

TUESDAY, JANUARY 20, 2015
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on January 20, 2015 at 815 East Broadway.

Alderman Elliott 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-absent, James Fasciotti-here

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

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

Mayor Rhorer presented the agenda for January 20, 2015 for consideration. Alderman Fasciotti made motion and seconded by Alderman Klippel to approve the agenda as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes for January 6, 2015 for consideration. Alderman Campbell made motion and seconded by Alderman Fasciotti to approve the minutes as presented. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Motion carried.

Mike Fulca, Park Board President gave a presentation of recommendations for the fiscal year 2016 budget. He presented photos of several items in the park that need attention. He gave an over view of the fixed costs, park board requests, events and capital/maintenance needs. He reported the fall festival would be September 19 this year. The Board discussed the fall festival at great length and the need for more help for this event. Alderman Fasciotti asked about the trees that have been dedicated in memory of someone in the park that has died, either by not watering, improper planting or no maintenance. Mike Fulca stated that in the past several years the maintenance or funds was not given for the upkeep in the park. He reported the park board is a recommending board. Mr. Fulca also reported the tennis court needs repair as well as the fitness trail and a broken slide. The Board discussed this at great length.

Mayor Rhorer asked if anyone wished to appear before the Board.

Sandra Harris reported she would like to be part of the park board and share her ideas.

Mayor Rhorer thanked her for submitting her application to the Board.

Mayor Rhorer asked if anyone else wished to appear before the Board.

Vee Fasciotti, park board member asked that the Board bring their ideas and events to the park board.

Mayor Rhorer presented Sandra Harris for consideration to the Parks and Recreation Board.

Alderman Elliott made motion and seconded by Alderman Klippel to appoint Sandra Harris to the Parks and Recreation Board. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Taggart-aye, Alderman Anderson-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2015-003 for consideration. Mayor Rhorer introduced Shelley Martin the new utility billing clerk to the Board. Mayor Rhorer presented the report submitted by Ms. Martin on delinquent accounts, collections, deposit amounts and billing and issues. The Board asked various questions. Ms Martin explained the deposit amounts, the need for the increase in these fees, and also explained the issues with the rental property and the new homes being billed for water usage and water usage being billed. Ms. Martin also stated the reconnect fees and penalties needed to be increased for our size of city. The Board discussed this at length. Alderman Elliott made motion and seconded by Alderman Klippel to take up Council Bill No. 2015-003, an ordinance to amend Appendix C-3 of Chapter 14 of the Code of the City of Ashland to increase water deposits. First Reading by title only. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Taggart-nay, Alderman Anderson-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2015-004 for consideration. Mayor Rhorer explained this Council Bill is to establish a processing fee for new residential building permits. He explained the time it took for staff to process the building permits and inspections of silt fencing, sidewalks, yard inspections, setbacks by various staff with no income. Alderman Taggart reported the citizens pay taxes for city services. Shelley Martin, utility clerk explained the process on the building permits and inspections. The Board discussed this at length. Alderman Fasciotti made motion and seconded by Alderman Campbell to take up Council Bill No. 2015-004, an ordinance to amend Chapter 10 of the Code of the City of Ashland to establish a building permit administrative processing fee. First Reading by title only. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliot-aye, Alderman Fasciotti-aye, Alderman Taggart-nay, Alderman Anderson-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2014-005 for consideration. Josh Hawkins, City Administrator reported this is the MoDot grant we received for a sidewalk on Ash Street. He thanked the Board for authorizing the \$3,000.00 for the grant writing on this project. Alderman Campbell made motion and seconded by Alderman Elliott to take up Council Bill No. 2014-005, an ordinance authorizing the Mayor to enter into an alternatives funds program agreement with

Missouri Highways and Transportation Commission. First Reading by title only. The Board asked various questions. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Taggart-aye, Alderman Anderson-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1013 for consideration. Mayor Rhorer reported this is the second reading of this ordinance. Alderman Klippel made motion and seconded by Alderman Campbell to take up Ordinance No. 1013, an ordinance to amend Chapter 9, Planning and Zoning, of the code of the City of Ashland. Mayor Rhorer called for questions or comments. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Taggart-aye, Alderman Anderson-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1014 for consideration. Mayor Rhorer called for questions or comments. Fred Boeckmann, City Attorney, reported Alderman Anderson questioned the last sentence in section 3 and 5 and said the sentence " The Board of Alderman may overrule a disapproval of the Planning Commission " could be deleted. Alderman Campbell made motion and seconded by Alderman Klippel to take up Ordinance No. 1014, an ordinance to amend Chapter 11; Subdivision Regulations, of the Code of the City of Ashland with the amendment of deleting the sentence as suggested from Fred Boeckmann, City Attorney. Mayor Rhorer called for questions or comments. Alderman Taggart-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Campbell-aye, Alderman Klippel-aye, Alderman Anderson-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1015 for consideration. Alderman Elliott made motion and seconded by Alderman Campbell to take up Ordinance No. 1015, an ordinance authorizing the Mayor to enter into an alternatives funds program agreement with Missouri Highways and Transportation Commission. Josh Hawkins, City Administrator reported this would be under the next budget year. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Campbell-aye, Klippel-aye, Alderman Anderson-absent. Motion carried.

Alderman Klippel made motion and seconded by Alderman Fasciotti to take a break at 8:55 p.m. Motion carried.

Mayor Rhorer called the meeting back to order at 9:08 p.m.

Mayor Rhorer presented for consideration a 1.7% increase in the solid waste rates. Mayor Rhorer reported the customer price index and paperwork is in the packet and this is part of the contract. Alderman Campbell made motion and seconded by Alderman Klippel to approve the solid waste increase for 2015. Mayor Rhorer called for the vote. The Board discussed this. Fred Boeckmann, City Attorney reported this is stipulated in the contract and if we don't vote for this increase then the solid waste contract would be negotiated. Mayor Rhorer called for the vote.

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

Mayor Rhorer presented a change order and pay request for C.L. Richardson Construction for the Henry Clay Blvd and Peterson Lane water systems improvements. Mayor Rhorer reported the change order was for \$210.00 for a driveway. Alderman Campbell made motion and seconded by Alderman Elliott to approve the change order and the pay request to C.L. Richardson. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Taggart-aye, Alderman Anderson-absent. Motion carried.

Travis Davidson, gave his monthly report on the Public Works Department. Travis Davidson reported the city received a letter of warning on the wastewater system not being in compliance. The Board discussed this and DNR is aware of where we are in updating our waste water system. He reported the street signs have been replaced in most of the subdivisions. Mr. Davidson reported the sewer camera is working very well and they have identified several areas that need corrections this summer. Mayor Rhorer reported we need to make a eight or ten year plan and to budget for these corrections. He reported a lot of the issues are from tree roots and there is a fiberglass liner that you can put in clay tile to repair this.

Mayor's Report:

Mayor Rhorer thanked the Board for voting to allow the \$3,000 for a chance of getting the sidewalk grant for Ash Street.

Board of Aldermen's Report:

Alderman Taggart suggested with the financial concerns of the park maintenance we access a yearly fees to use of the park facilities to such organizations such as tennis lessons.

Alderman Fasciotti reported the school also uses the fitness trail and so we could go to the school for funding.

Alderman Elliott reported they could use volunteers for park board, planning and zoning commission and board of adjustments.

Alderman Campbell suggested the park board look at such things as the roots and blues or some other festival that draws a large group of people.

Alderman Campbell suggested the City Clerk give an update on the front office a couple of times a year to the Board of Aldermen.

Alderman Klippel reported on getting rid of trees on the north side of the tennis courts might help solve the cracking in the tennis courts. He also stated everyone should watch for joggers.

City Administrator's Report:

Josh Hawkins discussed the fall festival and the possibility of sponsorship of contests from other organizations and businesses in town. He also discussed combining the fall festival with another event, such as the rodeo, city wide garage sale or Ashland Out Loud event.

He reported they met with Allstate Consultants and plan to move forward on the waste water treatment facility and financing of that project. Also having a fixed cost for engineering fees for plan reviews in the near future.

He discussed capital improvement projects for the budget next year. He stated they have been working through the departments and working on capital expenditures. He reported Chief Woolford is working on grant applications.

He reported the signs for the school have been ordered and is in the hands of MoDot.

Alderman Klippel questioned if the light at south j turn was fixed? Mayor Rhorer reported that they are waiting on a part for the junction box.

City Attorney's Report:

The City Attorney did not have anything to report.

Alderman Klippel made motion and seconded by Alderman Campbell to go into executive session pursuant to Chapter 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Campbell-aye, Alderman Anderson-absent, Alderman Klippel-aye. Motion carried.

The City Clerk was not in attendance at the executive session.

Darla Sapp, City Clerk

Gene Rhorer, Mayor

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

Alderman Campbell 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