

TUESDAY, OCTOBER 20, 2015
BOARD OF ALDERMEN MINUTES
7: 00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on October 20, 2015 at 815 East Broadway Ashland, Missouri.

Alderman Klippel gave the invocation.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll:

Ward One: George Campbell-here, George Elliott-here

Ward Two: Mike Calvert-absent, James Fasciotti-here

Ward Three: Jesse Bronson-here, Fred Klippel-here

Staff Present: Lyn Woolford, Police Chief, Jessi Kendall, Treasurer/Deputy City Clerk, Travis Davidson, Public Works Department and Darla Sapp, City Clerk.

Mayor Rhorer presented the agenda for October 20, 2015 for consideration. Alderman Bronson made motion and seconded by Alderman Elliott to approve the agenda as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of October 06, 2015 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel 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. No one came forth.

Chad Sayre, Allstate Consultants, gave an update on the wastewater project. He gave a handout on the pending environmental clearances. He stated we need to work through the final selection of funding. He stated the time line depends on which funding we choose because there are different requirements. He informed the Board that the final offers have been sent out to the property owners on the easement acquisitions.

Steve Goehl, D.A. Davidson, presented financing options for the wastewater project. He explained the differences of each financing and the pros and cons of private financing, local financing, state revolving fund, USDA funding and a combination of all structures in great detail. Mayor Rhorer and the Board of Aldermen had several questions on the financing, regulations and requirements of each loaning entity. This was discussed at great length.

Alderman Campbell made motion and seconded by Alderman Bronson to pursue the State Revolving Fund for the primary financing for the wastewater improvement project. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Klippel-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2015-032 for consideration. Alderman Elliott made motion and seconded by Alderman Bronson to take up Council Bill No. 2015-032, an ordinance authorizing the Mayor

to enter into a contract with Bartlett & West, Inc. Task Order No. 2. First Reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2015-033 for consideration. Alderman Bronson questioned if this would allow the city to revoke someone's license early. Fred Boeckmann, City Attorney stated that the current ordinance is silent on this matter, but the proposed ordinance would allow revocation and also non-renewal. Alderman Fasciotti stated in Section 26.070. "Mayor "may" issue, a license to sell intoxicating liquor, as defined in this chapter....." should be changed to "shall" issue. The Board was in agreement to this change. Alderman Fasciotti made motion and seconded by Alderman Bronson to take up Council Bill No. 2015-033, an ordinance to amend Chapter 26, of the Code of the City of Ashland relating to alcohol with the amendment. First Reading by title only. Alderman Elliott questioned the license required on any person either personally manufacturing, brewing in section 26.010. The Board discussed this and felt we should remove this since it would not allow for home brewing kits. Fred Boeckmann, City Attorney was to review the state statutes on this and make an amendment for the second reading. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2015-034 for consideration. Alderman Bronson made motion and seconded by Alderman Fasciotti to take up Council Bill No. 2015-034, an ordinance to amend Chapter 3, of the Code of the City of Ashland 3.010; Court Costs. First Reading by title only. Mayor Rhorer called questions or comments. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Campbell-aye, Alderman Klippel-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1040 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Ordinance No. 140, an ordinance to amend Chapter 20 of the Code of the City of Ashland as it relates to minor traffic violations. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1041 for consideration. Alderman Elliott made motion and seconded by Alderman Klippel to take up Ordinance No. 1041, an ordinance to approve the six month budget revisions-as amended. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1042 for consideration. Alderman Bronson made motion and seconded by Alderman Fasciotti to take up Ordinance No. 1042, an ordinance amending Chapter 3, of the Code of the City of Ashland 3.010.; Court Costs. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Campbell-aye, Alderman Klippel-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer presented a recommendation from the Planning and Zoning Commission for the Board to consider for adoption the "Complete Streets Policy" either by resolution or ordinance. Alderman Klippel stated they discussed this as an addition to "Livable Streets" as a guide for use in all transportation projects. Mayor Rhorer reported the majority of the Planning and Zoning Commission wanted this adopted as a

policy not an ordinance. He stated the policy would be a light impact and a way to introduce the complete streets to the community. Alderman Elliott said a policy is not a requirement and has no teeth in it. Alderman Fasciotti stated a five foot sidewalk versus a four foot is only about \$100 additional costs. He stated there is a lot of benefit to five foot sidewalk instead of a four foot sidewalk. The Board felt that some changes could be made into code. The Board discussed this and felt it should be sent back to the Planning and Zoning Commission to address sidewalks.

