

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/UCffrfbYSQqtuhOAVkCCyieA>

COUNCIL PRAYER
Ministerial Alliance

AGENDA OF THE ROLLA CITY COUNCIL
Monday, March 21st, 2022; 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, CAROLYN BOLIN, STANLEY MAYBERRY, VICTORIA STEEN, AND DEANNE LYONS

PLEDGE OF ALLEGIANCE
Councilwoman Ann Murphey

I. PUBLIC HEARINGS - None

II. ACKNOWLEDGMENTS and SPECIAL PRESENTATIONS

A. Executive Director Stevie Kears – 2021 Year End Tourism Report & 2022 Tourism Marketing Plan

III. OLD BUSINESS

A. **Ordinance** to amend Sections 18-3 and 18-16 of the City Code regarding curb-side recycling. (Environmental Services Director Brady Wilson) **Final Reading**

B. **Ordinance** to amend Section 27-36 of the City Code regarding UTV operations. (City Administrator John Butz) **Final Reading**

IV. NEW BUSINESS

A. **Motion** to allow the use of the Rolla National Airport Extravaganza site for Greek Week games with beer sales on September 10th and 17th. (City Administrator John Butz) **Motion**

B. **Ordinance** authorizing the Mayor to execute an agreement with the Missouri Department of Corrections regarding the Supervised Work Release Program. (Public Works Director Steve Hargis) **First & Final Readings Requested**

C. **Ordinance** Approving the final plat of Jordan Subdivision #2 (City Planner Tom Coots) – **First Reading**

V. CLAIMS and/or FISCAL TRANSACTIONS

A. Award of telephone services for City Hall. (MIS Coordinator Brian Kinsey) **Motion to Award**

VI. CITIZEN COMMUNICATION

A. Reminder of Citywide Spring Cleanup April 2, 2022 (Environmental Services Director Brady Wilson)

VII. MAYOR/CITY COUNCIL COMMENTS

A. Reminder of April 5th municipal election. (Mayor Magdits)

VIII. COMMENTS FOR THE GOOD OF THE ORDER

IX. **CLOSED SESSION** – Closed session pursuant to RSMO. 610.021 (1) to discuss legal work product.

X. ADJOURNMENT

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Brady Wilson

ACTION: Final Reading

ITEM/SUBJECT: Ordinance to Amend Section 18-3 and 18-16 regarding curbside recycling

BUDGET APPROPRIATION: NA

DATE: March 21, 2022

COMMENTARY:

After much consideration, staff is recommending the elimination of residential curbside recycling collection services due to the following reasons:

- 1) The high cost of providing the service in comparison to the relatively small amount of tonnage/volume collected and diverted. The annual net cost of \$172,000 diverts approximately 400 tons, which equates to a cost of \$430.00 per ton (3 times the cost of trash collection).
- 2) Consistent lack of available manpower. Attracting and hiring qualified CDL drivers has become increasingly challenging. Lack of manpower places an additional workload on the remaining employees.
- 3) High rate of employee turnover. The labor-intensive nature of the work along with competition from other higher-paying employment opportunities make retention of employees difficult. On average, the department is attempting to fill open positions on a monthly basis.

With the elimination of curbside recycling, Chapter 18 of the Rolla City Code should be amended to remove references that might imply that the City is required to provide those services.

The Environmental Services Department will continue to focus on overall recycling efforts, including operation of the recycling center for drop-off recycling, collection of cardboard and paper from commercial sources, special collection events, etc.

The curbside service will be phased out through the end of March. This would allow time to notify residents of the change in service. The final week of collection would be March 28-April 1, 2022. Additionally, staff recommends postponing the rate increase included in the FY 2022 budget for further analysis in FY 2023.

Item III. A. 1

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTION 18-3 AND SECTION 18-16, OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING A NEW SECTION IN LIEU THEREOF PERTAINING TO RECYCLING COLLECTIONS.

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

Section 1: That Section 18-3 of the Code of the City of Rolla, Missouri, is hereby repealed and new section enacted in lieu thereof as follows:

Sec. 18-3. Recycling of solid waste materials encouraged.

The City may, as a matter of public welfare, promote recycling as a preferred waste management alternative, make available collection services and drop-off facilities, and, as approved by the City Council, adopt such charges as will encourage refuse customers to recycle appropriate solid waste materials.

In addition to the City's existing programs and services, persons or entities are encouraged to target recyclable materials or recycling services not being addressed by the City's collection/drop-off services. Commercial customers with significant quantities are encouraged to recover materials for recycling. Not-for-profit entities are encouraged to utilize recycling opportunities for fund raising efforts.

Upon request by the City, any person, business, or entity providing recycling services within the City of Rolla, shall provide to the City, records of types and quantities of materials recycled.

Section 2: That Section 18-16 of the Code of the City of Rolla, Missouri is hereby repealed and a new section enacted in lieu thereof as follows:

Sec. 18-16. Service charge rates for residential refuse collection.

Each residential refuse customer shall pay to the City a service charge of \$12.75 per month for the weekly collection of the contents of each 35 gallon container and all acceptable yard wastes in biodegradable bags (seasonally March – November). Each residential refuse customer shall pay to the City a service charge of \$15.25 per month for the weekly collection of the contents of each 90 gallon container and all acceptable yard wastes in biodegradable bags (seasonally March - November).

ORDINANCE NO. _____

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Section 3: That this ordinance shall be in full force and effect on April 2, 2022.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED
BY THE MAYOR THIS 21ST DAY OF MARCH 2022.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

III.A.3

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: City Administrator John Butz ACTION REQUESTED: Final Reading

ITEM/SUBJECT: Ordinance to Amend Sec. 27-36 of City Code: UTV operations in Rolla

BUDGET APPROPRIATION: \$250 +/-

DATE: March 21, 2022

COMMENTARY:

At the February 22nd Council Meeting, in response to a citizens' request filed by Mr. Kelly Martin, Council authorized the drafting of an ordinance to amend Section 27-36 of the Rolla City Code which currently prohibits the operation of "all-terrain vehicles" inside the city limits. The issue of allowing "utility vehicles" on city streets, allowed per state statutes (RSMo 304.032) by local action, has been growing in recent years. Initially very small rural communities began allowing, but in the last couple years the issue has been granted by larger communities such as Kirkwood, O'Fallon, Union, and Popular Bluff.

State regulations address ATVs, UTVs, and golf carts separately. While very unpopular by law enforcement due to safety concerns (see 02/07/22 memo from Chief Fagan) communities have been experimenting with various forms of permits and requirements. Attached is the ordinance for final reading. The ordinance does not require additional insurance (beyond that of an automobile) nor does it require a physical inspection by any City Department. The ordinance does require a permit (and issued decal) by the Finance Department. Law enforcement would be responsible for ensuring the posted license and safety requirements when given cause to pull same over for traffic violations. City Council can review the ordinance/policy at any given time or could insert a "Whereas" provision in the ordinance that called for a specific review date (after 12 months).

Recommendation: Final reading of ordinance to amend Sec. 27-36 of City Code pertaining to UTVs inside the City Limits.



III.B.1

Ordinance _____

AN ORDINANCE OF THE CITY OF ROLLA, MISSOURI TO AMEND SECTION 27-36 OF THE CODE OF THE CITY OF ROLLA, MISSOURI TO ALLOW THE OPERATION OF UTILITY VEHICLES WITHIN THE LIMITS OF SAID CITY, TO ESTABLISH REASONABLE REGULATIONS THERETO, AND TO REPEAL ALL CONFLICTING ORDINANCES.

WHEREAS, the City Council of the City of Rolla, Missouri has determined that it is in the best interest of the City to authorize the operation of utility vehicles within the limits of said City and to establish reasonable regulations regarding such operations as authorized by RSMo 304.032;

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

Section 1. Section 27-36 of the Rolla City Code is hereby repealed and a new Section 27-36 is enacted in lieu thereof as follows:

Sec. 27-36 Non-licensed All-Terrain Vehicles – prohibit, exceptions.

1. **Definitions.** For purposes of this Section, the following definitions shall apply:

- A. "All-Terrain Vehicle" shall mean any motorized vehicle manufactured and used exclusively for off-highway use that is 50 inches or less in width, with an unladen dry weight of one thousand five hundred (1,500) pounds or less, traveling on three, four or more low-pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control;
- B. "Utility Vehicle" shall mean any motorized vehicle manufactured and used exclusively for off- highway use which is sixty-three inches or less in width, with an unladen dry weight of three thousand five hundred (3,500) pounds or less, traveling on four or six wheels.
- C. "Golf Cart" shall mean any motorized vehicle originally designed for carrying golfers and their equipment over a golf course, including any such vehicle modified to carry additional passengers that is not capable of exceeding speeds of twenty (20) miles per hour.

2. It shall be unlawful for any person to operate on multi-use paths or sidewalks in the City of Rolla, Missouri any all-terrain vehicle, utility vehicle or golf car except for those operated for and by the City of Rolla or expressed authorization thereto.

3. **Operation in Violation of Regulations Prohibited.** No person shall operate an All-terrain Vehicle or golf cart as defined herein on any street within the City of Rolla. No person shall operate a Utility Vehicle on any street within the City of Rolla except as authorized herein.

4. **Only Licensed Drivers May Operate.** Any person operating a Utility Vehicle on any street within the City of Rolla must be validly licensed to operate a motor vehicle under the Laws of the State of Missouri or his or her state of residence (unless exempt under Missouri law), however, no additional licensure shall be required.

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5. Time of Operation. No Utility Vehicle shall be operated on any street within the City of Rolla between the hours of sunset and sunrise or in such conditions as the Utility Vehicle cannot be seen by another motorist traveling a reasonable distance behind.

6. Speed of Operation. No Utility Vehicle shall be operated on any street within the City of Rolla at a speed greater than thirty (30) miles per hour or in excess of the posted speed limit, whichever is less.

7. Limit on Passengers. No person shall operate any Utility Vehicle on any street within the City Rolla with a greater number of passengers than said Utility Vehicle is designed to safely carry.

8. Careless and Imprudent Operation Prohibited. Notwithstanding any other provision of law, every person operating any Utility Vehicle on any street within the City Rolla shall do so in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

9. Operation Under the Influence Prohibited. No person shall operate any Utility Vehicle on any street within the City of Rolla while under the influence of alcohol or any drug or drugs.

10. Operation on Highways Prohibited. Notwithstanding any other provision of law, no person shall operate any Utility Vehicle upon any federal or state highway unless otherwise permitted by law except for the purpose of crossing any such highway whose posted speed limit is less than forty-five (45) miles per hour.

12. Insurance Required. All owners and/or operators of any Utility Vehicle operated on any street within the City Rolla shall meet the minimum standards for liability insurance as set forth by RSMo 303.160 for each Utility Vehicle so operated.

13. Safety Requirements. The following shall apply at all times:

1) **Flag Required.** Any Utility Vehicle operated on any street within the City of Rolla shall have a bicycle flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle; the flag shall be day-glow in color (bright) and shall be triangular shaped, with an area not less than 30 square Inches.

2) Drivers and occupants shall be properly secured by safety restraints. No driver or passenger may be seated anywhere other than a properly designated seat. Children must be in an age appropriate car seat.

3) Utility Vehicle must maintain working lighted headlight and tail light, brakes, mirrors, muffler, and roll-over cage.

4) Utility Vehicle must have operating turn-signals.

5) Utility Vehicle must comply with all State Laws including RSMo 304.032.

13. Permit Required. No Utility Vehicle may be operated on any street within the City of Rolla unless there shall be issued an annual permit by the City Finance Department. Applicants shall provide proof of ownership and insurance. Each permit so issued shall cost fifteen dollars (\$15) and shall expire on December 31st of the year in which it is issued. Upon approval of the permit the City shall issue a decal to be affixed to the left rear of the UTV which must be clearly visible.

Section 2. That all other Ordinances in conflict herewith are hereby expressly repealed.

Section 3. A violation of this section shall be a misdemeanor and subject to a fine of not less than one hundred dollars (\$100.00).

Section 3. That this Ordinance shall be in full force and effect upon its passage, approval and adoption by the City Council of the City of Rolla, Missouri.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

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APPLICATION FOR UTILITY VEHICLE PERMIT

Permit is not finalized until Finance Clerk completes this section.

