

TUESDAY, JUNE 20, 2017
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on June 20, 2017 at 815 East Broadway, Ashland, Missouri.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll:

Ward One: George Campbell-here, Danny Clay-absent
Ward Two: Jesse Bronson-here, James Fasciotti-here
Ward Three: Rick Lewis-here, Jeff Sapp-here

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

Mayor Rhorer presented an addition to the agenda to include a resolution to consider a resolution authorizing the Mayor to enter into an agreement with Missouri Petroleum Products LLC., due to time sensitive issue. Alderman Bronson made motion and seconded by Alderman Sapp to amend the agenda to include this resolution. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented the agenda of June 20, 2017 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to approve the agenda as amended. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of June 06, 2017 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp 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 to come forward to the podium and state their name and place of residence.

Crystal Smith read the definition of pets and livestock and reported she has researched Jefferson City and Columbia codes on this subject. She stated that pygmy goats does not fit under this definition. She expressed concern of fencing, housing, diseases, damage to other people's property and neighbors. She stated as a homeowner in this city she is against this.

Linda Miller of Amanda Drive stated she attended the Board of Adjustment meeting and voiced her opposition to the pygmy goats. She felt this was going too far and asked where it stops. There are many different kinds of miniature animals. She stated she sat on the Board when the codes were adopted. She stated she could not see changing an ordinance for pygmy goats in the middle of Ashland with a chain link fence. She stated this opens the city up for lawsuits. She stated in the event the Board passes the ordinance how the City would regulate the personal property tax, since they are livestock. She asked that before the Board makes a final decision they have a public hearing on this matter and every small animal would need to be included.

Ted Brady stated he felt that animals all together is wrong in the city. He stated that animals are destructive and he has destructive cats in his neighborhood tearing up his stuff and the police department can't do anything about it.

Dawna Mavel stated she was confused about the definition of a pet. She stated that if they allow this they should require a wooden privacy fence.

Kimberly Proctor stated her address is 206 North Main Street and is the house with the pygmy goats. She asked the Board to consider amending the ordinance to allow pygmy goats and limit the number to only two. She stated she has received insanely amounts of support. She thanked the Board for their consideration. She asked for the ordinance to be passed and be regulated the same as dogs, cats and chickens.

Sarah Enochs of Justin Lane stated these goats have already gotten out twice and is destroying school property. She questioned who was going to pay for damages caused by the goats and what happens if the owner does not have the money to pay for the damages. She stated that keeping the goats are against city ordinances and have not been enforced.

Kimberly Proctor stated the reason why the city did not make her remove the goats was because it was under appeal. She stated that the pet owner is responsible for any damages, whether they have money or not.

Deborah Johnson stated she lives on Douglas Drive and they visit the goats and they are gentle and calming. She stated she did not feel they are anymore of a nuisance than a dog barking all night. She asked that the ordinance be reconsidered and needs to more research.

Mayor Rhorer presented Council Bill No. 2017-020 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up Council Bill No. 2017-020, an ordinance to amend Chapter 14 & Appendix C-1 of the Code of the City pertaining to sewer rates. First Reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford reported the changes are required by the Department of Natural Resources. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-021 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up Council Bill No. 2017-021, an ordinance of the City of Ashland, Missouri to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials. First Reading by title only. Mayor Rhorer called for questions or comments. Fred Boeckmann, City Attorney reported this ordinance has to be re-adopted every two years. Mayor Rhorer called for the vote. Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Campbell-aye, Alderman Sapp-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-022 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up Council Bill No. 2017-022, an ordinance to amend Chapter 19 of the Code of the City of Ashland to conform offenses concerning weapons and firearms to state law. First Reading by title only. Mayor Rhorer called for questions or comments. Fred Boeckmann, City Attorney reported there has been changes in the law and this just updates the city code to be in compliance to that. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Campbell-aye, Alderman Sapp-aye, Alderman Facsiotti-aye, Alderman Bronson-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-023 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up Council Bill No. 2017-023, an ordinance to amend Chapter 27 of the Code of the City of Ashland to allow and place limitations on keeping pygmy goats. First reading by title only. Mayor Rhorer called for questions or comments. The Board discussed adding possible permit based procedure system to the ordinance. They discussed proper shelter, requiring approval from neighbors, fencing, smell and proof of vaccination. The Board discussed this at length. Mayor Rhorer called for the vote. Alderman Campbell-aye, Alderman Bronson-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-absent. Motion carried.

Alderman Sapp made motion and seconded by Alderman Bronson to make an exception to the ordinance for Kimberly Proctor and allow the goats to remain. Mayor Rhorer called for the vote. Alderman Campbell-aye, Alderman Bronson-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1119 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up Ordinance No. 1119, an ordinance to authorize the Police Department to participate in Major case squad operations. Mayor Rhorer called for questions or comments. Lyn Woolford reported this is procedural and allows the city to participate in the major case squad. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1120 for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up Ordinance No. 1120, an ordinance to amend Chapter 12, Appendix G pertaining to street lighting. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented a Resolution for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to take up for consideration a resolution authorizing the purchase of a security camera system for City Hall. Mayor Rhorer called for questions or comments. Mayor Rhorer reported Lyn Woolford received three bids for a camera security system for City Hall. Lyn Woolford gave an overview of the three bids. Mayor Rhorer questioned the storage and compliance with the sunshine law on retention and access to the films. The Board discussed the need and type of cameras. They also discussed if the camera systems were comparable because of the price difference. Mayor Rhorer called for the vote. Alderman Fasciotti-aye, Alderman Lewis-aye, Alderman Campbell-aye, Alderman Bronson-aye, Alderman Sapp-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented a Resolution for consideration for chip and seal on Angel Lane, Ash Street, East end of Redbud Lane and Bobby Garrett Drive. Lyn Woolford reported this is piggy backing off Boone County bid with Missouri Petroleum Products. Alderman Bronson made motion and seconded by Alderman Sapp to take up for consideration a resolution authorizing the Mayor to enter into an agreement with Missouri Petroleum Products, LLC. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Fasciotti-aye, Alderman Lewis-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented a request for Bluegrass Terrace to have a fireworks permit for July 4th. Alderman Campbell made motion and seconded by Alderman Bronson to approve the fireworks permit for Bluegrass Terrace. Mayor Rhorer called for comments or questions. Alderman Fasciotti asked if more dogs got out during the fireworks season. He stated that his dog is extremely terrorized by the fireworks but he would support the fireworks permit. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-

aye, Alderman Campbell-aye, Alderman Fasciotti-aye, Alderman Lewis-aye, Alderman Clay-absent. Motion carried.

Mayor Rhorer presented the question of if the City should pursue setting up an Industrial Development Authority Bonding Committee. Mayor Rhorer asked if the Board had any questions on this. Mayor Rhorer explained by establishing this Industrial Development Authority Committee it would be a local quasi-governmental corporation and it could authorize up to 10 million dollars per year of interest tax-free money. He stated to set up the committee he would appoint five to eight members that must live inside the city limits of Ashland and they would have to establish a policy and procedure. He stated that Boone County established their I.D.A. in 1979. The Board discussed this at length and felt there was no advantage to the City. They suggested the Baptist Home make application with Boone County Industrial Development Authority.

Alderman Bronson made motion and seconded by Alderman Sapp to pursue appointing an IDA Committee. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Fasciotti-nay, Alderman Lewis-nay, Alderman Sapp-nay, Alderman Bronson-nay, Alderman Campbell-nay, Alderman Clay-absent. Motion failed.

Mayors Report:

Mayor Rhorer stated he attended the variance meeting on the goats and stated that people need to put their lives in perspective. He stated that he has never seen so much disrespectful treatment in this community.

City Administrator/Police Chiefs Report:

Lyn Woolford reported the speed hump was installed on Red Tail and they are addressing a car that parks on the side of speed hump. He asked if the Board would like to have a trailer in the 4th of July parade. He reported they are getting bids for the street overlays. Lyn Woolford reported he included the financial for review and discussed these with the Board. Lyn Woolford and Shelley Martin discussed the sales tax for Central Concrete that were not paid to the City and the procedure to recoup those funds. He discussed the county recycling bin and stated the county would like to keep it inside the city limits of Ashland. The Board discussed the abuse and misuse of the recycle lot and possible curbside recycling.

Lyn Woolford stated the city has an old John Deere sickle mower that costs more money to repair than it is worth. He asked the Board to consider disposing of this sickle mower. Alderman Bronson made motion and seconded by Alderman Lewis to authorize the sale of the John Deere sickle mower. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Bronson-aye, Alderman Sapp-aye, Alderman Clay-absent. Motion carried.

Lyn Woolford gave an update on the treatment plant and reported that DNR has approved the sole source purchasing. He stated Steve Goehl is working on the state revolving fund due diligence report and hopes we get the construction permit soon. He updated the Board on the sludge removal. He stated that C.L. Richardson has provided the land for the land application for the sludge.

He informed the Board that the Magic Car Wash is almost finished with construction.

Lyn Woolford reported the Renee Drive stormwater project has started and there has been an issue with Ameren utilities.

He reported the police vehicle has been ordered and should arrive within 70 to 100 days. He stated that the Dodge Charger is getting the equipment and decals placed on it.

City Attorney's Report:

Fred Boeckmann had no report.

Board of Aldermen's Report:

Alderman Lewis commended Ms. Proctor on using the appropriate procedure on the pygmy goat issue.

Alderman Bronson invited the Board to participate in the walking school bus program. He reported that there will be a special park board meeting on June 26th and encouraged everyone to attend. He stated they would be discussing the 5-year plan for the park system.

Alderman Sapp commented on the speedy turn around on the purchase of the Dodge Charger. He reported the Board approved it on Tuesday and the car was already in Ashland with license plates by Friday. He thanked Chief Woolford for suggesting the purchase of one used and one new vehicle to save money. Alderman Sapp stated he is for curbside recycling and thinks it would be wise to explore this route. He stated he attended the MML conference for newly elected officials and appreciated the opportunity.

Alderman Bronson made motion and seconded by Alderman Sapp to adjourn the meeting. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Bronson-nay, Alderman Campbell-aye, Alderman Fasciotti-aye, Alderman Lewis-aye, Alderman Clay-absent. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor