

JULY 2, 2013
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Pro-tem Rhorer called the regular meeting to order on July 02, 2013 at 7:13 p.m. at Ashland City Hall, 109 East Broadway.

Alderman Anderson gave the invocation.

Mayor Pro-tem Rhorer led in the pledge of allegiance.

Mayor Pro-tem Rhorer 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-here

Staff Present: Joy Ahern, Interim City Attorney, and Darla Sapp, City Clerk.

Mayor Jackson was absent.

Mayor Pro-tem Rhorer presented the agenda for July 02, 2013 for consideration. Alderman Thomas made motion and seconded by Alderman Hills to approve the agenda as presented. Mayor Pro-tem Rhorer called for the vote. Motion carried.

Mayor Pro-tem Rhorer presented the minutes of June 18, 2013 for consideration. Alderman Thomas made motion and seconded by Alderman Long to approve the minutes as presented. Mayor Pro-tem Rhorer called for the vote. Motion carried.

Mayor Pro-tem Rhorer presented the bills to be paid for consideration. Alderman Thomas made motion and seconded by Alderman Taggart to approve the bills as presented. Mayor Pro-tem Rhorer called for questions or comments. Mayor Pro-tem Rhorer called for the vote. Motion carried.

Jenny Grabner, Director of Southern Boone Learning Garden gave the Board an overview of their grant, how it is administrated and the projects they have been working on in the community. She reported on the walking school bus program they held during summer school.

T.J. Forck discussed his proposed purchase of a lot behind the ABC Siding building for possible development of the lot for his business, Show Me Heating. He stated he would like to know if this is a buildable lot before he purchases it. He stated that section on North Henry Clay is a private drive and the city has an easement. Carl Frieling stated the requirement to have a public street was not enforced when the other lots in this area was developed. Alderman Hills recommended this go before the Planning and Zoning Commission. The Board discussed this with Mr. Forck and Mr. Frieling and directed him to go before the Planning and Zoning Commission.

Larkin Powers of Ashland Keystone Subdivision stated he was here to address that and a few issues of a rear yard setback on a lot and the Department of Natural Resources permit status. He presented the letter from the Department of Natural Resources and reported he has gotten the land disturbance permit. He stated the house in question on the setbacks is 30 feet, not the 7 feet that was reported and discussed at the last Board meeting. He stated he is willing to show the board or anyone where the property line is at. He stated he is wanting to get the subdivision's infrastructure accepted and is willing to do the punch list of items as presented by the City with the acceptance of the fencing around the detention basin. He stated he

was willing to dig out the detention pond, install street lights and sidewalks to finish out the subdivision. The Board discussed Mr. Powers needed to get those items into compliance with the exception of him not being required to put in the privacy fence. The Board asked the City Staff to verify the setback tomorrow morning.

Mike McCubbin presented a letter from David Bandre referencing a stormwater issue/easement. He asked if this was really the last response from the City. He stated he wants the City to stop silting on his property. He reported that MoDot has done some dirt work and placed rock to keep the force of water from eating up his property. He asked the City do the same on the other 15 feet but to wrap it in wire to hold the rock in place. The Board discussed the stormwater improvements north of this property. The Board discussed the engineers plans for this stormwater issue. Mr. McCubbin stated he was not in agreement with those plans.

Mr. McCubbin stated Larkin Powers would need to get a variance on his setback. He stated he measured from Roy Lipscomb property line markers. This was discussed at length.

Corey Myers came before the Board and asked for them to release the lien on his property on Red Tail Drive. Mr. Myers stated this is in foreclosure but his plan is to buy the lot back. This was discussed at length. Mr. Myers threatened litigation of wrongful action on the City. Joy Ahern advised discussing in closed session.

Mayor Pro-tem Rhorer asked if anyone in the audience wished to appear before the Board.

Mayor Pro-tem Rhorer presented Council Bill No. 2013-018 for consideration. Alderman Thomas made motion and seconded by Alderman Long to take up Council Bill No. 2013-018, an ordinance adopting task work authorization No. 6, Salinda Drive Storm Water Evaluation to the agreement between the City of Ashland and Cm Archer Group PC dated December 1, 2009 for Professional Consulting Services. First Reading by title only. Mayor Pro-tem Rhorer called for questions or comments. Mayor Pro-tem Rhorer called for the vote. The Board discussed this was to evaluate Salinda Drive and where stormwater runoff is at. Alderman Anderson questioned why we were having our engineer survey on private property, why are we spending this money and what do we hope to accomplish. The Board discussed this and felt they needed more information. Alderman Thomas made motion and seconded by Alderman Long to table this until further notice. Mayor Pro-tem Rhorer called for the vote. Alderman Taggart-aye, Alderman Hills-aye, Alderman Long-aye, Alderman Anderson-aye, Alderman Rhorer-aye. Motion carried.

Mayor Pro-tem Rhorer presented Ordinance No. 953 for consideration. Alderman Thomas made motion to take up Ordinance No. 953, an ordinance authorizing the Mayor to extend into an agreement with Boone County Commission for animal control services for fiscal year 2014. Alderman Hills questioned if our officers do the first call prior to calling the county. Alderman Taggart suggest shopping this service out. Alderman Hills stated this was a yearly contract. He also suggested an ordinance where we impose a fine or fee for animals running at large. Alderman Thomas read the section of the code pertaining to this. The Board discussed this at length. The motion died for lack of a second.

Mayor Pro-tem Rhorer presented Ordinance No. 954 for consideration. Alderman Thomas made motion to take up Ordinance No. 954, an ordinance accepting public infrastructure of Lakeview Estates Plat 7 (Lots 2-52) for Jefferson Bank of Missouri. Alderman Hills made motion and seconded by Alderman Long to table this until they can determine if the work had been completed. Motion carried.

Mayor Pro-tem Rhorer reported the next item on the agenda was the status of hiring for open positions. Alderman Anderson reported on the advertisement for the City Attorney position with request for qualifications due by August 1st and the contract beginning September 1, 2013. He stated that he has

asked Jeff Kay's to set on the committee. Mayor Pro-tem Rhorer reported the Police Chief advertisement has been placed in several news papers. He informed the Board he has asked a county officer and a 20 year professor of law to set in on the police chief interviews. Alderman Hills reported on the City Administrator publication and they are considering changing some of the requirements and staffing as a whole. He stated they are looking at the preliminary interviews to be done by phone then they would narrow it down to three candidates and have an open house then the Board would make the final determination. He stated they wanted someone who would be a part of our community.

Mayor Pro-tem Rhorer reported the next item on the agenda was discussion of the Ashland Police Department responding to animal calls prior to County Animal Control. Alderman Anderson suggested the Interim Police Chief be part of that discussion. He suggested he appear and give a report to the Board.

Mayor Pro-tem Report:

Mayor Pro-tem Rhorer stated it was time to move forward. He stated we need to get more stability and they needed to work with each and everyone. He stated it is time to fix something's that has not been right to benefit the people and the public. He stated he was sitting at the Board on behalf of the people.

City Administrator Report:

The City Administrator was not present.

Interim City Attorney Report:

Joy Ahern reported she has met with Travis Davidson on issues with the Angel Lane Project. She stated she has been working with the Boone County Attorney on these agreements. Alderman Hills expressed concern of a city employee would go to her on this matter without a line of preliminary procedure and did not fill it was within his perimeter of his position. He felt it should have come to the Board first.

Mayor Pro-tem Rhorer reported that in a meeting the Board agreed to have Darla Sapp, City Clerk manage the City office, Travis Davidson is Public Works Supervisor and Terry Toalson is interim Police Chief.

Board of Aldermen Report:

Alderman Anderson gave kudos to the public works department on the work at 105 Amanda. He stated that the tall grass on Liberty Lane and Middleton had been mowed. He asked where the report on all of the projects the City Administrator was working on and their status. He stated his employment is due to expire and we need this report before we can move forward. Alderman Anderson questioned the notice to bidders for the roof repair. Alderman Anderson stated he is willing to work with some contractors on this matter and see what is this best way to approach this. Alderman Taggart stated this is not the specifications they asked for. The Board agreed to allow Alderman Anderson to this task of the roof repair and mold mitigation.

Alderman Taggart stated that it has been reported to him that the police department does not have all the gear they need. He suggest Interim Police Chief Toalson come to a Board meeting. He also discussed the need to seek grant money for the city.

Alderman Hills asked that Bruce Wallace put a reminder in the newspaper about no fireworks to be shot off inside the City limits.

Alderman Thomas expressed his concern of the slow process of rebuilding the burnt house on North Henry Clay Blvd. He stated that the yard is also an eyesore.

Alderman Thomas made motion and seconded by Alderman Long to go into closed session pursuant to Chapter 610.021 (3) personnel matters. Mayor ~~Jackson~~ Pro-tem Rhorer called for the vote. Motion carried. (amended 7-16-2013)

Darla Sapp, City Clerk

Gene Rhorer, Mayor Pro-tem

Mayor Pro-tem Rhorer reported we are back into open session with no reportable action.

Alderman Thomas made motion and seconded by Alderman Taggart to adjourn the meeting. Mayor ~~Jackson~~ called for the vote. Motion carried. (amended 7-16-2013)

Alderman Jeffrey Anderson

Gene Rhorer, Mayor Pro-tem