

TUESDAY, SEPTEMBER 16, 2014
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on September 16, 2014 at 815 East Broadway.

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: Darla Sapp, City Clerk, Lyn Woolford, Police Chief, Jessi Kendall, Treasurer/Deputy City Clerk and Travis Davidson, Public Works.

Mayor Rhorer presented the agenda for September 16, 2014 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 of September 2, 2014 for consideration. Alderman Fasciotti made motion and seconded by Alderman Campbell to consider the minutes of September 02, 2014 as presented. Mayor Rhorer called for amendments or comments. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the bills to be paid for consideration. Alderman Elliott made motion and seconded by Alderman Klippel to approve the bills as presented. Mayor Rhorer called for questions or comments. The Board asked several questions. Mayor Rhorer called for the vote. Motion carried.

Alderman Anderson asked for a budget report. Mayor Rhorer reported he would check with the City Administrator on this and report back at the next meeting.

Appearances:

Representatives from MoDot and APAC were present to discuss the improvements on Broadway and Hwy 63. Mayor Rhorer read a letter from the City Administrator on this matter. Mike Schupp, Dave Sylvester and Shawn Riley answered questions referencing the project construction, safety concerns, traffic flow and congestion. Mayor Rhorer asked about sidewalks on the overpass, welcoming accent to the roundabouts, outer road on the eastside of Hwy 63 and upgrades to the Henry Clay and Broadway intersection. He welcomed the opportunity to work with MoDot on these issues. Alderman Elliott reported that water fills up on the west side of the southeast corner of the roundabout. Alderman Fasciotti discussed the impact this has caused at Lakeview Estates and the safety issue of jumping out in the 70 miles per hour traffic because there is no ingress lane. Alderman Fasciotti stated he felt the j-turns are inconvenient but they are safer. He complained of the highway sign directing traffic that the next right is gas, food, etc., causing people to turn onto Liberty Lane/Perry Ave. Alderman Fasciotti stated a frontage road to Route Y would help the traffic/safety situation to the citizens in Lakeview Estates or an additional lane on Hwy 63.

Alderman Anderson thanked MoDot for working with the City and their investment in our community. He stated the Henry Clay and Broadway is a choke point and asked if they would partner with us to complete the project at this intersection and widening of Broadway. Mayor Rhorer reported a mini roundabout might be a cost effective solution as they have at Route W and Business 54 at the Lake of the Ozarks. Alderman Campbell questioned the workmanship of the surface of the bridge. He stated it is wash boards and is rough. MoDot and Apac explained the type of surface finish that was used and the advantages of the type of product. Alderman Campbell questioned why there was so many delays in the construction. Alderman Taggart stated this project will make it more congested in town and a bigger burden. Alderman Elliott stated that reducing the speed limit on Hwy 63 could help with the citizens coming from Lakeview Estates, the west roundabout is very close to Oak Street and for future roundabouts they consider sidewalks. Alderman Klippel questioned if guardrails would be installed at the roundabouts since there is drop offs. It was reported that the design did not warrant guardrails. Alderman Campbell stated there is six miles additional driving for police department that costs the city more fuel, labor and travel time.

Representative from Caleb Jones, Mo House of Representatives, Sherri Kempf stated she was gathering information tonight to report back to Mr. Jones.

Travis Davidson, Public Works presented bids for overlaying Walnut and Tandy overlay bids. The Board discussed this along with Oak Street. He reported the sewer camera will be delivered on September 30. He encouraged the Board to come to the shop and look at it. He updated them on signs and posts being ordered and scheduled to be installed starting November 1. He reported while weather permits they will be doing street patching. Mr. Davidson discussed a reflective material used to coat old stop signs, saving in cost of replacement. He informed the Board they are working on signage at the elementary school per traffic study. Alderman Anderson questioned the status and delay of the speed limit signs, slow children at play signs on Sarah Drive and Terra Linda that was discussed months ago. Alderman Anderson questioned the Salinda Drive improvements on the project list. Alderman Anderson asked about the bad spot on the Johnson Street. Travis Davidson stated they are investigation the issue since there is a water main and saddle in the street in this area. Alderman Taggart questioned the cost of the City Hall generator bids. Travis explained the scope of work and reported his staff is going to pour the concrete pad for the generator to set on.

Alderman Fasciotti made motion and seconded by Alderman Campbell to have a short break. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer called the meeting back to order at 8:32 p.m.

Mayor Rhorer asked if anyone wished to appear before the Board on the improvements to Hwy 63 and Route Y overpass. Cecil Payne reported he lives in Ward Two. He reported he has a petition with 100 signatures from Lakeview, the east side of Route Y and Highway 63 voicing their concerns of them being dislocated in their area, j-turns and eliminating the crossovers. He stated they felt they were being treated differently than other areas. He expressed concern of the delays for emergency personnel to get to them with a 10 to 15 minute delay. He felt a third lane would not be feasible on Hwy 63. He asked that Perry Avenue be extended. He stated they were landlocked, expressed concern for safety of school buses with children. He asked the State and City to work on finding funding to extend Perry Avenue. Mr. Payne reported the landowner is willing to work with the City on this but will not pay for it. He expressed concern of the placement of MoDot signs on Hwy 63 and people mistaking Liberty Lane/Perry Avenue as the exit. Mr. Payne stated this intersection is dark since the lights are not operating.

Nicky, 400 Wilson Lane, questioned representatives from MoDot of why they did not rectify the issues that came up at the public meetings before this was done. She questioned if they knew the impact it

would have on traffic, emergency services, why did they do it. She stated this was a huge congested mess. Nicky stated something could have been worked out prior to this construction since it is a safety situation.

Steve Craig questioned APAC about the asphalt at both ends of the overpass that settles and has left big dips in the roadway.

Matt Frank reported he lives in Lakeview Estates and believed a third lane would not do any good. He stated he felt an outer road would solve the problem.

Sherry Kempf from Representative Caleb Jones, stated she was here to note the concerns of the Board of Aldermen and citizens of the community.

Anyone wishing to appear before the Board on any subject. Mick Wilson introduced himself as an attorney and also a friend of Mike Purcell. He questioned the dangerous structures proposed ordinance. He suggested they reconsider and look at the ordinance again and make alterations to it. He questioned several sections in the proposed ordinance. He stated he felt this proposed ordinance is a recipe for a lot of conflict in our community. Fred Boeckmann, City Attorney reported this proposed ordinance is based on Columbia's ordinance. He answered some of Mr. Wilson's questions pertaining to the proposed ordinance and misdemeanor charges.

Mayor Rhorer presented Bryan Bradford as a Board of Adjustments member. Alderman Fasciotti made motion and seconded by Alderman Taggart to appoint Bryan Bradford to the Board of Adjustments. The Board felt that the applicant should be in attendance when their name is being considered. 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 Jesse Bronson as a Board of Adjustments member. Alderman Anderson made motion and seconded by Alderman Taggart to appoint Jesse Bronson as a Board of Adjustments member. 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.

Mayor Rhorer presented Council Bill No. 2014-030 for consideration. Alderman Taggart stated he did not have a problem with the proposed ordinance. Fred Boeckmann explained the process of a hearing being similar to a court proceeding but less formal. He stated the City of Columbia never had a court challenge on this ordinance. Alderman Fasciotti stated the proposed ordinance could displace an occupant or owner. He felt this would be a hand tool for future boards to take away someone's home. Fred Boeckmann, City Attorney reported this is a lengthy and complicated process. They discussed open communication with the property owner is necessary. Mayor Rhorer stated he is not a fan of big government and possibly moving someone's personal property. He stated it is the property owner responsibility to take care of their property. He stated he thought the ordinance was heavy handed and has a lot of power and that he rather the property owner take care of property. Alderman Elliott stated it does protect other citizens. They discussed having a responsibility to the petitioners on the complaint on 102 Burnam Avenue. Alderman Anderson discussed this being two issues. One being the complaint and the other is the proposed ordinance. Mike Purcell said he had not been notified of these complaints on this property other than the tall grass which they addressed. He stated he is trying to get someone to take the trailer out. The Board discussed the broken windows and open doors being a safety concern and health hazard to residents around this area. There was report of this harboring mice, skunks, etc. Mike Purcell stated they would continue to work on getting this removed. Alderman Fasciotti asked that they secure it, such as board over the broken windows and doors. The Board discussed this at great length.

Alderman Anderson made a motion that consideration and adoption of Council Bill No. 2014-030 be postponed until a later date and Alderman Campbell seconded the motion. Alderman Campbell asked that Mr. Purcell to please resolve the issue. Mayor Rhorer asked that Mr. Purcell update the Board in a couple of weeks on his progress and plan to remove the mobile home. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Anderson-aye, Alderman Elliott-nay, Alderman Fasciotti-aye, Alderman Campbell-aye, Alderman Taggart-aye. Motion carried.

Alderman Fasciotti made motion and seconded by Alderman Klippel to take a break. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer called the meeting back to order at 10:00 p.m.

Mayor Rhorer presented Council Bill No. 2014-031. Alderman Elliott made motion and seconded by Alderman Campbell to take up Council Bill No. 2014-031, an ordinance authorizing the Mayor to execute an easement to Union Electric Company d/b/a Ameren Missouri First Reading by title only. Mayor Rhorer called for questions or comments. 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.

Mayor Rhorer presented Ordinance No. 997 for consideration. Alderman Anderson made motion and seconded by Alderman Campbell to take up Ordinance No. 997 , an ordinance authorizing the Mayor to execute an easement to Union Electric Company d/b/a Ameren Missouri Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Taggart-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Campbell-aye, Alderman Anderson-aye, Alderman Klippel-aye. Motion carried.

Mayor Rhorer presented a Resolution authorizing the Mayor to enter into an agreement with the Mid-Missouri Regional Planning Commission. Alderman Campbell made motion and seconded by Alderman Elliott to approve the resolution to authorize the Mayor to enter into an agreement with Mid-Missouri Regional Planning Commission. Mayor Rhorer called questions or comments. Alderman Klippel reported they reviewed several proposals to update the comprehensive planning book for Ashland. He reported the committee scored the proposals and recommended going with Mid-Missouri Regional Planning Commission. Alderman Campbell asked that we keep a handle on the expense because we don't want it to exceed the cost of hiring an employee. The Board discussed the services Mid-Missouri Regional Planning Commission would provide the City. 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.

Mayor Rhorer reported the next item is discussion of the beer tent at the fall festival. Alderman Fasciotti reported a member of the park board has offered to reimburse the city for a portion or all of the tent expense. He stated that the tax payers dollars should not pay for a tent where the beer garden was. He stated that he felt they were lied to or mislead at the meeting when the park board representative told them no tax payers money would be used for the beer garden tent. He asked that the revenue from the park board received be used to pay this back to the city.

Mayor's Report:

Mayor Rhorer reported the AT & T litigation has been settled and the City should get \$12,000.00 in January. Mayor Rhorer asked for the Board to look at the mini round-a-bout at the Lake of the Ozarks on You Tube that could possibly work for the Henry Clay and Broadway intersection.

Board of Aldermen's Report:

Alderman Anderson questioned the cleaning arrangements at City Hall. The City Clerk reported this has been put out for request for services and accepting proposals until September 19, 2014 at 5:00 p.m. There was discussion of moving the podium to the side of the room to allow for everyone to hear better.

Alderman Anderson asked if we had received any response from Senator Schaffer and Representative Caleb Jones. The Board discussed looking for funding for a frontage road, widening Broadway and a roundabout at Henry Clay Blvd. and Broadway.

Alderman Anderson reported code violation of tall weeds on Charlie Clayton's lot at the corner of Walnut and Broadway.

Alderman Anderson expressed concern of using ~~an ordinance~~ a proposed ordinance as a threat. (amended 10-07-2014)

Alderman Fasciotti expressed concern of jumping on producing the unsafe structure ordinance from information that was not accurate.

Alderman Fasciotti expressed concern of information provided by Cecil Payne on emergency personnel taking 10 to 15 minutes to get to Lakeview Estates area. He stated we need to be factual while informing our politicians and MoDot Representatives.

Alderman Elliott commented on the ordinance on dangerous structures not passed tonight and the need to step up communication.

City Administrator's Report:
Josh Hawkins was not present.

City Attorney's Report:
Fred Boeckmann had no report.

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

Darla Sapp, City Clerk

Gene Rhorer, Mayor