Permit Number: _____

Permit Decal Number: _____

Date of Issue: _____

Finance Department Signature: _____

Owner Name: _____

Physical Address: _____

Phone Number: _____

Make of UTV: _____ Model of UTV: _____ Color: _____

Vehicle Identification Number (VIN): _____

Clerk Verification:

Copy of valid driver's license:

Copy of Proof of Ownership (title/purchase receipt):

Copy of insurance specifically detailing Utility Terrain Vehicle Coverage:

I hereby attest to the following: **(applicant must initial by each)**

That the above UTV:

- ___ will be operated by validly licensed drivers only
- ___ drivers and occupants shall be properly secured by safety restraints
- ___ will be driven on Rolla City Streets only and not multi-use sidewalks
- ___ will NOT be driven on State or Federal roads except to cross
- ___ will NOT be operated between sunset and sunrise
- ___ is covered with the minimum standards for liability insurance as set forth by RSMo 303.160
- ___ has the appropriate flag affixed pursuant to City Code (see back for reference)
- ___ will maintain working head lights, tail lights, brakes, mirrors, muffler, roll-over cage, & turn signals
- ___ will have the City issued permit decal affixed and clearly visible on the left rear of the UTV
- ___ will be operated in compliance with all State Laws including RSMo 304.032
- ___ Permits are valid for 1 (one) calendar year, expiring on December 31st. The fee of \$15 (RSMo 304.032) is not prorated.

I understand the City of Rolla maintains the right to refuse a permit for safety reasons or if it is determined that the specified requirements have not been met. I understand that any violations of these conditions, City code, or vehicular statutes of the State of Missouri, will cause revocation of this permit. Violation of this aforementioned shall be a misdemeanor and subject to a fine of not less than one hundred dollars (\$100.00).

Applicant Signature: _____

Date: _____

Excerpt from Sec. 27-36 Non-licensed All-Terrain Vehicles – prohibit, exceptions.

2. It shall be unlawful for any person to operate on multi-use paths or sidewalks in the City of Rolla, Missouri any all-terrain vehicle, utility vehicle or golf car except for those operated for and by the City of Rolla or expressed authorization thereto.

3. **Operation in Violation of Regulations Prohibited.** No person shall operate an All-terrain Vehicle or golf cart as defined herein on any street within the City of Rolla. No person shall operate a Utility Vehicle on any street within the City of Rolla except as authorized herein.

4. **Only Licensed Drivers May Operate.** Any person operating a Utility Vehicle on any street within the City of Rolla must be validly licensed to operate a motor vehicle under the Laws of the State of Missouri or his or her state of residence (unless exempt under Missouri law), however, no additional licensure shall be required.

5. **Time of Operation.** No Utility Vehicle shall be operated on any street within the City of Rolla between the hours of sunset and sunrise or in such conditions as the Utility Vehicle cannot be seen by another motorist traveling a reasonable distance behind.

6. **Speed of Operation.** No Utility Vehicle shall be operated on any street within the City of Rolla at a speed greater than thirty (30) miles per hour or in excess of the posted speed limit, whichever is less.

7. **Limit on Passengers.** No person shall operate any Utility Vehicle on any street within the City Rolla with a greater number of passengers than said Utility Vehicle is designed to safely carry.

8. **Careless and Imprudent Operation Prohibited.** Notwithstanding any other provision of law, every person operating any Utility Vehicle on any street within the City Rolla shall do so in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

9. **Operation Under the Influence Prohibited.** No person shall operate any Utility Vehicle on any street within the City of Rolla while under the influence of alcohol or any drug or drugs.

10. **Operation on Highways Prohibited.** Notwithstanding any other provision of law, no person shall operate any Utility Vehicle upon any federal or state highway unless otherwise permitted by law except for the purpose of crossing any such highway whose posted speed limit is less than forty-five (45) miles per hour.

12. **Insurance Required.** All owners and/or operators of any Utility Vehicle operated on any street within the City Rolla shall meet the minimum standards for liability insurance as set forth by RSMo 303.160 for each Utility Vehicle so operated.

13. **Safety Requirements.** The following shall apply at all times:

1) **Flag Required.** Any Utility Vehicle operated on any street within the City of Rolla shall have a bicycle flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle; the flag shall be day-glow in color (bright) and shall be triangular shaped, with an area not less than 30 square Inches.

2) Drivers and occupants shall be properly secured by safety restraints. No driver or passenger may be seated anywhere other than a properly designated seat. Children must be in an age appropriate car seat.

3) Utility Vehicle must maintain working lighted headlight and tail light, brakes, mirrors, muffler, and roll-over cage.

4) Utility Vehicle must have operating turn-signals.

ROLLA POLICE DEPARTMENT

Memorandum

Date: 07 February 2022
To: Mayor Lou Magdits & City Administrator John Butz
From: Colonel Sean Fagan, Chief of Police
Subject: Use of Off Road Vehicles

Sirs,

Recently there has been a lot of talk about possibly allowing off road vehicles to operate on the streets of Rolla. Other smaller cities such as St. James have recently passed ordinances allowing them to be operated on their streets. I including all of my staff are very much against allowing these off road vehicles to operate on the paved streets of Rolla. There are several reasons for this which I will try to articulate:

By 1989, Chrysler offered airbags in every passenger car. We've come a long way since then. Today, airbags, along with seatbelts, antilock brakes, traction control, stability control, and backup cameras, are government-mandated. You can expect many of the current crop of gee-whiz driver-aid safety features to be mandatory at some point.

- **Shatter resistant glass.** Shatter resistant glass provides a windshield that breaks into numerous, harmless pieces in the event of an accident. The windshields in earlier motor vehicles were dangerous. If the windshield was to break, the driver would be covered in shards of glass. Shatterproof glass is laminated in such a way as to prevent injuries
- **Seatbelts.** This safety feature, invented in 1849, was not standard equipment until 1966, when the National Traffic and Motor Vehicle Act and the Highway Safety Act gave control to the federal government. The federal government formed the National Highway Traffic Safety Administration or NHTSA. The NHTSA made it mandatory for all vehicle manufacturers to make seatbelts standard in all motor vehicles. Since the 1960's several improvements to seatbelts have been made
- **Airbags.** In 1968, Allen Breed invented the first electronic sensor to set off air bags in the case of an accident. In 1988, Chrysler made airbags standard equipment in all their

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vehicle models. Chrysler was ahead of the game, since it was not until 1998 that airbags became mandatory in all motor vehicles

- **Anti-lock braking systems.** The earliest braking systems in automobiles only applied braking pressure to the rear wheels. During emergency braking situations the rear wheels would lock up, causing the vehicle to slide and swerve to a stop. It was not until the 1920's that four wheel brakes were introduced. Four wheel brakes helped prevent swerving in an emergency braking situation. The introduction of ABS solved the skidding problem and also allowed the driver to maintain control of steering, while braking on slick surfaces
- **Stability control.** Stability control allows drivers to avoid dangerous rollover accidents, by the computer helping to compensate for driver error. If you turned too hard in a vehicle without stability control you may have a rollover accident. If you did the same maneuver in a vehicle with stability control the computer compensates for the amount of over steer by sending power to different wheels to avoid an accident
- **Lights.** Three types of lights are essential for any vehicle: brake lights, turn signals and headlights. Make sure that you use all these. You should also check the bulbs regularly to ensure that they're in perfectly working condition. Have a bulb replaced as soon as it fails. If you're frequently traveling on long routes at nighttime, you should consider having powerful bulbs or HIDs installed for your headlights
- **Mirrors.** Proper positioning of side and rear view mirrors is very important. Proper alignment of mirrors ensures high visibility and eliminates the blind spots
- **Bumpers.** Perhaps the most primitive of safety features, bumpers are built to withstanding minor collisions. They can prevent damage to the main body and engine of the car.

These are only a few of the over 100 safety features that have been incorporated in today's motor vehicles, all of which were implemented for the safety of the driver and passengers in vehicle.

Side by sides, UTVs and ATVs do not have these safety features (with the exception of seat belts).

They do not have anti-lock brakes, and are unstable due to being top heavy. Recently one tipped over next to the property of Captain Smith, which he stated was not the first time.

The Consumer Products Safety Commissions report includes off-highway vehicle (OHV)-related estimated injury statistics during the period 2017 through 2019, and deaths from 2015 through 2017. OHVs are comprised of recreational off-highway vehicles (ROVs) and utility terrain vehicles (UTVs), in addition to ATVs.

These off road vehicles accounted for approximately 97 percent of total off-highway vehicle (OHV)-related emergency department-treated injuries. There were about 1,700 ATV-related fatalities and 445 ROV-related fatalities reported during this period.

Ann Marie Buerkle, CPSC acting chair in 2018. "Off-road vehicles are not designed to be driven on paved surfaces, and collisions with cars and other on-road vehicles can be deadly."

The U.S. Consumer Product Safety Commission urges riders to keep all off-road vehicles off roads, the commission said in 2016. "This includes all-terrain vehicles, recreational off-highway vehicles, side-by-sides, dirt bikes, and other utility vehicles."

