

MARCH 19, 2013  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Jackson called the regular meeting to order on March 19, 2013 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Alderman Wyatt 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-absent, vacant seat

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

Mayor Jackson presented the agenda of March 19, 2013 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to approve the agenda as presented. Alderman Thomas made motion and seconded by Alderman Wyatt to amend the motion to add a closed session pursuant to Chapter 610.021 (3) personnel matters. Mayor Jackson called for the vote. Motion carried.

Mayor Jackson presented the minutes of March 05, 2013 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to approve the minutes as presented. Mayor Jackson called for corrections or changes. Mayor Jackson called for the vote. Motion carried.

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 asked various questions. Mayor Jackson called for the vote. Motion carried. Alderman Rhorer-abstained.

Charles Senzee, Community Development Director gave his monthly report to the Board. He reported the Planning and Zoning Commission held a meeting on March 12 and recommended approval of two plats and two code amendments that are on the agenda tonight. Mr. Senzee updated the Board on the Ashland Business District and he is working with the intern in revising the draft business district document and creating presentation materials. He presented some 3D models of hypothetical developments comparing site design under the current code to site design under the proposed district standards. He stated that some additional changes to the proposed business district standards are necessary. He stated the most significant changes will be a dramatic decrease in the required setbacks for the eastern portion of the district to better accommodate the required side/rear parking areas. Charles Senzee reported the

University of Missouri students have completed their final draft of the community survey. He presented the building permits issued for the month.

Mayor Jackson reported the next item on the agenda was Mike McCubbin for discussion of his stormwater issue. Mike McCubbin gave an overview of the time line of problems with Southwest Courts Watershed. He said there is no drainage easement on him. He expressed his displeasure with the preliminary engineering report recommendations by Archer Group and nothing being done on this issue. He complained of the silt run off from Ashland Keystone Subdivision. He demanded the Board take a vote to get the stormwater issue fixed this year and for it to be piped underground. Mayor Jackson reported a meeting between Mr. McCubbin and C.M. Archer Group was set for March 27 at 8:00 a.m. Mr. McCubbin stated if no vote was taken he would insure his property is protected and a representative would be talking in his place from this day forward. The Board discussed the engineering report and felt they had to rely on this.

Larkin Powers stated he did not get a silt fence up on one lot in Keystone Subdivision. He stated he would take care of this tomorrow.

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

Bruce Wallace, Southern Boone County Chamber invited the Board and citizens to attend a meeting on Thursday, March 21 at 8:00 a.m. in the Southern Boone County Library on the upcoming Proposition 1 sales tax issue that will fund 911.

Mayor Jackson presented Council Bill No. 2013-006 for consideration. Alderman Wyatt made motion and seconded by Alderman Calvert to take up Council Bill No. 2013-006, an ordinance amending Chapter 14, Sewer, Water and Solid Waste by adding the definition of the Board of Public Works to Section 14.005 and Section 14.120 of the City of Ashland Code of Ordinances. First Reading by title only. Mayor Jackson called for questions or comments. Mayor Jackson reported this definition was a result of last meetings Council Bill No. 2013-005, on emergency use restrictions. David Bandre, City Attorney explained the addition of the definition of the Board of Public Works. Mayor Jackson called for the vote. Alderman Calvert-aye, Alderman Wyatt-aye, Alderman Thomas-aye, Alderman Rhorer-aye, Alderman Uhrig-absent. Motion carried.

Mayor Jackson presented Council Bill No. 2013-007 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up Council Bill No. 2013-007, an ordinance approving the re-plat of Lots 6-9 of Ashland Keystone Subdivision Block 2. First Reading by title only. Mayor Jackson called for questions or comments. Charles Senzee, Community Development Director reported this is a straight forward re-plat of lots, making four lots into six lots. He said these lot sizes better match the rest of the development.

Alderman Uhrig was in attendance at 7:30 pm.

Alderman Calvert questioned the water run-off on the two additional lots. There was discussion of installing silt fence around the lots during construction. It was reported it is not in the code requiring silt fences on all lots. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Thomas-aye, Alderman Calvert-aye, Alderman Wyatt-aye, Alderman Uhrig-aye. Motion carried.

Mayor Jackson presented Council Bill No. 2013-008 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up Council Bill No. 2013-008, an ordinance approving the final plat of Eagle Lakes Plat 3A, a re-plat of lots 305, 306, and 307 and part of Eagle Point Drive, Eagle Lakes Plat 3, dated February 11, 2013. First Reading by title only. Mayor Jackson called for questions or comments. Charles Senzee, Community Development Director, reported this is to reconfigure the dimensions of three existing residential lots within the Eagle Lakes Plat 3 Subdivision. He reported this eliminates Eagle Point Drive, properly depicts the legal dimensions of lots 306 and 307, provides utility easement for 306 and 307 and enlarges lot 307 to allow the developer additional room for home construction. He reported the Planning and Zoning Commission recommended this for approval. Mayor Jackson called for the vote. Alderman Uhrig-aye, Alderman Wyatt-aye, Alderman Calvert-aye, Alderman Thomas-aye, Alderman Rhorer-aye. Motion carried.

