

TUESDAY, OCTOBER 02, 2018
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on October 02, 2018 at 815 East Broadway, Ashland, Missouri.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll:

Ward One: Leslie Martin-here, Danny Clay-here
Ward Two: Jesse Bronson-here, Richard Sullivan-here
Ward Three: Rick Lewis-here, Jeff Sapp-here

Staff Present: Darla Sapp, City Clerk, Lyn Woolford, Police Chief/City Administrator, Shelley Martin, City Treasurer/Deputy City Clerk and Jeffrey Kays, City Attorney.

Mayor Rhorer presented the agenda of October 02, 2018 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the agenda as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of September 12, 2018 Board meeting for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of September 18, 2018 Board meeting for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer asked if anyone wished to appear before the Board to come to the podium and state their name and place of residence on any subject. No one came forward.

Mayor Rhorer presented Council Bill No. 2018-048 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-048, an ordinance amending Chapter 12, Public Infrastructure, Appendix A, pertaining to culverts. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford stated this ordinance is allowing for two types of culverts to be used; one is HP (Polyethylene) and HDPE (High Density Polyethylene). He stated this pipe has improved and allowed by Boone County, City of Columbia and the State of Missouri. The Board discussed this. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-049 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-049, an ordinance to amend Chapter 11, Subdivision Regulations, Section 11.260, City to Maintain, of the Code of the City of Ashland. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator, stated this is a change in the ordinance from making the City responsible for maintenance, upkeep and repair of all such improvements to fifty percent of any repair costs with the remaining fifty percent the responsibility of the property owner. He stated we currently have a fifty-fifty policy in place for driveway approaches and felt the sidewalk should be the same. Mayor Rhorer stated the City of Columbia makes this one hundred percent the property owner's responsibility. Lyn Woolford, City Administrator, stated

the City would fix the sidewalk and invoice the property owner. The Board asked various questions as to how this would work, does the property owner notify us that it needs repaired. Alderman Lewis questioned what happens if the property owner cannot or does not want the sidewalk fixed or to pay their share. Jeffrey Kays, City Attorney, reported he would look at the ordinance on this and see if needs to be revised. Mayor Rhorer stated we could possibly offer a payment plan for this type of situation. Lyn Woolford reported the sidewalks built on grants are still one hundred percent City responsibility. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-050 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-050, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2019 budget. First reading by title only. Mayor Rhorer called for questions or comments. Shelley Martin, City Treasurer, highlighted the more significant amendments to the budget; General Fund: increase in miscellaneous income will be the sale of the police garage; Community Development: increase in Planning and Zoning applications, recording fee and service agreements; Court: decrease in the funds due to the State of Missouri taking over the collection of traffic tickets. She discussed the changes in the property and auto insurance and the purchase of asset management and building permit software module. Shelley Martin stated she amended the parks/storm water tax since the collection of this sales tax did not start until October 1 so the revenue will not be coming until December or if they pay quarterly, January or February. She reported we would be paying off the water bond. Capital: Other income is the sale of 200 North Main Street. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-051 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-051, an ordinance authorizing the escrow of funds sufficient to defease and redeem certain bonds of the City of Ashland, Missouri, and authorizing certain documents and actions in connection therewith. First reading by title only. Mayor Rhorer called for questions or comments. Shelley Martin, City Treasurer, reported this is paying off the last bond in the water department. She reported David Martin of Gilmore and Bell has sent us the procedure to do this. She reported the total amount due is \$711,722.65 with the exception of additional closing fees from the Department of Natural Resources. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-052 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-052, an ordinance amending the contract pertaining to providing for the purchase of real property within the City of Ashland from Westhoff Rentals LLC. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford reported we are purchasing 601 East Broadway for \$375,000 and in return Dave Westhoff is purchasing City Hall for the price of \$140,000.00. This offsets the price and the City will pay him \$235,000.00 in the property swap. He stated then Dave Westhoff will lease the building back to the City. Dave Westhoff stated he plans on occupying 107 East Broadway after the first of the year. Alderman Bronson asked about City Hall. Lyn Woolford reported we would lease this back for up to 18 months while the new building is being built. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-053 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-053, an ordinance authorizing the sale of real estate owned by the City of Ashland, Missouri, a Municipal Corporation, to L. Michael Collins

Trust located at 200 North Main Street. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator stated this is 200 North Main Street and we received full asking price for this lot. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-054 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-054, an ordinance authorizing the sale of real estate owned by the City of Ashland, Missouri, a Municipal Corporation to James Nichols, Hayley E. Lombard, Elson Nichols and Cheryl Nichols located at 302 West Broadway. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator reported this is the police garage. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-055 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-055, an ordinance authorizing the Mayor to enter into a commercial lease agreement with Westhoff Rentals, LLC for 109 East Broadway. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford reported this is the lease while we are getting the new City Hall built. Shelley Martin, City Treasurer reported Steve Tate from Winter Dent was here to discuss the city insurance needs during this purchase, sale and lease of property. He explained the best option to the Board. Alderman Lewis asked about the lease for 109 East Broadway. Lyn Woolford reported that Mr. Westhoff would occupy the 107 East Broadway after the City lease of December 30, 2018 runs out. He stated he would relocate the police department to 601 East Broadway and he would relocate in the city hall portion of 109 East Broadway and possibly remove some walls to use as a meeting room. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-056 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-056, an ordinance authorizing the Mayor to enter into a commercial lease agreement with Westhoff Rentals, LLC for 107 East Broadway. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1204 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1204, an ordinance granting a conditional use permit to Conservation Home Builders for Planned Residential District. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1205 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1205, an ordinance authorizing the escrow of funds sufficient to defease and redeem certain bonds of the City of Ashland, Missouri, and authorizing certain documents and actions in connection therewith. Mayor Rhorer called for questions or comments. Alderman Lewis questioned the definition of defease. Jeffrey Kays, City Attorney read the definition. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1206 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1206, an ordinance amending Chapter 12, Public Infrastructure, Appendix A, pertaining to culverts. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1207 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1207, an ordinance amending the contract pertaining to providing for the purchase of real property within the City of Ashland from Westhoff Rentals, LLC. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1208 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 2018-053, an ordinance authorizing the sale of real estate owned by the City of Ashland, Missouri, a Municipal Corporation, to L. Michael Collins Trust located at 200 North Main Street. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Sullivan-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderwoman Martin-aye, Alderman Lewis-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1209 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1209, an ordinance authorizing the sale of real estate owned by the City of Ashland, Missouri, a Municipal Corporation to James Nichols, Hayley E. Lombard, Elson Nichols and Cheryl Nichols located at 302 West Broadway. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1210 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1210, an ordinance authorizing the Mayor to enter into a commercial lease agreement with Westhoff Rentals, LLC for 109 East Broadway. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1211 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Ordinance No. 1211, an ordinance authorizing the Mayor to enter into a commercial lease agreement with Westhoff Rentals, LLC for 107 East Broadway. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-aye. Motion carried.

Mayor Rhorer presented a Resolution for consideration on accepting Steiler Planning, LLC as our facilitator of the Comprehensive Plan Update. Alderman Bronson made motion and seconded by Alderman Lewis to take up for consideration the Resolution to accept Steiler Planning, LLC as our facilitator of the Comprehensive Plan Update. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator reported he has met with Mr. Steiler and he seems full of energy and he feels he is interested and qualified to take on the job. He reported the other proposal is much more expensive and he has not heard from them at all. Mr. Woolford reported we had \$20,000.00 in the budget for this but it will be over two budget years. He stated it would take at least a year to get this comprehensive plan updated. Mr. Steiler is planning on interaction with the community and the Planning