Children Are at High Risk

ATVs and ROVs become more dangerous when children drive adult-sized vehicles, or when more than one passenger rides on vehicles built for a single rider. Children under 16 accounted for the third-highest percentage of OHV deaths by age group; almost 50 percent of this group were children under 12.

Never Ride ATVs and ROVs on Paved Roads

It is extremely dangerous to use ATVs and ROVs on paved roads intended for vehicles; they are simply not designed for that purpose. Because ATVs and ROVs can be unwieldy on paved surfaces, the risk of collision with a car, truck, or other vehicle is significantly higher. The risk of tip-over is also dramatically increased. Even if a locality allows ATVs and RTVs on paved roads, CPSC strongly recommends not using them on paved surfaces.

Two national lobbying groups that represent manufacturers of off-highway vehicles said in position papers recently forwarded to local officials that they were opposed to on-highway use of OHVs and all-terrain vehicles. Additionally, a federal commission on consumer safety published guidance in 2016 and again in 2018 that Americans should not drive the vehicles on paved, public roads.

"Off-road vehicles are not designed to be driven on paved surfaces, and collisions with cars and other on-road vehicles can be deadly for ATV operators."

I had a meeting with Captain Eddy Blaylock, Troop I Commander for the Missouri State Highway Patrol. When asked, he indicated to me the Highway Patrol is very aggressive in its enforcement of these types of vehicles being operated on State Routs and Highways. Also, Missouri S&T does not allow these vehicles to be operated on campus.

In closing, let me state that it is true that some smaller cities are allowing these vehicles on their roadways. Rolla is not a small city in comparison to these other cities. Considering the number of accidents we handle every year, it is a concern that we will inevitably have accidents with these off road vehicles. I fear of the injuries and deaths that these accidents will incur.

Respectfully Submitted,

Col. Sean Fagan
Chief of Police
City of Rolla

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: John Butz, City Administrator

ACTION REQUESTED: Motion

ITEM/SUBJECT: Request by S&T–Interfraternity Council–Sept. 2022 Greek Week Games

BUDGET APPROPRIATION: NA

DATE: March 21, 2022

COMMENTARY:

The S&T IFC is again requesting use of the Rolla National Airport Extravaganza site for their Greek Week games on September 10th and 17th. The event has taken place for at least 17 years and cooperation has generally been very good. The request includes approval of beer sales, which requires a State license, insurance, security, and bus transportation for all participants with the exception of event organizers.

Recommendation: Motion to approve use of RNA fields for Greek Week Games in September 2022 with beer sales.

IV.A.1

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Ordinance 1st and Final Reading

ITEM/SUBJECT: Work Release Program with the South Central Correctional Center

BUDGET APPROPRIATION DATE: 3/21/22

COMMENTARY:

Attached is an ordinance authorizing the Mayor to enter into a Supervised Institutional Work Release Program Agreement with the Missouri Department of Corrections, Division of Adult Institutions, South Central Correctional Center.

The Agreement will allow us to utilize an eight member work release crew to perform grass mowing and tree trimming type activities along City of Rolla rights of way and Park property. Some of our focus areas will be keeping our drainage ways clear of brush and debris, trimming trees encroaching into the travel way of streets and sidewalks and mowing on city owned property and parks.

We have been utilizing workers from the South Central since 2005 and the program has been very successful. Staff recommends approval of the Ordinance.

The current agreement is expired and we are requesting first and final readings.

IV. B. 1

"Exhibit A"



STATE OF MISSOURI
MISSOURI DEPARTMENT OF CORRECTIONS
CONTRACT AMENDMENT

RETURN AMENDMENT NO LATER THAN January 14, 2022 TO:

Steven W. Beeson, Procurement Analyst

steven.beeson@doc.mo.gov

(573) 526-6590 (Phone)

(573) 522-1562 (Fax)

FMU/PURCHASING SECTION

P.O. BOX 236

JEFFERSON CITY, MISSOURI 65102

DATE	VENDOR IDENTIFICATION	CONTRACT NUMBER	CONTRACT DESCRIPTION
December 16, 2021	Attn: Louis J. Magdits, IV - Mayor City of Rolla 901 N. Elm St. Rolla, Mo 65401	Amendment 001 W21708281	Supervised Work Release Program Agreement for South Central Correctional Center

CONTRACT W21708281 IS HEREBY AMENDED AS FOLLOWS:

Pursuant to paragraph 2.1 on page 1, the Missouri Department of Corrections desires to renew the above-referenced contract for the period of March 1, 2022 through February 28, 2023.

All other terms, conditions, and provisions of the previous contract period, including compensation rates, shall remain and apply hereto.

If in agreement, the contractor shall complete, sign, and return this document as acceptance on or before the date indicated above.

IN WITNESS THEREOF, THE PARTIES HERETO EXECUTE THIS AGREEMENT.

Company Name: _____

Mailing Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

MissouriBUYS SYSTEM ID: _____

Email: _____

Authorized Signer's Printed Name and Title: _____

Authorized Signature: _____ Date: _____

THIS AMENDMENT IS ACCEPTED BY THE MISSOURI DEPARTMENT OF CORRECTIONS AS FOLLOWS: In its entirety.

Michele Buckner, Warden, South Central Correctional Center Date

IV.B.2

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF ROLLA A CERTAIN AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI AND MISSOURI DEPARTMENT OF CORRECTIONS

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

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a Supervised Work Release Program Agreement between the City of Rolla, Missouri and Missouri Department of Corrections, 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 21st DAY OF MARCH 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

IV. B. 3



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: First Reading

SUBJECT: Jordan Subdivision #2: a Minor Subdivision Final Plat to reorganize three commercial lots into two lots.

(SUB22-02)

MEETING DATE: March 21, 2022

Application and Notice:

Applicant/Owner - John Jordan of JC Land Investments, LLC; and Brett Bruner of 3 Springs Holding, LLC
Public Notice - <https://www.rollacity.org/agenda.shtml>

Background:

One of the applicants, JC Land Investments, LLC, sold Lot 3 and part of Lot 2 to the other applicant, 3 Springs Holding, LLC last year. JC Land Investments, LLC retained the remainder of the property and is currently under contract to sell the remainder to another party. However, the subdivision of Lot 2 and reorganization of the lot lines should have been reviewed and approved by the Planning and Zoning Commission and City Council. Until a subdivision plat is approved and recorded to address the situation, building permits may be withheld for both properties.

The new Lot 1 is developed as a self-storage use. The new Lot 2 is currently under contract for sale to the Rolla Mission, which is separately pursuing zoning approval for their use.

Property Details:

Current zoning - C-2, General Retail
Current use - Commercial
Land area - Lot 1: 1.89 acres; Lot 2: 1.14 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Hwy 72, a Major Arterial road; and frontage on Hartville Rd, a local street.
Sidewalks - Sidewalks are not located along the frontage of the property.
Utilities - The subject property should have access to all needed utilities.

Comprehensive Plan: The Comprehensive Plan designates the subject property as being appropriate for Community Commercial uses.

Discussion: The proposed plat appears to meet all zoning and subdivision requirements. Approval of the plat would correct the subdivision issue from when Lot 2 was split.

IV-C.1

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a meeting on March 15, 2022 and voted 5-0 to recommend approval of the request.

Prepared by: Tom Coots, City Planner

Attachments: Area Map, Plat, Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF JORDAN SUBDIVISION #2.

(SUB 22-02)

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 Jordan Subdivision #2, 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 4TH DAY OF APRIL, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

10.C.4

CITY COUNCIL AGENDA

REQUESTOR: Brian Kinsey, MIS Coordinator

Action Requested: Award

Subject: Upgrade of Telephone System for City Hall

BUDGET: \$25,000

Date: March 21, 2022

.....
Commentary:

The City issued a Request for Proposals for a new telephone system or service solution for City Hall, Parks/SplashZone and Public Works. More than 20 responses were received. Initial evaluation narrowed the proposals to three firms who were interviewed by a committee of City Admin staff and interested departments in late 2021.

Background: City Hall has been served by an on-site VOIP phone system since the building was remodeled in 2005-06. This system has served well, but has reached the end of its useful life, necessitating either substantial upgrades or complete replacement in order to continue providing reliable service for the future. Average yearly cost of the system from 2005/06 to now has been approximately \$11,500 per year. Increasing problems requiring paid support calls and database corruption requiring rebuilding of the voicemail configuration led to the current RFP being created.

