

TUESDAY, JANUARY 17, 2017
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Pro-tem Fasciotti called the regular meeting to order at 7:00 p.m. on January 17, 2017 at 815 East Broadway, Ashland, Missouri.

Mayor Pro-tem Fasciotti led in the pledge of allegiance.

Mayor Pro-tem Fasciotti 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

Mayor Rhorer was absent.

Staff Present: Fred Boeckmann, City Attorney, Darla Sapp, City Clerk and Lyn Woolford, Police Chief/City Administrator.

Mayor Pro-tem Fasciotti presented the agenda of January 17, 2017 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to approve the agenda as presented. Mayor Pro-tem Fasciotti called for the vote. Motion carried.

Mayor Pro-tem Fasciotti presented the minutes of January 03, 2017 for consideration. Alderman Campbell made motion and seconded by Alderman Klippel to approve the minutes as presented. Mayor Pro-tem Fasciotti called for the vote. Motion carried.

Mayor Pro-tem Fasciotti asked if anyone wished to appear before the Board.

Roy Williams resident at 308 South Main Street asked the Board for guidance and assistance in trying to build a new home on his lot while living in the old house. Lyn Woolford, City Administrator reported the code does not allow for two homes being on one lot. Mr. Williams explained it was not feasible or economical for him to have to tear down the existing house, rent an apartment and move, then build the house. Alderman Bronson questioned if a temporary use permit could be applied for? Lyn Woolford, City Administrator stated there is no legal way to build two houses on one piece of property. Alderman Campbell asked if we could enter into an agreement with Mr. Williams giving him so many days after the new home is completed to tear the existing old home down. Mayor Pro-tem Fasciotti recommended he go to Planning and Zoning for a conditional use permit for this. Dave Forward of Boone County Resource Management stated in the County they do not allow this. He suggested the City could require a bond if they did wish to allow it.

Fred Boeckmann, City Attorney reported that there was no good way to do it under the current ordinance. He suggested the Board consider some problems and issues that could arise with allowing this. He asked what would happen if the new house gets completed and he does not tear the old house down? He stated that we would either need a letter of credit or a bond to cover this if this should happen.

Bill Lloyd of the Callaway Bank reported they are doing the financing on this project and part of the financing includes tearing down the old house. He stated they could issue a letter of credit in favor of the City on this. Chad Sayre, Allstate Consultants stated the City has had success on the letter of credit in the

past. Alderman Clay stated the next Planning and Zoning Commission meeting is scheduled for February 28, 2017.

Lyn Heying of Mecco Engineering gave an overview of their engineering firm and reported the City has successfully been awarded the TAP grant for the Main Street sidewalk project. He stated that Lyn Woolford and the Mayor was instrumental in helping obtain this grant. He discussed with the Board the plans and the need to work with the residents along the west side of South Main Street. Dave Forward of Boone County Resource Management questioned if they would have to acquire easements. He stated that road is already narrow and if you would have no room to widen the roadway in the future. Mr. Heying reported if their firm is selected as engineers they would have tight reins on the project and inspections. He stated they would do daily reports and report to the City Administrator every two weeks. The Board discussed the high banks, open ditches and stormwater issues in this area.

Mayor Pro-tem Fasciotti presented Debbie Richardson to serve on the Planning and Zoning Commission. Ms. Richardson gave a brief bio of herself. The Board asked various questions to Ms. Richardson. She stated she is interested in the growing community. Jeff Sapp Vice Chairman of the Planning and Zoning Commission explained how the Planning and Zoning runs. Alderman Bronson made motion and seconded by Alderman Klippel to appoint Debbie Richardson to serve on the Planning and Zoning Commission. Mayor Pro-tem Fasciotti called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Clay-aye, Alderman Lewis-aye. Motion carried.

Mayor Pro-tem Fasciotti presented Council Bill No. 2017-001 for consideration. Alderman Klippel made motion and seconded by Alderman Bronson to take up Council Bill No. 2017-001, an ordinance to amend Chapter 10, Section 10.190 Building Codes. First Reading by title only. Mayor Pro-tem Fasciotti called for questions or comments. Jeff Sapp, Vice Chairman of the Planning and Zoning Commission stated they discussed this at several meetings and had a public hearing on this matter and recommended approval. Lyn Woolford and Dave Forward, Boone County Resource Management highlighted some of the differences between the 2006 Building Code and the proposed upgrade to the 2012 Building Code. They also discussed the difference between the 2012 Building Code and the 2015 Building Code that the County has adopted at length. Lyn Woolford reported that the public hearing and recommendation from the Planning and Zoning Commission was for the 2012 Building Code. Mayor Pro-tem Fasciotti called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Clay-aye, Alderman Lewis-aye. Motion carried.

Mayor Pro-tem Fasciotti presented a resolution for Board consideration. Alderman Bronson made motion and seconded by Alderman Clay to allow the garden club to place bluebird nesting boxes in Palomino Ridge Park. Mayor Pro-tem Fasciotti called for questions or comments. Alderman Bronson stated this was presented at the Park Board and there will be no cost to the City and is through the Blue Bird Society. Mayor Pro-tem Fasciotti called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderman Campbell-aye, Alderman Bronson-aye, Alderman Klippel-aye. Motion carried.

Mayor Pro-tem Fasciotti presented a resolution for Board consideration. Alderman Bronson made motion and seconded by Alderman Lewis to accept the low bid for the wastewater treatment facility sludge removal and disposal. Mayor Pro-tem Fasciotti called for questions or comments. Chad Sayre of Allstate Consultants reported this is the most bids we have received on sludge removal. He stated the maintenance is required. He gave an overview of the Metro-Ag., Inc. qualifications. He stated they have not worked with them in the past but the references were good. Alderman Campbell asked about the replacement of the curtains in the lagoon. Chad Sayre stated this is for sludge removal and disposal. He stated a new curtain is approximately seven to eight thousand dollars. Mayor Pro-tem Fasciotti called for the vote.

Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Clay-aye, Alderman Lewis-aye. Motion carried.

Mayor Pro-tem Fasciotti reported the next item on the agenda is the discussion of the yard waste disposal contract with a proposed 12% increase for the contract renewal. Mayor Pro-tem Fasciotti stated he had no issues with the proposed increase. Richard Jones stated that there has not been an increase since he started doing this for the City. Mr. Jones stated other than the proposed increase from \$1,345.74 to \$1,514.74 a month, if the city wants to bring in yard waste there will be a \$35.00 per load charge and a three percent increase renewable yearly. The Board discussed these with Mr. Jones. They also discussed people owning duplexes and being considered a commercial customer under the yard waste contract and residents being charged the yard waste fee on their monthly utility bill. Richard Jones reported the tenants are allowed to bring yard waste over to him without an additional charge. They debated this at great length. The Board decided that the Mayor, City Administrator could work out an agreement with Mr. Jones on the yard waste disposal contract.

Alderman Bronson made motion and seconded by Alderman Clay to take a ten-minute break. Mayor Pro-tem Fasciotti called for the vote. Motion carried.

Mayor Pro-Tem Fasciotti called the meeting back to order at 9:10 p.m.

Mayor Pro-tem Fasciotti reported the next item on the agenda was discussion of compensating Mayor Rhorer for all that he has done and continues to do for Ashland. He stated that he spends a lot of time away from his real job doing business for the City. Alderman Campbell presented a request of a unanimous vote of 6-0, the Ashland City Council requests the city of Ashland to enter into an agreement with the present elected Mayor, Gene Rhorer, for compensation for duties rendered immediately and terminating at the end of his elected term in 2018. The amount agreed upon by the city council along with the advice of the City Administrator and Counselor will be:

- 1) Agreement terminates at the end of the elected term of said Mayor, Gene Rhorer, is April 2018.
- 2) To re-initiate a compensation scale for the Mayor, Board of Aldermen must request a scheduled discussion and a unanimous vote of 6-0 to proceed with compensation process.
- 3) All compensation to each and every elected Mayor will terminate at the end of their elected term.
- 4) No compensation will be granted to an elected Mayor unless the process stated in 1 and 2 is completed by a unanimous vote of 6-0.

Fred Boeckmann, City Attorney discussed the request and what legal perimeters the Board has at great length. He stated that an ordinance would need to be drawn up and it would require four votes to pass.

Mayor's Report:

Mayor Pro-tem Fasciotti stated Mayor Rhorer had no report.

City Administrator/Police Chief's Report:

Lyn Woolford gave a breakdown of the cost they established for the Avenue of Flags.

He informed the Board that he and Coby Morris have a meeting on the sidewalk grant on the 24th of January.

He reported the financial information is in packet. He reported the sales taxes are up and continues to be in that trend.

Lyn Woolford discussed last weekend's weather forecast and the emergency management preparedness, coordination and efforts.

City Attorney's Report:

Fred Boeckmann had no report.

Board of Aldermen's Report:

Alderman Klippel volunteered to head up a committee on downtown beautification. Lyn Woolford, City Administrator reported they are looking at improvements to Henry Clay Blvd., Broadway and Main Street. He reported he plans to replace some street signs and poles.

Alderman Klippel thanked the staff, County, City of Columbia and State of Missouri for keeping the streets maintainable during last weekend's ice storm.

Alderman Bronson reported he sat in on the Emergency Management System conference call and was impressed how the communities were working together.

Alderman Campbell read a letter he is planning to place in the Boone County Journal before the Election.

Alderman Clay suggested the transportation plan is out of date. Lyn Woolford reported it was updated in 2015.

Mayor Pro-tem Fasciotti reported we need to go into executive session pursuant to Chapter 610.021 (12) negotiations of contracts and easements. Alderman Bronson made motion and seconded by Alderman Clay to go out of executive session and go into executive session pursuant to Chapter 610.021 (12) negotiations of contracts and easements with a ten-minute break. Mayor Pro-tem Fasciotti called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Clay-aye, Alderman Lewis-aye. Motion carried.

Mayor Pro-tem Fasciotti reported we are in open session with no reportable action taken.

Alderman Clay made motion and seconded by Alderman Klippel to adjourn the meeting. Mayor Pro-tem Fasciotti called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Clay-aye, Alderman Lewis-aye. Motion carried.

Darla Sapp, City Clerk

Jim Fasciotti, Mayor Pro-tem