allow for completion of the work. Paragraph (3) of the Original Agreement is hereby amended accordingly.

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

[Remainder of Page is Intentionally Left Blank.]

IN WITNESS WHEREOF, the parties have entered into and accepted this Agreement on the last date written below.

Executed by the Sponsor this _____ day of _____, 20____.

Executed by the Commission this _____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF ROLLA

By _____

Title _____

Title _____

Attest:

Attest:

By _____

Secretary to the Commission

Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____
(if applicable)

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Chief Sean Fagan

ACTION REQUESTED: 1st Reading

ITEM/SUBJECT: Contract for Purchase of all Mobile and Portable Radios for Public Safety

BUDGET APPROPRIATION (IF APPLICABLE): \$ N/A

DATE: October 18th, 2021

Commentary:

This is the contract with Motorola Solutions for the State Procurement purchase of portable and mobile radios for the Police and Fire Departments. ARPA funding will be utilized for this purchase for a total cost of \$995,205.35, as approved at the October 4th council meeting.

Recommendation:

Staff recommends the first reading of the ordinance for the mayor to enter into a contract with Motorola Solutions for the purchase of portable and mobile radios.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI AND MOTOROLA SOLUTIONS.

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

Section 1: That the Mayor of the City of Rolla, Missouri, is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri, a Contract between the City of Rolla, Missouri, and Motorola Solutions for the purchase of Public Safety mobile and portable radios, a copy of said contract being attached hereto.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 18th DAY OF OCTOBER 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Counselor

IV.A.2



148 Weldon Parkway • Maryland Heights, MO 63043 • (314) 615-3100 • (888) 615-3100

October 6, 2021

Captain Jason D. Smith
Rolla Police Department
1007 North Elm Street
Rolla, Missouri 65401

Dear Captain Smith,

WirelessUSA proposes to provide, program, install and test of the Motorola Two-Way Radio equipment listed in the attached proposals. We will create and place the order for the aforementioned equipment with Motorola Solutions no later than 3 business days of receiving a Purchase Order from the City of Rolla. When the equipment arrives from Motorola, it will be staged for programming and installation on a mutually agreeable date.

The project will include: (Please see 4 Wireless USA Services labor quotes attached totaling \$45,866.72)

*Removal and (Field) installation of three mobile radios for the Animal Control Department. Program, Install and test each unit.
(Animal Control quote number 45V total \$1,402.14)

*Removal and (Field) Installation of 12 mobile radios, 6 Firecom Intercom Systems and associated equipment, and 6 APX Radios at Command Center Vehicle
(Fire Department quote number 43V total \$14,282.84)

*Removal and (Field) Installation of 52 mobile radios, 50 Vehicular chargers, Wi-Fi antennas including all associated parts.
(Police Department quote number 44V total \$27,084.36)

*Removal and (Field) Installation of Trunk Mount Radio Control Station and Multiband antenna and install, load and program system keys for 6 position console.
(Communications quote number 46V total \$3,097.38)

IV.A.3

- *Upon receipt of equipment (WUSA SVC. Cntr.) all equipment will be inventoried and programmed as specified.
- *Installation will be scheduled within 10 days from programming and completion of readiness.
- *Installations will be performed during standard business hours Monday thru Friday 8-5pm, *excluding weekends and holidays*.
- *Customer is responsible to provide (WUSA SVC) a Key loader with specified encryption keys at time of programming.
- *Upon completion of all installations and programming Wireless USA will perform a complete test of equip. with customer
- **Wireless USA is not responsible for system related coverage.*

All equipment will be new from Motorola. 5 year Motorola Solutions Factory warranties apply from installation dates.

Warranty of installed equipment by Wireless USA will be for a period of 90 days from date of install, (parts and labor).

Payment terms are Net 30 following invoice and Customer Acceptance

We appreciate your business and your confidence in WirelessUSA.

Regards,

John Briggs, Wireless USA Communications Consultant  Date 10/6/21

Joseph Poffel, Wireless USA Service Manager  Date 10/6/21

Rolla, City of Representative _____ Date _____

Title _____

W.A.4

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Chief Sean Fagan

ACTION REQUESTED: 1st Reading

ITEM/SUBJECT: Contract for Installation & Programming of Radios

BUDGET APPROPRIATION (IF APPLICABLE): \$ N/A

DATE: October 18th, 2021

Commentary:

This is the contract with Wireless USA for the installation and programming of the portable and mobile radios that will be purchased for the Police and Fire Departments. ARPA funding will be utilized for this project for a total cost of \$45,866.72, as approved at the October 4th council meeting.

Recommendation:

Staff recommends the first reading of the ordinance for the mayor to enter into a contract with Wireless USA for the installation and programming of portable and mobile radios.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CONTRACT BETWEEN THE CITY OF ROLLA, MISSOURI AND WIRELESS USA.

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

Section 1: That the Mayor of the City of Rolla, Missouri, is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri, a Contract between the City of Rolla, Missouri, and Wireless USA for the installation and programming of mobile and portable radios, a copy of said contract being attached hereto.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 18th DAY OF OCTOBER 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Counselor

IV. B. 2

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: John Butz City Administrator **ACTION REQUESTED:** Information Only

ITEM/SUBJECT: Report on Animal Shelter Design Progress

BUDGET APPROPRIATION: \$600,000-\$750,000 (phase 1) **DATE:** October 18th, 2021

COMMENTARY:

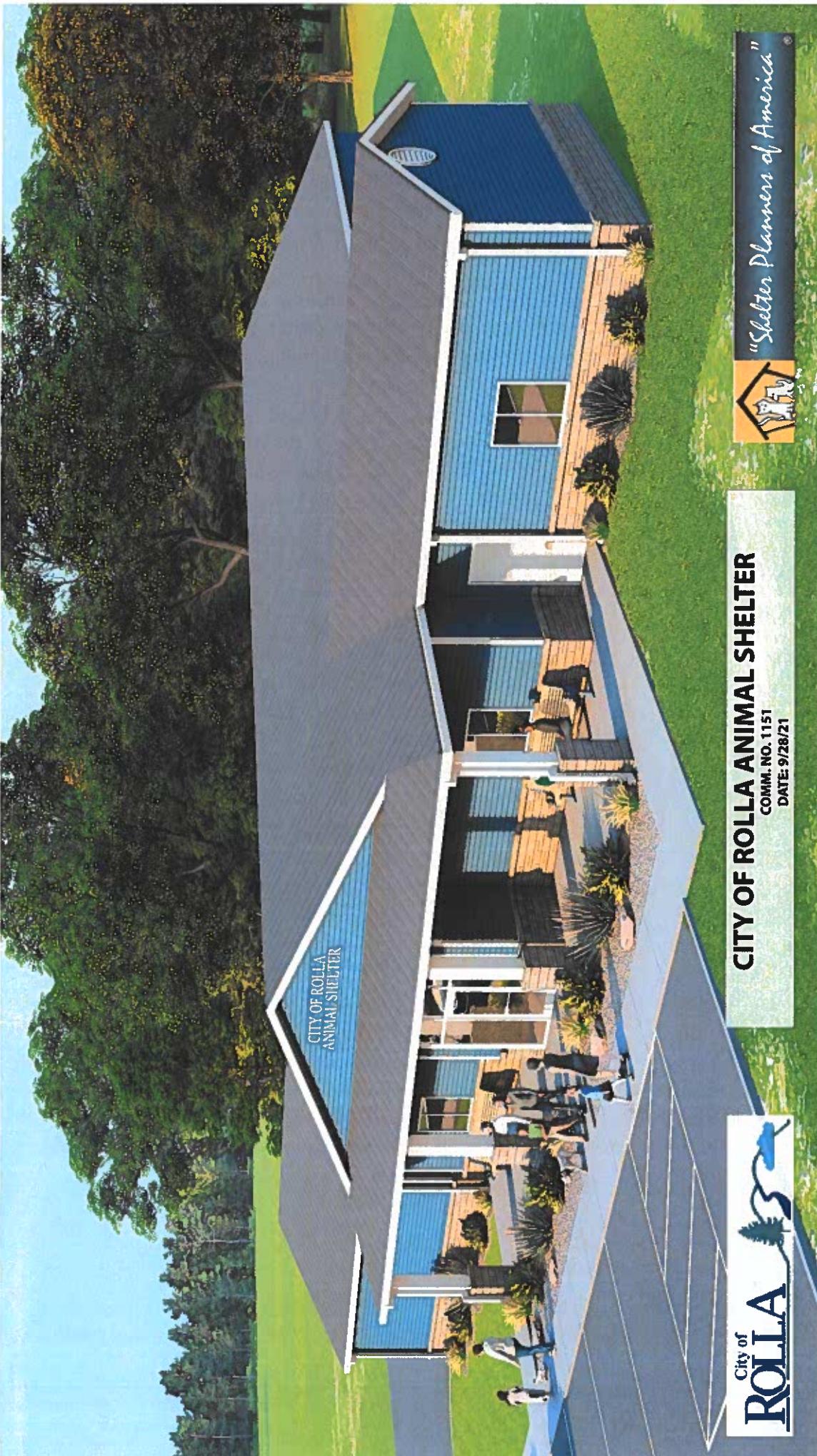
Staff has been working with Shelter Planners of America (SPOA) on the final design of the new Animal Shelter. Council authorized SPOA to design the entire project/build-out with a phased approach- construction of the shell (phase 1) and then interior completion and FFE (phase 2). After working through the interior design layout SPOA prepared a schematic rendering of what we hope is the complete building.

Because of cost restrictions and the uncertainty of materials and labor costs, it is difficult to give a good construction estimate until formally bid. Consequently the building has 3 primary components. The base bid will include the central building corridor that includes all offices, animal care and kennel space. Bid alternatives will include the secure garage/sally port (the left wing of the project) and the conference /training space (the right wing of the project). Bids will ultimately determine what we can afford to build initially.

Final design is anticipated to go out to market in the December/January time frame. The City and SAVE Committee will continue to solicit donations to ultimately finish out the full functionality of the Shelter.

Note: Construction is planned for spring/summer 2022 located off Lion's Club Dr. approaching Highway 72.

IV.C.1



City of
ROLLA

CITY OF ROLLA ANIMAL SHELTER

COMM. NO. 1151
DATE: 9/28/21

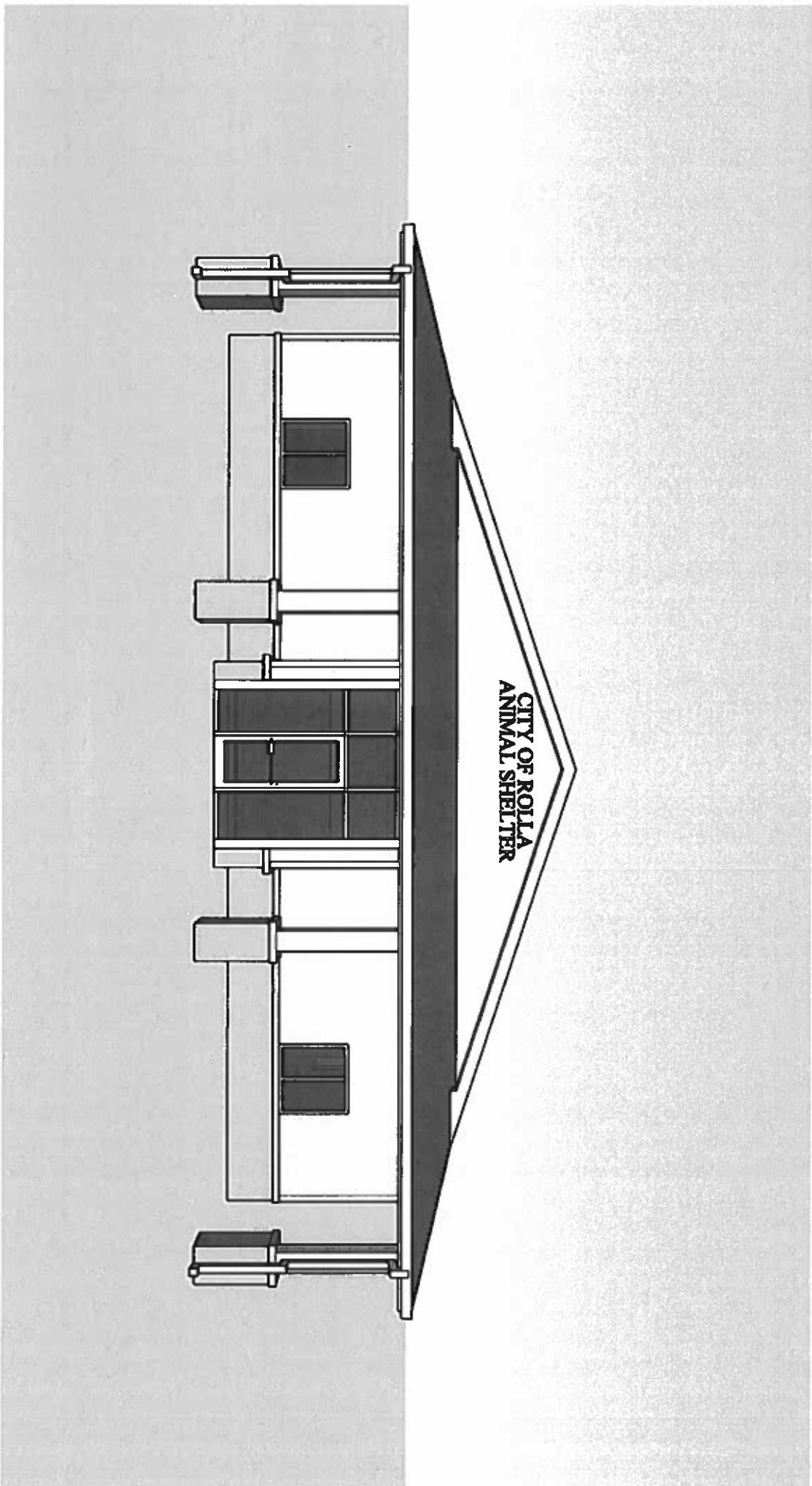
"Shelter Planners of America"



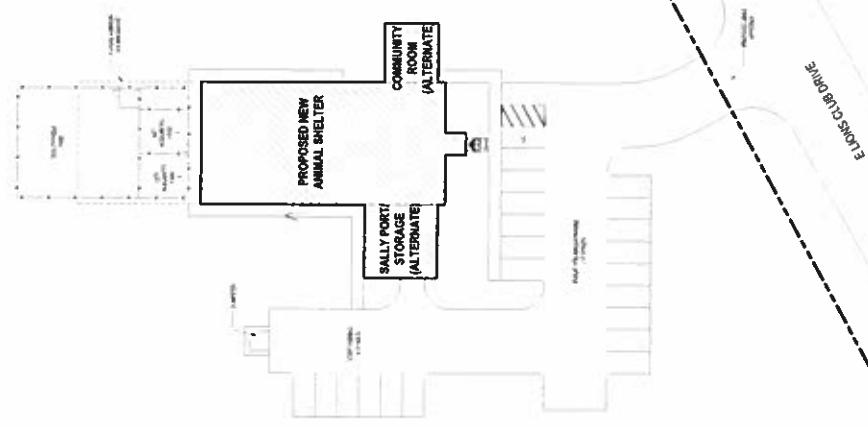
N.C. 2

OPTION 1C

IV.C.3



OPTION 1C-1 VIEW 01



**CONCEPTUAL DESIGN
ANIMAL SHELTER FOR ROLLA, MO**

DATE: 07/07/21

2021

SITE PLAN



SHELTER PLANNERS OF AMERICA, COPYRIGHT ©
1106 W. RANDOL MILL RD. SUITE 300, ARLINGTON, TX 76012 • PHONE 817.265.4522



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: First Reading

Final Reading requested

SUBJECT: Parker Addition: a Minor Subdivision Final Plat to reconfigure two residential lots
(SUB21-05)

MEETING DATE: October 18, 2021

Application and Notice:

Applicant/Owner - Bryan and Cindy Parker

Public Notice - <https://www.rollacity.org/agenda.shtml>

Background: The applicant has also submitted a request to rezone the property to the R-1, Single-family district. Lot 2 shown on the proposed plat was found to not meet the minimum lot size requirements for the R-R, Rural Residential district. The plat cannot be approved by City Council unless Lot 2 is rezoned.

Property Details:

Current zoning - R-R, Rural Residential (proposed to be rezoned to R-1, Single-family)

Current use - Residential

Proposed use - Residential

Land area - Two lots proposed (1 acre and 0.71 acre)

Public Facilities/Improvements:

Streets - The subject property has frontage on Longview Ln, a local street; and frontage on Hwy 72, a primary arterial road.

Sidewalks - No sidewalks are located adjacent to the property. There are no sidewalks in the vicinity. The ordinance does allow for the sidewalk to be waived when the property is developed.

Utilities - The subject property should have access to all needed public utilities.

IV.O.1

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Low Density Residential uses.

Discussion: The proposed plat appears to meet all zoning and subdivision requirements if the rezoning for Lot 2 is approved. Lot 2 will be provided with an easement to have access to the sewer. Lot 1 will have direct access from Hwy 72 via an existing access point, with approval from MoDOT.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a meeting on October 12, 2021 and voted 4-0 to recommend approval of the request.

Prepared by: Tom Coots, City Planner

Attachments: Final Plat, Ordinance, Letter Requesting First and Final Reading

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF PARKER ADDITION.

(SUB 21-05)

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

SECTION 1: An ordinance approving the Minor Subdivision Final Plat of Parker Addition, a subdivision in City of Rolla, Phelps County, Missouri through the subdivision process.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 18TH DAY OF OCTOBER, 2021.

APPROVED:

Mayor

ATTEST:

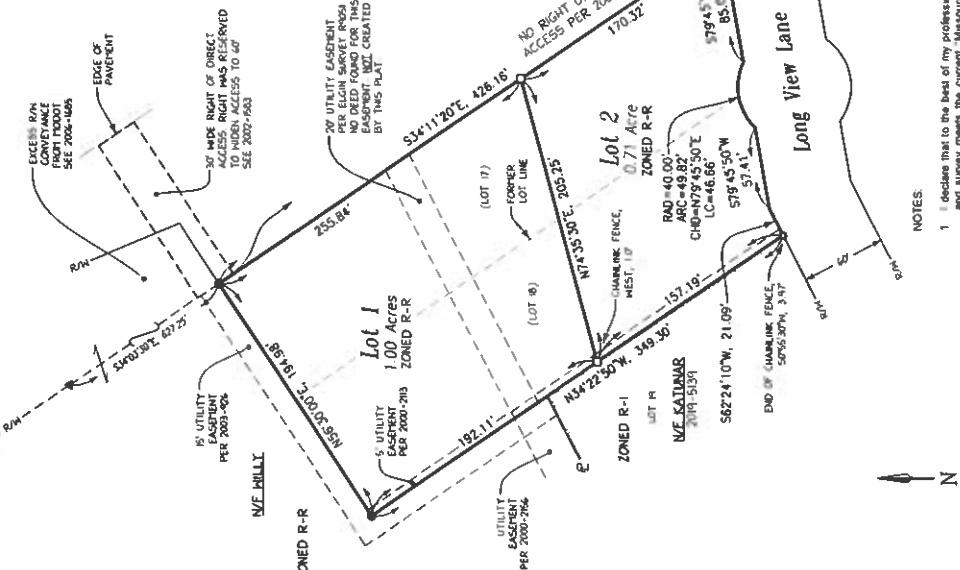
City Clerk

APPROVED AS TO FORM:

City Counselor

PARKER ADDITION

Resubdivision of Lots 17 & 18, LONGVIEW SUBDIVISION; Rolla, Phelps County, Missouri



DESCRIPTION
All of Lots 17 and 18 of LONG VIEW SUBDIVISION, Rolla, Phelps County, Missouri, Above described tract contains 1.71 acres, more or less

SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

The undersigned owners of the tract of land herein passed do hereby agree upon said property and do hereby make the following restrictive covenant. No construction may be commenced upon the above described property until all plans, specifications and construction permits have been issued by the City of Rolla, Missouri, and that it is understood by the undersigned that no such permits shall be issued by the City of Rolla until the completion of all public improvements appertaining to such lot or until a sum equal to the reasonable costs of completing such public improvements has been received and approved by the City of Rolla, Missouri. The above mentioned public improvements shall be completed pursuant to the agreement between the undersigned and the City of Rolla, Missouri for the completion of such improvements in accordance with the article of the City Code of Rolla, Missouri.

I, SYLVESTER FABRIS FURSE, IV, do hereby certify that this Plat was prepared under my supervision for an actual survey of the land herein described prepared by Archer-Egan Surveying and Engineering, L.L.C., renowned by Archer-Egan Surveying and Engineering, L.L.C., removed L.S. No. 2011017286, and that corner monuments and lot corner pins shown herein were placed under the personal supervision of Sylvester Furse L.S. No. 2011017286 in accordance with the article of the City Code of Rolla, Missouri

COUNTY & CITY TAX RELEASE

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2020 and all prior years.

Father Am Barnes
Collector of Revenue
Phelps County, Missouri

- I declare that to the best of my knowledge and belief, this Plat and Survey, Plat No. 20 CSR 2030 16 0401
- Tract is classified Urban (20 CSR 2030 16)
- Date of sale work: July, 2021
- Plat represents a survey of Lots 17 and 18 of LONG VIEW SUBDIVISION as described 2008-3538
- Dimensions shown are measured for record dimensions. see document(s) noted
- Tracts currently zoned R-R, Rural Residential District. The following are the applicable Area Requirements for R-R districts.

- R.R. Area Requirements (Sec. 22.163.2)
 - Minimum lot area: 40,000 square feet.
 - Minimum lot frontage: 150' feet at building line.
 - Maximum lot width: 250' feet at building line.
 - Maximum building height: 3 stories or 50' feet.
 - Minimum front yard setback: 25' feet.
 - Minimum side yard setback: 50' feet.
 - Minimum rear yard setback: 50' feet.
- Lot 1 is to have access to the City of Rolla's sanitary sewer main located on Lot 1 as shown on the plat. The access will be provided by private agreement between the Owners of Lots 1 and 2.

DEDICATION

Bryan Parker hereby certifies that he is the owner of the property described and shown hereon, which property is located within the subdivision jurisdiction of the City of Rolla, that he has caused this property to be platted as shown herein and that said property shall be known and designated as PARKER ADDITION. The owner hereby freely adopts the plan or subdivision.

Certifier does further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, gas and their optic lines within and along those utility easements which are created by virtue of this plat.

DATED _____ 2021

Bryan Parker

"DEDICATOR"

On this _____ day of _____ 2021 before me appeared Bryan Parker, to me known to be the person described in and who executed the same as their free act and deed the following instrument, to have witnessed my hand and affixed my official seal in the county and State aforesaid, this _____ day of _____ 2021.
My Commission Expires: _____

NOTARY PUBLIC:

IMPROVEMENT ACCEPTANCE

Approved subject to construction of improvements in accordance with subdivision codes of the City of Rolla. The plat meets current

Steve Hargis, PE
Director of Public Works

Rodney Boone, PE
General Manager Utilities

Floyd Lemmam
Parks Director

PLANNING & ZONING APPROVAL

Approved this _____ day of _____ 2021

Don Brown, Chairman
Planning & Zoning Commission

Steve Flowers
Community Development Director

ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL

This is to acknowledge that the City Council of the City of Rolla, Missouri has, by ordinance duly adopted, approved this plat and has authorized the same to be filed for record in the Office of the Recorder of Deeds, Phelps County, Missouri.

Louis J. Mayhoffs IV
Mayor, City of Rolla
Attest:

Lori Thurman
City Clerk

K ARCHER-ELGIN
engineering • surveying • architecture
C.E. Archer, Inc. • E. Elgin Engineering, LLC • Environmental Services, Inc.
Architects • Surveyors • Engineers • Land Surveyors • Architects • Surveyors
REVISIONS
1 10-12-21 MFP

PARKER SUBDIVISION
Rolla, Phelps County, Missouri
Bryan Parker
13925 County Road 8510, Newburg, Mo. 65550
Date of REC'D: 1-6-01
Date of SFF: July 16, 2021
J3898

100' Rolla Blvd.
Rolla, Missouri 65076
Phone: 573-394-2852
Fax: 573-394-4712
www.archer-elgin.com

REVISED
Final Plat

PARKER SUBDIVISION

Rolla, Phelps County, Missouri

Bryan Parker

13925 County Road 8510, Newburg, Mo. 65550
Date of REC'D: 1-6-01
Date of SFF: July 16, 2021
J3898

IV. D.4

October 12, 2021

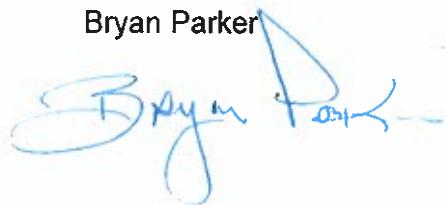
Mayor Magdits & Rolla City Council
City of Rolla
PO Box 979
Rolla, MO 65402

Dear Mayor Magdits & City Council Members,

Thank you for time and consideration of our request for approval of the rezoning and minor subdivision for my lands located off Long View Lane. If there are no objects or further details/additions which need to be addressed as a part of the City's approval process, I would like to respectfully request a First and Final Reading of both the Ordinance to approve the rezoning and the ordinance to approve the subdivision plat of PARKER ADDITION at the next Council Meeting on Monday, October 28.

Sincerely,

Bryan Parker



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Presentation

ITEM/SUBJECT: Pine Street / Downtown Circulation Study

BUDGET APPROPRIATION N/A **DATE: 10/18/2021**

COMMENTARY:

Improvements to Pine Street from US 63 to 10th Street are currently in design and is planned for construction in 2022 as part of the projects funded by the Move Rolla TDD. The improvements are to include making Pine Street two-way from 12th Street to 10th Street as well as making Rolla Street two-way from 6th Street to 12th Street including the block of 12th Street between Pine and Rolla Streets.

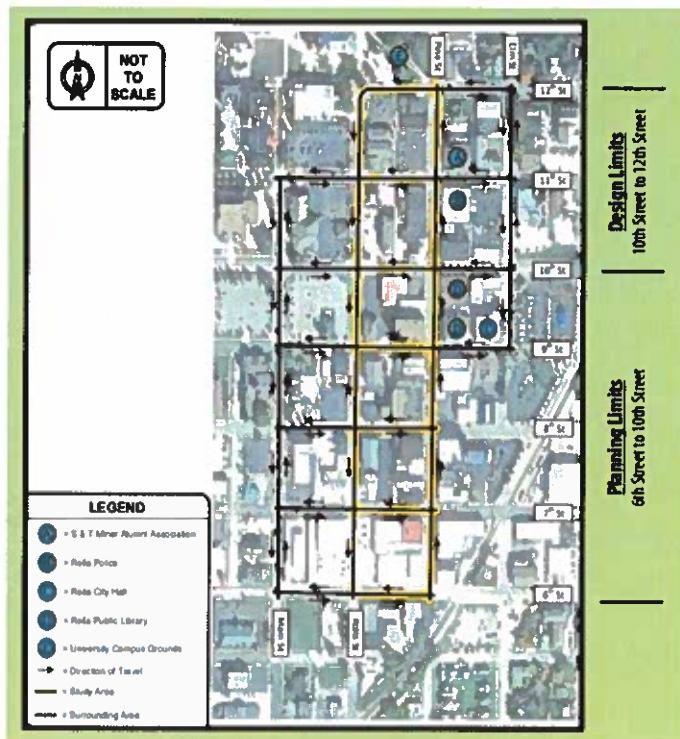
In addition to these improvements HNTB was engaged to perform a study to determine if Pine Street from 6th Street to 10th Street should be converted to two-way traffic at a later date.

Attached is the Executive Summary of the Move Rolla TDD Pine Street / Downtown Circulation Study done by HNTB Corporation. Also attached are the Power Point slides to be used by Kip Strauss of HNTB to present the conclusions from the study.

ITEM NO. IV.E.1

Executive Summary

A transportation analysis of Rolla Street and Pine Street between 6th Street and 12th Street in downtown Rolla, Missouri was performed as part of the Move Rolla Transportation Development District Program. The purpose of the study was to evaluate the parking, circulation and intersection control for the downtown transportation system to meet the needs of the downtown residents, visitors and business owners. The improvements to the downtown transportation system provide a complete multi-modal transportation system that address the needs of all users, enhance the economic conditions of downtown businesses and maximize the Downtown Rolla experience. The City currently plans to convert Pine Street from one-way to two-way between 10th Street and 12th Street as shown in the figure within the design limits.



Four alternatives plus the existing configuration were identified for evaluation within the planning limits. The evaluation analyzed traffic, safety, economic, construction cost, as well as public and downtown stakeholder input.

Pine Street and Rolla Street Alternatives

Pine Street Stays One-Way	Alternative 1a (Existing)	Pine St. 2-Lanes, 1-way NB, Rolla St. 2-Lanes, 1-way SB
	Alternative 1b	Pine St. 2-Lanes, 1-way SB, Rolla St. 2-Lanes, 2-way
Pine Street Stays One-Way with Angled Parking	Alternative 2a	Pine St. 1-Lane, 1-way NB, Rolla St. 2-Lane, 2-way
	Alternative 2b	Pine St. 1-Lane, 1-way SB, Rolla St. 2-Lane, 2-way
Pine Street Is converted to Two-Way	Alternative 3	Pine St. 1-lane, 2-way Rolla St. 2-lane, 2-way

Note: Alternative 1a keeps Rolla St. one-way. Alternatives 1b, 2 and 3 convert Rolla St. to two-way.

On July 29th, 2021 a downtown stakeholder meeting was held. Approximately 55 people signed in. Alternative 3 garnered the most votes with 13 votes out of 25 cast. On September 15th, 2021 a public meeting was held. Approximately 35 people signed in. Alternative 2a and 3 garnered the most votes with 6 votes each out of 14 cast. Finally, an electronic survey was sent out to the Move Rolla TDD database which totals more than 300 people. Alternative 3 garnered the most votes with 46 votes out of 85 cast.

As a result of the technical evaluation, the following conclusions were generated.

- One-way streets generally provide improved mobility while two-way streets provide improved accessibility to businesses.
- No fatal flaws were identified between the alternatives. Each alternative provided similar traffic and safety results, that will adequately serve downtown Rolla.
- Four Pine Street traffic signals no longer meet signal warrants and could be removed. These traffic signals are Pine Street at the 11th, 9th, 8th, and 7th Street intersections.
- Capital costs range from approximately \$1.4 to \$1.8M for the non-existing alternatives.
- Alternatives 2a and 2b, which include angled parking, require a reduction down to one-lane if parking remains on both sides. The fire department expressed safety concerns with this.
- Public outreach indicated that most people wanted a more pedestrian friendly environment which could include: parklets, wider sidewalks, streetscaping, street furniture, bicycle amenities and lighting.

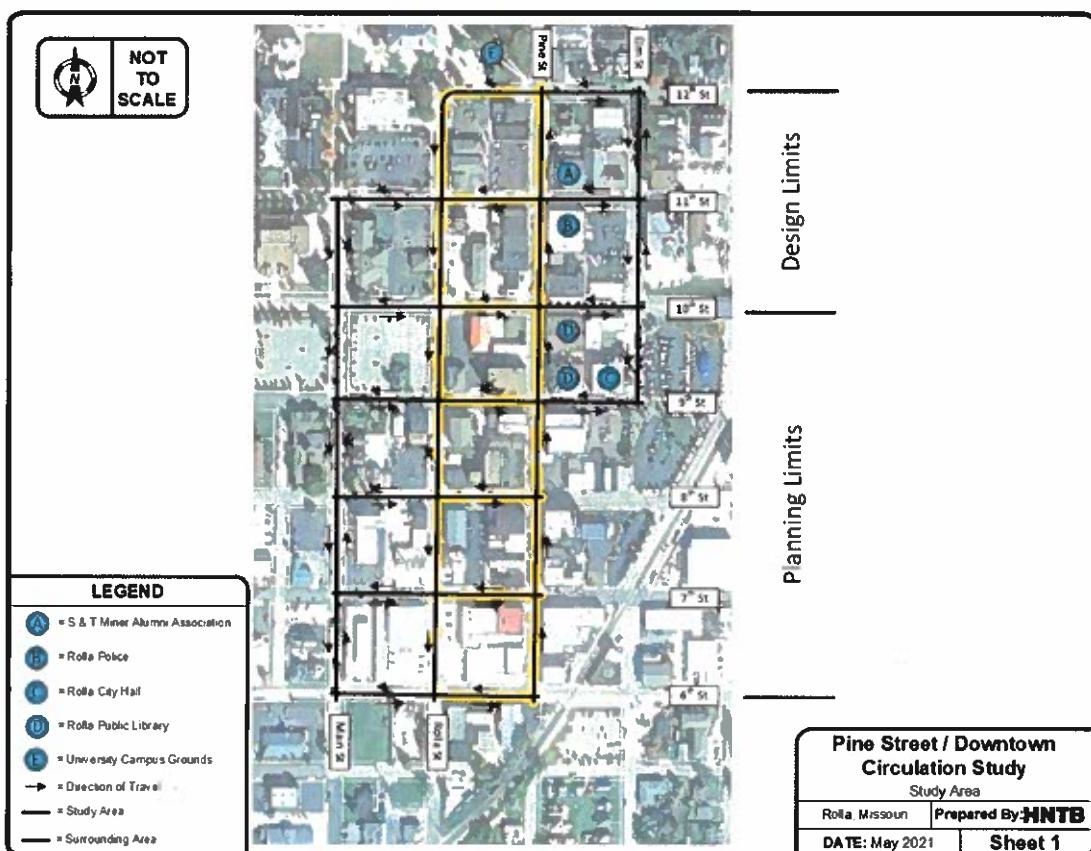
Alternative 1a (Existing)	\$0
Alternative 1b	\$1,404,000
Alternative 2a	\$1,478,400
Alternative 2b	\$1,778,400
Alternative 3	\$1,810,800

Based on the technical analysis and stakeholder and public input it is recommended that the City of Rolla move forward with Alternative 3 which converts both Rolla Street and Pine Street to two-way traffic with one-lane in each direction.

1.0 Introduction

The purpose of this report is to present the methodology and results used to evaluate transportation alternatives in Downtown Rolla. The study area, as shown in Figure 1, encompasses Pine and Rolla streets from 12th Street to 6th Street. Five different circulation alternatives were developed and analyzed. Each alternative was evaluated for traffic operations, safety, engineering, economic impacts, and public/stakeholder input.

Figure 1: Pine Street / Downtown Circulation Study Area



Design limits and planning limits are shown on Figure 1. Within the design limits, the City is currently working on plans to convert Pine Street and Rolla Street to two-way traffic between 10th Street and 12th Street. Within the planning limits, five different alternatives were analyzed and presented to downtown business stakeholders and the public to receive feedback.

The five alternatives that were developed, analyzed, and presented are shown in **Appendix A** in a typical section format.

- **Alternative 1a** – Existing Conditions
- **Alternative 1b** – Pine Street Two Lanes, One Way Southbound and Rolla Street Two Lanes Two-Way
- **Alternative 2a** – Pine Street One Lane, One-Way Northbound and Rolla Street Two Lanes, Two Way
- **Alternative 2b** - Pine Street One Lane, One-Way Southbound and Rolla Street Two Lanes, Two Way
- **Alternative 3** – Pine Street and Rolla Street Two-Lane, Two Way

2.0 Methodology

The study methodology was reviewed with the project team made up of the City's Public Works leadership, Missouri University of Science and Technology (MS&T) and their planning consultant SWT and the Move Rolla TDD Program Manager Consultant, HNTB. The study methodology incorporated analysis of the following elements:

- Traffic Volumes
- Traffic Operational Analysis
- Traffic and Pedestrian Safety
- Economic
- Engineering
- Stakeholder and Public Input

A detailed description of the study methodology is provided in **Appendix B**.

3.0 Stakeholder and Public Outreach

The City of Rolla hosted two meetings to provide information about the Pine Street / Downtown Circulation Project (Pine Street and Rolla Street) and gather feedback. Both meetings were open house format and members of the project team were available to answer questions.