Lyn Woolford, Police Chief gave an overview of incidents and monthly stats report. He gave an update on the thefts from unlocked vehicle cases. He reported vandalism at Moser's, possibly being a result of a trespass warning. Chief Woolford reported he is still researching cameras to use in the recycling lot. Chief Woolford discussed a police accreditation program. Chief Woolford gave an update on the pumpkin fest traffic.

Lyn Woolford, City Administrator reported he has met with Steve Goehl and the financing for the wastewater project and Steve Shultz on the Ash Street sidewalk/waterline project. Mr. Woolford reported he has met with Stan Shawver and Dave Forward with the Boone County Resource Management as well as Doug Cooley the inspector for our area. He informed the Board the welcome to Ashland sign is a one sided sign and they discussed where to move this to. He stated the location the Chamber picked requires a MoDot permit. He stated he would like to attempt to work on the animal control agreement. He reported they received a mystery drone that was crashed in someone's yard and there has been discussion of invasion of privacy issues with this. Alderman Fasciotti reported he spent half a day researching this issue and presented his findings. He stated he did not want to pass an ordinance prohibiting drones in the City limits because they do have functionality for roofers, farmers, surveyors, etc. He suggested we have an ordinance drawn up controlling the use of drones in the city. The Board was in agreement and instructed Fred Boeckmann to draft an ordinance.

Mayor's Report:

Mayor Rhorer informed the Board that Boone Electric has offered to remove the Ash tree in the park because it needs to be trimmed due to the emerald ash borer disease. They have also offered to remove a couple of other trees without expense to the City. The park board president looked at this and felt they should be removed. Alderman Elliott asked to see if Boone Electric has a tree replacement program. Mayor Rhorer reported he did go over to the city owned lake at Lakeview Estates and did see it being used. He stated this is public property but we should probably put restrictions on this as we have on other city property. Fred Boeckmann reported that this falls under the parks and recreation board to serve as an advisory board for recreational purposes.

City Attorney's Report:

Fred Boeckmann, City Attorney reported that two years ago the City was given the lake area at Lakeview Estates. He stated the conveyances was not clear on the common ground for the subdivision. He stated the city ownership is public property and can't be restricted to property owners in the Lakeview Estates subdivision only. The Board discussed setting restrictions on use of the area, such as time, no swimming, skating, etc. similar to the City Park even though it is not designated as park land.

Board of Aldermen's Report:

Alderman Klippel suggested painting the 20 mile hour speed limit on South Main Street in 100 feet intervals. The Board discussed the speeding, pedestrian traffic and vehicle traffic on this Street.

Alderman Campbell reported Central Concrete has started construction off of Angel Lane.

Alderman Elliott stated the street painting issues he mentioned at last meeting has been taken care of. He commended the Street Department on the wonderful job they do.

Alderman Bronson thanked the staff for the awesome job they are doing. He informed the Board that the Park Board meeting went good and they discussed proposing the park tax to friends, family and neighbors so we could get a general feel of the community.

Alderman Bronson made motion and seconded by Alderman Campbell to go into closed session with a ten minute recess, pursuant to Chapter 610.021 (1) legal actions, causes of action or litigation and any confidential or privileged communications between a public governmental body or its representatives and its attorneys' 610.021 (2) leasing, purchase, sale of real estate 610.021 Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Mayor Rhorer reported we are back in open session with no reportable action taken.

Alderman Bronson motion and seconded by Alderman Elliott to adjourn the meeting. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Bronson-aye, Alderman Calvert-absent. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor