

**CITY OF ASHLAND  
109 EAST BROADWAY  
ASHLAND, MO. 65010  
BOARD OF ALDERMEN AGENDA  
TUESDAY, JULY 01, 2014  
7:00 P.M.**

Call to order

Invocation

Pledge of Allegiance

Roll Call

**CONSENT**

1. Consideration of the 07-01-2014 agenda: **Action:** \_\_\_\_\_
2. Consideration of the meeting minutes from 6-17-2014: **Action:** \_\_\_\_\_
3. Bills to be paid: **Action:** \_\_\_\_\_

**APPEARANCES**

4. Police Chief Lyn Woolford-monthly report
5. Anyone wishing to appear before the Board

**APPOINTMENTS**

6. None

**COUNCIL BILLS**

7. Council Bill No. 2014-019, an ordinance to amend Chapter 12, Appendix A and Chapter 12, Appendix B of the Code of the City of Ashland as they pertain to driveway culverts. First Reading by title only. **Action:** \_\_\_\_\_
8. Council Bill No. 2014-020, an ordinance establishing a policy on police details. First Reading by title only. **Action:** \_\_\_\_\_
9. Council Bill No. 2014-021, an ordinance to amend Chapter 7 of the Code of the City of Ashland to authorize cooperative purchasing. First Reading by title only. **Action:** \_\_\_\_\_
10. Council Bill No. 2014-022, an ordinance authorizing the Mayor to execute a law enforcement mutual aid agreement with Boone County, Missouri. First Reading by title only. **Action:** \_\_\_\_\_

**ORDINANCES**

11. None

**RESOLUTIONS**

12. A Resolution authorizing the Mayor, on behalf of the City, to enter into amendment one to the employment agreement for City Administrator for the City of Ashland, Missouri. **Action:** \_\_\_\_\_
13. A Resolution of Intent to participate in the planning process for the 5-year update of the "Boone County Hazard Mitigation Plan." **Action:** \_\_\_\_\_

**OTHER**

14. Qualifications for Aldermen
15. Public Meeting Update on August 5, 2014 Ballot Issue

**REPORTS**

16. Mayor's Report
17. Board of Aldermen's Report
18. City Administrator's Report
19. City Attorney's Report
20. Vote to go into closed session pursuant to Chapter 610.021 (1) litigation
21. Open meeting and report any reportable action taken/if any
22. Vote to adjourn 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.)

The City of Ashland Board of Aldermen may have a study session, or special meeting or hold a closed meeting pursuant to Chapter 610.021 (1) thru 610.21 (21).

Posted: 6-27-2014

City Hall and website: [www.ashlandmo.us](http://www.ashlandmo.us)

TUESDAY, JUNE 17, 2014  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.  
DRAFT MINUTES NOT APPROVED BY BOARD

Mayor Rhorer called the meeting to order at 7:00 p.m. on June 17, 2014 at Ashland City Hall, 109 East Broadway.

Alderman Anderson gave the invocation.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll.

Ward One: George Campbell-here, George Elliott-here

Ward Two: Jeff Anderson-here, James Fasciotti-here

Ward Three: Anthony Taggart-absent, Fred Klippel-here

Staff Present: Josh Hawkins, City Administrator, Darla Sapp, City Clerk, Lyn Woolford, Police Chief, Travis Davidson and Jessi Kendall, Treasurer/ Deputy City Clerk.

Mayor Rhorer presented the agenda for June 17, 2014 for consideration. Alderman Anderson made motion and seconded by Alderman Fasciotti to approve the agenda as presented. Mayor Rhorer called for the vote. Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-absent. Motion carried.

Mayor Rhorer presented the minutes of June 03, 2014 for consideration. Alderman Campbell made motion and seconded by Alderman Klippel to consider the minutes of June 03, 2014 as presented. Mayor Rhorer called for amendments or discussion. Alderman Fasciotti reported on page 3 the vote for averaging the sewer usage his vote was left out of the minutes. He reported he voted-nay. Alderman Campbell and Alderman Klippel amended the minutes to reflect this vote. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Taggart-absent. Motion carried.

Mayor Rhorer presented the bills to be paid for consideration. Alderman Elliott made motion and seconded by Alderman Fasciotti to approve the bills as presented. Mayor Rhorer called for questions or comments. The Board asked several questions. Mayor Rhorer called for the vote. Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-absent. Motion carried.

YMCA Representatives, Carl Freiling and Sarah Giboney gave a presentation to the Board of Alderman promoting the YMCA. They came seeking pledges and donations to meet a 5-year goal of \$500,000 in an effort to provide the basic programs that make up the YMCA. They presented program options and their long term goals of developing a full service YMCA in

Southern Boone County. The Board asked various questions. Mayor Rhorer reported the Board is a steward of the tax payers money and we have budget restraints.

Mayor Rhorer suggested we place this on an agenda if we have Board support, but not before the city administrator can review the budget and legal constraints.

Travis Davidson, gave an overview of his monthly maintenance report for June. He discussed the upcoming street projects and a start date of July 7th for the Redbud Lane street project. He estimated this street would be a two to three day project. There was discussion of notification to the property owners about this work and possible inconveniences. He reported on the 14th they will start the other street overlay projects in town. They discussed the proposed repairs to Salinda Drive. There was discussion of the repairs being made to Oak and possible heavy traffic due to the j turns, and possibly the need to make a truck route through town. He stated he has the lift station monitoring systems installed in 5 of the 9 lift stations. He informed the Board that Colby Branch has taken the wastewater exam and is waiting on the results. Alderman Fasciotti stated he received a concern between 206 and 208 Renee of erosion due to storm water issues. Travis Davidson stated that is on the list under storm water projects.

Mayor Rhorer asked if anyone wished to appear before the Board. Doris Richardson reported she has lived at 701 Redwood Drive for 15 years and she has concerns on the proposed street work on that street. She asked the Board to consider taking out the bad sections of concrete and replacing as they have done in other subdivisions. Mrs. Richardson expressed concern over this being a concrete road and she bought the house for that reason. She stated she lived on Salinda Drive and this is what the City did to that road and that is why she moved from there. She stated that Redwood Drive is a very busy street.

Steve Garrett, 611 Redwood Drive asked if the city is prepared to do maintenance and asphalt streets. He asked that the Board consider replacing the bad areas with concrete patches. Alderman Anderson reported the project will consist of mill out and replacing with asphalt. There was discussion of keeping the water from getting into the sub-base.

Mayor Rhorer appointed Fred Klippel as Planning and Zoning Commission liaison with confirmation from the Board. Mayor Rhorer called for questions or comments. Being none he called for the vote. Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-abstained, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2014-018 for consideration. Alderman Anderson made motion and seconded by Alderman Campbell to take up Council Bill No. 2014-018, an ordinance granting a conditional use permit to Coyote Investments from Commercial use to Residential use at 104 Maple Street #B. First Reading by title only. Mayor Rhorer reported he would not participate in this discussion due to conflict of interest. Josh Hawkins, City Administrator reported the Planning and Zoning Commission recommended denial of this conditional use permit. Mayor Rhorer called for questions. Zack Rippetto property owner stated he is wanting to make this portion of the building a 685 sq foot apartment. Currently Ashland PC rents the other half for commercial use. The Board discussed their concerns of allowing for

half to be used as residential with the other half as commercial. The Board discussed no street frontage, possible parking issues, and mix- use of the building. The Board discussed this and it not being compliant with the City Code. Mayor Rhorer called for the vote. Alderman Klippel-nay, Alderman Fasciotti-nay, Alderman Campbell-nay, Alderman Anderson- nay, Alderman Elliott-nay, Alderman Taggart-absent. Mayor Rhorer announced the motion failed.

Mayor Rhorer presented Ordinance No. 984 for consideration. Alderman Anderson made motion and seconded by Alderman Campbell to take up Ordinance No. 984, an ordinance to amend Section 19.430 of the Code of the City of Ashland pertaining to carrying concealed firearms. Mayor Rhorer called for questions or comments. The Board discussed this currently being the state law. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Taggart-absent. Motion carried.

Mayor Rhorer presented firework permits for Ashland Healthcare and Bluegrass Terrace. Alderman Campbell made motion and seconded by Alderman Elliott to approve the fireworks permit for Ashland Healthcare. Alderman Klippel suggested voting on the requests under the same motion. Alderman Campbell and Alderman Elliott were in agreement to this amendment. The City Clerk reported she did not receive a request from Ashland Villa this year. Mayor Rhorer called for the vote. Alderman Fasciotti-aye, Alderman-Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Anderson-aye, Alderman Taggart-absent. Motion carried.

Mayor Rhorer reported the next item on the agenda is discussion of the August 5, 2014 bond issue.

Josh Hawkins, City Administrator presented a draft preliminary educational flyer on the bond issue. Alderman Anderson presented a letter for the citizens on the August 5, 2014 bond issue.

Alderman Fasciotti made motion and seconded by Alderman Klippel to have a recess. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer called the roll:

Ward One: George Campbell-here, George Elliott-here  
Ward Two: Jeff Anderson-here, James Fasciotti-here  
Ward Three: Anthony Taggart-absent, Fred Klippel-here

Mayor Rhorer reported we were working on the bond issue, August 5<sup>th</sup> ballot information. Alderman Anderson wrote a letter to the editor. The Board reviewed the letter written by Alderman Anderson and the press release pamphlet if and felt it was easily understood. The Board discussed the two educational materials and decided to combine certain information together. The Board aimed at getting a town hall meeting together for July 22, 2014, possibly at the high school auditorium.

Mayor's Report:

Mayor Rhorer reported the information from the MML conference is on the MML website. The Board discussed scheduling a workshop an hour before a board meeting to hear a presentation on the sunshine law. Mayor Rhorer reported the livable streets public meeting is at 6:00 tomorrow night at the Senior Center.