The same exhibits were used for both meetings and are included in **Appendix C**. Exhibits provided information on:

- Purpose and benefits of the project
- Existing conditions of Pine and Rolla Streets
- Parking alternatives
- Traffic circulation alternatives
- Alternatives evaluation
- Requested feedback

The first meeting was held on July 29, 2021 from 4:00 p.m. to 6:00 p.m. at the MS&T Miner Alumni Association. The City invited downtown stakeholders, such as property owners, business owners and business managers. The stakeholders were notified of the event by email and door hangers. Nearly 50 people were in attendance.

The second meeting was held on September 15, 2021 from 4:00 p.m. to 6:00 p.m. at the MS&T Alumni Association. This was a Public Meeting so all members of the community and interested stakeholders were invited to attend. The public was notified via electronic invitations that were distributed to the Project database that has over 300 contacts. Approximately 35 people attended the meeting.

An electronic survey was sent out to the Move Rolla TDD database which totals more than 300 people. The survey was open from September 16, 2021 through September 29, 2021.

At the meeting, attendees were asked to select the alternative that they liked the best and place a colored dot on the exhibit board. This question was also asked in the electronic survey. Table 1 provides the results of the non-scientific informal surveys.

Stakeholder Meeting - At the Stakeholder meeting thirteen (13) people selected Alternative 3, followed by four people selecting Alternative 2a, three selecting 1b and 2b each, and two people selecting Alternative 1a. Comments heard during the meeting and left by comment form included:

- Two-way is preferred on Rolla Street.
- Parking improvements are important and prefer not to see a reduction in parking supply.

Public Meeting - At the Public Meeting, both Alternative 2a and Alternative 3 had 6 votes each, followed by Alternative 1a with two votes. Comments heard during the meeting and left by handwritten notes on the comment board included:

- Consider keeping the 8th Street traffic signal.
- Either a stop sign or traffic signal should be located at 11th Street and Rolla Street for safety.
- Bikes and pedestrian facilities are important to students and visitors.
- Parklets should be considered.
- Keep downtown as it is and don't change it.

Electronic Survey – In coordination with the Public Meeting, an electronic survey was promoted at the event, on the project website as well as sent electronically to the project email distribution. The survey was five questions in regard to the downtown improvements. Forty-six (46) people completed the survey.

Nearly 70 percent of participants go downtown at least a few times per week and the primary reasons are for shopping and dining.

When asked what improvements are most important regarding transportation, the top two responses were increased parking and improved traffic circulation. Nearly 40 percent also selected other and specified that pedestrian improvements such as better lighting, improved safety and improved sidewalks are additional priorities.

Over 40 percent or 20 survey participants voted for Alternative 1a, followed by Alternative 3 with 30 percent or 14 votes. When asked if there are other considerations the team should potentially incorporate, 32 people provided comments with the following themes:

- Several comments in regard to concerns about parking in front of the Chi Omega sorority house, as well as they would like to see lighting improvements.
- Would like to see additional parking.
- Parklets or improvements to draw people to downtown.

Table 1: Stakeholder, Public and Electronic Survey Input

Alternative	Business / Stakeholder Votes	General Public Votes	Electronic Survey Votes	Total Votes
Alternative 1a (existing) Pine St. 2-Lanes, 1 way NB Rolla St. 2-Lanes, 1 way SB	2 votes	2 votes	20 votes	24 votes
Alternative 1b Pine St. 2-Lanes, 1 way SB Rolla St. 2-Lanes, 2 way	3 votes	0 votes	2 votes	5 votes
Alternative 2a Pine St. 1-Lane, 1 way NB Rolla St. 1-Lane, 2 way	4 votes	6 votes	9 votes	19 votes
Alternative 2b Pine St. 1-Lane, 1 way SB Rolla St. 1-Lane, 2 way	3 votes	0 votes	1 vote	4 votes
Alternative 2b Pine St. 1-Lane, 2 way Rolla St. 1-Lane, 2 way	13 votes	6 votes	14 votes	33 votes
Votes Cast	25 votes	14 votes	46 votes	85 votes

4.0 Study Results

Each of the five alternatives were evaluated from a technical perspective. The technical evaluation included traffic operations, safety, engineering and economic factors. An evaluation matrix is provided at the end of this chapter that brings all of the analysis together.

4.1 Traffic

A quantitative traffic analysis was performed based for level of service, vehicle queues, and signal warrants. The methodology used can be found in Appendix B.

Level of Service

Traffic level of service (LOS) was calculated based on the Highway Capacity Manual (HCM) 6th edition methodology for signalized and unsignalized intersections in the study area. The reported LOS for signalized intersections reflects the operation of the intersection as a whole. However,

LOS for unsignalized intersections is based on the movement or movement grouping which is required to stop or yield to other traffic, or the movement with the longest delay. Table 2 displays the number of intersections within each alternative that receive LOS ratings A-C, D, E, and F for both existing and future volumes with both the current traffic control plan and stop control on Pine Street. There are a total of 14 intersections that were analyzed in the study area. Figures showing the overall LOS at each intersection can be found in **Appendix D**. For both existing and future conditions, LOS A – D is considered acceptable to the City, while LOS E or F is considered undesirable.

Table 2: Study Area Intersection Level of Service Summary

	Existing 2020 with Existing Traffic Control			Future Scenario with Existing Traffic Control			Existing 2020 with Stop Control on Pine Street			Future Scenario with Stop Control on Pine Street		
	AM	Mid- Day	PM	AM	Mid- Day	PM	AM	Mid- Day	PM	AM	Mid- Day	PM
	LOS	LOS	LOS	LOS	LOS	LOS	LOS	LOS	LOS	LOS	LOS	LOS
Alt 1a												
LOS A-C	14	14	14	12	13	13	14	14	14	12	13	12
LOS D				2						2		1
LOS E												
LOS F					1	1					1	1
Alt 1b												
LOS A-C	14	14	13	12	13	12	14	14	13	12	13	12
LOS D				1		1				1		1
LOS E			1									
LOS F				1	1	1				1	1	1
Alt 2a												
LOS A-C	14	14	13	12	13	13	14	14	13	12	13	13
LOS D			1	2						2		
LOS E												
LOS F					1	1					1	1
Alt 2b												
LOS A-C	14	14	13	12	13	12	14	14	13	12	13	12
LOS D				1		1				1		1
LOS E			1									
LOS F				1	1	1				1	1	1
Alt 3												
LOS A-C	14	14	13	12	13	13	14	14	13	12	13	13
LOS D				1						1		
LOS E			1									
LOS F				1	1	1				1	1	1

Source: HNTB, HCM analysis

With the existing 2020 volumes, Alternative 1a has all intersections performing at a LOS C or better during all peak periods both with the existing and modified traffic control plans. The only intersection in Alternatives 1b, 2a, 2b, and 3 that performs below a LOS C is 6th and Rolla during the PM peak period as an all-way-stop-controlled intersection.

The future volumes cause the LOS performance across all alternatives to decrease slightly. The most notable result is the intersection of 6th and Rolla which consistently performs at a LOS E/F across all alternatives, peak periods, and traffic control plans. This intersection was only analyzed in its existing all-way stop control configuration, however the future volumes would warrant a traffic signal. All other intersections in the future volume scenario operate at LOS D or better for all alternatives in each time period.

Implementing the stop control plan only decreased the overall LOS at the one intersection of 12th and Pine during the PM peak period for alternative 1a. This is due to the fact that the new stop sign at 11th and Pine changed the timing of arrival of vehicles to 12th and Pine, thus increasing the delay by 3.8 seconds and decreasing the LOS at 12th and Pine to a LOS D. Otherwise the stop control plan generally reduced the delays experienced at the intersections of Pine street with 11th, 9th, 8th, and 7th streets by two to three seconds when modeled using both existing and future volumes. These intersections were already operating at a LOS C or better, so the decreased delay is not noticeable in Table 1, but can be seen in Appendix D.

Queue Lengths

The complete results of the vehicle queue analysis is provided in Appendix E. The queue length reported is the 95th percentile. For existing traffic volumes and the existing traffic control plan, there was only one location that experienced queue issues. Queue issues were observed at 10th and Rolla in the eastbound and westbound directions.

The future volumes with the existing traffic control plan caused alternatives to experience anywhere from 5 to 18 approaches with queue lengths longer than the available storage. The range of affected intersections expanded to include 10th and Pine and 6th and Rolla in addition to 10th and Rolla.

Implementing the stop-control traffic plan did not cause any new locations where queues exceeded the available storage during any time period for all alternatives. The queues at several locations decreased as a result of the signal removal. These changes to queue lengths are minor and not reflected on figures in the appendix.

Signal Warrants

None of the signal-controlled study area intersections in any of the five alternatives require a traffic signal with the 2020 traffic volumes according to the MUTCD peak hour signal warrant. With the future volumes, the intersections of Rolla and 6th, Rolla and 10th, and Pine and 10th meet the

warrant criteria for a signal in all the alternatives. The signal warrant graphs can be found in **Appendix F**.

4.2 Safety

A qualitative pedestrian and vehicle safety analysis was performed based on the roadway geometry of each alternative. The methodology used can be found in **Appendix B**.

Pedestrian

There is an inverse relationship between safety and the number of lanes of traffic a pedestrian must cross to get to the other side of the road. This relationship is most evident in Alternative 1a, Alternative 1b, and Alternative 3 where pedestrians would have to cross four total lanes of traffic between Pine and Rolla streets, making these alternatives the least safe from the pedestrian perspective.

Vehicle

Vehicular safety was measured based on the possible collision types and conflict points introduced by the roadway geometry of each alternative. One-way roads generally have fewer angle crashes and no head on collisions. Two-way roads introduce the possibility for more angle crashes from left turning vehicles and introduce the potential for head on collisions. Therefore, the alternatives with a higher number of two-way roads were assumed to be slightly less safe than alternatives with one-way roads. The safest alternatives were determined to be Alternative 2a and Alternative 2b from a vehicular perspective.

4.3 Engineering

A high-level engineering assessment was performed for each alternative. The purpose of the engineering assessment was to develop a typical section for each alternative and develop a high-level cost estimate. Alternative plan plates are found in **Appendix G**.

The estimated construction costs for improvements ranges from \$1.4M to \$1.8M depending on the alternative. The costs for the curb and gutter, asphalt replacement, sidewalk improvements, pavement marking, and corridor street lighting is almost identical for Alternatives 2 and 3. The larger variability in costs comes from the need for traffic signal additions which is dependent upon the final direction of travel for traffic within each typical section/alternative. In all proposed alternatives, a new signal is required at the intersection of 6th and Rolla due to the conversion of

Rolla from one-way southbound to two-way. An additional signal is required at the intersection of 6th and Pine Street for the alternatives where Pine Street has southbound traffic (Alternatives 1b, 2b, and 3).

Table 3 provides the summary of engineering costs for the five alternatives.

Table 3: Study Area Construction Cost Estimate by Alternative

Pine & Rolla St (6th St - 10th St) Construction Cost Estimate by Alternative												
Improvements ¹	Unit	Unit Cost	Alternatives									
			1a (Exist.)		Alt. 1b		Alt. 2a		Alt. 2b		Alt. 3	
			Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
Curb-Line Improvements ²	LF	\$ 30.00	0	\$ -	0	\$ -	2,500	\$ 75,000.00	2,500	\$ 75,000.00	2,500	\$ 75,000.00
Asphalt Replacement	SY	\$ 10.00	0	\$ -	0	\$ -	4,940	\$ 49,400.00	4,940	\$ 49,400.00	4,590	\$ 45,900.00
Sidewalk Improvements	SY	\$ 65.00	0	\$ -	0	\$ -	2,330	\$ 151,450.00	2,330	\$ 151,450.00	2,750	\$ 178,750.00
Street Lighting Improvements	LS	\$ 400,000.00	0	\$ -	1	\$ 400,000.00	1	\$ 400,000.00	1	\$ 400,000.00	1	\$ 400,000.00
Pavement Marking Improvements ³	LF	\$ 20.00	0	\$ -	3,500	\$ 70,000.00	5,285	\$ 105,700.00	5,285	\$ 105,700.00	5,457	\$ 109,140.00
Signal Removals	EA	\$ 50,000.00	0	\$ -	4	\$ 200,000.00	4	\$ 200,000.00	4	\$ 200,000.00	4	\$ 200,000.00
Signal Additions	EA	\$ 250,000.00	0	\$ -	2	\$ 500,000.00	1	\$ 250,000.00	2	\$ 500,000.00	2	\$ 500,000.00
Subtotals:				\$ -		\$ 1,170,000.00		\$ 1,232,000.00		\$ 1,482,000.00		\$ 1,509,000.00
20% Contingency:				\$ -		\$ 234,000.00		\$ 246,400.00		\$ 296,400.00		\$ 301,800.00
Totals ⁴ :				\$ -		\$ 1,404,000.00		\$ 1,478,400.00		\$ 1,778,400.00		\$ 1,810,800.00

Notes:

1. Assumes no curb line, asphalt replacement, sidewalk, or street lighting improvements on Rolla St
2. Assumes 1,250 LF of curb on each side of Pine from 6th St to 10th St
3. Assumes no parking spot pavement marking on Rolla St.
4. Totals do not include the following: potential reimbursable utility relocation costs or storm sewer modifications or improvements

4.4 Economic

A qualitative assessment of the economic impact to downtown Rolla was performed for each alternative. The rating focused on the impacts to downtown parking, delivery, and access to businesses.

- Parking** – No alternatives reduced existing parking. Alternatives 2a and 2b increased parking by five spaces per block on average with angled parking.
- Delivery** – Today, delivery vehicles often block one of the two existing travel lanes with one-way traffic on Pine Street. Alternatives 2a and 2b which have one travel lane on Pine

Street as well as Alternative 3 which has one travel lane in each direction proposes delivery zones either taking up two of the additional angled parking spots or locating delivery parking zones to the cross streets.

- **Access to Businesses** – Access to businesses downtown is enhanced with Alternative 3 providing more direct access to all businesses and less out of direction travel associated with one-way travel.

In summary, each alternative has trade-offs between parking, delivery and access to businesses. However, all alternatives were rated as High Achievement or Substantial Achievement indicating that there are no fatal economic flaws to any of the alternatives.

4.5 Evaluation Matrix

A transportation analysis of traffic, safety, economic and engineering was performed to help identify the best circulation configuration of Pine Street/Downtown Rolla from a technical perspective. Table 4 provides a qualitative rating for each of the factors analyzed based primarily on quantitative data. The table also includes the results of the public engagement outreach.

The rating system used is described at the bottom of the table. In summary, a full green circle or $\frac{3}{4}$ green circle represents good conditions. The half grey circle represents areas of moderate impact / moderate achievement. The $\frac{1}{4}$ or full red circles represent more significant concern.

In summary, all alternatives are expected to operate at a substantial or high achievement with no fatal flaws. Only Alternatives 2b and Alternative 3 had a rating of the half grey circle of moderate impact / moderate achievement. The results of these two ratings are discussed below.

- Alternative 2b – This alternative received a half grey rating for future vehicle queues. The 95th percentile queues for this alternative exceeded the available storage bay length at 11 locations for at least one of the peak hours analyzed in the future year scenario.
- Alternative 3 – This alternative received a half grey rating for vehicle safety. In this alternative both Rolla and Pine Streets are converted to two-way facilities, as a result there are new potential conflicts for left turning and head on collisions.

The matrix also shows that if improvements are made the cost is expected to be in the \$1.4 to \$1.8 million range. Finally, the public outreach effort concluded that while there are different opinions and thoughts how to improve downtown, the public does want to see improvements.



Move Rolla TDD
Pine Street / Downtown Circulation Study

The top choice, particularly by those that had the opportunity to speak with the project team, preferred Alternative 3.

Table 4: Evaluation Matrix

Alternative	Downtown Rolla Improvements					Transportation Evaluation			Support
	Traffic		Safety		Economic		Engineering		
	Existing Traffic Operations	Future Traffic Operations ¹	Pedestrian Impact	Vehicular Impact ²	Delivery Impact	Access to Businesses	Downtown Stakeholder Input	Public Input (Electronic Survey)	
Alternative 1a (Existing) Pine St 2-Lanes 1-way NB Rolla St 2-Lanes 1-way SB	●	●	●	●	●	●	\$0	2 votes	20 votes
Alternative 1b Pine St 2-Lanes 1-way SB Rolla St 2-Lanes 2-way	●	●	●	●	●	●	\$ 1,404,000	3 votes	0 votes
Alternative 2a Pine St 1-Lane 1-way NB Rolla St 1-Lane 2-way	●	●	●	●	●	●	\$ 1,478,400	4 votes	6 votes
Alternative 2b Pine St 1-Lane 1-way SB Rolla St 1-Lane 2-way	●	●	●	●	●	●	\$ 1,778,400	3 votes	0 votes
Alternative 3 Pine St & Rolla St 1-lane 2-way	●	●	●	●	●	●	\$ 1,810,800	13 votes	6 votes
	High Impact or Low Achievement	Substantial Impact/Moderate Achievement	Moderate Impact/Moderate Achievement	Low Impact/High Achievement					

¹Ratings assume no additional improvements or changes in traffic control, however with 11th, 9th, 8th, and 7th Street intersections on Pine Street converted to AWSC the operations are anticipated to stay the same or improve.

²Converting traffic signals to stop control is assumed to increase the crash modification factor for vehicular accidents.

5.0 Recommendation

As a result of the transportation analysis, the traffic, safety, and economic factors have minimal differentiation between the five different alternatives. The least expensive alternative is to maintain the existing facility with Alternative 1a, resulting in zero construction costs. The other four alternatives construction costs range from \$1.4 to \$1.8 million dollars. Input from the stakeholder engagement meeting favored Alternative 3 by a 3:1 margin of support to the next highest ranked alternative. The public outreach efforts had Alternative 3 and 1b as the highest rated alternatives. The electronic survey results indicated Alternative 3 and 1a as the highest rated alternatives.

In conclusion Alternative 3 received the most overall support and is anticipated to have acceptable traffic and safety operations while providing positive economic impact and accessibility to businesses in the study area. The next step is to present the result of this report to the City Council for approval.



Downtown Improvements Study (Pine Street and Rolla Street)

City Council Meeting

October 18, 2021

Project Overview

Purpose of the Project

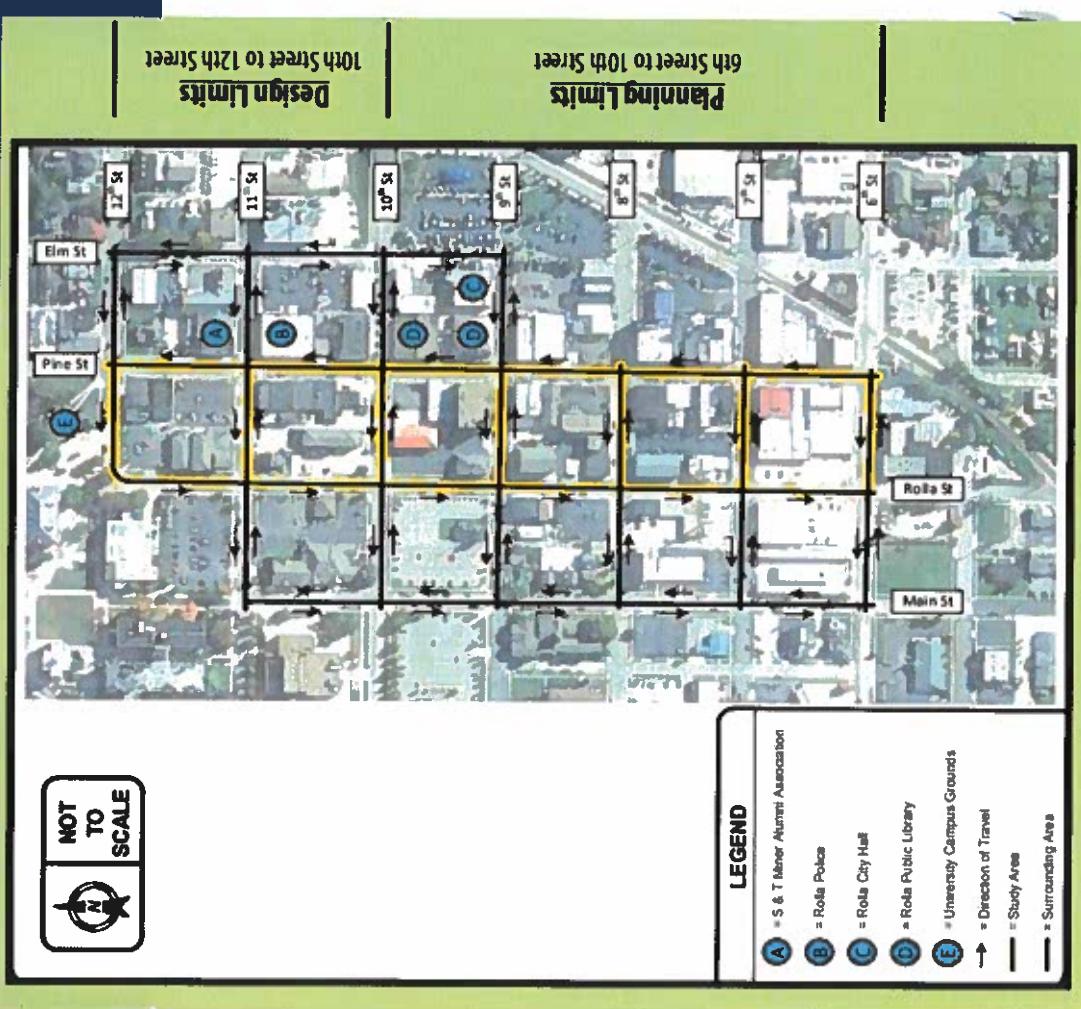
- Evaluate parking, circulation and intersection control
- Meet the needs of downtown residents, visitors and business owners

Benefits

- Multi-modal transportation system
- Address the needs of all users, enhance economic conditions and maximize downtown experience

Improvements May include:

- Update traffic circulation
- Update parking configuration
- New ADA compliant sidewalks
- Update or remove traffic signals
- New curb and gutter
- Repave existing road



Design Limits
10th Street to 12th Street
Planning Limits
6th Street to 10th Street

14.8.19

Existing and Future Conditions

Traffic Volumes

- Today, Pine Street Carries approximately 2,500 vehicles a day and Rolla Street carries 3,300 a day.
- Historically, both have carried up to 5,000 vehicles per day.

Traffic Signals

- Currently minimal motorists delay along Rolla and Pine Streets.
- Four Pine Street traffic signals no longer meet signal warrants and could be removed if desired. These traffic signals are Pine Street at the 11th, 9th, 8th, and 7th Street intersections.

Crash Data

- 150 vehicle crashes (2012 – 2016) averaging 30 crashes per year
- 4 pedestrian crashes (2011 and 2017) averaging 0.6 crashes per year



IV.E.20

Parking Considerations

Parallel/Current Parking

- Typical block has 8 to 9 parking spaces on each side
- Currently 327 on-street parking spaces available in the study area



Potential Mixed Parking (Parallel and Angle)

- Maintain parallel parking on one side and modify the other to angle parking.
- 45-degree angle parking would be utilized.
- Angle parking would add 5 parking spots on a typical block.
- Angle parking would require reducing traffic to one lane, one way.



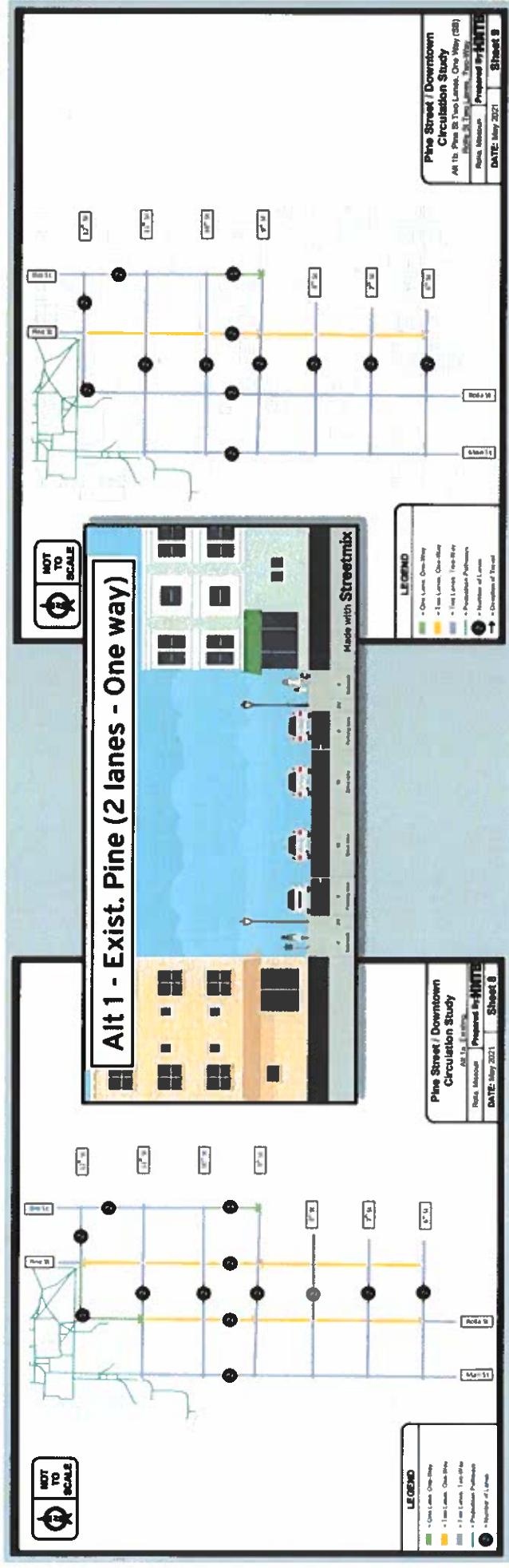
Traffic Circulation Alternatives

Alternative 1a – Existing Circulation

Pine Street two lane, one-way northbound and Rolla Street two lane, one-way southbound.

Alternative 1b -

Pine Street two lane, one-way southbound with parallel parking and Rolla Street two lane, two-way.



Traffic Circulation Alternatives

Alternative 2a

Pine Street one lane, one-way northbound with angled parking and Rolla Street two lanes, two-way

Alternative 2b -

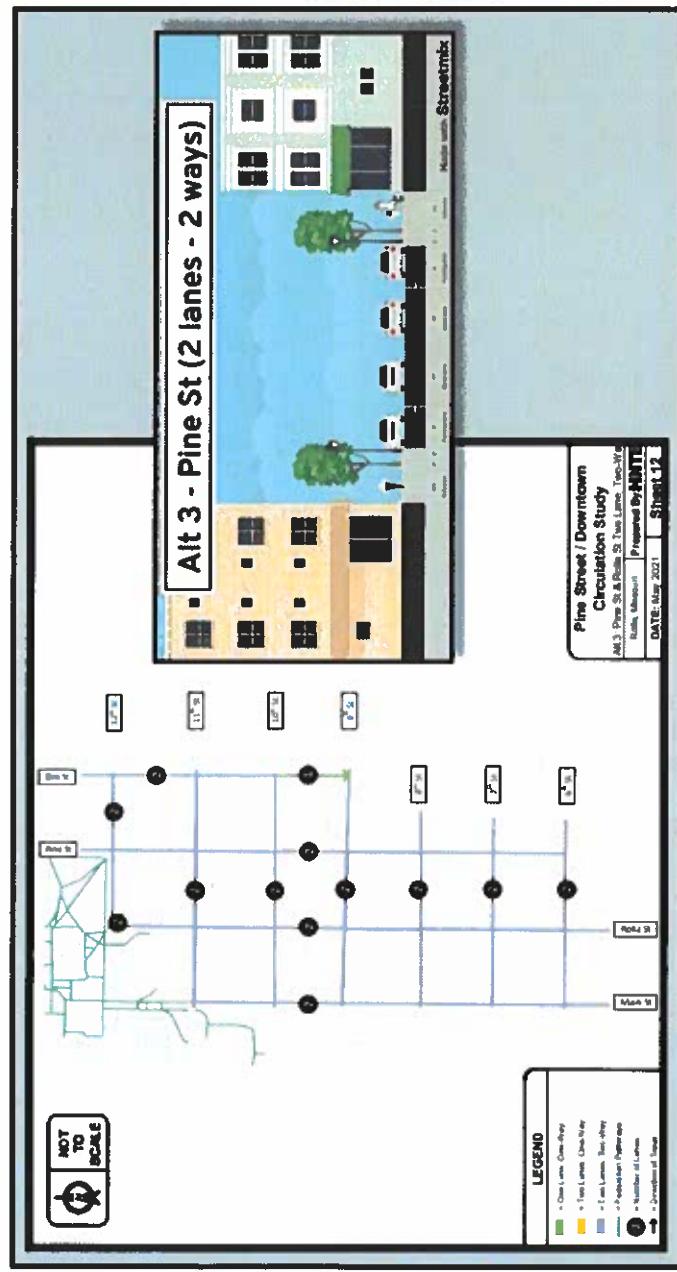
Pine Street one lane, one-way southbound with angled parking and Rolla Street two lanes, two-way.



Traffic Circulation Alternatives

Alternative 3

Pine Street and Rolla Street two lane,
two-way with parallel parking



Other Considerations:

The following are additional considerations that can be incorporated into the Alternatives.

Designated Bike Lanes



Wider Sidewalks



Parklets



Back-in Parking



IV.E.24

Evaluation Matrix

Alternative	Downtown Rolla Improvements											
	Traffic			Safety			Economic			Engineering		Support
Existing Traffic Operations	Future Traffic Operations ¹	Existing Vehicle Queues	Future Vehicle Queues	Pedestrian Impact	Vehicular Impact ²	Parking Impact	Delivery Impact	Access to Businesses	Construction Costs	Downtown Stakeholder Impact	Public Input	Public Input (Electronic Survey)
Alternative 1a (Existing) Pine St 2-Lanes 1-way NB Rolla St 2-Lanes 1-way SB	●	●	●	●	●	●	●	●	\$0	2 votes	20 votes	
Alternative 1b Pine St 2-Lanes 1-way SB Rolla St 2-Lanes 2-way	●	●	●	●	●	●	●	●	\$ 1,404,000	3 votes	0 votes	2 votes
Alternative 2a Pine St 1-Lane 1-way NB Rolla St 1-Lane 2-way	●	●	●	●	●	●	●	●	\$ 1,478,400	4 votes	6 votes	9 votes
Alternative 2b Pine St 1-Lane 1-way SB Rolla St 1-Lane 2-way	●	●	●	●	●	●	●	●	\$ 1,778,400	3 votes	0 votes	1 votes
Alternative 3 Pine St & Rolla St 1-lane 2-way	●	●	●	●	●	●	●	●	\$ 1,810,800	13 votes	6 votes	14 votes

¹Ratings assume no additional improvements or changes in traffic control, however with 11th, 9th, 8th, and 7th Street intersections on Pine Street converted to AWS-C the operations are anticipated to stay the same or improve.

²Converting traffic signals to stop control is assumed to increase the crash modification factor for vehicular accidents.

Conclusions

- One-way streets generally provide improved mobility while two-way streets provide improved accessibility to businesses.
- No fatal flaws were identified between the alternative's technical evaluation.
- Four Pine Street traffic signals no longer meet signal warrants and could be removed. These traffic signals are Pine Street at the 11th, 9th, 8th, and 7th Street intersections.
- Capital costs range from approximately \$1.4 to \$1.8M for the non-existing alternatives which also widen the sidewalks.
- Alternatives 2a and 2b, which include angled parking, require a reduction down to one-lane if parking remains on both sides. The fire department expressed safety concerns with this.
- Public outreach indicated that most people wanted a more pedestrian friendly environment which could include: parklets, wider sidewalks, streetscaping, street furniture, bicycle amenities and lighting.

Construction Costs (2021)

Alternative 1a (Existing)	\$0
Alternative 1b	\$1,404,000
Alternative 2a	\$1,478,400
Alternative 2b	\$1,778,400
Alternative 3	\$1,810,800

Recommendation:

Based on the technical analysis and stakeholder and public input it is recommended that the City move forward with Alternative 3 which converts both Rolla Street and Pine Street to two-way traffic with one-lane in each direction.

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Brady Wilson

ACTION: Procurement

ITEM/SUBJECT: Refuse Carts

BUDGET APPROPRIATION: \$60,000

DATE: October 18, 2021

COMMENTARY:

In order to continue replacing the obsolete poly-carts that have been in use in Rolla for 30+ years and to expand the use of automated collection, the Department has budgeted for purchasing additional carts.

Quotes were recently requested for the purchase of 1,000 carts and those prices including freight are shown below. Staff is recommending the purchase of the Schaefer carts (currently in use) for a total price of \$59,809.75 delivered to Rolla.

Toter Carts (Sourcewell contract/price)	\$64,375.96
Otto Carts	\$62,500.00
Schaefer Carts (currently in use)	\$59,809.75

Item V.A.1

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Brady Wilson

ACTION: Procurement

ITEM/SUBJECT: Refuse Collection Truck

BUDGET APPROPRIATION: \$362,000

DATE: October 18, 2021

COMMENTARY:

In keeping with plans to expand automated collection to additional residential neighborhoods, the Department seeks to order the second automated collection vehicle. This new type of collection system has proven successful in increasing speed and efficiency, reducing risk of injury, and reducing manpower needs. This one-of-a-kind collection system is considered a single-source purchase available through only one dealer in the region. The Department is recommending using the Sourcewell (formerly NJPA) contract pricing as was done for the first truck.

Sourcewell manages contracts through a competitive bid process that meets all legal bidding requirements. These contracts are available to governmental, educational and not-for-profit entities. Sourcewell leverages the buying power of 50,000 agencies nationwide just as a State contract leverages Missouri volume. Sourcewell develops RFB's for national competitive solicitations that meet or exceed local requirements.

Armor Equipment of Arnold, Missouri along with Heil Environmental hold the Sourcewell contract for this equipment. Staff recommends using the Sourcewell contract to purchase the following truck at the listed Sourcewell price.

Heil 20-yard Half Pack Odyssey on a 2023 Mack chassis w/ Curotto Can - \$358,969.00

CITY OF ROLLA CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Motion Bid Award

ITEM/SUBJECT: Salt Storage Building Purchase

BUDGET APPROPRIATION \$60,000 **DATE: 10/18/2021**

COMMENTARY:

Attached is a bid for a Britespan Building System Structure used to store salt for use for our snow and ice management. This quote is a cooperative purchasing service Sourcewell. Sourcewell is a competitive solicitation service for public agency members.

This structure will be placed on a concrete floor and wall structure which will be built with our street personnel. This is a planned purchase and will be placed adjacent to our new facility on McCutchen Road.

Staff recommends award of the Britespan Building System bid for \$51,264.56 utilizing Sourcewell Contract # 091319-BRT.



Example of the type of Structure.

ITEM NO. V.C.1

Dealer Name	B&B Building Systems
Customer Name	Steve Hargis
Building Use	Salt Storage
Town and State	Rolla MO
Sales Rep	Seth Leezer
Building Series	Atlas
Foundation Height	8'
Applicable Building Code	ASCE 7-16 (IBC 2018)
Ground Snow Load	20
Wind Load Vult	105 MPH
Wind Exposure (B,C,D)	B (Urban and Suburban)
Building Width	50
Building Length	96
Truss Spacing	16
Fabric Type	NON-FR
Site Condition	Ce = 1.0 Partially Exposed
Occupancy Category	CAT I (LOW)
Collateral Load .25psf STD	Standard
End Walls Included	1
Doors	0
Stamped Drawings	No



Breakdown of Building Cost			
Building Materials Cost	1		\$22,416.00
0	0		\$0.00
Hot Dip Galvanizing Bolts & Secondaries	1		\$2,522.56
Endwall 1	1		\$2,335.00
Endwall 2	0		\$0.00
Headers	0		\$0.00
Doors	0		\$0.00
Mesh Vents	2		\$240.00
Vent Frames	0		\$0.00
0	0		\$0.00
0	0		\$0.00
Engineered Drawings			\$0.00
Freight			\$2,814.00

Sourced Goods	
Labor to Install	\$17,287.00
Lumber and or Hardware	\$2,150.00
Freight for other than BBS Components	\$1,500.00
0	\$0.00
0	\$0.00

Total Cost	\$51,264.56
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V.C.2