

JULY 03, 2012  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Jackson called the regular meeting to order on July 03, 2012 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Mayor Jackson 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-absent, Mike Calvert-here  
Ward Three: Matt Uhrig-here, Charles Calvin Crandall-here

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

Mayor Jackson presented the agenda of July 03, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Calvert to approve the agenda as presented. Mayor Jackson called for the vote. Motion carried.

Mayor Jackson presented the minutes of June 19, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Uhrig to approve the minutes as presented. Mayor Jackson called for questions or corrections. Alderman Rhorer reported on page two the paragraph on Council Bill No. 2012-009 one of the sentences. "Mayor Jackson called for the vote needs to be deleted and on page three under the Bluegrass Terrace fireworks permit he also abstained. Mayor Jackson also reported the economic development seminar was presented by Sharon "Gulick" not "Gibler" as stated in the minutes. Mayor Jackson called for the vote with the corrections as noted. Motion carried.

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

Anthony Consiglio, Police Chief, gave his monthly report to the Board. He updated the Board on the training his department is doing. He reported that the new patrol car arrived a month earlier than projected and he is in the process of getting the equipment switched over. He presented the calls for service report that was in the Board packet. He explained in detail the report and answered questions from the Board. Alderman Crandall thanked the Chief for providing this information. Alderman Crandall reported he looked at the numbers different because of his law enforcement background. Chief Consiglio reported that the "National Night Out" Second Annual event will be August 7, 2012 from 6:30

p.m. to 9:30 p.m. at the Optimist Pool. He reported on some of the activities they will have at the event. He requested permission to not be in attendance at the next meeting and he also requested that the City not have a Board meeting that night in order to participate in the event. Chief Consiglio reported this would be advertised in the paper, website, facebook and twitter. The Board had no objections to cancel the August 7, 2012 Board meeting in order to participate in this community event. Chief Consiglio reported that there will be zero tolerance on fireworks this year.

Mayor Jackson asked if anyone wished to appear before the Board. Dan Vandevoorde of 401 Billy Joe Sapp reported his concern of excessive water on his property. He stated his house flooded and he was directed to file an insurance claim with the City's insurance and they have denied his claim. He said they said they denied it because the City had no prior knowledge of flooding at his house and they are not going to honor the claim for damages to his house. David Bandre, City Attorney reported we would get with the insurance company and discuss this then we would get back with him. Mr. Vandevoorde reported that his children's rooms are torn up and he would like to get it put back together. Mr. Vandevoorde reported the insurance adjustor did not act professionally. Kelly Henderson, City Administrator reported the house was built in a lower elevation then it should have been built plus he was not impressed with the design of the stormwater. The Board discussed this issue.

Bill Freiderich reported he has a house that is under contract in Lakeview Estates and he needs to show proof of the infrastructure being accepted by the City within the next sixty days. He stated the subdivision was foreclosed on and he is the contractor for Jefferson Bank and they have taken over the development of this subdivision. He reported he has been working with the city for several years to get the infrastructure accepted. He stated he understood with the change of staff it has been difficult to get this done. He reported he had one core sample come back with 5.5 inches deep on Stacey Drive which does not meet the 6 inch minimum depth. He offered to pay to have this core sample sent off and have an engineer give a report on the determination of expected longevity of the streets. The Board discussed considering each subdivision on a case by case basis. Kelly Henderson, City Administrator reported there is a punch list of infrastructure items that need to be completed also. Mr. Freiderich asked if we could proceed with accepting the infrastructure in the areas that are up to code. The Board discussed this at length. They agreed to send this to a lab at the expense of the developer.

Kim Martin of Martin Builders asked that all developers be considered in this. She stated they have been trying to get their subdivisions infrastructure accepted also.

David Bandre, City Attorney stated that the ordinance on acceptance of the infrastructure should be very clear for future reference. He stated the Board needs to consider what happens if the report from the lab comes back and we don't accept the infrastructure, or if the life expectancy of the street is reduced by a certain number of years. He asked how we proceed, do we have them bring it up to code or put up a bond, etc. The Board discussed this.

Kelly Henderson, City Administrator reported that Martin Builders need to get their punch list completed and inspected then they would proceed with their development as they are with Mr. Freiderich.

Mayor Jackson presented Ordinance No. 923 for consideration. Alderman Thomas made motion and seconded by Alderman Uhrig to take up Ordinance No. 923, an ordinance granting a conditional use permit to Martin Properties to allow two residential apartment dwellings within a mixed use structure on a property zoned Commercial General located at 503 East Broadway. Mayor Jackson called for questions or comments. Mayor Jackson called for the vote. Alderman Thomas-aye, Alderman Crandall-aye, Alderman Uhrig-aye, Alderman Calvert-aye, Alderman Rhorer-aye, Alderman Wyatt-absent. Motion carried.

Mayor Jackson reported the next item on the agenda is discussion of the downtown business district. He stated that Mr. Senzee gave a presentation at the last meeting on the proposed downtown district he has been working on. He asked the Board their thoughts and wanted direction on to how to proceed. The Board discussed the proposed downtown district at length. Mayor Jackson stated that he fully supported and encouraged the development of the downtown district. The Board expressed support for the downtown district and felt Charles Senzee, Community Development should proceed with this plan.

**Mayor Jackson's Report:**

Mayor Jackson presented the six month review of the Board of Aldermen 2012 Goals for discussion. The Board reviewed this with the Mayor.

**City Administrator's Report:**

Kelly Henderson reported that Coby Morris started work on July 3rd as the Department Head for the Street Department. Dustin Bennett has resumed his duties as an operator/labor for the Street Department. He informed the Board that J.C. Industries from Jefferson City, Mo. got the Main Street Improvement Project bid. He stated a pre-construction meeting was held on Monday July 3<sup>rd</sup> and work will begin on July 9<sup>th</sup>. He reported that a meeting will be held at City Hall at 10:00 a.m. on July 9 with the project manager for JC Industries and various City Staff and the project manager with the school expansion project. He stated that they will discuss traffic control and public notification, access for construction for the school project, phasing of the project for critical timing elements, MoDOT certification of the asphaltic concrete plan and water main location. He updated the Board on the storm water projects. Mayor Jackson asked how the learning garden proceeded with the city being the fiscal agent for the grant. Mr. Henderson reported that David Bandre reviewed this and we reworded the agreement. The Board discussed this being an asset to the community.

**City Attorney's Report:**

David Bandre had nothing to report.

**Board of Aldermen's Report:**

Alderman Rhorer reported he has spoken to Skip Jenkins on getting internet on the mobile data terminals and that is not an option. However they will work together on testing that possibility in the near future.

Alderman Crandall reported the street department is doing a good job and he would like to commend them.

Alderman Thomas expressed his concern for the condition that Golden Windmill Mobile Home Park and being in violation of the city codes. He stated that he noticed some streets need repair work.

Alderman Crandall questioned if we had anything in our codes that addresses the trash cans being left all over the place. David Bandre reported we do not have anything in ordinances on this matter.

Alderman Uhrig updated the Board on the workshop he attended last week. He stated that it was well attended by the sub-committee members. Mr. Henderson reported he had the power point presentation if anyone wished to view it.

Alderman Thomas made motion and seconded by Alderman Rhorer to adjourn the meeting to go 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 back in open session with no reportable action.

Alderman Thomas made motion and seconded by Alderman Uhrig to adjourn the meeting. Mayor Jackson called for the vote. Motion Carried. Alderman Wyatt-absent.

Gene Rhorer, Alderman  
Mayor

Michael P. Jackson,