and Zoning Commission. There was discussion of the Planning and Zoning Commission in the past feeling stuck with the comprehensive plan. Alderman Sapp stated this is a guideline for the Planning and Zoning Commission to follow. He stated he felt it should have more community involvement and public input in the direction we should go. Lyn Woolford, City Administrator reported the Regional Planning Commission did not submit a proposal, as they do not currently have the staffing. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented a Resolution for consideration to accept the bid for drywall for the new water department building. Alderman Bronson made motion and seconded by Alderman Lewis to take up for consideration the Resolution accepting the bid for drywall for the new water department building. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator reported the three bids are in the packet and he recommended going with the low bid from Mings Drywall. Alderman Sapp questioned the price difference and the possibility they bid different size material. Lyn Woolford, City Administrator stated he was unsure, but felt they all bid the same thing and it would be according to code. Alderman Lewis spoke of Mr. Ming's quality of work. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented a Resolution for consideration of adopting a Debt Management Policy for the City of Ashland, Missouri. Alderman Bronson made motion and seconded by Alderman Clay to take up for consideration the Resolution adopting a Debt Management Policy for the City of Ashland, Mo. Mayor Rhorer called for questions or comments. Shelley Martin, Treasurer, stated that when she went to training it came to light that we did not have a debt service management policy for the City. She stated she felt we need this due to the recent bonds, selling property and purchasing property. She stated that David Martin from Gilmore and Bell, Steve Goehl, Financial Advisor and Jeff Kays, City Attorney have reviewed the policy and gave their opinion on what to include or not. She stated that this provides guidance for the types of debt issued, the issuance process, and the administration of the debt portfolio. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented for consideration adjustments of sewer bills for two accounts for Hummingbird Properties. Mayor Rhorer stated that these two sewer bills are for water used for watering the lawn since these buildings are unoccupied. He stated the force main is not active and he did not feel it was fair to bill them for sewer. He stated they are willing to put in an irrigation meter for the future. He stated the water is furnished by the Consolidated Public Water District. Lyn Woolford reported the water district would put in a lawn meter so the City does not bill the sewer on this meter. He reported the water district sends this information to the City and then the City bills them the sewer according to gallons of water used. Lyn Woolford stated they are requesting an adjustment. The Board discussed this. Lyn Woolford, City Administrator suggested taking off 50 percent of the bill. Alderman Bronson made motion and seconded by Alderman Clay to approve the adjustment of the two bills for \$2817.76. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor's Report:

Mayor Rhorer reported he has been in preliminary discussion with Potterfield on Chapter 100 Bonds for his development.

City Administrator/Police Chief Report:

Lyn Woolford reported he put a summary of what we came up with on the recycle town hall meeting in the packet. He stated there is five points we came up with: 1). Change from collection bins to curbside

recycling 2.) Terminate collecting recyclables 3.) Initiate hours of operation, fence the area and add surveillance cameras 4.) Develop a survey and mail it with the utility bills 5.) Educate the users as to what is recycle. The Board discussed this. Lyn Woolford reported curbside recycling price would be double the current amount. Alderman Sullivan stated he felt we still needed bulk pickup. He suggested we move forward with a solution. He stated if we move it to a controlled area it might solve the issue. Mayor Rhorer asked this to be placed on the next agenda.

He gave an update on the utility adjustments/bad debt for the month.

Lyn Woolford updated the Board on the Main Street Sidewalk project. He stated we are waiting on Federal Highway Administration approval, which he is hoping to get by middle of October. He said once approved it would need bid for a thirty-day period.

He reported the 50/50 cost share with MoDot for Broadway and Henry Clay Blvd. roundabout has been approved. He stated the loan approval for 10 year payback is still pending. He stated an estimate of \$2.1 million for cost of construction and right of way acquisition. He stated that MoDot will handle all the right of way acquisition. He stated the roundabout has been conceptual drawing but has not been designed.

Lyn Woolford reported the water building structure is complete and enclosed with doors and windows. He stated they are waiting on insulation, then drywall.

He reported the salt has been ordered for the street department.

He stated they would be looking into onyx overlay as the County used on Palis Nichols Road. He stated the chip/seal product has received some complaints.

He informed the Board that some of the street signs are faded and they would be replacing them as money allows. He stated that for emergency personnel it is hard for them to locate people.

Lyn Woolford reported he is working with the school on enhancing pedestrian crossings at the school. He stated the school will purchase LED lighted signs and the City will install them. He stated they would be looking at some lights in the pavement at the crosswalks.

Lyn Woolford reported the new police charger is in service.

He reported October 10th is International Walk to School Day.

Lyn Woolford stated the park board is bringing the fall festival back to the park this year.

Lyn Woolford reported the southbound side of the exit ramp has been mowed and looks better.

City Attorney report:

Jeffrey Kays did not have a report.

Board of Aldermen's Reports:

Alderman Lewis stated he was approached about Sappington Drive roadway being pitted in spots. He stated he was told the cars were bottoming out on this and they felt it might cause sewer problems. Lyn Woolford, City Administrator stated he would check into this.

Alderman Bronson reported the walking school bus has been extended until October 10th for International Walk to School Day. He encouraged the Board members to participate. He updated the Board on the Parks and Recreation moving the Fall Fest back to the city park this year instead of coordinating with the Balloon Festival on Cartwright Properties.

Alderman Sapp reported he was approached last week with a request of making part of Palomino Ridge Park into a dog park. He stated he would like to see this on an agenda at some point.

Alderman Bronson made motion and seconded by Alderman Clay to adjourn the meeting. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor