

TUESDAY, JULY 15, 2014
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the meeting to order at 7:00 p.m. on July 15, 2014 at Ashland City Hall, 109 East Broadway.

Mayor Rhorer gave an overview of meeting guidelines to the Board.

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-here, 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 July 15, 2014 for consideration. Alderman Taggart made motion and seconded by Alderman Klippel to approve the agenda as presented. Mayor Rhorer called for questions or comments. Alderman Anderson reported at the last meeting they received a preliminary report from the engineer about Salinda Drive and it is not on the agenda. Josh Hawkins, City Administrator reported it would be discussed under his report. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented the minutes of July 01, 2014 for consideration. Alderman Campbell made motion and seconded by Alderman Anderson to consider the minutes of July 01, 2014 as presented. Mayor Rhorer called for amendments or discussion. Mayor Rhorer called for the vote. Alderman Thomas-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented the bills to be paid for consideration. Alderman Klippel made motion and seconded by Alderman Anderson 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 Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye. Motion carried.

Dan Atwill, Boone County Presiding Commissioner and Joe Miller asked for support on proposition epic. He reported it stood for Economic, Parks, and Investing in Community. It would impose a new county-wide sales tax at a rate of one-eighth of one percent for the purposes of providing funding for parks, recreation, and economic development, including the Central Missouri Events Center at the Boone County Fair Grounds, to include the acquisition, improvement, construction and equipping of facilities for said purposes and operating the same. The authorization for this sales tax shall expire on December 31, 2020. They discussed the need for this tax, the fairgrounds events and a grant that would be tied to this

for local communities to apply for each year. He explained this tax would cost the average household .25 cents per \$200 spent. The Board asked various questions on the proposed tax.

Mayor Rhorer reported the next item on the agenda was a request from the Park and Recreation Board to allow beer in the park for fall festival.

Wade Middaugh, Chairman of the Fall Festival reported they would like to request the Board to allow the beer garden in the park for the fall festival. He presented them with a revised budget showing expenses with city funds, expenses with park board funds and income of park board funds. He stated that the City funds are tax payers funds. He stated that they will need an additional \$250.00 of city funds to cover the refreshment tent/picnic area. Mr. Middaugh discussed the restructuring of finances for the fall festival this year and the budget. Alderman Taggart questioned the fall festival event and the stagnate state he felt it was in. He suggested they change the name of the festival. Alderman Fasciotti stated he would not support providing the tent for the beer vendor. The Board asked various questions. Josh Hawkins, City Administrator reported the attorney told us we could not fund certain items for the fall festival but could raise money through donations that would be placed in the Friends of Ashland Fund. The Board discussed setting up an agreement on this matter with the Friends of Ashland.

Alderman Campbell made motion and seconded by Alderman Klippel to allow the dispensing of beer in the park for the fall festival. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Elliott-aye. Motion carried.

Travis Davidson, gave an overview of his monthly maintenance report for July. He gave an update on the street overlay projects and patching on Oak and Tandy Street. Travis Davidson reported that all 9 scada system units have been installed and are working well. He gave an overview of the other street patches. He informed the Board that weather permitting August will be dedicated to storm water issues, Caspian, Lakeview, and Renee Drive.

Alderman Elliott congratulated Colby Branch on getting his Class D wastewater license.

Alderman Anderson stated the monthly report for July looks like the report for June. He questioned why items did not have the status/percentage of progress next to the item.

Mayor Rhorer asked if anyone wished to appear before the Board. No one came forth.

Mayor Rhorer presented Council Bill No. 2014-023, an ordinance approving a preliminary plat for Eagle Lakes South. Alderman Taggart made motion and seconded by Alderman Campbell to take up the first reading by title only of Council Bill No. 2014-023, an ordinance approving a preliminary plat for Eagle Lakes South. Mayor Rhorer called for the vote to open discussion. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye. Motion carried. Mayor Rhorer called for questions or comments. Alderman Fasciotti questioned the 4 foot sidewalks since the livable streets requires 5 feet. The Board discussed this but the ordinance is not in effect with these changes yet. Alderman Anderson questioned no staff report on the process and issues with the preliminary plat. Josh Hawkins, City Administrator reported the engineer has sent a cover letter stating all issues have been addressed. Mayor Rhorer asked how many phases this subdivision would be built in. Chris Sanders of the Civil Group reported in 9 phases, approximately 25 to 35 lots in each phase over a 10 year time range. Alderman Anderson reported the print is too small to read and asked for a larger copy be sent in the future. Alderman Klippel stated the Planning and Zoning Commission has recommended approval. Alderman Fasciotti reported there is no type of sidewalk along

