

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Board of Aldermen of the City of Ashland, Mo. at 7:00 p.m. on May 17, 2016 at 815 East Broadway, Ashland, Mo. concerning the matter of the proposed annexation of four acre tract for Hummingbird Properties, LLC. In to the City limits of the following described real estate in Boone County to wit:

The voluntary annexation of 4.00 acres located at 7210 E. Route H. A Tract of Land located in the Northwest Quarter of Section 25, Township 47 North, Range 12 West, Ashland, Boone County, Missouri and being described by the warranty deed recorded in Book 4537, Page 36. A complete legal description is on file in the City Clerk's office.

At this public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation. Furthermore, any objections to the proposed annexation should be filed in writing with the Board of Aldermen of the City of Ashland no later than fourteen days after the date of said public hearing.

For additional information contact City Hall at 657-2091 or e-mail cityclerk@ashlandmo.us

Done by order of the Board of Aldermen

Darla Sapp, City Clerk



**CITY OF ASHLAND
815 EAST BROADWAY
(SOUTHERN BOONE FIRE PROTECTION DISTRICT TRAINING FACILITY)
ASHLAND, MO. 65010
BOARD OF ALDERMEN AGENDA
TUESDAY, MAY 17, 2016
7:00 P.M.**

Call Public Hearing to order concerning annexation of a four acre tract for Hummingbird Properties, LLC.

Adjourn Public Hearing

Call regular meeting to order

Invocation

Pledge of Allegiance

Roll Call

CONSENT

1. Consideration of the 5-17-2016 agenda: **Action:** _____
2. Consideration of the 5-03-2016 minutes: **Action:** _____

APPEARANCES

3. Anyone wishing to appear before the Board on an item not listed on the agenda

APPOINTMENTS

4. Reappointment of Planning and Zoning members: James Branson and Brad Williamson-4 year term
5. Appoint: George Elliott-Board of Adjustment

COUNCIL BILLS

6. Council Bill No 2016-020, an ordinance extending the unincorporated area on the east side of Highway 63 on Route H; directing the City Clerk to give notice of the annexation; and placing API (Airport Planned Industrial) zoning on the property for Hummingbird Properties, LLC. First Reading by title only. **Action:** _____

7. Council Bill No. 2016-021, an ordinance to modify the municipal election date from August 2, 2016 to April 4, 2017 as set out in Ordinance No. 1054. First Reading by title only. **Action:** _____
8. Council Bill No. 2016-022, an ordinance to change the zoning of a parcel of land from (APC) Airport Planned Commercial to (API) Airport Planned Industrial for Hummingbird Properties, LLC. First Reading by title only. **Action:** _____
9. Council Bill No. 2016-023, an ordinance approving the preliminary plat for Ponderosa Commerce Park for Hummingbird Properties, LLC. First Reading by title only. **Action:** _____
10. Council Bill No. 2016-024, an ordinance to change the zoning of two parcels of land from (I-L) Light Industrial to (R-3) High Density Residential for Conservation Home Builders, LLC. First Reading by title only. **Action:** _____
11. Council Bill No. 2016-025, an ordinance authorizing the Mayor to enter into a revised road relinquishment agreement with the Missouri Highways and Transportation Commission. First reading by title only. **Action:** _____

ORDINANCES

12. Ordinance No. 1068, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2016 Budget. **Action:** _____
13. Ordinance No. 1069, an ordinance to modify the municipal election date from August 2, 2016 to April 4, 2017 as set out in Ordinance No. 1054. **Action:** _____
14. Ordinance No. 1070, an ordinance authorizing the Mayor to enter into a revised road relinquishment agreement with the Missouri Highways and Transportation Commission. **Action:** _____

RESOLUTIONS

15. A resolution authorizing the Mayor on behalf of the City, to enter into a credit agreement and disclosure with the Callaway Bank; and authorizing certain city officials to conduct business for the city and to sign matter related to The Callaway Bank loan. **Action:** _____
16. A resolution authorizing the Mayor, on behalf of the City, to enter into the employment agreement for City Administrator for the City of Ashland, Missouri. **Action:** _____

OTHER

17. Discussion -Consolidated Public Water District boundary changes
18. Accept resignation from Paul Beuselinck from the Planning and Zoning Commission
19. Accept resignation from Mary Logsdon from the Ashland Parks and Recreation Board
20. Missouri Credit Union letter requesting alcohol in park on the June 18, 2016
21. Vote to have special meeting May 24, 2016 on sale of revenue bonds

REPORTS

22. Mayor's Report
23. Police Chief's Report
24. City Administrator's Report
25. City Attorney's Report
26. Board of Aldermen's Report
27. Vote to go into closed session pursuant to Chapter 610.021 (3) personnel matters
28. Go into open session and report action taken/if any
29. Vote to adjourn the meeting

The City of Ashland wants to make certain our meeting is accessible to all citizens. If you require any accommodations (signing, interpreter, translator, etc.) that we do not normally have at our meetings, please let Darla Sapp, City Clerk know of your needs. (if possible 48 hours in advance of the meeting)

Posted: 5-13-2016

City Hall and website: www.ashlandmo.us

TUESDAY, MAY 3, 2016
BOARD OF ALDERMEN MINUTES
7:00 P.M.
DRAFT COPY NOT APPROVED BY BOARD

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on May 03, 2016 at 815 East Broadway, Ashland, Missouri.

Alderman Bronson gave the invocation.

Mayor Rhorer called the roll:

Ward One: George Campbell-here, Danny Clay-here
Ward Two: Jesse Bronson-here, James Fasciotti-here
Ward Three: Rick Lewis-here, Fred Klippel-here

Staff Present: Lyn Woolford, Police Chief/Interim City Administrator, Fred Boeckmann City Attorney, Darla Sapp, City Clerk, Shelley Martin, Utility Clerk and Terry Toalson, Deputy Police Chief.

Mayor Rhorer presented the agenda of May 03, 2016 for consideration with the amendment of adding Council Bill No. 2016-019, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2016 Budget. Alderman Bronson made motion and seconded by Alderman Klippel to approve the agenda with the amendment. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of April 19, 2016 for consideration. Alderman Lewis made motion and seconded by Alderman Bronson to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of April 26, 2016 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer asked if anyone wished to appear before the Board on an item not on the agenda.

Charlotte Beuselinck, Parks and Recreation Board Chairman and concerned citizen of Ashland expressed concerns of needing better communication and support from the Board for the Lemonade Daze. She stated a decision the Board made has affected her and making it difficult to do her duties.

Sandy Robinson-Harris, Parks and Recreation member and committee member of Lemonade Daze, gave an overview of qualifications of City Treasurers in other Cities. She stated the City needs to research our options before appointment tonight. She also expressed concern of the Board dropping the ball six weeks before Lemonade Daze and leaving them without a liaison. She also expressed concern of lack of communication.

Mr. Jeffrey Kays, Prosecuting Attorney for Ashland gave a quarterly report to the Board on the cases filed for municipal ordinance. He reported his law office has moved to 509 East Broadway.

Mayor Rhorer presented a Board Member application for Ernie Wren to serve on the Planning and Zoning Commission. Mayor Rhorer appointed Ernie Wren and asked for Board confirmation. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye.

Mayor Rhorer appointed Lyn Woolford to serve as City Administrator with Board confirmation. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Lewis-aye.

Mayor Rhorer appointed Lyn Woolford to serve as Police Chief with Board confirmation. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye.

Mayor Rhorer appointed Fred Boeckmann to serve as City Attorney with Board confirmation. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Lewis-aye.

Mayor Rhorer appointed Jeffrey Kays to serve as City Prosecutor with Board confirmation. Mayor Rhorer called for the vote. Alderman Bronson thanked Mr. Kays for the service he provides to the City. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye.

Mayor Rhorer appointed Darla Sapp as City Clerk with Board confirmation. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye.

Mayor Rhorer appointed Shelley Martin to serve as Deputy City Clerk/Treasurer with Board confirmation. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye.

Mayor Rhorer presented Council Bill No. 2016-017 for consideration. Alderman Klippel made motion and seconded by Alderman Clay to take up Council Bill No. 2016-017, an ordinance authorizing the Mayor to enter into a development agreement with Hummingbird Properties, LLC. First Reading by title only. Mayor Rhorer called for any questions or comments and reported that Mr. Kemna is in attendance. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye.

Mayor Rhorer presented Council Bill No. 2016-019 an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2016 Budget. Alderman Bronson made motion and seconded by Alderman Klippel to approve Council Bill No. 2016-019, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2016 Budget. Lyn Woolford reported this is year-end transfer to close out the budget. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1053 for consideration. Alderman Campbell made motion and seconded by Alderman Bronson to take up Council Bill No. 1053, an ordinance authorizing the Mayor to execute an addendum extending the contract with Allied Waste Services to provide public services of collection and disposal of residential and commercial solid waste from the city limits of Ashland, Missouri. Mayor Rhorer called for the vote. The Board discussed the change of service to one day a week pickup with no increase in residential rate. They discussed the start date of June 1 to allow us time to inform our citizens. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1066 consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Ordinance No. 1066, an ordinance authorizing the Mayor to enter into a development agreement with Hummingbird Properties, LLC. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented a request to allow a beer garden on city property for the Lemonade Daze on June 11, 2016. Alderman Bronson reported that Jason Holbrook is in charge of this but was unable to attend the meeting tonight. Lyn Woolford reported they need a letter from the City stating we give them permission to have a beer garden on city property. He reported The Grand Restaurant will be the one hosting the beer garden. Alderman Bronson made motion and seconded by Alderman Clay to approve the sale of alcohol on city property. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

Mayor's Report:

Mayor Rhorer reported that 2016 Elected Official Conference is June 9 and June 10th and he encouraged the Board members to attend. Alderman Bronson, Mayor Rhorer, Alderman Clay and Alderman Lewis asked to be signed up for the conference.

Public Works Report:

Lyn Woolford reported the reports for the sewer and streets report was in the packet. He explained the new Mobile 311 system we are going to use for tracking the work, complaints, etc. He stated this system can be utilized through a smart phone, lap top or desk top computer. He informed the Board of upcoming training for the Water Department and Sewer Department. He informed the Board that the resurfacing of Ash Street will be delayed due to the sidewalk and water line construction scheduled this summer.

City Administrator's Report:

Lyn Woolford updated the Board on the status of the Ash Street Sidewalk project. He reported that the paperwork has been sent to MoDot on the acceptance of the contract and awarding the bid. Mr. Woolford reported they still have not received a price on the sludge removal of the lagoon yet. Alderman Fasciotti reported that the lawn service is starting to stack firewood on the Crane Irrevocable Trust grounds again.

City Attorney's Report:

Fred Boeckmann reported the MML Elected Official Training conference has a list of first rate attorneys doing the training.

Board of Aldermen's Report:

Alderman Klippel reported that he is unable to attend the MML Elected Official Conference due to health issues.

Alderman Bronson reported he has received several phone calls on the Planning and Zoning Commission meeting on the rezoning request and encouraged the Board and everyone else to attend this meeting.

Alderman Clay updated the Board on items coming up on the Planning and Zoning Commission agenda.

Alderman Klippel made motion and seconded by Alderman Clay to go into closed session pursuant to Chapter 610.021 (12) to discuss/negotiate contract. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Clay-aye, Alderman Fasciotti-aye, Alderman Lewis-aye. Motion carried.

Mayor Rhorer reported we are back in open session with no reportable action taken.

Alderman Bronson made motion and seconded by Alderman Klippel to adjourn the meeting. Mayor Rhorer called for the vote. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor



CITY OF ASHLAND, MISSOURI BOARD MEMBER APPLICATION

Name: Dan Elliott

Telephone Number: Daytime: 573-999-1333 Evening: 573-999-1333

Home Address: 502 Fall Ct
Ashland MO 65010

E-Mail: danelliottsemail@yahoo.com

Year Current Residence in Ashland Began: 2001

Check Which Board(s) You Are Interested In:

- Board of Adjustment
- Parks and Recreation Board
- Ashland Fall Festival Committee
- Planning and Zoning Commission
- Law Enforcement Advisory Committee
- Economic Development Committee

Special Qualifications for Specific Board(s): (Include past board services)

Ashland Board of Aldermen, Parks and Recreation Board
MML government training

Education Background:

Bachelor of Science Secondary Education - certifications
Social Studies, General Science and Earth Science

Community Involvement:

Ashland Board of Aldermen, Parks and Recreation Board

Are You Related to Any Employee or Official of the City of Ashland? YES _____ NO X

If Yes, Name of Person: _____ Relationship: _____

Signed: Dan Elliott Date: 04-28-16

Board member applications are valid for one year from the date they are signed. Return to Ashland City Hall.

MEMORANDUM

DATE: May 12, 2016

TO: Honorable Mayor and Board of Aldermen

FROM: Planning and Zoning Commission

RE: Recommendation from the Planning and Zoning Commission

1. The Planning and Zoning Commission recommends the approval of the Proposed Rezoning from County A-1 to Ashland API, Airport Planned Industrial District for Hummingbird Properties, LLC on 7210 E. Route H, Parcel ID # 21-900-25-00-002.00 01, and 10300 S. Hardwick, Parcel ID # 21-900-00-00-013.00 01, Ponderosa Commerce Park, to the City of Ashland Board of Aldermen.

Megan Young
Administrative Assistant

AN ORDINANCE EXTENDING THE UNINCORPORATED AREA ON THE EAST SIDE OF HIGHWAY 63 ON ROUTE H; DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE ANNEXATION; AND PLACING API (AIRPORT PLANNED INDUSTRIAL) ZONING ON THE PROPERTY FOR HUMMINGBIRD PROPERTIES, LLC.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI, AS FOLLOWS:

Section 1. The Board of Aldermen hereby finds that a verified petition was filed with the City on April 11, 2016 requesting annexation of land that is contiguous and compact to the existing corporate limits of the City and that is described in "Exhibit A", which is attached to and made a part of this ordinance. This petition was signed by the owners of the fee interest of the recorded in the land proposed to be annexed. A public hearing was held concerning this matter on May 17, 2016. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to public legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation. A public hearing on the zoning was held by the Planning and Zoning Commission on May 10, 2016.

Section 2. The Board of Aldermen determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

Section 3. The Board of Aldermen determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

Section 4. The Board of Aldermen hereby extends the city limits by annexing the land described in Exhibit "A". Appendix "A" of Chapter 1 is hereby amended to include the land described in Exhibit "A".

Section 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed into the City.

Section 6. The property described in Exhibit "A" is in Ward One.

Section 7. The Zoning District Map established and adopted by the Section 9.125 of the City Code is hereby amended so that the property described in Exhibit "A" will be zoned and become part of District API (Airport Planned Industrial).

Section 8. This ordinance shall be in full force and effect from and after its passage and approval.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified as to correct form:

Fred Boeckmann, City Attorney

DESCRIPTION FOR PONDEROSA COMMERCE ANNEXATION – API ZONING
FOR HUMMINGBIRD PROPERTIES, LLC.
JOB #150518

APRIL 11, 2016

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 47 NORTH, RANGE 12 WEST, ASHLAND, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4537, PAGE 36 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

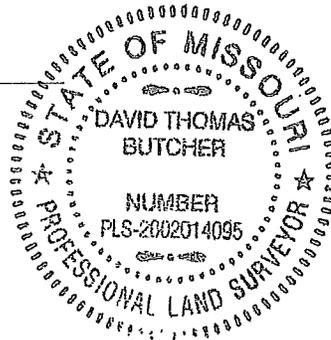
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25 AND WITH THE WEST LINE THEREOF, S 1°11'20"W, 140.63 FEET TO SOUTH LINE OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 366, PAGE 29 AND THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING THE WEST LINE OF SAID SECTION 25, AND WITH THE SOUTH LINE OF SAID TRACT 1, S 44°43'05"E. 290.78 FEET; THENCE LEAVING SAID SOUTH LINE, S 1°11'20"W, 697.67 FEET; THENCE N 88°48'40"W, 208.84 FEET TO THE WEST LINE OF SAID SECTION 25; THENCE WITH SAID WEST LINE, N 1°11'20"E, 900.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.83 ACRES.



DAVID T. BUTCHER, PLS-2002014095

4/11/2016
DATE



AN ORDINANCE TO MODIFY THE MUNICIPAL ELECTION DATE FROM AUGUST 02, 2016 TO APRIL 4, 2017 AS SET OUT IN ORDINANCE NO. 1054.

Whereas, the Board of Aldermen approved Ordinance No. 1054 with the election to be held on August 2, 2016 to meet the November, 2016 deadline to continue the application and collection of the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer to the qualified voters of the City for their approval.

Whereas, House Bill 2140 was truly agreed to and finally passed on Tuesday, April 12, 2016 to extend for two years (2018), the collection of local sales taxes on motor vehicles purchased from non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers (out of state sales and person to person sales). The Bill extends the election deadline to reauthorize the tax to November 2018. Governor Jay Nixon approved the bill on May 04, 2016.

Whereas, the City has decided to modify the date for the municipal election to April 04, 2017 to the General Municipal Election to not endure costs for a Special Election.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the provisions of Sections 32.087 RSMo, the Board of Aldermen has determined that it would be appropriate to submit the determination of the issue of whether to continue or repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer to the voters.

Section 2. This proposition shall be submitted to the qualified voters of the City of Ashland, Missouri, for their approval, as required by the provisions of Section 32.087 RSMo, at the election hereby called and to be held in the City of Ashland on Tuesday, the 4th day of April, 2017. The ballot of submission shall contain substantially the following language:

NOTICE OF MUNICIPAL ELECTION

CITY OF ASHLAND, MISSOURI

Shall the City of Ashland continue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Continuation of this measure will not result in a reduction of local revenue to provide for vital services for the City of Ashland and it will not place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers.

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Section 3. If the ballot question set forth in Section (2) of this ordinance receives a majority of the votes cast in favor of the proposal, the local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats and outboard motors that were purchased from a source other than a licensed Missouri dealer. If this measure fails, the effective date of the cessation shall be the first day of the second calendar quarter after the election. If a majority of the votes cast are favorable to the ballot question then the local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

Section 4. Within ten (10) days after the approval or disapproval of the proposition by the qualified voters of the City of Ashland, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. This Ordinance shall be in full force and effect from and after the date of the passage and approval.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

AN ORDINANCE TO CHANGE THE ZONING OF A PARCEL OF LAND FROM (APC) AIRPORT PLANNED COMMERCIAL TO (API) AIRPORT PLANNED INDUSTRIAL FOR HUMMINGBIRD PROPERTIES, LLC.

WHEREAS, Public Notice of such was given as prescribed by Missouri State Statute 89.040, and a public hearing was held on Tuesday, May 10, 2016; and

WHEREAS, the Planning and Zoning Commission has reviewed the pertinent information and received comment from adjacent residents and has unanimously agreed to recommend to the Board of Aldermen to approve the rezoning from (APC) Airport Planned Commercial to (API) Airport Planned Industrial; and

WHEREAS, the Board of Aldermen of the City of Ashland, Missouri has reviewed the request as submitted and has elected to rezone the property described in Section 1 from (APC) Airport Planned Commercial; and

THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI AS FOLLOWS:

Section 1. The zoning is hereby amended from the present (APC) Airport Planned Commercial to (API) Airport Planned Industrial for the following described property:

A tract of land located in the Northwest Quarter of Section 26, Township 47 North, Range 12 West, Ashland, Boone County, Missouri and being described by the warranty deed recorded in Book 4537, Page 36 and being more particularly described in Exhibit "A" as attached.

Section 2. The City hereby finds and declares that the property described in Section 1 hereof is at the present particularly suitable for the purposes and uses of (API) Airport Planned Industrial and in conformity with the existing uses and value of the immediately surrounding properties.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified to correct form:

Fred Boeckmann, City Attorney

DESCRIPTION FOR PONDEROSA COMMERCE REZONING - API
FOR HUMMINGBIRD PROPERTIES, LLC.
JOB #150518

APRIL 11, 2016

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 47 NORTH, RANGE 12 WEST, ASHLAND, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4537, PAGE 36 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST RIGHT-OF-WAY OF HARDWICK LANE ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE LEAVING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26 AND WITH THE EAST RIGHT-OF-WAY LINE OF SAID HARDWICK LANE, 303.43 FEET ALONG A 5238.80-FOOT RADIUS, NON-TANGENT, CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 7°51'15"E, 303.39 FEET; THENCE N 9°30'45"E, 74.10 FEET; THENCE 477.39 FEET ALONG A 1462.70-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 0°09'45"E, 475.27 FEET; THENCE N 9°11'15"W, 238.21 FEET; THENCE LEAVING THE EAST RIGHT-OF-WAY LINE OF SAID HARDWICK LANE, N 80°48'45"E, 206.71 FEET; THENCE N 56°04'40"E, 1484.50 FEET; THENCE N 78°37'15"E, 255.32 FEET; THENCE N 0°20'35"E, 523.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY H; THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY H, S 89°39'25"E, 471.27 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE LEAVING THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY H AND WITH THE EAST LINE OF SAID NORTHWEST QUARTER, S 1°01'30"W, 2541.89 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE LEAVING SAID EAST LINE AND WITH SAID SOUTH LINE, N 89°19'00"W, 2132.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 85.78 ACRES.



DAVID T. BUTCHER, PLS-2002014095

4/11/2016

DATE



MEMORANDUM

DATE: May 12, 2016

TO: Honorable Mayor and Board of Aldermen

FROM: Planning and Zoning Commission

RE: Recommendation from the Planning and Zoning Commission

1. The Planning and Zoning Commission recommends the approval of the Preliminary Plat for 7210 E. Route H, Parcel ID # 21-900-25-00-002.00 01, and 10300 S. Hardwick, Parcel ID # 21-900-00-00-013.00 01, Ponderosa Commerce Park, to the City of Ashland Board of Aldermen.

Megan Young
Administrative Assistant

COUNCIL BILL NO. 2016-023

ORDINANCE NO.

AN ORDINANCE APPROVING THE PRELIMINARY PLAT FOR PONDEROSA
COMMERCE PARK FOR HUMMINGBIRD PROPERTIES, LLC

WHEREAS, a preliminary plat for development of Airport Planned Commercial and Airport Planned Industrial development for Ponderosa Commerce Park, was submitted to the City of Ashland; and

WHEREAS, the staff has reviewed the Preliminary Plat and recommends its approval; and

WHEREAS, The Planning and Zoning Commission has reviewed the preliminary plat for Ponderosa Commerce Park and recommended the approval of the preliminary plat for Ponderosa Commerce Park at their meeting on May 10, 2016;

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND,
MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen has reviewed the preliminary plat and has determined that it conforms to the long term land use strategy adopted by the City as part of its comprehensive plan.

Section 2. The Board of Aldermen approves the preliminary plat for Ponderosa Commerce Park.

Section 3. This ordinance shall be in full force and effect after its passage and approval.

Dated this _____ day of _____, 2015.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified as to correct form:

Fred Boeckmann, City Attorney

MEMORANDUM

DATE: May 12, 2016

TO: Honorable Mayor and Board of Aldermen

FROM: Planning and Zoning Commission

RE: Recommendation from the Planning and Zoning Commission

1. The Planning and Zoning Commission does not recommend the approval of the Proposed Rezoning from I-L, Light Industrial to R-3, High Density Residential District for the Southwoods Commercial Park, Plat 1, Lot 7 & 8 on Commerce Dr., to the City of Ashland Board of Aldermen.

Megan Young
Administrative Assistant

COUNCIL BILL NO. 2016-024

ORDINANCE NO.

AN ORDINANCE TO CHANGE THE ZONING OF TWO PARCELS OF LAND FROM (I-L) LIGHT INDUSTRIAL TO (R-3) HIGH DENSITY RESIDENTIAL FOR CONSERVATION HOME BUILDERS, LLC.

WHEREAS, Public Notice of such was given as prescribed by Missouri State Statute 89.040, and a public hearing was held on Tuesday, May 10, 2016; and

WHEREAS, the Planning and Zoning Commission has reviewed the pertinent information and received comment from adjacent residents and did **not** recommend to the Board of Aldermen to approve the rezoning from (I-L) Light Industrial to (R-3) High Density Residential; and

WHEREAS, the Board of Aldermen of the City of Ashland, Missouri has reviewed the request as submitted and has elected to rezone the property described in Section 1 from (I-L) Light Industrial to (R-3) High Density Residential; and

THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI AS FOLLOWS:

Section 1. The zoning is hereby amended from the present (I-L) Light Industrial to (R-3) High Density Residential for the following described property:

Southwood's Commercial Park- Lot 7, Parcel No. 24-508-00-16.007.00 01
Southwood's Commercial Park-Lot 8, Parcel No. 24-508-00-16.008.00 01

Section 2. The City hereby finds and declares that the property described in Section 1 hereof is at the present particularly suitable for the purposes and uses of (R-3) High Density Residential and in conformity with the existing uses and value of the immediately surrounding properties.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified to correct form:

Fred Boeckmann, City Attorney

COUNCIL BILL NO. 2016-025

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REVISED ROAD
RELINQUISHMENT AGREEMENT WITH THE MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND,
MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen authorizes the Mayor, on behalf of the City of Ashland, to enter into the revised agreement with the Missouri Highways and Transportation Commission Road Relinquishment Agreement for the outer roadways and right of way that lie on the east side of Route 63 between Route Y and Loy Martin Road.

Section 2. The terms of said agreement shall be as set forth in the attached agreement, which by reference is incorporated herein as if more fully and completely set out.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified as to correct form:

Fred Boeckmann, City Attorney

CCO FORM: RW27
Approved: 6/97 (DPP)
Revised: 06/15 (AR)
Modified: 03/16 (GJH)

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
ROAD RELINQUISHMENT AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the **City of Ashland** (hereinafter, "Agency").

WITNESSETH:

WHEREAS Commission is willing to relinquish its interest in outer roadways (Loy Martin & Eastside Drive) and right of way that lie on the east side of Route 63 between Route Y and East Loy Martin Road, which is more particularly described below and which is part of the state highway system;

WHEREAS Agency is willing to accept the conveyance of the outer roadways and right of way described below and make it part of Agency's road system on the condition that certain improvements be made to the two outer roadways prior to the conveyance;

WHEREAS Agency believes that time is of the essence and would like ownership of the two outer roadways as soon as possible so that Agency can perform needed utility work along the those roadways;

WHEREAS Commission cannot complete the requested improvements to the outer roadways before Agency must perform its needed utility work; and,

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

(1) PURPOSE: The purpose of this Agreement is to relinquish a portion of the state highway system to Agency.

(2) IMPROVEMENTS TO ROADWAY: Prior to any relinquishment or conveyance of the herein state highway to Agency, Commission will apply a sealant to and scalp the edges of Loy Martin outer road for storm water purposes.

(3) PAYMENT BY COMMISSION: In lieu of accepting the conveyance of Eastside Drive outer road only after Commission has completed a planned, asphalt resurfacing of the roadway, Agency instead agrees to accept a one-time, lump sum payment of Nine Thousand Nine Hundred Thirty-Five Dollars (\$9,935.00) by Commission to use in resurfacing the roadway.

(4) COST RESPONSIBILITY OF AGENCY: Actual costs of the improvement described in paragraph (3) will be Agency's responsibility only and any actual costs that exceed the one-time, lump sum payment by Commission, will be at Agency's sole cost and expense.

(5) LOCATION: The general location of the highway to be conveyed is described below:

Outer roadways (Loy Martin & Eastside Drive) and right of way that lie on the east side of Route 63 between Route Y and East Loy Martin Road more particularly describe as follows:

TWO (2) TRACTS OF LAND LOCATED IN THE WEST HALF OF SECTION 11, TOWNSHIP 46 NORTH, RANGE 12 WEST, ASHLAND, BOONE COUNTY, MISSOURI, BEING PART OF THE RIGHT-OF-WAY FOR U.S. HIGHWAY 63 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 11-46-12, AS SHOWN AND DESCRIBED ON LAND CORNER DOCUMENT 600-94556; THENCE N89°43'20"W, 2422.73 FEET TO AN EXISTING RIGHT-OF-WAY MARKER AT A POINT 290.00 FEET LEFT OR EAST OF STATION 701+54.00 OF THE CENTERLINE OF THE MEDIAN OF U.S. HIGHWAY 63 AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, WITH THE EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 63, S12°20'30"W, 453.12 FEET TO A POINT 210.00 FEET LEFT OF CENTERLINE STATION 706+00.00; THENCE S2°10'20"W, 1303.00 FEET TO A POINT 210.00 FEET LEFT OF CENTERLINE STATION 719+03.00 AND THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2861, PAGE 73; THENCE WITH THE LINES OF SAID TRACT, CONTINUING WITH SAID RIGHT-OF-WAY LINE, N87°49'40"W, 80.00 FEET TO A POINT 130.00 FEET LEFT OF CENTERLINE STATION 719+03.00; THENCE S0°20'25"W, 880.57 FEET TO A POINT 158.16 FEET LEFT OF EQUATION STATION 727+83.10 BACK EQUALS 200.00 FEET LEFT OF STATION 673+40.00 AHEAD OF CENTERLINE OF THE SOUTHBOUND LANE OF SAID U.S. HIGHWAY 63; THENCE LEAVING THE LINES OF SAID TRACT DESCRIBED BY BOOK 2861, PAGE 73 AND CONTINUING WITH THE EXISTING RIGHT-OF-WAY (NOW TIED TO THE CENTERLINE OF THE SOUTHBOUND LANE), S2°10'40"W, 522.64 FEET TO A POINT 200.00 FEET LEFT OF P.C. STATION 678+62.66; THENCE 464.28 FEET ALONG A 6,628.94-RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S0°10'15"W, 464.18 FEET TO A POINT 200.00 FEET LEFT OF STATION 683+40.93 (683+40.82 MODOT) AND THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 2571, PAGE 31; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE NORTH LINE OF SAID

SURVEY, S46°43'15"W, 29.65 FEET; THENCE 55.92 FEET ALONG A 64.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S21°41'10"W, 54.16 FEET TO A POINT 155.80 FEET LEFT OF STATION 684+11.65; THENCE LEAVING THE NORTH LINE OF SAID SURVEY, N1°50'50"W, 135.59 FEET TO A POINT 155.80 FEET LEFT OF STATION 682+73.00; THENCE N0°03'25"W, 282.84 FEET TO A POINT 155.77 FEET LEFT OF STATION 679+83.25; THENCE N2°10'45"E, 640.85 FEET TO A POINT 156.84 FEET LEFT OF EQUATION STATION 673+40.00 AHEAD OF CENTERLINE OF THE SOUTHBOUND LANE OF SAID U.S. HIGHWAY 63 EQUALS 115.00 FEET LEFT OF STATION 727+83.10 BACK OF CENTERLINE OF THE MEDIAN OF SAID U.S. HIGHWAY 63; THENCE N2°10'20"E, 880.10 FEET TO A POINT 115.00 FEET LEFT OF STATION 719+03.00 THENCE CONTINUING N2°10'20"E, 1724.00 FEET TO A POINT 115.00 FEET LEFT OF STATION 701+79.00; THENCE N47°10'20"E, 35.36 FEET TO A POINT 140.00 FEET LEFT OF CENTERLINE STATION 701+54.00; THENCE S87°49'40"E, 150.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.81 ACRES.

TRACT 2

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 11-46-12, AS SHOWN BY KELLY'S NUMBER ONE SUBDIVISION, RECORDED IN PLAT BOOK 40, PAGE 49; THENCE N81°41'20"W, 568.43 FEET TO A POINT 90.00 FEET LEFT OR NORTH OF STATION 22+00.00 OF THE CENTERLINE OF STATE ROUTE Y AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, N88°46'45"W, 156.76 FEET TO A POINT 90.00 FEET LEFT OF CENTERLINE STATION 20+43.24 OF SAID STATE ROUTE Y; THENCE N51°12'15"W, 358.02 FEET TO A POINT 340.00 FEET LEFT OF THE CENTERLINE OF THE SOUTHBOUND LANE OF U.S. HIGHWAY 63 STATION 697+25.00; THENCE N17°44'45"W, 709.02 FEET TO A POINT 155.77 FEET LEFT OF STATION 690+64.05; THENCE N5°59'05"W, 128.45 FEET TO A POINT 155.49 FEET LEFT OF STATION 689+37.00 AND THE SOUTHWEST CORNER OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 2571, PAGE 31; THENCE WITH THE SOUTH LINE OF SAID SURVEY, N84°00'50"E, 63.13 FEET TO A POINT 218.62 FEET LEFT OF STATION 689+37.00 AND THE SOUTHEAST CORNER OF SAID SURVEY ON THE EAST RIGHT-OF-WAY LINE OF SAID U.S HIGHWAY 63; THENCE LEAVING SAID SOUTH LINE AND WITH SAID EAST RIGHT-OF-WAY LINE, S7°14'30"E, 62.97 FEET TO A POINT 220.00 FEET LEFT OF STATION 690+00.00; THENCE S19°34'45"E, 680.75 FEET TO A POINT 410.00 FEET LEFT OF STATION 696+25.00; THENCE S54°15'35"E, 380.35 FEET TO A POINT 200.00 FEET LEFT OF CENTER STATION 21+40.00 OF SAID STATE ROUTE Y; THENCE S27°24'25"E, 125.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.90 ACRES.