Board of Aldermen's Report:

Alderman Anderson stated we need to schedule the county inspector to come to the Board of Aldermen meeting as well as an ordinance on qualifications for Aldermen.

Alderman Elliott stated we need to invite the planning and zoning commission, park board and Board of Adjustment to attend the Sunshine Law workshop.

Alderman Elliott reported he asked several citizens about the painting of the water tower and most were in support of the school logo as well as Ashland being visible. The Board discussed the cost of painting it and the additional cost of logos at \$6,500 each. Mayor Rhorer stated the school is going to pay for their part. The Board asked for a price with block letters Ashland painted on the water tower.

Alderman Anderson presented an idea to the Board that gas prices used to be more coincident with Columbia. But the last couple of years this has changed. He stated we had a survey done and 80% of the Ashland residents shop in Columbia. He stated this is a loss of revenue for the City of Ashland. He asked that we express concern for the loss of revenue with the four companies and see if they will match gas prices in Columbia. The Board discussed letting out a request for proposals for city fuel.

Alderman Klippel suggested we look at a reflective strip to give to persons to promote safety in the city. He stated there are a lot of people walking, jogging, and riding bikes in the dark.

Alderman Campbell asked when the Angel Lane street project would be started. Mayor Rhorer stated he did not have a projected date yet.

City Administrator's Report:

Josh Hawkins gave a brief overview of the Salinda Drive engineering report. Mr. Hawkins reported the waterline improvements have been sent to DNR for approval. He stated the sunshine law seminar was interesting and we need to set policies and establish fees for sunshine law requests. He reminded the Board of the livable streets meeting at the Senior Center. Mr. Hawkins updated the Board on the hole in the pipe at the water tower and the cost of \$39,400. He informed them they are working on the specs for the sewer camera.

City Attorney's Report:

Fred Boeckmann had nothing to report.

Alderman Fasciotti made motion and seconded by Alderman Campbell to go into executive session pursuant to Chapter 610.021 (1) personnel matters. Mayor Rhorer called for the vote.

Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-absent. Motion carried.

Mayor Rhorer reported action taken of 12% salary increase for the City Administrator.

Alderman Campbell made motion and seconded by Alderman Anderson to adjourn the meeting. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor

GL ACCT #	VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
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ACCOUNTS PAYABLE CLAIMS					
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10-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE	5,365.81	3287	6/26/14
10-02-2012	MADISON NATIONAL LIFE	DENTAL INSURANCE	158.87	3290	6/26/14
10-10-5300	BOONE QUARRIES	CHECK POWER TO CITY FLAG POLE	78.11	3283	6/26/14
10-10-5360	VERIZON	CELL PHONES, MDT, TABLETS	79.45	3298	6/26/14
10-10-5670	QUILL CORPORATION	ADD TAPE,PENS,PAPER CLIPS,	28.27	3295	6/26/14
10-15-5070	GOLD'S GYM EXPRESS	GYM MEMBERSHIP NP	240.00	3279	6/16/14
10-15-5110	CHIEF SUPPLY/LAW ENFORCEMENT	2 DUTY BELTS & ACCESSORIES	188.00	3285	6/26/14
10-15-5110	GENEROSITEES	POLICE LOGO ON 3 JACKETS	60.00	3288	6/26/14
10-15-5113	MODERN MARKETING	COCAINE ID WIPES	175.06	3292	6/26/14
10-15-5115	POLICE LEGAL SCIENCES INC	TRAINING SUBSCRIPTION	720.00	3294	6/26/14
10-15-5360	AT&T MOBILITY	CANCELLATION FEE	178.47	3281	6/26/14
10-15-5360	VERIZON	CELL PHONES, MDT, TABLETS	247.42	3298	6/26/14
10-15-5380	JEFF HAWKINS	INSPECTION & CLEANING GUNS	180.00	3280	6/24/14
10-15-5420	RANDY'S AUTO REPAIR	FLAT REPAIR, OIL CHANGE	67.93	3296	6/26/14
10-15-5670	LAW ENFORCEMENT SYSTEMS	FIELD INTEROGATION CARDS	50.00	3289	6/26/14
10-15-5670	QUILL CORPORATION	ADD TAPE,PENS,PAPER CLIPS,	16.28	3295	6/26/14
10-18-5305	BOONE ELECTRIC COOPERATIVE	UTILITIES	35.70	3282	6/26/14
10-18-5610	COLUMBIA WELDING & MACHINE CO.	PARK BALLFIELD	9.72	3286	6/26/14
10-18-5610	MFA Agri Services	PARK POND CHEMICALS	118.65	3291	6/26/14
10-18-5610	RIBACK SUPPLY COMPANY	PARK FAUCET	136.50	3297	6/26/14
20-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE	647.51	3287	6/26/14
20-20-5305	BOONE ELECTRIC COOPERATIVE	UTILITIES	846.49	3282	6/26/14
20-20-5360	VERIZON	CELL PHONES, MDT, TABLETS	69.43	3298	6/26/14
20-20-5420	O'REILLY AUTOMOTIVE STORES,INC	TRAILER LIGHTS	84.18	3293	6/26/14
20-20-5603	Carter Waters	REBAR FOR STREET PATCH	869.90	3284	6/26/14
20-20-5629	WATER & SEWER SUPPLY, INC.	15"HDPE,TRANS KITS	270.00	3299	6/26/14
45-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE	4,070.79	24791	6/26/14
45-30-5240	MARTIN BUILDERS, INC.	OVERPAYMENT ON METER	150.00	24784	6/24/14
45-30-5300	Farm Power Lawn & Leisure, Inc	GEAR HEAD, GUARD, TWIST LINE,	164.87	24792	6/26/14
45-30-5310	BOONE ELECTRIC COOPERATIVE	UTILITIES	179.44	24790	6/26/14
45-30-5360	VERIZON	CELL PHONES, MDT, TABLETS	91.69	24795	6/26/14
45-30-5628	WATER & SEWER SUPPLY, INC.	15"HDPE,TRANS KITS	117.76	24796	6/26/14
45-35-5900	ALLIED WASTE SERVICES #035	MONTHLY RECYCLING	544.27	24789	6/26/14
45-35-5920	ALLIED WASTE SERVICES #035	MAY 2014	22,505.55	23,049.82	6/16/14
45-40-5310	BOONE ELECTRIC COOPERATIVE	UTILITIES	344.22	24790	6/26/14
45-40-5355	JCI INDUSTRIES, INC	LAGOON LIFT STATION PUMP REPAI	2,197.00	24793	6/26/14
45-40-5360	VERIZON	CELL PHONES, MDT, TABLETS	37.19	24795	6/26/14
45-50-5670	QUILL CORPORATION	ADD TAPE,PENS,PAPER CLIPS,	16.28	24794	6/26/14

\*\*\*\* PAID TOTAL \*\*\*\* 41,340.81

\*\*\*\*\* REPORT TOTAL \*\*\*\*\* 41,340.81

FUND	FUND NAME	TOTAL	CHECK#	DATE
10	GENERAL	8,134.24		
20	STREET	2,787.51		
45	UTILITIES	30,419.06		

AN ORDINANCE TO AMEND CHAPTER 12, APPENDIX A AND CHAPTER 12, APPENDIX B OF THE CODE OF THE CITY OF ASHLAND AS THEY PERTAIN TO DRIVEWAY CULVERTS.

BE IT ORDAINED by the Board of Aldermen of the City of Ashland, Missouri, as follows:

Section 1. Chapter 12, Appendix A of the Ashland City Code is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

1.7 Minimum Pipe Size: All storm water culvert pipes shall be a minimum of 15 inches in diameter except that, if it is shown by the property owner to the satisfaction of the City Engineer that a smaller pipe size is justified for a particular driveway culvert, a smaller pipe size for that culvert may be allowed. An engineering analysis provided by the requesting party may be required by the City for any reduction in the minimum pipe size. All storm water culvert pipes under street shall be a minimum of 18 inches in diameter and shall be installed to meet or exceed the manufacturers recommendations for trench width, preparations, embedment and backfill.

Section 2. Chapter 12, Appendix B of the Ashland City Code is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

1.1 GENERAL INFORMATION - An application for a Right of Way Access Permit (driveway) must be ~~obtained from~~ submitted to and approved by the Director, prior to constructing any driveway entrance(temporary or permanent). Driveway location must be approved by the Director. Driveway culverts shall be located as per Drawing 410.04 or as directed by the Director. Driveway culvert pipe sizes must be approved by a representative of the Director prior to installation. The minimum pipe size shall be 15 inches in diameter unless the property owner shows to the satisfaction of the City Engineer that a smaller pipe size is justified. and the ~~The~~ minimum pipe length shall be 24 feet. ~~A 12 inch CMP will be authorized only in situations where it is determined to be appropriate by the Director.~~ Pipe specifications shall meet Section 260.3.4 of Appendix A-1, Construction & Materials Specifications. If requested by the Director or authorized representative of the City, erosion protection shall be required which may include filter cloth, rock ditch liner, rip rap or approved equivalent.

Culvert pipes greater than 30 ft. in length shall increase one pipe size in diameter unless otherwise designed by an engineer, submitted to the City for review, and approved by the City. No pipe longer than 50' shall be installed without prior approval by the Director. All driveways shall be constructed in such a manner as to not direct excessive drainage onto the street surface or in excess of the gutter capacity. Culverts not meeting the specifications and/or causing drainage problems will be removed as necessary to correct the drainage problems All costs ~~Costs~~

of new culvert installations shall be borne entirely by the property owner or developer unless otherwise approved by the City.

All driveway culverts shall be annular riveted corrugated metal pipes with a minimum of zinc coating, reinforced concrete pipe or high density polyethylene pipe. All culvert pipes must meet or exceed MoDOT standards construction and materials specifications.

When a driveway culvert is to be constructed outside of right of way or street or stormwater easement, the City may require the property owner to dedicate a stormwater easement to the City.

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Gene Rhorer, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

Certified as to correct form:

\_\_\_\_\_  
Fred Boeckmann, City Attorney

COUNCIL BILL NO. 2014-020

ORDINANCE NO.

AN ORDINANCE ESTABLISHING A POLICY ON POLICE  
DETAILS.

BE IT ORDAINED by the Board of Aldermen of the City of Ashland, Missouri, as follows:

Section 1. Any entity or person requesting special police services for event security or traffic control shall submit a written request to the Chief of Police for such service. The Chief of Police may grant or deny the request, taking into account the availability of officers and the nature of the event.

Section 2. The entity or person requesting services shall compensate the City for special police services at the rate of \$ 25.00 per hour for each police officer working the event.

Section 3. Police officers working a special police services event shall wear the department uniform and shall be subject to all department rules and regulations. The City shall compensate the officers at their regular rate of pay, including overtime pay where applicable.

Section 4. The Chief of Police is authorized to establish department rules and regulations implementing the policy established in this ordinance.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Gene Rhorer, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

Certified as to correct form:

\_\_\_\_\_  
Fred Boeckmann, City Attorney

COUNCIL BILL NO. 2014-021

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 7 OF THE CODE OF THE CITY OF ASHLAND  
TO AUTHORIZE COOPERATIVE PURCHASING.

BE IT ORDAINED by the Board of Aldermen of the City of Ashland, Missouri, as follows:

Section 1. Chapter 7 of the Ashland City Code is hereby amended as follows:

Material to be added underlined.

**7.210. Cooperative purchasing.**

The city administrator or the administrator's designee is authorized to participate in cooperative purchasing programs with the United States or any agency of the United States; with the State of Missouri or any agency, municipality or political subdivision of the State of Missouri; with other states or any agency, municipality or political subdivision of any other state; or with any association of municipalities or political subdivisions; provided, that the cooperative purchasing program follows a competitive bidding process.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Gene Rhorer, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

Certified as to correct form:

\_\_\_\_\_  
Fred Boeckmann, City Attorney

COUNCIL BILL NO. 2014-022

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR TO  
EXECUTE A LAW ENFORCEMENT MUTUAL AID  
AGREEMENT WITH BOONE COUNTY, MISSOURI

Whereas, Boone County wishes to facilitate the provisions of police services throughout Boone County without the Boone County Sheriff having to provide deputy sheriff commissions to peace officers from other jurisdictions; and

Whereas, the Board of Aldermen has reviewed the mutual aid agreement and wishes the City to enter into the agreement.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Ashland, Missouri, as follows:

Section 1. The Mayor, on behalf of the City of Ashland, is hereby authorized to execute a Law Enforcement Mutual Aid Agreement with Boone County. 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 ordinance.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Gene Rhorer, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

Certified as to correct form:

\_\_\_\_\_  
Fred Boeckmann, City Attorney

**LAW ENFORCEMENT MUTUAL AID AGREEMENT  
BOONE COUNTY, MISSOURI**

THIS AGREEMENT dated the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, is entered into by and between Boone County, Missouri (County), and \_\_\_\_\_; (City/Agency):

**WHEREAS**, County wishes to facilitate the provision of police services throughout Boone County without the Boone County Sheriff (Sheriff) having to provide deputy sheriff commissions to peace officers from other jurisdictions; and

**WHEREAS**, it is recognized that in certain situations the use of law enforcement officers to perform peace officer duties outside the territorial limits of the jurisdiction where such officers are legally employed may be desirable and necessary in order to preserve and protect the health, safety, and welfare of the public; and

**WHEREAS**, the County and City/Agency have the authority under RSMo §70.815 to enter into cooperative agreements for the provision of police services within Boone County, Missouri; and

**WHEREAS**, when operating under this Agreement, it is the intention of the parties that the City's/Agency's employees or agents shall be subject to all provisions of law, and retain the same status as an employee or agent, as if those employees or agents were providing services within City's/Agency's own jurisdiction; and

**NOW, THEREFORE**, it is agreed by and between the parties as follows:

1. **AUTHORIZATION.** The parties agree to provide mutual aid services in furtherance of the investigation of criminal activity and enforcement of the laws of this state, and to assist in the provision of specialized services to their mutual aid in the protection of health, life, and property which require such assistance, to the extent that each has resources available and ready to do so in the discretion of, and at the direction of, the chief law enforcement officer of the City/Agency and the Sheriff. This authorization shall extend the powers of arrest of City's/Agency's peace officers as contemplated in RSMo §70.815.
2. **PEACE OFFICERS SUBJECT TO AGREEMENT.** Only those peace officers certified and in good standing with the Peace Officers Standards and Training (POST) program of the Missouri Department of Public Safety shall have authority to provide services under this Agreement. This authorization shall extend to all such POST-certified officers of City/Agency unless said City/Agency is notified by the Sheriff of a withdrawal of this authority as to any specific officer, in the Sheriff's sole discretion.
3. **COMPENSATION.** Mutual aid assistance provided under this Agreement shall be

rendered without charge to County both during the conduct of normal police business and in emergency situations.

4. **LIABILITY.** Each party shall be responsible for all claims, damages, and losses sustained by its own law enforcement agency and police personnel. Neither City/Agency or County shall be liable to the other for any action, failure to act, delay, mistake, failure to respond, negligence, or failure to effectively handle any policy problem arising out of any assistance provided hereunder. City's/Agency's employees or agents shall be subject to all provisions of law, and retain the same status as an employee or agent, as if those employees or agents were providing services within City's/Agency's own jurisdiction.
5. **TERM.** The term of this Agreement shall begin immediately upon execution of the same for a period of one-year, and shall automatically renew for successive periods of one-year if not terminated as provided for herein. Either party may terminate this Agreement at any time by providing the other written notice of their intent to terminate at least 90 days in advance of the intended termination date.
6. **ASSIGNMENT.** Neither party may assign or transfer any of its rights or obligations under this Agreement to any other person or entity without the prior, written consent of the other party.
7. **SOLE BENEFIT OF PARTIES.** This Agreement is for the sole benefit of County and City/Agency. Nothing in this Agreement is intended to confer any rights or remedies on any third party.
8. **RELATIONSHIP OF PARTIES.** Nothing herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent, or of partnership, or of joint venture, between the parties hereto.
9. **MODIFICATION AND WAIVER.** No modification or waiver of any provision of this Agreement nor consent to any departure therefrom, shall in any event be effective, unless the same shall be in writing and signed by County and City/Agency and then such modification, waiver or consent shall be effective only in the specific instance and for the specific purpose for which mutually agreed.
10. **FUTURE COOPERATION.** The parties agree to fully cooperate with each other to give full force and effect to the terms and intent of this Agreement.
11. **ENTIRE AGREEMENT.** The parties state that this document contains the entire agreement between the parties, and there are no other oral, written, express or implied promises, agreements, representations or inducements not specified herein.
12. **AUTHORITY.** The signatories to this Agreement warrant and certify that they have obtained the necessary authority, by resolution or otherwise, to execute this Agreement on

behalf of the named party for whom they are signing.

SO AGREED.

**CITY/AGENCY**

**BOONE COUNTY, MISSOURI**

By:

By:

\_\_\_\_\_  
Mayor/ City Manager/Chairperson

\_\_\_\_\_  
Daniel K. Atwill, Presiding Commissioner

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_  
City Clerk/Secretary

\_\_\_\_\_  
Wendy S. Noren, County Clerk

**APPROVED – Police Agency:**

**APPROVED – BCSD:**

\_\_\_\_\_  
Police Chief

\_\_\_\_\_

APPROVED AS TO FORM:

Dwayne Carey, Sheriff

\_\_\_\_\_  
City/Agency Attorney

APPROVED AS TO FORM:

\_\_\_\_\_  
C.J. Dykhouse, Boone County Counselor

*RESOLUTION 7-01-2014*

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO ENTER INTO AMENDMENT ONE TO 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 Amendment One to 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
Gene Rhorer, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

AMENDMENT ONE  
EMPLOYMENT AGREEMENT  
CITY ADMINISTRATOR FOR THE CITY OF ASHLAND, MISSOURI

This Amendment One to the Employment Agreement dated October 8, 2013, between the City of Ashland and Joshua M. Hawkins, is entered into on this \_\_\_\_\_ day of July, 2014.

The parties agree as follows:

Section 1. Section 4 of the Employment Agreement is amended by increasing the annual salary to Sixty-Two Thousand Seven Hundred Twenty Dollars (\$62,720). This increased salary shall take effect on July 1, 2014.

Section 2. All other provisions of the Employment Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment One on the date set forth above.

\_\_\_\_\_  
Gene Rhorer, Mayor

\_\_\_\_\_  
Joshua M. Hawkins, City Administrator



206 E. Broadway PO Box 140  
Ashland, Missouri 65010  
573-657-9779  
Fax: 573-657-2829  
www.mmrpc.org

June 18, 2014

Mayor Gene Rohrer  
City of Ashland  
109 E. Broadway  
PO Box 135  
Ashland, MO 65010

**Re: Update of Boone County Hazard Mitigation Plan**

Dear Mayor Rohrer,

The Mid-Missouri Regional Planning Commission is beginning the planning process for the required 5-year update of the Boone County Hazard Mitigation Plan. This planning process affords the opportunity for a countywide discussion of various natural hazards threats and how best to mitigate their damage to life and property. Jurisdictions which participate in the planning process become eligible to apply for FEMA mitigation funds, both pre-disaster and post-disaster.

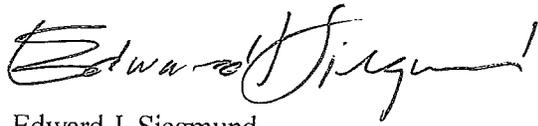
The planning process will be funded by federal mitigation funds distributed by the State Emergency Management Agency (SEMA). The project requires a 25% local nonfederal match amount of \$6,250 which can be met on an in-kind basis by participation in the planning process. We want to stress that your jurisdiction will not be asked to contribute any cash to the local match but committed participation will be necessary in order to meet this obligation.

The City of Ashland was a participating jurisdiction in the 2010 Boone County Hazard Mitigation Plan and we are seeking your commitment to participate in the planning process for this plan update. We ask you to do two things to indicate that commitment:

1. Pass a resolution (such as the enclosed) at your next Board of Aldermen meeting to indicate the City of Ashland's commitment to the planning process. (Please return a signed copy to the Mid-MO RPC at the above address.)
2. Appoint a representative(s) to attend all planning meetings and act as a liaison between the planning committee and your governing body. Appropriate choices for representatives would be an elected official, the city administrator, public works personnel, etc. Your representative for the 2010 planning process was City Administrator Chris Heard.

We appreciate your commitment to mitigating natural hazards in Boone County. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward J. Siegmund". The signature is fluid and cursive, with a prominent initial "E" and "S".

Edward J. Siegmund  
Executive Director

cc: Josh Hawkins, City Administrator  
c: files- EJS Letter

## RESOLUTION NO. 7-01-2014

A RESOLUTION OF INTENT TO PARTICIPATE IN THE PLANNING PROCESS FOR THE 5-YEAR UPDATE OF THE "BOONE COUNTY HAZARD MITIGATION PLAN."

WHEREAS, the City of Ashland recognizes that no community is immune from natural hazards whether it be tornado/severe thunderstorm, flood, severe winter weather, drought, extreme heat, earthquake, dam or levee failure, land subsidence/sinkhole collapse, or wildfire and recognizes the importance of enhancing its ability to withstand natural hazards as well as the importance of reducing the human suffering, property damage, interruption of public services and economic losses caused by those hazards; and

WHEREAS, the Federal Emergency Management Agency (FEMA) and the State Emergency Management Agency (SEMA) have developed a natural hazard mitigation program that assists communities in their efforts to become disaster-resistant and sustainable communities focused not just on emergency preparedness and disaster relief, but also on pre-disaster mitigation and post-disaster recovery, mitigation and reconstruction; and

WHEREAS, the County of Boone will enter into a contractual agreement with the Mid-Missouri Regional Planning Commission to lead the planning process for the update of the "Boone County Hazard Mitigation Plan" and the City of Ashland desires to commit to working with government and community partners to update this multi-jurisdictional hazard mitigation plan;

WHEREAS, SEMA has offered to make federal funds available for this update planning process with the stipulation that a 25% local match be provided by the jurisdictions for which the plan is being prepared and this local match of \$6,250 can be met by in-kind services of participation in the planning process; and

WHEREAS, by fulfilling all the requirement of a "participating jurisdiction" in the planning process for the update of the "Boone County Hazard Mitigation Plan" the City of Ashland will be eligible to apply for FEMA pre-disaster and post-disaster mitigation grant funds; and

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ASHLAND OF THE COUNTY OF BOONE AS FOLLOWS:

The City of Ashland will fulfill the following requirements of being a "participating jurisdiction" in the update of the "Boone County Hazard Mitigation Plan" by:

1. Appointing \_\_\_\_\_ as representative(s) to participate in the planning process by attending planning meetings and acting as liaison(s) between the planning committee and the governing body of the City of Ashland; and
2. Making information about the City of Ashland which is necessary to the planning process available to the planning committee, unless that information is deemed to be of a confidential nature; and
3. Working with the representative(s) of the City of Ashland and the consultant from the Mid-Missouri Regional Planning Commission to develop a plan for the administration and implementation of mitigation actions which have been developed though the planning process and are specific to the City of Ashland, Missouri; and



## MEMORANDUM

To: Mayor and Board of Aldermen

From: Fred Boeckmann, City Attorney

May 28, 2014

RE: Aldermen qualifications

I have been asked whether the City can impose qualifications for the office of Alderman in addition to those imposed by Missouri statutes. This memorandum will set forth the statutory requirements. In my opinion, the Board may not impose additional qualifications.

### **Statutory Qualifications**

The statutory qualifications to serve on a board of aldermen are:

- Must be at least 18 years of age (Section 79.070 RSMo.)
- Must be a resident of city for at least one year before the election (Section 79.070 RSMo.)
- Must be a resident of the ward when filing and when serving (Section 79.070 RSMo.)
- Must be a voter (Section 79.250 RSMo.)
  - Voter qualifications (Section 115.133 RSMo.):
    - not adjudged incapacitated
    - not imprisoned
    - not on probation or parole after conviction of felony
    - not convicted of a felony or misdemeanor connected with right of suffrage
- Must not be “in arrears for any unpaid city taxes, or forfeiture or defalcation in office.” (Section 79.250 RSMo.)
- Must not be delinquent in the payment of Missouri income taxes, personal property taxes, municipal taxes<sup>1</sup> or real property taxes on the candidate’s place of residence. (Section 115.342 RSMo<sup>2</sup>.)
- must not be in arrears for any unpaid city taxes or municipal user fees on the last date for filing for office. (Sections 71.005 and 115.346 RSMo.<sup>3</sup>)

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<sup>1</sup> “Municipal taxes” was added by HB 1136, which takes effect on August 28, 2014.

<sup>2</sup> This section is in a subchapter that, according to Section 115.305 RSMo., does not apply to candidates for city offices. However, HB 1136 repeals Section 115.305 RSMo. Accordingly, this section will apply to candidates for city offices after it takes effect in August.

<sup>3</sup> HB 1136 repeals Section 115.346 RSMo. Section 71.005 applies Section 115.346 RSMo to city candidates and will be meaningless when the repeal of Section 115.346 takes effect in August. After August 28, 2014, being in arrears for municipal user fees will not disqualify a candidate.

- Must not have been convicted of or found guilty of or pled guilty to a felony under the laws of Missouri. (Section 115.350 RSMo.<sup>4</sup>)

### **Imposing Additional Qualifications**

I have not found any authority dealing specifically with the issue of a city imposing additional qualifications to the statutory eligibility requirements of municipal offices. However, the Missouri Supreme Court, following the general rule established in other states, has held that the legislature cannot add to the constitutional eligibility requirements of offices established by the constitution. Labor's Educational and Political Club-Independent v. Danforth, 561 SW2d 339 (Mo banc 1977). By analogy, local government would not be able to add to the statutory eligibility requirements of offices established by statute.

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<sup>4</sup> This section does not currently apply to candidates for city office but will after August 28, 2014.



***THE CITY OF ASHLAND, MISSOURI***

**DATE:** June 27, 2014

**To:** Mayor Rhorer and the Ashland Board of Alderpersons

**From:** Josh M. Hawkins, City Administrator

**RE: City Administrator's Report**

**Budget**

**Council Bill No. 2014-019: Amendment to driveway culverts**

This ordinance amends driveway culvert standards in Chapter 12 to allow the developer to install a driveway culvert pipe less than the 15" minimum if the City agrees to permit the installation. The City will be able to require the developer to submit an engineering analysis demonstrating that a pipe of less than 15" diameter will adequately service the proposed development. The proposed amendment places the burden of proof on the developer while also allowing them some flexibility in proposed drainage projects. This amendment also sets installation standards per manufacturers guidelines.

**Council Bill No. 2014-020: Police Detail Policy**

This ordinance would establish a policy which dictates the rate for which the Ashland Police Department would charge private entities who request uniformed Ashland Police Officers to work as security on the grounds of their event. An average hourly salary and the cost of benefits led us to the charge of \$25.00 per hour for a uniformed officer. The Chief of Police will have discretion on where and when uniformed officers may be utilized for private events through a standardized application process.

**Council Bill No. 2014-021: Authorization for Cooperative Purchasing**

This ordinance allows the City to make purchases on items which have previously been awarded through public bid by other jurisdictions.

**Council Bill No. 2014-022: Law Enforcement Mutual Aid Agreement**

This ratifies a proposed Mutual Aid Agreement between the Boone County Sheriff's Department and the Ashland Police Department which restores previously granted commissions from the Sherriff's Department to Ashland Police Officers.

**109 E. BROADWAY ~ P.O. BOX 135 ASHLAND, MO 65010 (573) 657-2091**

**POLICE DEPT: (573) 657-9062 FAX: (573) 657-7018 WWW.ASHLANDMO.US**

### **Boone County Hazard Mitigation Plan**

This resolution would authorize the Mayor's appointees to participate in the Boone County Hazard Mitigation Plan's five year update process. The plan was last updated in 2010 and is being reviewed and evaluated for the 2015 version. Participation comes at no cost to the City.

### **Sunshine Law Workshop**

Mr. Tom Durkin, Public Education Coordinator for the Missouri Attorney General's Office, will be conducting a Sunshine Law workshop on Tuesday, August 5, 2014 at 6:00 PM at Ashland City Hall. This 60 minute workshop will be conducted before our regular meeting scheduled on the same date for 7:00 PM. I believe it would be a sign of good faith to invite members of both the school board and the fire board.

### **Sewer Bond Public Meeting**

The High School Auditorium has been reserved for Monday, July 21, 2014. Chad Sayre of Allstate Consultants and Steve Goehl of D.A. Davidson are confirmed for the meeting.