Old Hwy 63 proposed on this plat. Alderman Campbell reported the developer has met the city codes and ordinances, this has been approved by the Planning and Zoning Commission so he did not see any reason this should not be approved. Alderman Anderson questioned the width of streets in this subdivision being 32 feet wide and per our code it allows for parking on both sides of the road. It was reported that is currently the way the code reads. Alderman Taggart made motion and seconded by Alderman Klippel to approve Council Bill No. 2014-023. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Campbell-aye, Alderman Fasciotti-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 985 for consideration. Alderman Klippel made motion and seconded by Alderman Elliott to take up Ordinance No. 985, 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. Mayor Rhorer called for the vote to open discussion. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Anderson-aye, Alderman Taggart-aye. Motion carried. Mayor Rhorer called for discussion. The Board discussed this. Alderman Anderson made motion and seconded by Alderman Klippel to approve Ordinance No. 985. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Anderson-aye, Alderman Taggart-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 986 for consideration. Alderman Taggart made motion and seconded by Alderman Campbell to take up Ordinance No. 986, an ordinance establishing a policy on police details. Mayor Rhorer called for the vote to open up discussion. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye. Motion carried. Mayor Rhorer called for discussion. Alderman Campbell suggested changing it to \$35.00 per hour instead of the \$25.00 per hour. The Board discussed this at length. Mayor Rhorer called for the vote. Alderman Elliott made a motion and seconded by Alderman Campbell to approve the Ordinance No. 986. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Anderson-aye, Alderman Taggart-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 987 to take up. Alderman Anderson made motion to take up Ordinance No. 987, an ordinance to amend Chapter 7 of the Code of the City of Ashland to authorize cooperative purchasing. Mayor Rhorer called for the vote. Alderman Elliott-aye, Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Anderson-aye, Alderman Taggart-aye. Motion carried.

Alderman Elliott made motion and seconded by Alderman Klippel to take up Ordinance No. 988, an ordinance authorizing the Mayor to execute a law enforcement mutual aid agreement with Boone County, Missouri without discussion. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Taggart-aye. Motion carried.

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

Mayor Rhorer presented a Resolution authorizing the purchase of a Aries "pathfinder" television system. Alderman Taggart made motion and seconded by Alderman Elliott to take up Resolution authorizing the purchase of a Aries "pathfinder" television system. Mayor Rhorer called for questions or comments. Josh Hawkins reported there is three bids in the packet for this and we had budgeted \$84,000.00 in the 2014-2015 budget. It was reported the low bid from Coe Equipment was recommended by staff. The Board

discussed the purchase of the camera and the benefits to the citizens. This was debated at length. Alderman Klippel made motion and seconded by Alderman Elliott to approve the resolution. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliot-aye, Alderman Klippel- aye, Alderman Fasciotti- aye, Alderman Campbell-aye. Motion carried.

Mayor's Report:

Mayor Rhorer expressed his displeasure of being called out to approve a change order on Redbud Lane when the road was already ripped out. He stated he did not feel he had a decision to make at that point. He expressed his concern of the change orders from APAC. The Board discussed their aggravation with APAC. Alderman Campbell suggested a letter be sent to the CEO of APAC and Regional President referencing the over site and change orders. There was discussion of having engineered plans, street assessment, core samples being taken before we bid out a project in the future. The Board decided to draft a letter and bring back for Board approval and signature.

Board of Aldermen's Report:

Alderman Anderson stated he has been notified by Julia White on trying to get their day care open as soon as possible. He asked if they could get a temporary occupancy permit for this. Mayor Rhorer reported the issue is a major revision to the site plan and it has to go through the process. The Board discussed this at length.

Alderman Anderson presented a request for proposals for gasoline himself and Mr. Boeckmann have been working on. He asked for everyone to review the document and get it in final form. Mayor Rhorer stated we would put this on the next agenda for discussion.

Alderman Anderson reported Broadway between Hwy 63 and Henry Clay Blvd. is unsafe to walk on. He stated that with the cross over's closing more traffic will be using Broadway. He suggested getting a petition to present to Caleb Jones to see what MoDot can do about this. He also stated that it will not be easy for emergency personnel to get to and from Lakeview. The Board discussed this at length.

Alderman Taggart asked the status of the property on Ash Street that is all grown up. Josh Hawkins reported we do not have an ordinance on landscaping. Alderman Taggart reported that the landscaping is blocking the street sign/stop sign. Fred Boeckmann, City Attorney was going to research this.

Alderman Taggart he has heard positive feedback from citizens on putting the Eagle on the water tower. He also suggested a grander welcome to Ashland sign. Josh Hawkins was going to look at options and costs on this for the Board.

Alderman Anderson reported he was getting a certificate error in outlook. Mayor Rhorer reported this should have been corrected.

Alderman Klippel stated that if Proposition EPIC passes as proposed by the County the city should apply for a grant each year. Mayor Rhorer took a poll of aldermen interested drafting a letter in support of the proposed tax. The majority of the Board was not in favor of supporting it.

Alderman Klippel expressed his concern again about safety when people run at night. He suggested making reflective banding available to the citizens. Alderman Fasciotti questioned if the runners were violating the traffic code.

Alderman Fasciotti reported he has received a complaint by a resident that the community park is in notorious condition. The public works is not weed eating under the swings and additional maintenance needs to be done. The board discussed this.

City Administrator's Report:

Josh Hawkins stated the sales tax numbers have increased. There was discussion of a possible overlay on Oak Street. Alderman Campbell asked that we have a representative from APAC come to the Board and address our concerns about the change orders.

Alderman Anderson questioned Salinda Drive and limited funds and considering putting this off until budget year 2015-2016.

He reported that the Avenue of Flags Committee meeting will be July 28 at 6:00 p.m. and the Sewer Bond education meeting is July 21 at 6:00 p.m. at the High School auditorium.

Alderman Anderson asked that Travis work on what it would cost to do a street overlay on Oak and Tandy Street.

Josh Hawkins reported they have looked at the request for a three way stop on Sarah Drive and he does not suggest making this a three way stop. He stated that speed limit and children at play signs could be put up.

Josh Hawkins presented a drawing for the water tower and stated the school is going to pay for their logo.

Josh Hawkins discussed hiring a person to do code enforcement for about 12 hours per month.

He reminded the Board that August 4 work would start on Caspian Circle. He also reminded the Board that the sunshine law meeting will be August 5, 2014 at 6:00 p.m. at City Hall.

Alderman Campbell questioned when Angel Lane road work would begin. Mayor Rhorer reported there is not a set date yet but he is working with Karen Miller on having a ground breaking ceremony.

Alderman Taggart stated before we start seeking a person to do code enforcement we change some things in the code to make it more clear.

Josh Hawkins reported he is working with Stan Shawver from Boone County Resources to come to our Board meeting and discuss processes with the Board.

Alderman Klippel suggested that anywhere the codes are contradicting we change them.

Alderman Anderson reported some sections were redone and the storm water has been redone.

City Attorney's Report:

Fred Boeckmann reported the law to allow liens on income tax for Missouri for nuisances does not exist as in Illinois.

Fred Boeckmann stated we do not have an ordinance requiring pedestrians to wear reflective clothing. The ordinance does allow pedestrian to walk on the shoulder or edge of roadway.

Alderman Campbell made motion and seconded by Alderman Elliott to go into executive session pursuant to Chapter 610.021 (1) legal matters with a five minute recess between. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Elliott-aye, Alderman Campbell-aye, Alderman Fasciotti-aye, Alderman Klippel-aye. Motion carried.

Mayor Rhorer reported we are back in open session with reportable action of: paying \$2,000 to The Chapel Law Group LLC for hearing officer regarding the removal of an elected official.

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

Darla Sapp, City Clerk

Gene Rhorer, Mayor