

MAY 15, 2012
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Pro-tem Wyatt called the public hearing to order on May 15, 2012 at 7:00 p.m. on the proposed changes to Chapter 28 “Nuisances” and Chapter 29 “Minimum Property Standards” Generally in their entirety and enacting a new Chapter 28 entitled “Code Enforcement” which consolidates the City’s Nuisance and Minimum Property Standards. There was no public response. The public hearing closed at 7:04 p.m.

Mayor Pro-tem Wyatt called the regular meeting to order on May 15, 2012 at 7:04 p.m. at Ashland City Hall, 109 East Broadway.

Alderman Uhrig gave the invocation.

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

Mayor Pro-Tem Wyatt called the roll.

Ward One: David Thomas-absent, Gene Rhorer-here

Ward Two: Randy Wyatt-here, Mike Calvert-here

Ward Three: Matt Uhrig-here, Charles Calvin Crandall-here

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

Mayor Pro-tem Wyatt presented the agenda of May 15, 2012 for consideration. Alderman Uhrig made motion and seconded by Alderman Calvert to approve the agenda as presented. Mayor Pro-tem Wyatt called for the vote. Motion Carried.

Mayor Pro-tem Wyatt presented the minutes of May 1, 2012 for consideration. Alderman Calvert made motion and seconded by Alderman Uhrig to approve the minutes as presented. Mayor Pro-tem Wyatt called for the vote. Motion Carried.

Mayor Pro-tem Wyatt presented the bills to be paid for consideration. Alderman Calvert made motion and seconded by Alderman Uhrig to approve the bills as presented. Mayor Pro-tem Wyatt called for questions or comments. The Board questioned several bills. Mayor Pro-tem Wyatt called for the vote. Motion carried. Alderman Rhorer-abstained.

Charles Senzee, Community Development Director gave his Community Development report to the Board. He informed the Board of the last Planning and Zoning Commission meeting on the accepted infrastructure. He reported that several residents from the Ashland Keystone subdivision attended the meeting and spoke out in favor of resident notification but did not seem to generally support the use of signage. He stated the Commission asked that staff prepare a code revision regarding property transfers for consideration at their June 12th meeting. He gave an overview of the 2012 building permits issued and the code enforcement violations and cases.

The Board discussed the infrastructure signage not being posted because the property owners felt it would have a negative affect on property value. They discussed the legal recourse the buyer would have. Kelly Henderson stated the real estate agents and the title companies would be notified of this ordinance regarding property transfers when adopted by the Board.

Mayor Pro-tem Wyatt presented Council Bill No. 2012-008 for consideration. Alderman Calvert made motion and seconded by Alderman Crandall to take up Council Bill No. 2012-008, 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. First Reading by title only. Mayor Pro-tem Wyatt called for questions or comments. Alderman Crandall questioned Section 28.1.3 Violations and Penalties, and felt this should be clearer language. Alderman Uhrig explained the difference between a municipal ordinance violation and a criminal code violation. Mayor Pro-tem Wyatt called for the vote. Alderman Uhrig-aye, Alderman Crandall-aye, Alderman Rhorer-aye, Alderman Calvert-aye, Alderman Thomas-absent. Motion carried.

Mayor Pro-tem Wyatt presented Resolution #27 for consideration. Alderman Calvert made motion and seconded by Alderman Rhorer to take up Resolution #27; A resolution adopting a fee schedule which updates required fees for development applications and related city services. Mayor Pro-tem Wyatt called for questions or comments. Alderman Calvert asked for a walk through of a site plan application process. Charles Senzee, Community Development Director gave an overview of the process and the time it could possibly take to review plans and the fee assessed for such applications. The Board discussed the fee schedule and how the fees were generated at length. Alderman Calvert made motion and seconded by Alderman Crandall to table the resolution until this could be examined further. The Board discussed the need for the fees to be paid by the developer and not the taxpayers. Charles Senzee, Community Development Director and Kelly Henderson discussed the justification of the fees. Alderman Calvert made motion to withdraw his motion to table the resolution and Alderman Crandall seconded the motion. Mayor Pro-tem Wyatt called for the vote of the original motion to approve Resolution #27. Alderman Uhrig-aye, Alderman Crandall-aye, Alderman Calvert-aye, Alderman Rhorer-aye, Alderman Thomas-absent. Motion Carried.

Mayor Pro-tem's Report:

Mayor Pro-tem Wyatt reported he and Kelly Henderson will be attending an emergency management meeting tomorrow on finding safe building during bad weather.

City Administrator's Report:

Kelly Henderson reported that smoke testing will begin on Monday in certain areas. He stated he would be searching for a used backhoe or like unit for the Street Department. He reported the Main Street Project is being reviewed by MoDot. Kelly Henderson reported extensive storm water repairs on Salinda Drive. He presented a copy of the ordinance on discharge of stormwater and unpolluted drainage water for the Board. Mr. Henderson presented a request for qualifications for legal services for Prosecutor for the City of Ashland Municipal Code. He stated that we would bid this as salary based and proposals and statement of qualifications will be submitted by June 4, 2012 at 5:00 p.m. He reported he talked with the water pollution branch

of the Department of Natural Resources on the flooding issues around 502 Broadway. Alderman Calvert questioned the 506 Pacer stormwater project. Kelly Henderson stated that they have discovered a spring in this location and will be working on this project.

City Attorney's Report:

David Bandre was not present at the meeting but a written report was given to each Aldermen.

Board of Aldermen's Report:

Alderman Crandall reported he talked with the gentlemen that they did not approve to serve on the Planning and Zoning Commission and he wanted to know why he was not approved. He reported that he told him he had to call the Alderman that voted against it to ask them that he could not answer for them.

Alderman Uhrig updated the Board on the Southern Boone County Economic Development Committee and sub-committees. He stated they have finalized all the committees and they should all meet within the next two weeks. He also reported the Chamber has voted to fund \$1,000.00 to the Economic Development Committee.

Mayor Pro-tem Wyatt asked if anyone wished to speak before the Board. No one came forth.

Alderman Uhrig made motion and seconded by Alderman Crandall to go into executive session pursuant to Chapter 610.021 (1) possible litigation. Mayor Pro-tem Wyatt called for the vote. Alderman Rhorer-aye, Alderman Calvert-aye, Alderman Crandall-aye, Alderman Uhrig-aye, Alderman Thomas-absent. Motion Carried.

The City Clerk was not present at the executive session.

Darla Sapp, City Clerk

Randy Wyatt, Mayor Pro-Tem

Mayor Pro-tem Wyatt reported we are back in open session with no reportable action.

Alderman Calvert made motion and seconded by Alderman Uhrig to adjourn the meeting. Motion Carried.

Charles Senzee, Community Development Director

Randy Wyatt, Mayor Pro-Tem