

JUNE 18, 2013
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Jackson called the regular meeting to order on June 18, 2013 at 7:13 p.m. at Ashland City Hall, 109 East Broadway.

Alderman Anderson 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: Jeff Anderson-here, John Hills-here

Ward Three: Anthony Taggart-here, Carl Long-absent

Staff Present: Joy Ahern, Interim City Attorney, Charles Senzee, Community Development Director and Darla Sapp, City Clerk.

Mayor Jackson presented the agenda for June 18, 2013 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to approve the agenda as presented. The City Clerk reported that there was a request from Ashland Villa for a fireworks permit. Mayor Jackson called for the vote with the addition. Motion carried.

Mayor Jackson presented the minutes of June 4, 2013 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to approve the minutes as presented. Mayor Jackson called for the vote. Alderman Hills-abstained. Motion carried.

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

Charles Senzee, Community Development Director reported tomorrow is his last day of employment with the City. He thanked the City and reported he was making a list of projects and status along with procedure manual to help make the transition easier. The Board in return thanked him for his guidance and assistance.

Alderman Anderson asked Mr. Senzee about the detention basin in Ashland Keystone Subdivision. The Board discussed the status of this. He reported Mr. Powers is waiting on a letter from the City on agreeing to accept the infrastructure when the detention basin is up to code. Alderman Rhorer said this was suppose to meet guide lines per platted. The privacy fence issue around the detention basin and the streets that did not pass thickness test. The Board discussed working with Mr. Powers in order to get this resolved.

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

Louise Martin of 407 Meadowmere View reported that teenagers were ringing door bells late at night and early morning hours in town. She reported she has called this in to the police department. She also stated that people not mowing their yards was not very welcoming to Ashland.

Alderman Anderson reported he has received calls and complaints on tall grass as well. Alderman Taggart reported he reviewed this process with Mr. Senzee and it is a lengthy process. Charles Senzee reported that once a notice is sent most people mow the lot. The Board discussed that there is no plan in place for someone to take over this duty. They discussed the possibility of dividing these duties up between the employees.

Bill Friedrich asked the Board to do the first and second reading on the Council Bill on the acceptance of the infrastructure in Lakeview Estates. He stated that they plan to donate the lake and ground area to the city for a park area. The Board stated that the dedication would come through the Board of Aldermen for approval with a recommendation from the park board. Charles Senzee, Community Development Director reported an outstanding issue of a subdivision sign on this lake area as being a code violation. He stated that the Board of Adjustment tabled this for two years. He stated the sign is twice the size as allowed. He stated this sign is on 5 acres and suits the size of the area. The Board discussed the maintenance of the subdivision sign since it would be on city property. The City does not maintain subdivision signs. The Board felt the first reading be at tonight's meeting with the second and final reading at the next meeting contingent upon the pipe work being completed or scope of work, performance bond and agreement with the City.

Mike McCubbin, 409 Billy Joe Sapp, gave an overview of the detention basin in Ashland Keystone Subdivision. He reported that Mr. Powers has been sent a letter from DNR on the stormwater detention plan and he was cited for this by DNR. He stated they have shut him down from doing further work until this is done. Mr. McCubbin stated he has to comply with DNR. He discussed the drainage coming out of lot 15 and the house at lot 25 does not meet the 30 foot setback code. He stated it was 7 or 8 feet short. He stated that the drainage is running in the yard. Charles Senzee reported he would have to review this. Alderman Hills asked that a written memo of the findings be sent to them.

Mayor Jackson presented Council Bill No. 2013-016 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to take up Council Bill No. 2013-016, an ordinance authorizing the Mayor to extend into an agreement with Boone County Commission for animal control services for fiscal year 2014. First Reading by title only. Mayor Jackson called for questions or comments. The Board discussed these fees and felt they were a lot higher this year. The Board discussed the formula the County used. The Board felt we should discuss these fees and see if we can do better. The Board discussed fining the people that do not register their animals. The Board discussed the possibility of our Officers checking on the animal first then calling animal control. Mayor Jackson stated we can look into different options and add it to discussion item at the next meeting. Mayor Jackson called for the vote. Alderman Thomas-aye, Alderman Hills-aye, Alderman Taggart-aye, Alderman Anderson-aye, Alderman Rhorer-aye, Alderman Long-absent. Motion carried.

Mayor Jackson presented Council Bill No. 2013-017 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to take up Council Bill No. 2013-017, an ordinance accepting public infrastructure of Lakeview Estates Plat 7 (Lots 2-52) for Ashland Signature Homes, LLC. The City Clerk reported it should be for Jefferson Bank of Missouri not for Ashland Signature Homes. First Reading by title only. Mayor Jackson called for questions or comments. Alderman Taggart stated the work on the pipe on lot 43 and dirt work on back of 42 and 43 should be done prior to next meeting. If the work is not done then we will need an agreement and they would have to post a performance bond. Charles Senzee stated we do not have an agreement or scope of work that needs to be completed prior to the final reading. He reported the scope of work would be a separate document and attached to agreement before second reading is performed. If the work is completed prior to the final reading then an agreement is not needed.

Mayor Jackson called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Hills-aye, Alderman Rhorer-aye, Alderman Thomas-aye, Alderman Long-absent. Motion carried.

Mayor Jackson presented Ordinance No. 952 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to take up Ordinance No. 952, an ordinance amending the City's Code of Ordinances, Chapter 12, Public Infrastructure to add Section 12.557 "Silt fences and inlet protection" and modify existing Section 12.515 (B) "Exemptions" to require silt fencing and inlet protection for all construction projects within City limits. Mayor Jackson called for questions or comments. Alderman Hills felt the language of case-by-case basis need to be more specific. He stated this would be a variance, the same as the Planning and Zoning or Board of Adjustment would give. Charles Senzee reported this ordinance is to capture the smaller lots. Because there are already requirements for subdivisions regulating this. The Board discussed the approval by the city should be determined to who has that authority. The Board decided to change it to read Administrative Official or his designee. Mayor Jackson called for the vote with the correction. Alderman Hills-aye, Alderman Anderson-aye, Alderman Thomas-aye, Alderman Rhorer-aye, Alderman Taggart-aye, Alderman Long-absent. Motion carried.

Alderman Thomas made motion to approve the fireworks display for Bluegrass Terrace, Ashland Villa and Ashland Healthcare as requested with notification to be given to the police department and fire department Alderman Rhorer seconded the motion. Mayor Jackson called for the vote. Alderman Taggart-aye, Alderman Anderson-aye, Alderman Rhorer-aye, Alderman Hills-aye, Alderman Thomas-aye, Alderman Long-absent. Motion carried.

Mayor Jackson reported the next item on the agenda was Corey Myers reference lien on Red Tail Drive. Vee Fasciotti reported the grass was cut today on the lot. Joy Ahern, Interim City Attorney reported that this lot is going to be sold at a trustee sale. She stated that we probably are not going to get our money because of all the other liens on this lot.

Vee Fasciotti questioned if this would set a precedence to other developers. The Board stated that the City took the measures they could take to get this lot cleaned up.

Mayor Jackson reported the next item on the agenda was discussion of City Hall repairs for short term and long term goals. The Board discussed the ongoing cost of \$1,200 a month for the air scrubbers, employees exposed to the mold and needing to get this resolved one way or the other. Alderman Rhorer stated this needs to be cleaned up and corrected. Megan Young gave the copy of the mold report to the Board. Alderman Anderson reported there are two costs associated with this, one being the mold mediation and the other is for the roof replacement/repair. The Board discussed getting firm bids and moving forward with clearing this matter up. The Board felt the flat roof needed to be replaced with a pitched roof. The Board decided to get bids to repair this.

Mayor Jackson reported the next item on the agenda was final budget review for FY 2013. He recommended this be tabled since Mr. Henderson was not here this evening. Alderman Thomas made motion and seconded by Alderman Rhorer to table the discussion on the budget review for FY 2013. Motion carried.

Mayor's Report:

Mayor Jackson asked the Board if they would be available for the July 2 meeting. The consensus was they all would be available to attend this meeting.

City Administrator Report:

The City Administrator was not present.

Interim City Attorney Report:

Joy Ahern reported the City Prosecutor, Jeff Kays asked them to consider amending the ordinance on parking tickets. She reported that parking tickets have 10 dollar fine but the court cost attached is another \$32.50. After discussion it was reported that Judge Bryson approves this. She reported she would follow up with Jeff Kays on this.

Board of Aldermen Report:

Alderman Thomas reported he saw on the internet where a City was ticketing parents of chronic bullies.

Alderman Rhorer asked Joy Ahern about her request for discussing her fee and how long she would be interim city attorney. She reported they would discuss this in closed session.

Alderman Anderson addressed the Board and Mayor on his displeasure of the Mayor's leadership and not having the proper oversight on the mismanagement of the police department. He asked the Mayor to voluntarily resign if he could not devote the time and attention needed to the City. He also asked for a special election to fill this vacancy.

Mayor Jackson thanked Alderman Anderson for his opinion.

Alderman Taggart asked that the City consider putting on the website or weekly newspaper updates on what projects the public works department is working on. Bruce Wallace reported he would be glad to do this at no charge.

Alderman Thomas made motion and seconded by Alderman Rhorer to go into closed session pursuant to Chapter 610.021 (3) personnel matters. 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 into open session with reportable action of:
The Chief of Police is no longer on paid administrative leave.

Alderman Thomas made motion and seconded by Alderman Rhorer to adjourn the meeting. Mayor Jackson called for the vote. Alderman Hills-aye, Alderman Rhorer-aye, Alderman Anderson-aye, Alderman Taggart-aye, Alderman Thomas-aye, Alderman Long-absent. Motion carried.

Anthony Taggart, Alderman

Michael P. Jackson, Mayor