(6) RELINQUISHMENT: After Commission performs the work as specified in paragraph (2) and with the payment by Commission as specified in paragraph (3) Commission shall convey to Agency and Agency shall accept the portion of the State Highway that is the subject of this Agreement by a quitclaim deed releasing any and all

interest Commission has in the above-described property. The exact legal description of the highway shall appear in the quitclaim deed. Commission makes no representation to the state of title of the above-described property, and it is incumbent upon Agency to seek its own professional opinion as to the resulting state of title. Agency agrees to accept the deed from Commission. The deed shall be filed with the office of the recorder of deeds in the county where the highway is located.

(7) CLAUSES IN THE DEED: The following clauses will be included in the quitclaim deed from the Commission to Agency:

Agency, by acceptance of this conveyance, covenants and agrees for itself, its successors and assigns, to allow known or unknown utility facilities currently located on the property, whether of record or not, to remain on the property, and to grant the current and subsequent owners of those facilities the right to maintain, construct and reconstruct the facilities and their appurtenances over, under, and across the land herein conveyed, along with the right of ingress and egress across the land herein conveyed to and from those utilities.

By conveyance through this quitclaim deed, the Missouri Highways and Transportation Commission makes no claim to the resulting title of the above-described property and is merely releasing whatever interest it has to the Grantee. It is incumbent upon Grantee to seek its own professional opinion as to the resulting state of title.

This conveyance is made upon the express condition that Grantee, its successors and assigns, shall have no right of direct access from the land herein conveyed to Route 63, all such rights of direct access being reserved by Grantor.

(8) MAINTENANCE BY COMMISSION: Prior to conveyance of the highway, Commission shall maintain the highway as part of the state highway system. Upon conveyance of the highway to Agency, Commission's responsibility to maintain the highway shall cease and the highway will no longer be considered a part of the state highway system.

(9) MAINTENANCE BY AGENCY: Upon conveyance by Commission as shown by the date on the quitclaim deed, Agency shall maintain the highway as part of Agency's system.

(10) FUTURE REPAIR: After conveyance of the highway to Agency, Commission may agree to perform future repair to the highway. Any future repair by Commission shall only be by a separate written agreement between Commission and Agency. The cost of any future repairs by Commission shall be identified by the separate agreement and shall be the responsibility of Agency.

(11) COMMISSION REPRESENTATIVE: Commission's district engineer is designated as Commission's representative for the purpose of administering the provisions of this Agreement. Commission's representative may designate by written

notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(12) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. Agency shall comply with all state and federal laws and regulations relating to the performance of this Agreement.

[Remainder of Page Intentionally Left Blank. Signatures Appear on Following Page.]

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

Executed by Agency this _____ day of _____, 2016.

Executed by the Commission this _____ day of _____, 2016.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF ASHLAND

By: _____

Title _____

Title _____

Secretary to the Commission

By _____

Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS TO CERTAIN
ACCOUNTS WITHIN THE FISCAL YEAR 2016 BUDGET

WHEREAS, the Board of Aldermen has reviewed the expenditures for the fiscal year budget beginning May 1, 2015; and

WHEREAS, unforeseen circumstances have arisen and the budget estimation for certain accounts is not sufficient.

THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen hereby authorizes funds to be appropriated as attached and marked as Exhibit "A" hereto and made as if fully set forth herein.

Section 2. The Board further instructs the City Treasurer to make the appropriations as set forth in this ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified as to correct form:

Fred Boeckmann, City Attorney

done
4-29-16
ML

Budget Amendments Ending FY16

Sanitation-Expense

45-35-5920 **System Operations**
Increase from \$280,000.00 to \$282,455.69

Court Fund-Revenue

15-16-4450 **Court Automated Fund**
Increase from \$350.00 to \$553.00
15-16-4452 **State Clerk's Fee**
Increase from \$600.00 to \$963.00
15-16-4454 **County Clerk's Fee**
Increase from \$150.00 to \$237.00
15-16-4456 **Crime Victims Compensation**
Increase from \$375.00 to \$592.50
15-16-4458 **Law Enforcement Training LET**
Increase from \$150.00 to \$1077.00
15-16-4460 **Municipal CT Fines**
Increase from \$10,000.00 to \$16,638.00
15-16-4461 **MTV Court Fines**
Increase from \$3,000.00 to \$5,280.50
15-16-4462 **Sheriff's Retirement Fund**
Increase from \$150.00 to \$237.00

Court Fund-Expense

15-16-5450 **Court Automated Fund**
Increase from \$350.00 to \$504.00
15-16-5452 **State Clerk's Fee Expense**
Increase from \$600.00 to \$879.00
15-16-5456 **Crime Victim Compensation Fee**
Increase from \$356.50 to \$513.36
15-16-5458 **Law Enforcement Training Fee**
Increase from \$800.00 to \$1958.31

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	XFERS IN	XFERS OUT	PREVIOUS AMENDMENTS	BUDGET AMENDMENTS	NEW BUDGET
15-16-4450	COURT AUTOMATED FUND	490.00+	.00+	.00+	140.00-	63.00+	553.00+
15-16-4452	STATE CLERK'S FEE	840.00+	.00+	.00+	240.00-	123.00+	963.00+
15-16-4454	COUNTY CLERK'S FEE	210.00+	.00+	.00+	60.00-	27.00+	237.00+
15-16-4456	CRIME VICTIM COMPENSATI	511.00+	.00+	.00+	136.00-	81.50+	592.50+
15-16-4458	LAW ENFORCEMENT TRAININ	210.00+	.00+	.00+	60.00-	867.00+	1077.00+
15-16-4460	MUNICIPAL CT FINES	13000.00+	.00+	.00+	3000.00-	3638.00+	16638.00+
15-16-4461	MTV COURT FINES	.00+	.00+	.00+	3000.00+	5280.50+	5280.50+
15-16-4462	SHERIFF'S RETIREMENT FU	210.00+	.00+	.00+	60.00-	27.00+	237.00+
15-16-5450	COURT AUTOMATED FUND	490.00+	.00+	.00+	140.00-	14.00+	504.00+
15-16-5452	STATE CLERK'S FEE EXPEN	840.00+	.00+	.00+	240.00-	39.00+	879.00+
15-16-5456	CRIME VICTIM COMPENSATI	500.00+	.00+	.00+	143.50-	13.36+	513.36+
15-16-5458	LAW ENFORCEMENT TRAININ	70.00+	.00+	.00+	730.00+	1888.31+	1958.31+
45-35-5920	SYSTEM OPERATIONS	272000.00+	.00+	.00+	8000.00+	10455.69+	282455.69+

AN ORDINANCE TO MODIFY THE MUNICIPAL ELECTION DATE FROM AUGUST 02, 2016 TO APRIL 4, 2017 AS SET OUT IN ORDINANCE NO. 1054.

