

SEPTEMBER 18, 2012
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Jackson called the regular meeting to order on September 18, 2012 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Mayor Jackson 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-absent, Mike Calvert-here

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

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

Mayor Jackson presented the agenda of September 18, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Rhorer to approve the agenda as presented. Mayor Jackson called for the vote. Motion carried.

Mayor Jackson presented the minutes of September 04, 2012 for consideration. Alderman Thomas made motion and seconded by Alderman Calvert to approve the minutes as presented. Mayor Jackson called for corrections or changes. Being none he called for the vote. Motion carried.

Mayor Jackson presented the bills to be paid for consideration. Alderman Thomas made motion and seconded by Alderman Calvert 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 reported he did not have a monthly report to present to the Board.

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

Stacey Salter of Salter Lawn Care presented a copy of his city utility bill to the Board. He reported the sewer charge is unfair since this went to watering his yard and not going down the sewer. He stated he knew other citizens had also complained of this being unfair. Kelly Henderson, City Administrator stated we could revisit commercial property installing separate meters for irrigation. The Board discussed possible options, charging an average sewer bill on residential water for winter months and separate meters. Kelly Henderson reported that he has received copies of how other cities handle this and we

would review this. Mr. Salter asked if he could get a credit for the summer's usage like we give to swimming pools. The Board discussed this at length. Mr. Salter also reported there was a monthly charge on his bill for yard waste that he is being charged and not allowed to use since he is commercial. Kelly Henderson, City Administrator reported this is in error and would be corrected. Mr. Salter stated he felt that the City was penalizing the people for watering their yards and gardens.

Chiang Ryan of 102 West Oaks addressed the Board on her displeasure on her code violations notice. Ms. Ryan explained that Ameren had cut the trees less than 24 hours before her getting her notice of violation. She stated she did not understand why she got a violation and felt she was being singled out. Kelly Henderson, City Administrator reported it was a direct action from a complaint that was called in. Alderman Crandall reported it was within the ordinance to take the action the code enforcement officer took. Charles Senzee, Community Development Director reported she was in violation but was now compliant. Alderman Crandall suggested the violations be documented with photos so the violations can be clearly seen.

Mayor Jackson presented Council Bill No. 2012-015 for consideration. Alderman Calvert made motion and seconded by Alderman Crandall to take up 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. Mayor Jackson called for questions or comments. Alderman Calvert asked for explanation of the setback from a sidewalk or property line. Charles Senzee, Community Development Director gave an overview of the proposed changes as directed by the Board at the last meeting. Kelly Henderson, City Administrator reported the main reason for the proposed ordinance is being able to do repairs or maintenance on our utilities within the easements. Alderman Crandall questioned what the violation of ordinances would be. David Bandre, City Attorney report it would be a code violation and offenders could be given a ticket or file an injunction with the court. The Board discussed this at length. Charles Senzee presented a power point presentation of a corner lot at 400 Trotter Lane. He explained how the proposed fence code and the set back requirements. Alderman Thomas expressed his displeasure with some of the ordinances we have passed and felt it was forcing people to move away from here.

Alderman Crandall made motion to strike and "shall be erected with the finished side out" from the first sentence in exhibit A. Section d." that reads "All residential fences shall be constructed of approved materials listed within this section and shall be erected with the finished side out" from the code. The motion died for lack of second.

Charles Senzee, Community Development Director explained it's to maintain the aesthetic quality of the neighborhoods.

Mayor Jackson called for the vote. Alderman Thomas-nay, Alderman Crandall-nay, Alderman Calvert-aye, Aldermen Rhorer-nay, Alderman Wyatt-absent, Alderman Uhrig-absent. Motion failed.

Mayor Jackson presented Council Bill No. 2012-016 for consideration. Alderman Calvert made motion and seconded by Alderman Rhorer to take up an ordinance of the City of Ashland, Missouri amending the City's Code of Ordinances, Chapter 11, Subdivision Regulation to add section 11.265 #7. Permission to Construct-Supervision, #8 Repair by property owner-repair by City; and #9. Obtaining Abstract or Certificate of title to determine property owner, providing for conflicts, severability, and an effective date. First Reading by title only. Mayor Jackson called for questions or comments. Kelly Henderson reported this ordinance is setting out the policy requiring property owners to maintain their sidewalks. The Board discussed this at length and questioned the ordered sidewalk constructed within fifteen day period. Alderman Thomas felt a lot of people are on a fixed income could not comply with this. There was discussion on grandfathering the property that was not required to have sidewalks installed. Mayor Jackson reported the ordinance refers to Street Commissioner and should be changed to the City Administrator or his designee. The Board suggested addressing these two issues for the second reading. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Calvert-aye, Alderman Crandall-aye, Alderman Thomas-nay, Alderman Wyatt-absent, Alderman Uhrig-absent. Motion carried.

Mayor Jackson presented Council Bill No. 2012-017 for consideration. Alderman Calvert made motion and seconded by Alderman Crandall to take up an ordinance of the City of Ashland, Missouri amending the City's Code of Ordinances, Chapter 12, Public Infrastructure to add Section 12.202; Opening new or resurfaced streets-penalty for restoration costs, providing for conflicts, severability, and an effective date. First Reading by title only. Mayor Jackson called for questions or comments. Kelly Henderson reported this is setting out a penalty for contractors or utility companies for cutting into our streets. He stated this is protecting our investment. Mayor Jackson reported this ordinance also refers to Street Commissioner and needs to be changed to City Administrator or his designee. Mayor Jackson called for the vote with the minor correction. Alderman Crandall-aye, Alderman Thomas-nay, Alderman Calvert-aye, Alderman Rhorer-aye, Alderman Wyatt-absent, Alderman Uhrig-absent. Motion carried.

Mayor Jackson reported the next item on the agenda was discussion of municipal court. Kelly Henderson explained that we do not have enough data to make a decision on this matter. He reported they have presented the Circuit Judge with a municipal bond schedule for Ashland and it has not been approved. The Board agreed to review this in another year.

Mayor Jackson's Report:

Mayor Jackson thanked and commended the park board and fall festival committee on the Fall Festival, as well as Chairman Wade Middaugh. He thanked the Chief for his

participation in the dunking booth. He reported he presented the City Clerk with a 30 year service plaque.

Mayor Jackson asked for a monthly report be given to them on the business licenses granted.

City Administrator's Report:

Kelly Henderson, City Administrator updated the Board on the waste water treatment system. He reported he would be meeting with the financial advisor and engineer next week on the financing for the wastewater project. He stated they are scheduled to tour a Jet SBR plant in St. Louis are next week. He reported an action list is being generated for the problems found in the wastewater collection system that are the cities responsibility and the staff continues to verify repairs which are the customers responsibility to repair. Kelly Henderson presented the Board with information on a sewer camera from Coe Equipment for \$48,768.00. Zach Hackett reported the need to purchase a camera to be able to see what sewer issues are without having to dig them up and also for mapping purposes. Kelly Henderson suggested we chose option 3 for financing over five year period of \$11,282.87 annual payments. The Board discussed the cost of the equipment and the cost of sub-contracting this out. After further discussion the Board asked for more information or a demo of what this entails before they take action on this purchase.

Kelly Henderson reported no progress on the regional sewer district or the Southern Boone County generator.

Zach Hackett reported that he has been working with the Mid Missouri Regional Planning Commission on mapping the water distribution system and it should be completed by the end of October.

Kelly Henderson reported that David Bandre, City Attorney has reviewed and edited a contract with the county pertaining to Angel Lane repair.

Mr. Henderson updated the Board on the Main Street Improvements.

He presented the Board with safe routes to school grant application and proposed sidewalks on Main Street from Broadway to Liberty Lane, portions of Martha Crump Drive, Renee Drive, Amanda Drive and Red Tail Drive. He informed the Board an engineer would need to be obtained in order to make an application. He presented a cost estimate of \$2,300.00 plus reimbursable expenses. The Board was in agreement to proceed with this grant application.

Kelly Henderson gave an overview of the stormwater projects.

Mr. Henderson presented a policy for applications of reduction of storm water detention to reduce or waive the amount of storm water retained as set out in the ordinance. The Board discussed this.

City Attorney's Report:

David Bandre, City Attorney had no report.

Board of Aldermen's Report:

Alderman Calvert asked that we discuss the sewer bill on the irrigation systems. He stated he did not think this was fair and we should address this as soon as possible. He asked that we look into crediting them somehow. Kelly Henderson entertained holding a work session before the next Board meeting at 6:00 p.m. and have the Utility Clerk involved in this discussion. The Board discussed this and was in agreement to having a work session.

Alderman Crandall commended the Public Works Department crew on doing a good job.

Alderman Crandall asked that the minutes reflect the reason for the no vote on the fence code was strictly the aesthetic.

Alderman Calvert made motion and seconded by Alderman Thomas to adjourn the meeting. Mayor Jackson called for the vote. Motion carried.

Darla Sapp, City Clerk

Michael P. Jackson, Mayor