

AUGUST 21, 2012
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Jackson called the public hearing to order at 7:00 p.m. on the proposed property tax rate for 2012. Kelly Henderson, City Administrator stated it was the same tax rate as last year, 0.2612 cents per assessed valuation. Mayor Jackson called for questions or comments from the public. No public comments were made. Mayor Jackson closed the public hearing at 7:02 p.m.

Mayor Jackson called the regular meeting to order on August 21, 2012 at 7:02 p.m. at Ashland City Hall, 109 East Broadway.

Alderman Wyatt gave the invocation.

Mayor Jackson led in the pledge of allegiance.

Mayor Jackson called the roll.

Ward One: David Thomas-here, Gene Rhorer-here

Ward Two: Randy Wyatt-here, Mike Calvert-absent

Ward Three: Matt Uhrig-here, Charles Calvin Crandall-here

Staff Present: Kelly Henderson, City Administrator, Anthony Consiglio, Police Chief, Charles Senzee, Community Development Director, David Bandre, City Attorney and Darla Sapp, City Clerk.

Mayor Jackson presented the agenda of August 21, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to approve the agenda as presented. Kelly Henderson, City Administrator reported Keith Winscott will not be in attendance at the meeting tonight. Mayor Jackson called for the vote with the amendment. Motion carried.

Mayor Jackson presented the minutes of July 17, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to approve the minutes as presented. Mayor Jackson called for corrections or changes. Being none he called for the vote. Motion carried.

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

Anthony Consiglio, Police Chief presented the reserve officer program for consideration to the Board of Aldermen. He gave the history of the previous reserve officer program

and the restructuring of the program. He gave an overview of the program and the policies. The Mayor and Board asked various questions. Alderman Crandall suggested a few minor changes to the written reserve officer program. Chief Consiglio asked that the Board consider a motion to reinstate the reserve officer program.

Alderman Thomas made motion and seconded by Alderman Rhorer to authorize Chief Consiglio to reinstate the reserve officer program. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Thomas-aye, Alderman Wyatt-aye, Alderman Uhrig-aye, Alderman Crandall-aye, Alderman Calvert-absent. Motion Carried.

Charles Senzee, Community Development Director gave his monthly report. He updated the Board on the Planning and Zoning Commission approving Gerald McKinney to modify the approved Southern Boone County Library site plan by eliminating the storm water detention pond and recommended the fence and wall ordinance for approval. Charles Senzee updated the Board on the downtown business district. He gave an overview of the code enforcement violations and building permits for the month. Alderman Thomas questioned the status of the burned structure on North Henry Clay Blvd. Charles Senzee reported the owners are removing debris from inside of the home and will have it secured by the weekend. Mayor Jackson asked the status of the lot size transition proposed ordinance. Charles Senzee reported this would be put on a future Planning and Zoning Commission meeting for consideration.

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

Lena Long informed the Board she talked with the City Administrator on six different code violations that need to be cleaned up before the fall festival on Broadway. Charles Senzee, Community Development Director reported these properties have been tagged and he is working to address these issues that she brought forward.

Pam Thomas resident in West Oaks Subdivision expressed her concerns over several issues relating to traffic on Kristi Lane, possible code violations of parking in front yards and on sidewalks, as well as careless driving on Silverado. She reported that the gentleman that owns the property at the end of Kristi Lane (outside city limits) is still utilizing Kristi Lane as a commercial street with trailers and heavy equipment. She said it is tearing up the street. The Board discussed that Mr. McLeland was verbally warned on this matter. The use of water irrigation and being charged for the sewer for yard watering was discussed. It was reported that this is being reviewed by the staff.

Mayor Jackson presented Council Bill No. 2012-012 for consideration. Alderman Wyatt made motion and seconded by Alderman Crandall to take up Council Bill No. 2012-012, an ordinance establishing the property tax rate for the City of Ashland for the Year 2012 and amending Chapter 5; Tax Rates; Appendix A-1 of the Ashland Municipal Code. First Reading by title only. Mayor Jackson called for questions or comments. Kelly Henderson, City Administrator reported he talked with the state auditor's office and Missouri Municipal League in order to understand the tax rate ceiling figures. David

Bandre, City Attorney explained the tax rate ceiling. Alderman Wyatt made motion and seconded by Alderman Crandall to strike the first whereas statement on the ordinance and insert 0.2612 the tax rate per \$100 assessed valuation in the two blanks in the ordinance. Mayor Jackson called for the vote with the amendments. Alderman Uhrig-aye, Alderman Crandall-aye, Alderman Wyatt-aye, Alderman Thomas-aye, Alderman Rhorer-aye, Alderman Calvert-absent. Motion carried.

Mayor Jackson presented Council Bill No. 2012-013 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up an ordinance of the City of Ashland, Missouri, accepting public infrastructure of Setter's Knoll, Plat 2 (Lots 18-35, and 55-65) for Martin Builders. First Reading by title only. Mayor Jackson called for questions or comments. The Board discussed this. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Crandall-aye, Alderman Thomas-aye, Alderman Uhrig-aye, Alderman Wyatt-aye, Alderman Calvert-absent. Motion carried.

Mayor Jackson presented Council Bill No. 2012-014 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up an ordinance of the City of Ashland, Missouri accepting public infrastructure of Sunset Meadows, Plat 1 for McKee Development. First Reading by title only. Mayor Jackson called for questions or comments. The Board discussed this. Mayor Jackson called for the vote. Alderman Uhrig-aye, Alderman Crandall-aye, Alderman Wyatt-aye Alderman Rhorer-aye, Alderman Thomas-aye, Alderman Calvert-absent. Motion carried.

Mayor Jackson presented Council Bill No. 2012-015 for consideration. Alderman Wyatt made motion and seconded by Alderman Crandall to take up an ordinance of the City of Ashland, Missouri, amending the City's Code of Ordinances, Chapter 9, Planning and Zoning to add Section 9.340 "Fences and Walls" establishing specific regulations for the construction of fences and walls, providing for conflicts, severability, and an effective date. First Reading by title only. Mayor Jackson called for questions or comments. Charles Senzee, Community Development Director gave an overview of the proposed code. He updated the Board on concerns from some of the citizens and the Planning and Zoning Commission on losing the use of some of their yards as well as their property rights. It was reported that the fee for the fence permit will be set and added to the fee schedule. The Board discussed this proposed ordinance at length. Alderman Thomas made motion and seconded by Alderman Wyatt to table this ordinance and have a work session at 6:00 p.m. on September 4, 2012 prior to the regular Board meeting. Mayor Jackson asked that the Board send their concerns or specific ideas addressed for discussion at the work session. Mayor Jackson called for the vote to table this ordinance. Motion carried.

Mayor Jackson presented Ordinance No. 925 for consideration. Alderman Wyatt made motion and seconded by Alderman Rhorer to take up Council Bill No. 925, an ordinance establishing the property tax rate for the City of Ashland for the Year 2012 and amending Chapter 5; Tax Rates; Appendix A-1 of the Ashland Municipal Code. Mayor Jackson called for the vote. Alderman Crandall-aye, Alderman Wyatt-aye, Alderman Thomas-

aye, Alderman Uhrig-aye, Alderman Rhorer-aye, Alderman Calvert-absent. Motion carried.

Mayor Jackson's Report:

Mayor Jackson thanked Chief Consiglio, the sponsors and everyone that helped out and participated in the national night out. He stated a year ago we said we were going to re-evaluate municipal court and suggested that we start pulling these numbers for discussion at a September meeting. Mayor Jackson reported that September is emergency management preparedness month. Mayor Jackson suggested the Southern Boone Economic Development Council place their minutes on the city's web site. It was reported that the Southern Boone Economic Development Council is setting up their own website and they should be able to link it on the both sites in the future.

Mayor Jackson asked for input in selecting the citizen of the year and business of the year. He reported the deadline is this Friday.

City Administrator's Report:

Kelly Henderson reported the wastewater treatment system would be discussed in closed session. He updated the Board on the smoke testing and the compliance letters being generated as well as the problems found to be the City's responsibility. He informed the Board of no change on the regional sewer district or the generator with the Southern Boone Fire District. Kelly Henderson updated the Board that all flushing hydrants, water main valves and hydrant valves have been located, logged, and numbered. He stated the information has been given to Mid-Mo Regional Planning Commission for mapping and should be done by the second meeting in September. He updated the Board on Caspian stormwater detention improvements. The Board discussed this project. David Bandre reported he is reviewing the contract agreement with the Boone County Commission on Angel Lane improvements.

Kelly Henderson presented a pay request #1 of \$267,681.70 for the Main Street Project after he finishes verifying the material tickets. Alderman Wyatt made motion and seconded by Alderman Rhorer to authorize pay request #1 for \$267,681.70 after verification by Mr. Henderson on the material tickets. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Uhrig-aye, Alderman Thomas-aye, Alderman Wyatt-aye, Alderman Crandall-aye, Alderman Calvert-absent. Motion Carried.

Kelly Henderson reported that a private phone line by Mitel has been cut by the construction crew on the Main Street Project. There is no record of an easement or did it show up during locates. He reported the school is requesting the City pay for the \$15,000.00 to repair this line. He stated he has denied this but the school has asked that it be brought to the Board of Aldermen for consideration. The Board was in agreement with the decision made by Mr. Henderson to deny payment.

Kelly Henderson, City Administrator also brought to attention the daycare facility owned by Wrens on Main Street and North Street not being satisfied with the design of their

entrance and curbing for the Main Street Improvement Project. The Board discussed this at length and was unsure if North Street would be abandoned in the future. The consensus of the Board was this is a private drive and the city should not use tax payer's money to upgrade a private driveway.

Kelly Henderson, City Administrator reported the temporary storm water repairs will begin on 401 Billy Joe Sapp. He stated he will need to authorize an engineering plan for a more permanent solution. He updated the Board on the residents around Pacer Drive drainage project not being happy with the results of the work. He stated he has asked C.M. Archer Group to revise these plans and he is in receipt of these plans and hopes to start on the revised plans soon.

City Attorney's Report:

David Bandre, City Attorney reported that he would be either late or absent on September 4th and October 16th due to his son playing soccer. He asked that if there are any questions or items he needs to address to please contact him and he would write a memo to have available at the meeting. He stated he is reviewing the contract agreement with Boone County Commission on Angel Lane improvements.

Board of Aldermen's Report:

Alderman Rhorer stated his pleasure in getting the infrastructure acceptance with the outstanding subdivisions cleared up. He stated he is hearing good comments on the Main Street project from the public.

Alderman Uhrig updated the Board on the Southern Boone Economic Development Council and sub-committees. He reported they are working on a web site and promoting golf tournaments during MU home football games in the fall.

Alderman Thomas complained of the one way area on Ash Street and Main Street lacking signage during construction.

Alderman Thomas made motion and seconded by Alderman Wyatt to go out of open session into closed session pursuant to Chapter 610.021 (2) leasing, purchase, or sale of real estate. Mayor Jackson called for the vote. Motion Carried.

The City Clerk was not present at the closed session.

Darla Sapp, City Clerk

Michael P. Jackson, Mayor

Mayor Jackson reported we are in open session and reported no reportable action at this time.

Alderman Thomas made motion and seconded by Alderman Wyatt to adjourn the meeting. Mayor Jackson called for the vote. Motion carried.

Matt Uhrig, Alderman

Michael P. Jackson, Mayor