

TUESDAY, OCTOBER 07, 2014
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on October 07, 2014 at 815 East Broadway.

Alderman Klippel 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-here, Fred Klippel-here

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

Mayor Rhorer presented the agenda for October 07, 2014 for consideration. Alderman Anderson made motion and seconded by Alderman Campbell to approve the agenda as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes for September 16, 2014 for consideration. Alderman Anderson made motion and seconded by Alderman Klippel to approve the agenda as presented. Alderman Anderson made a correction on page 5 a statement-"Alderman Anderson expressed concern of using an ordinance as a threat." He stated it should have read "Alderman Anderson expressed concern of using a proposed ordinance as a threat." Mayor Rhorer called for the vote with the amendment. Motion carried.

Mayor Rhorer presented the bills to be paid for consideration. Alderman Campbell made motion and seconded by Alderman Anderson to approve the bills as presented. Mayor Rhorer called for questions or comments. The Board asked various questions. Mayor Rhorer called for the vote. Motion Carried.

Mayor Rhorer reported under appearances we have Gerding, Korte and Chitwood, CPA, presentation of the annual audit report. Travis Hundley, CPA presented the audit report, management discussion and analysis, and notes to the financial statement. The Board asked various questions. He gave an overview of the opinion on compliance and other matters report. He discussed the fund deficit, moving from general fund to street fund. Audit communication letter shows some credit card receipts were not accounted for. Alderman Anderson questioned the transportation sales tax being accounted for separately. It was reported there is a separate account code for this. Travis reported each year in the engagement letter, we go through last year's audit, team meeting as four partners. He stated they check to make sure their findings have

been followed up on. Alderman Elliott asked if a more in depth audit could be done. Travis agreed upon procedure or compliance audit. Alderman Campbell questioned the financial shape the City is in. Travis stated the City is in fairly good shape.

Chief Woolford gave his monthly report to the Board. He reported in their packets this time was the police activity, added column of traffic summons, recycle site and code enforcement activity. He reported improper items are being placed at the recycling site. He stated the recycle site is becoming an issue and they are starting to indentify people that misuse the site. Chief Woolford reported there have been five citations. Mayor Rhorer stated this is total disregard to the recycling lot. Alderman Anderson commended the police department and discussed installing a video camera as an option. Chief Woolford gave an overview the traffic accidents. He proposed an ordinance on electronic cigarettes be drawn up since our current code does not address this. Fred Boeckmann, reported there is a state law on this. Mayor Rhorer stated he will talk with City Administrator and City Attorney on this matter. Chief Woolford also proposed a primary seat belt ordinance. Chief Woolford stated this allows an Officer to stop anyone for not wearing a seatbelt. Chief Woolford questioned the Board if they were interested in this. Chief Woolford stated the purpose of a seatbelt law is for safety reasons, but the police department can't stop them for not wearing one. Alderman Fasciotti asked for a straw poll. Alderman Taggart-no, Alderman Fasciotti-mixed, Alderman Elliott-yes, Alderman Campbell-no, Alderman Anderson-no, Alderman Klippel-no. Mayor Rhorer took a straw poll on a proposed electronic cigarettes ordinance: Alderman Klippel-no, Alderman Anderson-no, Alderman Campbell-no, Alderman Elliott-yes, Alderman Fasciotti-yes, Alderman Taggart-no. Chief Woolford reported they have used the micro chip reader again and have not had any calls for service to animal control. He presented a car video camera he is using in hopes to purchase with a grant. The Board asked various questions about the camera. He reported over a five year period with service agreement and license it would be \$8,500.00 plus the cost of five cameras. Alderman Anderson questioned the progress on the police manual. Chief Woolford reported he is working on this but it is not finished. Alderman Anderson questioned the type of calls from 111 Eastside Drive. Officer Nichols reported this is lower income and seems to be an open door. Alderman Anderson asked if there is something we could do to be proactive. Officer Nichols reported more staffing and more presence over there to build better relationships, it would be easier to deter. Alderman Taggart suggested including the trailer courts in the unsafe structures ordinance. Fred Boeckmann reported it should follow the minimum code standards. The Board discussed this at length. Alderman Elliott asked if we had neighborhood watch program in our community. Officer Nichols stated we need programs for youth and children in our community. Alderman Campbell suggested having communication with the property owner of the trailer park to discuss the condition of some of the trailers and appearance. Officer Nichols suggested crime free housing.

Mayor Rhorer asked if anyone wished to appear before the Board. Bryan Bradford of 702 South Henry Clay Blvd. reported he was appointed as a Board of Adjustment member. He gave a brief overview of his experience.

Mayor Rhorer presented Christopher Moore to serve on the Board of Adjustment. Christopher Moore stated he lives at 506 Tandy and his wife is Megan Young. Alderman Fasciotti discussed some of the challenges for the Board of Adjustment or Planning and Zoning members. He stated they need to apply common sense when considering these variances. Alderman Fasciotti reported if you document the logic of your decision it does protect us in the future. Chris Moore reported if something is wrong then you need to look at the ordinance. Alderman Anderson made motion and seconded by Alderman Klippel to appoint Chris Moore to the Board of Adjustment. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliot-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2014-032 for consideration. Alderman Anderson made motion and seconded by Alderman Campbell to take up Council Bill No. 2014-032, an ordinance directing the City Treasurer to take administrative action for an intergovernmental transfer within the fiscal year 2014 Budget. First Reading by title only. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2014-033 for consideration. Alderman Elliott made motion and seconded by Alderman Campbell to take up Council Bill No. 2014-033, an ordinance authorizing the Mayor to enter into a Youth Development Healthy Living, Recreational and Civic Services contract with Jefferson City Area YMCA. First Reading by title only. Alderman Campbell-aye, Alderman Klippel-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye. Motion carried.

Alderman Fasciotti made motion and seconded by Alderman Taggart to take a five minute recess at 8:45 p.m.

Mayor Rhorer called the meeting back to order at 8:54 p.m.

Mayor Rhorer presented Ordinance No. 998 for consideration. Alderman Campbell made motion and seconded by Alderman Elliott to take up Ordinance No. 998, an ordinance directing the City Treasurer to take administrative action for an intergovernmental transfer within the fiscal year 2014 Budget. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 999 for consideration. Alderman Fasciotti asked for more questions and data on the breakdown of salary, equipment and rental or purchasing of property. Mayor Rhorer reported this is a great advantage and reported on some of the programs

they offer. Joe Lopez, representative from the Jefferson City YMCA answered various questions from the Board. He presented a five year operating budget. He stated there is a lot of interest in these programs in the community for the YMCA programs. He reported after the five years they would see if the community could sustain a full fledged YMCA. Mr. Lopez reported they currently have \$254,150.00 dollars and have one individual and a hospital that may come through making the pledges over \$500,000.00 commitment. Alderman Taggart stated he felt the YMCA is a welcome attraction to Ashland but his only hesitation is using tax payers money for a recreational business. Alderman Campbell stated it is a rubber stamp for him since we can provide these services to our community for \$10,000.00. Mayor Rhorer reported if we started a parks and recreation program it would be well over \$50,000 for one salary for the one year. He felt the programs justify spending tax payers income to our city for health and fitness. He stated they will provide the annual report and show financial position. Alderman Anderson thanked them for investing in our community. He stated he fully supported this. Josh Hawkins, City Administrator reported this is a contract for services, reviewed the programs offered and the Mayor Youth Council. Josh Hawkins reported there is a demand for recreation in our community. Mayor Rhorer thanked Mr. Lopez, and the Southern Boone Area YMCA members for giving their time for no pay. He stated the community will benefit from your efforts. Alderman Campbell made motion and seconded by Alderman Elliott to take up Ordinance No. 999, an ordinance authorizing the Mayor to enter into a Youth Development Healthy Living, Recreational and Civic Services contract with Jefferson City Area YMCA. Alderman Klippel-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Elliott-aye. Motion carried.

Mayor Rhorer reported the next item on the agenda is discussion of the joint work session of Board of Aldermen and Planning and Zoning Commission. Josh Hawkins, City Administrator reported it went extremely well. He discussed the Board of Aldermen and Planning and Zoning is leading these work sessions. Alderman Campbell suggested we focus on one interest at a time, such as annexation, sales tax growth, residential growth, etc. They discussed having a work session every three months. Alderman Fasciotti stated he felt a facilitator in a group like that is skilled and is vital to the success of the group. Mayor Rhorer suggested a capital improvement program, stay focused on each section. They discussed bringing other boards, such as the school Board, Southern Boone Chamber of Commerce, Southern Boone Economic Development. Mr. Hawkins suggested the Board of Aldermen and the Planning and Zoning needs to lead in these meetings. Alderman Fasciotti suggested this be put on the next Planning and Zoning Commission meeting agenda.

Mayor's Report:

Mayor Rhorer reported a resident has requested a barrier at the dead end of Chico Drive. He asked that one be placed there. He reported that Church Street is really bad where it goes into Ashwood Manor as well as the curbing. Mayor Rhorer reported the new sewer camera is in if the

Board wished to take a look at it. He reported further discussion from Senator Schaefer's office is going slow on the safety issues on Lakeview Estates. Alderman Anderson stated we need to know when the completion of the roundabouts and Hwy 63 would be completed with a roundabout at Henry Clay Blvd. and Broadway. Alderman Fasciotti stated that is not part of the that project but it is something they could consider to partner with us on a mini-round about.

Mayor Rhorer stated they have invited Senator Schaefer and Representative Jones to attend a meeting in October and there has been no response.

Board of Alderperson's Report:

Alderman Klippel suggested the City provide a roll off container once a month on the recycle lot. The Board discussed the potential cost to the city. Mayor Rhorer stated he felt this was giving in to bad behavior.

Alderman Anderson reported the City recently put in a culvert on Oak Street. He reported this is covered with grass and leaves. He asked that we reconsider the design of that collection of the culvert. He stated he has noticed increase traffic on Oak, Tandy and Walnut and the roadway is cracking. He asked that we consider resurfacing of Oak Street and Tandy and Walnut. He stated that Travis Davidson estimated this to be \$50,000. Josh Hawkins reported that Salinda Drive is ready to go to bid out. Alderman Anderson suggested placing \$50,000 toward the mini roundabout in the budget. There was discussion of Main Street and Sappington Drive needing street work also.

Alderman Anderson stated that reference the dangerous structure ordinance that Boonville, Jefferson City, Columbia, Boonville and Fulton, Holts Summit and Hallsville do not have a dangerous structure ordinance. He stated he would be willing to develop an ordinance that is more designed for our needs. He polled the Board to see if there was any interest. Alderman Klippel-yes, Alderman Campbell-no at this time, Alderman Elliott-stated he supports, Alderman Fasciotti-stated he was in favor of this but may not be in favor of passing the ordinance once he reads it, Alderman Taggart-nothing to lose by looking at it. He asked that mobile home parks be included in this. Alderman Klippel volunteered to work with Alderman Anderson on this proposed ordinance.

Alderman Anderson commented on the way the proposed dangerous structure ordinance was brought to this board. He felt this was driven by public demand, and it was rushed and forced. He stated he asked if we currently have any codes on the books to enforce this without having to pass a new ordinance. He stated that a first and second reading was on the agenda without giving them time to consider between two readings. Alderman Campbell stated we all had a pretty good idea what was going on.

Alderman Anderson questioned when we would have a budget workshop. Josh Hawkins reported a our goal is to have a six month budget revision meeting on the 21st of October. Alderman Anderson asked the status of the employee manual. Josh Hawkins reported this will be a winter project. Mr. Hawkins also stated the storm water ordinance also needs to be revised.

Alderman Campbell reported the Angel Lane road project was doing very well.

Alderman Campbell questioned the abatement notices. Josh Hawkins, City Administrator reported that 102 Burnam Avenue was given thirty days to remove the mobile home. The Board discussed nothing was done after the last meeting to secure the mobile home.

Alderman Elliott asked that if people have items for actions or votes get them on the agenda with documentation prior to the meeting.

Alderman Fasciotti thanked the Board for not being reactive on the proposed unsafe structure ordinance.

Alderman Taggart reported the major problem with infrastructure is streets. There was discussion of concrete streets should last 30 years and they are breaking up before the three year warranty period. He stated the taxpayers are having to pay for these repairs and that is not fair. The Board discussed the process of accepting streets and the warranty. He asked what the City's recourse is if they fail within the three year period. Fred Boeckmann stated if they fail the City would have to fix the street then sue for damages. He reported it is a paper promise there is no cash or bond guarantee. Alderman Anderson stated that before we adopt the infrastructure we include engineers report with adoption. Mayor Rhorer stated we need to look at the warranty period and look at a three year performance bond or letter of credit.

City Administrator's Report:

Josh Hawkins showed the process of a full depth reclamation, as is being done at Angel Lane. He reported a grant proposal for a sidewalk from the high school to North Henry Clay Blvd. on the south side of Ash Street. He reported this would be a half million dollar project and the grant is due November 14, 2014. The cost for engineering is \$3,000.00 and our commitment would be \$80,000.00, if we were able to obtain the grant. The Board discussed the need for a sidewalk on this street. The Board supported this grant application. Mr. Hawkins reported a letter from Utility Service group was in the packet explaining the painting of the water tower would be moved to the Spring to allow AT & T to move the antennas. Josh Hawkins reported they are currently working on the budget and it looks good. He stated this is his one year anniversary and he felt the Board has come a long way.

Alderman Anderson questioned bidding out the service to review stormwater ordinances. Alderman Klippel stated that the detention areas need to be kept cleaned out in order for them to

work correctly. Alderman Anderson stated he did not think engineers were the best people to write codes. Josh Hawkins, stated the downtown area storm detention needs to be addressed. The Board discussed using Mid-Missouri Regional Planning Commission to look at this. They also discussed ordinances that pertain to livable streets, traffic studies and other regulations that impact our community.

City Attorney's Report:

Fred Boeckmann, reported the CenturyTel settlement agreement ordinance for \$12,778.00 will be on the next agenda. He asked if the Board wished to donate \$638.00 to MML for future legal and legislative actions. The Board was not in support of this.

Fred Boeckmann, City Attorney reported the current ordinance does not allow you to remove the unsafe structures. He stated it can be a long drawn out process.

Josh Hawkins reported he has received two e-mail requests for hanging banners from different organizations. He stated we need to set a policy on this since it is a liability issue for our public works department.

Alderman Campbell made motion and seconded by Alderman Klippel to go into executive session pursuant to Chapter 610.021 (2) Leasing, purchase or sale of real estate, and Chapter 610.021(3) personnel matters with a ten minute break. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Anderson-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Taggart-aye. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor

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

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

Gene Rhorer, Mayor