Whereas, the Board of Aldermen approved Ordinance No. 1054 with the election to be held on August 2, 2016 to meet the November, 2016 deadline to continue the application and collection of the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer to the qualified voters of the City for their approval.

Whereas, House Bill 2140 was truly agreed to and finally passed on Tuesday, April 12, 2016 to extend for two years (2018), the collection of local sales taxes on motor vehicles purchased from non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers (out of state sales and person to person sales). The Bill extends the election deadline to reauthorize the tax to November 2018. Governor Jay Nixon approved the bill on May 04, 2016.

Whereas, the City has decided to modify the date for the municipal election to April 04, 2017 to the General Municipal Election to not endure costs for a Special Election.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the provisions of Sections 32.087 RSMo, the Board of Aldermen has determined that it would be appropriate to submit the determination of the issue of whether to continue or repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer to the voters.

Section 2. This proposition shall be submitted to the qualified voters of the City of Ashland, Missouri, for their approval, as required by the provisions of Section 32.087 RSMo, at the election hereby called and to be held in the City of Ashland on Tuesday, the 4th day of April, 2017. The ballot of submission shall contain substantially the following language:

NOTICE OF MUNICIPAL ELECTION

CITY OF ASHLAND, MISSOURI

Shall the City of Ashland continue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Continuation of this measure will not result in a reduction of local revenue to provide for vital services for the City of Ashland and it will not place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers.



YES



NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Section 3. If the ballot question set forth in Section (2) of this ordinance receives a majority of the votes cast in favor of the proposal, the local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats and outboard motors that were purchased from a source other than a licensed Missouri dealer. If this measure fails, the effective date of the cessation shall be the first day of the second calendar quarter after the election. If a majority of the votes cast are favorable to the ballot question then the local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

Section 4. Within ten (10) days after the approval or disapproval of the proposition by the qualified voters of the City of Ashland, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. This Ordinance shall be in full force and effect from and after the date of the passage and approval.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REVISED ROAD
RELINQUISHMENT AGREEMENT WITH THE MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND,
MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen authorizes the Mayor, on behalf of the City of Ashland, to enter into the revised agreement with the Missouri Highways and Transportation Commission Road Relinquishment Agreement for the outer roadways and right of way that lie on the east side of Route 63 between Route Y and Loy Martin Road.

Section 2. The terms of said agreement shall be as set forth in the attached agreement, which by reference is incorporated herein as if more fully and completely set out.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Dated this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

Certified as to correct form:

Fred Boeckmann, City Attorney

5-17-2016

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ENTER INTO A CREDIT AGREEMENT AND DISCLOSURE WITH THE CALLAWAY BANK; AND AUTHORIZING CERTAIN OFFICIALS TO CONDUCT BUSINESS FOR THE CITY AND TO SIGN MATTERS RELATED TO THE CALLAWAY BANK LOAN

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen hereby authorizes the Mayor, on behalf of the City, to enter into a Credit Agreement and Disclosure with The Callaway Bank. The form and content of the Agreement shall be substantially as set forth in Exhibit "A", which is attached to and made a part of this Resolution.

Section 2. The Mayor, Mayor Pro-tem, City Clerk and City Treasurer are authorized to conduct business of the City with The Callaway Bank. All Ashland actions under Exhibit "A" which require a signature on behalf of the City of Ashland shall be signed by either the Mayor or City Administrator and by the City Clerk or City Treasurer.

Passed and adopted this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

RESOLUTION 5-17-2016

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ENTER INTO THE EMPLOYMENT AGREEMENT FOR CITY ADMINISTRATOR FOR THE CITY OF ASHLAND, MISSOURI

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND, MISSOURI AS FOLLOWS:

The Board of Aldermen hereby authorizes the Mayor, on behalf of the City, to enter into the Employment Agreement for City Administrator for the City of Ashland, Missouri. The form and content of the amendment shall be substantially as set forth in Exhibit "A", which is attached to and made a part of this Resolution.

Passed and adopted this _____ day of _____, 2016.

Gene Rhorer, Mayor

Attest:

Darla Sapp, City Clerk

EMPLOYMENT CONTRACT

This Employment Contract (this "Contract") is made effective as of May 03, 2016, by and between City of Ashland, Missouri ("City of Ashland"), of 109 E Broadway, Ashland, Missouri, 65010 and Francis Lyn Woolford ("Lyn Woolford"), of 2566 E Griffin Dr, Ashland, Missouri, 65010.

A. City of Ashland is engaged in the business of Municipal Government. Lyn Woolford will primarily perform the job duties at the following location: 109 E Broadway, Ashland, Missouri.

B. City of Ashland desires to have the services of Lyn Woolford.

C. Either party is able to terminate a portion of the employment agreement at any time.

Therefore, the parties agree as follows:

1. **EMPLOYMENT.** The City of Ashland shall employ Lyn Woolford as the City Administrator and Police Chief. Lyn Woolford shall provide to City of Ashland the following services:
2. The City Administrator shall be the Chief Administrative Assistant to the Mayor, and as such shall be the administrative officer of the City Government as specified by ordinance, and/or by the laws of the State of Missouri. The City Administrator shall coordinate and generally supervise the operation of all departments of the City of Ashland.
3. As the Chief of Police Lyn Woolford shall perform all lawful duties previously or currently required to be performed by the City Marshall, adhere to Missouri Police Officer for Standards guidelines and perform such additional duties as the Mayor or Board may prescribe.
4. Shall the Board of Aldermen choose to end the dual role of City Administrator/Police Chief, Lyn Woolford shall retain the position of Police Chief at an annual salary of no less than \$52,000.00.
5. Lyn Woolford accepts and agrees to such employment, and agrees to be subject to the general supervision, advice and direction of the Mayor. Lyn Woolford shall also perform (i) such other duties as are customarily performed by an employee in a similar position, and (ii) such other and unrelated services and duties as may be assigned to Lyn Woolford from time to time by the City of Ashland governing body.

2. **BEST EFFORTS OF EMPLOYEE.** Lyn Woolford agrees to perform faithfully, industriously, and to the best of Lyn Woolford's ability, experience, and talents, all of the duties that may be required by the express and implicit terms of this Contract, to the reasonable satisfaction of the City of Ashland. Such duties shall be provided at such place(s) as the needs, business, or opportunities of the City of Ashland may require from time to time.

3. **COMPENSATION OF EMPLOYEE.** As compensation for the services provided by Lyn Woolford under this Contract, the City of Ashland will pay Lyn Woolford an annual salary of \$75,000.00 subject to applicable federal, state, and local withholding.

4. **EXPENSE REIMBURSEMENT.** The City of Ashland will reimburse Lyn Woolford for "out-of-pocket" expenses incurred by Lyn Woolford in accordance with City of Ashland's policies in effect from time to time.

5. **RECOMMENDATIONS FOR IMPROVING OPERATIONS.** Lyn Woolford shall provide the City of Ashland with all information, suggestions, and recommendations regarding the City of Ashland's business, of which Lyn Woolford has knowledge, that will be of benefit to City of Ashland.

6. **TERM/TERMINATION.** Lyn Woolford's employment under this Contract shall be as stated in Chapter 2.103 of the Ashland Missouri City Code, "The City Administrator shall serve for a period of two years. His or her term shall automatically be renewed for an additional year upon the approval of a majority of the Board of Aldermen." Upon such approval for an additional year as the City Administrator and Police Chief, the compensation for Lyn Woolford will be amended to an annual salary of \$78,000.00.

7. **COMPLIANCE WITH EMPLOYER'S RULES.** Lyn Woolford agrees to comply with all of the rules and regulations of City of Ashland.

8. **RETURN OF PROPERTY.** Upon termination of this Contract, Lyn Woolford shall deliver to City of Ashland all property which is City of Ashland's property or related to City of Ashland's business (including keys, records, notes, data, memoranda, models, and equipment) that is in Lyn Woolford's possession or under Lyn Woolford's control.

9. **NOTICES.** All notices required or permitted under this Contract shall be in writing and shall be deemed delivered when delivered in person or on the third day after being deposited in the United States mail, postage paid, addressed as follows:

Employer:

City of Ashland, Missouri
Gene Rhorer
Mayor
109 E Broadway
Ashland, Missouri 65010

Employee:

Francis Lyn Woolford
2566 E Griffin Dr
Ashland, Missouri 65010

Such addresses may be changed from time to time by either party by providing written notice in the manner set forth above.

10. **ENTIRE AGREEMENT.** This Contract contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This Contract supersedes any prior written or oral agreements between the parties.

11. **AMENDMENT.** This Contract may be modified or amended, if the amendment is made in writing and is signed by both parties.

12. **SEVERABILITY.** If any provisions of this Contract shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid or enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

13. **WAIVER OF CONTRACTUAL RIGHT.** The failure of either party to enforce any provision of this Contract shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Contract.

14. **APPLICABLE LAW.** This Contract shall be governed by the laws of the State of Missouri.

15. **SIGNATORIES.** This Contract shall be signed by Mayor Gene Rhorer on behalf of the City of Ashland, Missouri and by Francis Lyn Woolford in an individual capacity. This Contract is effective as of the date first above written.

Gene Rhorer, Mayor

Date: _____

Francis Lyn Woolford

Date: _____

**FY 2016-2018
City Administrator/Police Chief
Salary Proposal**

Two Year Salary Proposal

City Administrator Annual Salary	\$37,500
Police Chief Annual Salary	\$37,500
Total Annual Salary	\$75,000

Hourly Breakdown @ 40 hours/week

City Administrator	\$18.03
Police Chief	\$18.03
Total Hourly (rounded)	\$36.06

City Administrator/Police Chief Work Summary

Actual average hours per week = 46 hours
 Actual average hours per pay period = 92 hours
 Average vacation/personal time used = 120 hours

Total Annual City Admin/Police Chief Hours	2374
92 hours x 24.5 pay periods	2254 hrs
40 hrs x 3 weeks (time off used)	120 hrs

Total normal employee annual hours	2080
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Adjusted City Admin/Police Chief Actual Rate

\$37,500 divided by 2,374 hours (rounded)	\$15.80
\$37,500 divided by 2,374 hours (rounded)	\$15.80
Adjusted Hourly Rate for Dual Position	\$31.60

Previous City Administrator Salary	\$62,000
Previous City Administrator Benefits (Health/Othr)	\$10,000
Current Police Chief Salary	\$45,968
Total Salary & 1 Benefit Package for 2 positions	\$117,968
Deduct Police Chief/City Administrator Salary	(\$75,000)
Savings from Dual Role	\$42,968

Darla Sapp

From: Gene Rhorer
Sent: Friday, May 06, 2016 4:44 PM
To: Darla Sapp
Subject: Fwd: Planning and Zoning Commission

Sent from my iPhone

Begin forwarded message:

From: Paul Beuselinck <prbeuselinck@gmail.com>
Date: May 6, 2016 at 4:00:54 PM CDT
To: Gene Rhorer <mayor@ashlandmo.us>
Subject: Planning and Zoning Commission

Gene; please accept this email as notice that I am resigning my assignment on the P&Z Commission. We have previously discussed my intent so this action should have been anticipated, albeit the timing was not. I have enjoyed working with others toward Ashland's betterment and intend to continue in other venues. Should a vacancy occur within the Board of Adjustment I would be pleased if I was considered to join it.

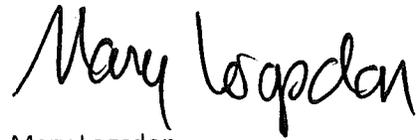
Respectfully,

Paul Beuselinck

May 9, 2016

Please accept this as my resignation from the Ashland Park Board effective May 31, 2016. As we have purchased a home which isn't within the Ashland city limits as required. I have greatly enjoyed this opportunity to see how local city government boards operate and have seen some improvements. Wishing everyone on the board and the City of Ashland the best for future endeavors.

Sincerely,

A handwritten signature in black ink that reads "Mary Logsdon". The signature is written in a cursive style with a large, prominent "M" and "L".

Mary Logsdon



May 10, 2016

Mayor Gene Rohrer
City of Ashland
109 E. Broadway
Ashland, MO 65010

Dear Mayor Rohrer:

Missouri Credit Union has reserved the Ashland City Park for our staff appreciation picnic on Saturday, June 18th, 2016. This will be a family picnic for all Missouri Credit Union staff and families. As part of the festivities we are planning on having a barbecue in the afternoon. The Credit Union **will not** provide alcohol.

However, in the event staff may choose to bring their own alcohol beverages, if any special permit is needed we respectfully request that we be added to the agenda of the May City Council meeting to seek permission for alcohol to be consumed at the June 18th picnic.

If you have any questions, please do not hesitate to contact me. I can be reached by e-mail at hjames@missouricu.org or phone at 573-817-5450. I am more than happy to attend the April council meeting if necessary.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "H. James", written in a cursive style.

Harold E. James
President/CEO