Vendors: The telecom market is changing. In recent years, the market has shifted drastically away from premises-based systems towards internet or "cloud-based" services. A cloud-based system involves no hardware on site other than phones themselves, relying on an internet connection for communication with a controlling system in some remote datacenter. Of the 22 responses received, 21 of them proposed some version of a cloud-based service. All of the finalists were cloud-based providers.

Cloud Advantages: IT staff has performed all routine administration and configuration changes for our existing phone system, paying for vendor support and maintenance as required. Moving to a cloud-based system removes the burden of administration and maintenance expenses, rolling all operating costs into a monthly service charge. It also reduces the knowledge burden required of future IT staff. With upgrades in recent years to the City's shared internet connection, staff is confident that such a system will provide excellent service as a replacement for our current premises-based system.

Cloud-based systems also offer easy future expansion. A cloud-based solution will allow expansion to other departments or locations by simply adding user licenses and buying phones. This is particularly useful for small, isolated locations.

Evaluation Criteria and Results: Initial evaluation consisted of comparing features, completeness and quality of each proposal, company size, history, reputation, and service reliability based on datacenter information. Price was also considered, but was not a primary criteria for selection.

Final evaluation included provider presentation and Q&A from the committee. Areas judged to be key differentiators were usability, reliability, and track record.

V.A.1

Finalists were:

- Communications Technologies, Inc., a St Louis based vendor and partner for LogMeIn GoTo Connect;
- CMS Communications, also St Louis based, offering service from Ring Central,
- Nextiva utilizes its own sales channel instead of partners. Representative also located in the St Louis area.

All three finalists were judged to be equal in terms of features and reliability. All include the same key features, and all utilize multiple carrier-class datacenters located nationwide. The committee found a slight difference in usability, with Nextiva and Ring Central both scoring higher than GoTo Connect. Nextiva in particular had a polished and intuitive user interface.

Track record was judged based on company size and footprint, customer rankings, and age/maturity of the product. All three are large companies, with strong existing customer bases. Ring Central and Nextiva in particular, both rank near the top of most surveys of cloud-based telecom providers.

For GoTo Connect, while the parent company LogMeIn has a long track record in online collaboration and remote support, GoTo Connect itself is a newer platform, having been acquired by LogMeIn in 2018. GoTo Connect was judged to be slightly lower than the other finalists on track record as a result.

Price is the final criteria (costs are for 48 users).

Nextiva –	RingCentral –	GoToConnect -
Setup/Implementation - \$0	Setup/Implementation - \$4680.00	Setup/Implementation - \$0
Hardware (phones) - \$790	Hardware (phones) - \$4477.50	Hardware (phones) - \$1576.02
User licenses - \$1101.60	User licenses - \$575.52	User licenses - \$669.60
Other Monthly Fees - \$0	Other Monthly Fees - \$240.00	Other Monthly Fees - \$107.74
1 Yr Total - \$14,259.20	1 Yr Total - \$18,943.74	1 Yr Total - \$10,904.10
3 Yr Contract - \$40,697.60	3 Yr Contract - \$38,516.22	3 Yr Contract - \$29,560.26

For cost comparison purposes, our historical average 3-yr expenses for our current system, including purchase, monthly dial-tone costs, and repairs and maintenance, is \$34,516.21.

Recommendation:

Staff is recommending Nextiva due to their experience, usability, and market placement. This is with the realization that Nextiva is the highest priced option over a 3-yr or longer period, and that GoToConnect is a lower priced option that does meet the basic requirements of the RFP.

V.A. 2

Citywide Spring Cleanup

Saturday April 2nd, 2022

- | | |
|--------------------|----------------------------|
| ✓ Boxes of trash | ✗ Yard Waste |
| ✓ Bags of trash | ✗ Large Appliances |
| ✓ Mattresses | ✗ Tires |
| ✓ Furniture | ✗ Hazardous Waste |
| ✓ Yard toys | ✗ Construction Debris |
| ✓ Small appliances | ✗ Large pieces of concrete |
| ✓ TV's | |

...and more!

- If you have items such as a lawnmower or trimmer, please drain the gas and oil first!
- Please bag or box as much as you can.
- Do not place items at the curb before Wednesday of that week.
- Items need to be to the curb no later than 6:00am on Saturday April 2nd!
- Trash containers will not be emptied.
- Limited to residential properties only. **Commercial businesses and apartment complexes will not be included.**

