

JUNE 16, 2009
BOARD OF ALDERMEN MINUTES
7:00 P.M.
(amended 7-07-09)

Mayor Asmus called the meeting to order on June 16, 2009 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Mayor Asmus gave the invocation.

Mayor Asmus led in the pledge of allegiance.

Mayor Asmus called the roll:

Ward One: David Thomas-here, Larry Reberry-absent

Ward Two: Randy Wyatt-here, John Hills-here

Ward Three: Mike Jackson-absent, Matt Uhrig-here

Staff Present: Mike Asmus, Mayor, Chris Heard, City Administrator, David Bandre, City Attorney, John Fraga, Public Works Director and Darla Sapp, City Clerk

Mayor Asmus presented the agenda for June 16, 2009 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to accept the agenda as presented. Mayor Asmus called for the vote. Motion Carried.

Mayor Asmus presented the minutes of June 02, 2009 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to accept the minutes as presented. Mayor Asmus called for the vote. Motion Carried.

John Fraga, Public Works Director gave his monthly report. He informed the board the advertisement for concrete street repairs has been sent out. He reported with all the rain it has slowed up some of their projects. He stated the fence at the park has been replaced, a metal sink in the men's bathroom has been installed and they would replace the urinal with metal in the near future. He reported the street sweeping was completed and they would be evaluating this before the fall. He presented a request to purchase a new mower. John Fraga took the board to look at the crack sealing machine.

Mayor Asmus presented Jacobs Self, Inc. business license application for 100 E. Broadway, Suite C for consideration. Alderman Wyatt made motion and seconded by Alderman Hills to approve the business license for Jacobs, Self, Inc. as presented. Mayor Asmus called for questions or comments. Chris Heard, City Administrator reported the site inspection has been done. Mayor Asmus called for the vote. Motion Carried.

Mayor Asmus presented Ordinance No. 814 for consideration. Alderman Thomas made motion and seconded by Alderman Uhrig to take up Ordinance No. 814, an ordinance approving the final plat for Nahler Industrial Park for Clifton Nahler. Mayor Asmus called for questions or comments. Gene Basinger, surveyor asked if the board had any

questions. No one had any questions. Mayor Asmus called for the vote. Alderman Wyatt-aye, Alderman Thomas-aye, Alderman Uhrig-aye, Alderman Hills-aye, Alderman Jackson-absent, Alderman Reberry-absent. Motion Carried.

Mayor Asmus presented Ordinance No. 815 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up Ordinance No. 815, an ordinance enacting curfew specifically for parks and amending Section 25.105 hours of operation of the Ashland Municipal Code. Mayor Asmus called for questions or comments. Mayor Asmus asked if the board agreed with the revisions to the ordinance as written. David Bandre, City Attorney reported the changes look good and are enforceable as written. Mayor Asmus called for the vote. Alderman Wyatt-aye, Alderman Uhrig-aye, Alderman Hills-aye, Alderman Thomas-aye, Alderman Jackson-absent, Alderman Reberry-absent. Motion Carried.

Mayor Asmus presented Council Bill No. 2009-016 for consideration. Alderman Thomas made motion and seconded by Alderman Uhrig to take up Council Bill No. 2009-016, an ordinance of the City of Ashland, Missouri declaring surplus property and approving the purchase of a John Deere Model 997 Diesel Z-Trak mower. First Reading by title only. Mayor Asmus called for questions or comments. Mayor Asmus called for the vote. Alderman Thomas-aye, Alderman Uhrig-aye, Alderman Hills-aye, Alderman Wyatt-nay, Alderman Jackson-absent, Alderman Reberry-absent. Motion Carried.

Mayor Asmus presented the bills to be paid. Alderman Wyatt made motion and seconded by Alderman Thomas to approve the bills as presented. Mayor Asmus called for questions or comments. Alderman Thomas asked questions on the water improvements pay request. Mayor Asmus called for the vote. Motion Carried.

Mayor Asmus reported the next item on the agenda is a proposal for curbs on S. Henry Clay Blvd between Liberty Lane and the 2nd school entrance. Chris Heard, City Administrator presented options of modifications to existing Ashland Pedestrian Trail: Phase III contract and scope of work. The board discussed the modifications, cost and need. Chris Heard, City Administrator recommended approval of the contract change order of \$342,774.01. He reported the net change order would be \$71,073.76.

Alderman Thomas made motion and seconded by Alderman Uhrig to approve the contract change order of \$342,774.01. Mayor Asmus called for the vote. Alderman Wyatt-nay, Alderman Uhrig-aye, Alderman Hills-nay, Alderman Thomas-aye, Alderman Reberry-absent, Alderman Jackson-absent. David Bandre reported this is a tie vote. Motion ended in a tie vote.

Mayor Asmus presented three requests for a permit to shoot fireworks at Ashland HealthCare, Ashland Villa and Bluegrass Terrace for consideration. Alderman Hills voiced his concern of the recent fire events in Bluegrass subdivision, the vague definition of fire works and liability. Alderman Wyatt made motion and seconded by Alderman Thomas to approve the fireworks permits for Ashland HealthCare, Ashland Villa and Bluegrass Terrace. Mayor Asmus called for the vote. Alderman Hills-nay, Alderman

Wyatt-aye, Alderman Thomas-aye, Alderman Uhrig-aye, Alderman Jackson-absent, Alderman Reberry-absent. Motion Carried.

Mayor's Report:

Mayor Asmus commented on a state audit report on a town in south Missouri. Mayor Asmus reported the Chamber breakfast is Thursday morning with Karen Miller being the speaker.

City Attorney's Report:

David Bandre had nothing to report.

City Administrator's Report:

Chris Heard, City Administrator updated the board on a fire event in Bluegrass and as chief code enforcement he plans for the structure to be torn down and cleaned up within 30 days.

Board of Aldermen Report:

Alderman Thomas commented that he noticed a little progress on the Henry Clay project.

Alderman Wyatt stated the water tower has gone up fast.

Alderman Uhrig expressed concern of using his business e-mail address for city business since it would be subject to the sunshine law. Chris Heard, City Administrator is to get the board members switched over to the city e-mail.

Alderman Hills questioned if we have a contract for animal control with the county. He reported he received a call from a citizen in his ward stated she called the county animal control *and talked with Rhonda* and they said they do not come out to Ashland. (amended 7-21-09)

Alderman Thomas made motion and seconded by Alderman Wyatt to adjourn. Mayor Asmus called for the vote. Motion Carried.

Darla Sapp
City Clerk

Mike Asmus
Mayor