

JUNE 05, 2012
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Jackson called the regular meeting to order on June 05, 2012 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Jeff Anderson, Police Chaplain 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-here

Ward Three: Matt Uhrig-here, Charles Calvin Crandall-absent until 7:09 p.m.

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

Mayor Jackson presented the agenda of June 05, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to approve the agenda as presented. Mayor Jackson called for the vote. Motion carried. Alderman Crandall-absent.

Mayor Jackson presented the minutes of May 15, 2012 for consideration. Alderman Wyatt made motion and seconded by Alderman Calvert to approve the minutes as presented. Mayor Jackson called for the vote. Motion carried. Alderman Thomas-abstained, Alderman Crandall-absent.

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 questioned several bills. Mayor Jackson called for the vote. Motion carried. Alderman Rhorer-abstained, Alderman Crandall-absent.

Police Chief, Anthony Consiglio gave his monthly report to the Board. He updated the Board on upcoming Police Officer training.

Alderman Crandall was in attendance at the meeting at 7:09 p.m.

Chief Consiglio reported that everything is running smoothly in the department. He is working on a new reporting system. He informed the Board he would be on vacation the end of July to the first of August and Captain Toalson will step up and take care of the department. Alderman Calvert questioned the status of the problems with the park. Chief Consiglio reported that he is doing bike patrol and there seems to be minimum issues at the park. Alderman Thomas questioned which officers were doing bike patrol. Chief Consiglio reported that so far he is the only one doing bike patrol. Alderman Crandall questioned what the calls for service included?

Chief Consiglio reported it was for watch in passing, vehicle lock outs, open business checks, traffic stops, etc. Alderman Crandall reported that he did not feel these were considered actual calls for service. Barb Bishop questioned the police chief on the policy on officers using cell phones while driving. He reported there is no policy on this. Alderman Crandall stated a lot of calls are dispatched by cell phones so he was not concerned about the use of cell phones in the patrol cars for official use. Mayor Jackson asked if the patrol cars mobile data terminals have access to the city server. Gene Rhorer updated the Board on what services the patrol cars currently have. The Board discussed this.

Mike McCubbin gave a brief overview of his background to the Board. Mr. McCubbin presented a handout titled "Center for Urban Policy and the Environment" on stormwater resources published by the Indiana University. He gave an overview of the four major things he thought we needed to do, storm water management guidelines, identifying where the stormwater is coming from and to and fixing existing issues. He suggested establishing a utility commission to review the stormwater. Alderman Thomas questioned the material being from 2002 and outdated. Mr. McCubbin stated this was the most recent material he could find. Mr. McCubbin volunteered to serve on this Commission.

Mayor Jackson presented Brad Williamson to serve on the Planning and Zoning Commission. Alderman Crandall made motion and seconded by Alderman Rhorer to appoint Brad Williamson to the Planning and Zoning Commission. Mayor Jackson called for the vote. Alderman Uhrig-aye, Alderman Calvert-aye, Alderman Rhorer-aye, Alderman Crandall-aye, Alderman Wyatt-aye, Alderman Thomas-aye. Motion carried.

Mayor Jackson presented Paul Beuselinck to serve on the Planning and Zoning Commission. Alderman Wyatt made motion and seconded by Alderman Calvert to appoint Paul Beuselinck to the Planning and Zoning Commission. Mayor Jackson called for the vote. The Board discussed Mr. Beuselinck previously being on the Planning and Zoning Commission then resigning. Alderman Crandall stated he was Chairman of the Planning and Zoning at the time and Paul Beuselinck resigned because he did not feel he could work with Mr. Crandall because he was too new of a member to serve as Chairman. Mayor Jackson called for the vote. Alderman Wyatt-aye, Alderman Calvert-aye, Alderman Crandall-abstained, Alderman Uhrig-aye, Alderman Rhorer-aye, Alderman Thomas-aye. Motion carried.

Mayor Jackson reported the next item on the agenda is to appoint a City Prosecutor but he did not have time to open and review these so this item will be tabled until the next meeting. He explained he would review these and make a recommendation for appointment.

Mayor Jackson presented Ordinance No. 922 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up Ordinance No. 922, An ordinance repealing Chapter 28; Nuisances and Chapter 29; Minimum Property Standards, generally in their entirety and enacting a new Chapter 28; Code Enforcement in the Ashland Municipal Code. Mayor Jackson called for questions or comments. Barb Bishop said she was not able to attend the last meeting and questioned if the burning section was still in this ordinance. It was reported that it was still in the code. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Calvert-aye,

Alderman Uhrig-aye, Alderman Thomas-aye, Alderman Wyatt-aye, Alderman Crandall-aye. Motion carried.

Mayor Jackson presented a request to allow a fireworks display for Ashland HealthCare at 300 S. Henry Clay Blvd for July 3 or a rain date of July 4. Alderman Thomas made motion and seconded by Alderman Wyatt to approve the fireworks permit for Ashland HealthCare. Mayor Jackson called for the vote. Alderman Crandall-aye, Alderman Uhrig-aye, Alderman Wyatt-aye, Alderman Calvert-aye, Alderman Thomas-aye, Alderman Rhorer-abstained. Motion carried.

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

Jeff Anderson, Chairman of the Planning and Zoning Commission questioned why an applicant Tom Orozco did not get a position on the Planning and Zoning Commission. He challenged the issue to the Board members on the reason they voted the way they did. This matter was debated at length.

Barb Bishop expressed her displeasure with some of the Board members actions, not listening to citizens and comments made by Board members.

Mike McCubbin reported he talked to the engineer and he said Kelly should have the preliminary report on the West Broadway stormwater issue by this Friday.

Mayor Jackson's Report:

Mayor Jackson reported that the first meeting in July will be July 3. He asked if everyone would be available to have the meeting with the holiday on the 4th. The Board discussed this and they will be available to proceed with having the meeting.

City Administrator's Report:

Kelly Henderson updated the Board on the smoke testing results and reported that letters will be sent out later this week to the property owners giving them a time frame to get the problems corrected. He gave an overview of the location of the first smoke testing area. He reported no status change of the Regional Sewer District and the Southern Boone County generator. He reported he is searching for a used backhoe or track hoe for the street department. He informed the Board that the sampling plan has been submitted to DNR for approval for the water system. He stated the next item scheduled for completion is the installation air/vacuum valves and the self imposed dead line of June 1 was not met. He stated he has taken action to help this project to move forward. The first phase (field work) of hydrant mapping has been completed and work to enter the data has substantial completion, followed by database conversion. He informed the Board that Mid-Missouri Regional Planning Commission and the University Extension is helping with this project. Kelly Henderson informed the Board that the final approval from MoDot to advertise the bids for the Main Street Project has been received. He informed the Board the pre-bid meeting was held June 4 and sealed bids will be opened on June 14. He stated the notice to proceed will depend on the ability of the successful contractor to meet the different parameters set out in the contract, like bonding. He updated the Board on the storm water repairs at 506 & 508 Pacer being completed by the end of this week. Kelly Henderson updated the

Board on the proposed ordinance on transfer of property. He gave an overview of some of the core sample results in subdivisions that the infrastructure has not been accepted by the City. He asked for a direction on the subdivisions that the streets are not up to standards and how to proceed. The Board discussed this at length. David Bandre, City Attorney reported legally we could say we are not going to accept the streets and walk away but politically it would be a bad decision. He said we could meet medium grounds with the developers and address each issue. The Board discussed possible solutions to street repair, having developers put up a bond or pay money for the inadequate streets and to work towards getting this resolved and move forward from there. Alderman Uhrig suggested scheduling a work session with the developers involved to discuss this issue. Alderman Crandall stated he would like to look at these areas with Kelly. The Board discussed the whole Board being involved in this.

Kim Martin of Martin Builders stated she would like to see this get resolved so they can proceed to get the streets accepted and know what they are going to have to do. The Board agreed to have a work session within the next two weeks to discuss these issues and work toward getting this resolved.

Charles, Senzee, Community Development Director reported all the developers has made contact with him on the infrastructure issues.

City Attorney's Report:

David Bandre reported that FEMA is preparing a new flood plain map and we should have them within the next 6 months. He reported that the school is in need of practice fields for fall teams because they do not have enough flat green area.

Board of Aldermen's Report:

Alderman Uhrig reported he is the Secretary and Treasurer of the Southern Boone Economic Development Council and he would start including the minutes of those meetings in the Board of Aldermen packets.

Alderman Crandall asked about getting an update from Mr. Bandre on any outstanding legal issues. Mr. Bandre said he would sit down with the two new members and update them. He reported that 506 and 508 Pacer looks great and the property owners are satisfied. He also asked about painting the curb for "no parking" on Martha Crump by the island.

Alderman Crandall apologized to the Board for being late due to his work schedule.

Alderman Wyatt updated the Board on the FEMA training he attended on tornado safety and safe structures.

Alderman Rhorer stated he has met with Mike McCubbin on his stormwater issue on West Broadway and feels it does need to be addressed. He stated he would be interested in what the engineer has to say about it.

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

Darla Sapp, City Clerk

Michael P. Jackson, Mayor