Mayor Jackson presented Council Bill No. 2013-009 for consideration. Alderman Wyatt made motion and seconded by Alderman Rhorer to take up Council Bill No. 2013-009, an ordinance of the City of Ashland, Missouri, amending the City's Code of Ordinances, Chapter 9, Planning and Zoning to add Section 9.340 "Fences and Walls" establishing specific regulations for the construction of fences and walls, providing for conflicts, severability, and an effective date. First Reading by title only. Mayor Jackson called for questions or comments. Charles Senzee, Community Development Director reported that the previous code for fences and walls was defeated on September 18, 2012. He stated that the Planning and Zoning Commission requested that staff make some edits to the previous version of the amendment and bring it back for formal consideration. He gave an overview of the changes made; specific definitions for fences and walls, permits required for construction, specific regulations for agricultural, residential, and commercial fences and walls, fences over 4' in height prohibited within residential front yards, and finished side of all fences must face out when visible from a public right-of-way. The Board discussed this at length. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Calvert-aye, Alderman Uhrig-aye, Alderman Wyatt-aye, Alderman Thomas-nay. Motion carried.

Mayor Jackson presented Council Bill No. 2013-010 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to take up Council Bill No. 2013-010, an ordinance of the City of Ashland, Missouri, amending the City's Code of Ordinances, Chapter 9, Planning and Zoning to add Section 9.373 "Travel Trailer Parks," establishing specific regulations for the implementation of such parks within the City, providing for conflicts, severability, and an effective date. First Reading by title only. Mayor Jackson called for questions or comments. Charles Senzee, Community Development Director reported our existing code fails to establish any specific

regulations on how such parks should be implemented. He stated that the travel trailer parks and mobile home parks were fundamentally different in nature and that travel trailers could not be utilized within mobile home parks. He stated they have evaluated a number of local and national codes regarding travel trailer parks and determined that the code from Jefferson City would be best adopted for Ashland's use. Alderman Thomas amended his motion to change the limitation of trailers, that no travel trailer occupancy may be permitted for longer than 90 days changed to 30 days and limiting it for work related reason's only. Mr. Bandre stated he did not think we could limit it for work related purposes only. He stated maybe we could have a need based provision added. There was discussion of the initial permit be for 30 days then request extensions of up to 90 days in a calendar year. David Bandre, City Attorney suggested we pass it as written to allow them time to get solid language drafted. Alderman Thomas withdrew his motion. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Thomas-aye, Alderman Calvert-aye, Alderman Wyatt-aye, Alderman Uhrig-aye. Motion carried.

Mayor Jackson presented Ordinance No. 943 for consideration. Alderman Wyatt made motion and seconded by Alderman Thomas to take up Ordinance No. 943, an ordinance amending Chapter 14; Sewer, Water and Solid Waste by enacting Article V. Sub-Chapter B, Water, to be known as emergency use restrictions to the City of Ashland, Missouri Code of Ordinances. Mayor Jackson called for questions or comments. Mayor Jackson called for the vote. Alderman Uhrig-aye, Alderman Wyatt-aye, Alderman Thomas-aye, Alderman Calvert-aye, Alderman Rhorer-aye. Motion carried.

**Mayor's Report:**

Mayor Jackson had no report.

**City Administrator's Report:**

Kelly Henderson, City Administrator reported he has been working on the proposed budget and would like to have a meeting next week to review this.

**City Attorney's Report:**

David Bandre had no report.

**Board of Aldermen Report:**

Alderman Uhrig informed the Board that Ashland Out Loud will be April 18. He reported it kicks off with a Mayor's Breakfast. Mayor Jackson reported that the Mayor's Award for Business of Year will be announced at the Breakfast instead of at the Fall Festival. He stated he would be taking nominations shortly. Alderman Uhrig reported the Southern Boone Economic Council will have a luncheon on that day with Board of Aldermen, County Officials and REDI. He stated the purpose of the meeting would be to inform the new officials of what the Southern Boone Economic Council is doing.

Alderman Thomas reported he mentioned last meeting several flags need to be replaced and this has not been done yet. Alderman Thomas questioned the status of the building permit for the burned house. Mr. Senzee reported it has an active building permit and

they are proceeding. Alderman Thomas stated he has complained of things being released to the media before it comes before the Board of Aldermen and it is still happening. He stated there is no reason for anything to go to the media before it comes to this Board and it needs to stop.

Alderman Wyatt reported he has received a copy of the Boone County Emergency Plan and will be reviewing it with the City Administrator.

Alderman Thomas made motion and seconded by Alderman Calvert to go into closed session pursuant to Chapter 610.021 (3) personnel matters. Mayor Jackson called for the vote. Motion carried.

Darla Sapp, City Clerk

Michael P. Jackson, Mayor

The City Clerk was not present at the closed session.

Mayor Jackson reported we were in open session with no reportable action.

Alderman Thomas made motion and seconded by Alderman Calvert to adjourn the meeting. Alderman Calvert-aye, Alderman Thomas-aye, Alderman Rhorer-aye, Alderman Wyatt-aye, Alderman Uhrig-aye. Motion carried.

Gene Rhorer, Alderman

Michael P. Jackson, Mayor