

TUESDAY, DECEMBER 19, 2017  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on December 19, 2017 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, James Fasciotti-here  
Ward Three: Rick Lewis-here, Jeff Sapp-here

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

Mayor Rhorer presented the agenda of December 19, 2017 with an amendment of the resolution of The Baptist Home. He explained the one in the packet was for 7 million in bond amounts and the one on the table is \$6,550,000.00. Alderman Bronson made motion and seconded by Alderman Clay to approve the agenda as amended. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of December 05, 2017 for consideration. Alderman Bronson made motion and seconded by Alderman Lewis 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 address.

Cecil Payne resident and a local real estate broker reported he has been working with the church members in getting 205 South Main Street rezoned and sold. He reported the buyer of the property is also present tonight for questions. He stated the building is a nonconforming building and has been used for rv storage, potato chip storage, plumbing shop and the last being a church. He stated the church is in the process of dissolving and the funds will go back to other not-for-profit organizations. He stated they are requesting Office district since they feel it is a better fit. He stated they had letters of support from the daycare center and Alan Anderson flower and gift shop. He stated the existing building has heat/air, bathroom, full kitchen and a big open room. He stated if it remains residential then it would probably become a home based business such as a body shop, mechanic shop, etc. He stated it is too large for a general garage. He presented handouts to the board. He stated the area has home business, new residential and some older homes and he did not feel it would take away any historical value.

Chris Lohmann stated he resides at 301 Salinda Drive and he is the buyer of property. He stated he is currently running a forest management business out of his house. He stated he currently has four employees and he stated he needed a place to store his equipment. He stated they spend 90 percent of their time in the field. He stated that this building is perfect for what he needs. It would allow for a conference table as well as office space and storage. Alderman Bronson asked him how much equipment he would need to store. Mr. Lohmann reported six chains saws and several leaf blowers.

Dave Westhoff reported he owns the building at 409A& B Redbud Lane. He stated that he has received approval from the Planning and Zoning to rezone the property from R-1 to General Commercial. He presented a document with 15 signatures from homeowners in the area that support the rezoning.

Mayor Rhorer asked if anyone else wished to speak in the public speaking portion of the meeting.

Paul Beuselinck stated he lives at 305 South Main Street and their neighborhood is mixed between newer and older homes. He stated the neighborhood needs protection. He doesn't want the houses to degrade, become rental property or maybe become commercial. He stated rental properties don't get repaired and more people are not going to invest. He stated in this case the office zoning, which is a commercial property, starts the process and continue deprivation. He stated a couple of houses are condemned and have reinvested in the neighborhood. He stated they deserve to have their investments protected.

Cecil Payne stated during our meeting at the Planning and Zoning meeting he presented a sample letter which he asked Mayor Rhorer if he could pass out tonight. Mayor Rhorer allowed this but asked that in the future this information be added with the board packet.

Mayor Rhorer appointed Tracy Banning to serve on the Parks and Recreation Board with Board confirmation. He called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye.

Mayor Rhorer presented Council Bill No. 2017-051 for consideration. Alderman Bronson made motion and seconded by Alderman Lewis to take up Council Bill No. 2017-051, an ordinance authorizing the Mayor to enter into an engineering assistance program agreement with the Mo. Highways & Transportation Commission. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator, reported this is for engineering assistance for the Henry Clay Blvd. and Broadway intersection. He stated the engineering needs completed by April. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Fasciotti-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-052 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2017-052, an ordinance authorizing the Mayor to execute a subdivision warranty agreement for Cartwright Business and Technology Park. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-053 for consideration. Alderman Bronson made motion and seconded by Alderman Lewis to take up Council Bill No. 2017-053, an ordinance authorizing the Mayor to execute a subdivision warranty agreement for Sunset Meadows Phase 2. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford reported this allows the warranty period to begin. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-054 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2017-054, an ordinance authorizing the Mayor to enter into a Law Enforcement RMS/JMS Cooperative Cost Share agreement with Boone County, Missouri. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator reported this is the county-wide records management system he discussed at the beginning of the budget year. He stated it is a 5-year payment and maintenance plan. He stated this would allow the agencies to share information. Alderman Fasciotti asked if federal law enforcement had access to this system. Lyn Woolford reported they would not. Mayor Rhorer called for the vote.

Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Fasciotti-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-055 for consideration. Alderman Bronson made motion and seconded by Alderman Lewis to take up Council Bill No. 2017-055, an ordinance authorizing the Mayor to execute a document authorizing the City to obtain access to Superior public safety software licensed by Boone County. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford reported this is an accessing agreement for the information in the new records management system. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Fasciotti-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-056 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2017-056, an ordinance to change the zoning of a parcel of land from R-1 Single Family to Office District. First reading by title only. Mayor Rhorer called for questions or comments Alderman Fasciotti asked that the location be pointed out on the aerial map. Lyn Woolford, City Administrator, showed them on the aerial map. Alderman Clay stated there is a flower shop, daycare and church on Main Street as well as R-3 zoning. He stated to the north of this is also commercial zoning. He stated he felt this was additional revenue to the city. Alderman Lewis stated that typically owner occupancy keeps the property up. Mayor Rhorer reported he sees pros and cons on both sides of the fence on this rezoning request.

Cecil Payne stated the church elected commercial on that lot because of how it was set up. He stated the funds from the sale of this property would be donated back to non-for-profit organizations. Alderman Sapp stated South County Church of Christ has filed their dissolution papers with the state. If this property is not sold it will become abandoned. Alderman Fasciotti stated he goes with the property owner rights. He stated since the owner of the property is not present he would have to abstain. Cecil Payne stated the pastor Jim Green was donating blood and did not feel up to coming to the meeting tonight. He stated he was at the Planning and Zoning Commission meeting. Alderman Fasciotti asked that they be present at the second reading of the ordinance. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Fasciotti-abstained, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-057 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2017-057, an ordinance to change the zoning of a parcel of land from R-1 single family residential to General Commercial for Westhoff Rentalls, LLC. First reading by title only. Mayor Rhorer called for questions or comments. Alderman Clay stated Mr. Westhoff got the signatures for the general commercial property and talked with the neighbors. He stated the lot in front of him is commercial. He suggested office zoning instead of residential. Fred Boeckmann, City Attorney reported you can not limit it to office if it zoned General Commercial. Dave Westhoff reported the lot is very small for anything but office type space at this time. He stated he does own the lot behind this on Henry Clay Blvd. He stated at this time he was wanting to put his office there and rent out the office space. Alderman Bronson reported his concern is the street width of Redbud and the traffic. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderwoman Martin-aye, Alderman Fasciotti-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2017-058 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2017-058, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2018 Budget. First reading by title only. Shelley Martin, Treasurer reported this is authorizing her to add three fund lines to the budget for the TEAP grant. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderwoman Martin-aye, Alderman Fasciotti-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1150 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1150, an ordinance to amend appendix C-1 of Chapter 14 of the Code of the City of Ashland to increase sewer rates. Mayor Rhorer called for questions or comments. Mayor Rhorer reported this should be the final sewer rate increase. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1151 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1151, an ordinance to amend Chapter 20 of the Code of the City of Ashland to add a provision on school zone speed limits. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator, reported this is providing clarity in the ordinance. Alderman Fasciotti stated he was unclear on what students present meant. The Board discussed this at length. Alderman Bronson made motion to table this until we can get more clear language on the definition of students present and seconded by Alderman Clay. Mayor Rhorer called for the vote to table Ordinance No. 1151. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented a resolution approving a project for The Baptist Home to be financed by the Industrial Development Authority of Boone County, Missouri. Alderman Bronson made motion and seconded by Alderman Lewis to consider the resolution approving The Baptist Home to be financed by the Industrial Development Authority of Boone County, Missouri. Mayor Rhorer called for questions or comments. Mayor Rhorer said this would allow the Baptist Home to not have to pay interest on the loan. It would allow them to borrow under a tax exempt status. He stated this saves money on the financing. Gilmore and Bell was present to answer any questions. Mayor Rhorer reported the Baptist Home also puts money back into the existing campus. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented a resolution authorizing the Mayor to enter into a municipal advisory services agreement with D.A. Davidson. Alderman Bronson made motion and seconded by Alderman Clay to consider the resolution authorizing the Mayor to enter into a municipal advisory services agreement with D.A. Davidson. Mayor Rhorer called for questions or comments. Lyn Woolford reported this is in preparation for the bonding capacity for the wastewater treatment facility. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Fasciotti-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented Nikki Courtney's resignation from the Planning and Zoning Commission. Alderman Bronson made motion and seconded by Alderman Sapp to accept the resignation from Nikki Courtney from the Planning and Zoning Commission. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye. Motion carried.

#### Mayors Report:

Mayor Rhorer reported he gave a presentation at the Southern Boone Economic Community Development meeting proposing an economic development pilot program to advertise our community. He stated he is hoping to entice industrial, commercial developers and/or businesses into our area. He stated he wants to create a magazine style presentation that appeals to site selectors or developers to let them know about Ashland and what we have to offer. He read the presentation. (attached to the minutes) He stated he would lobby to the Board for funding an endeavor such as this and he is open to ideas. He stated

he is goal oriented and would like to see a simple contact for services approach on this or other projects with SBECD.

City Administrator/Police Chiefs Report:

Lyn Woolford, City Administrator gave an updated report on the capital sales tax, general sales tax and transportation sales tax to the Board. He informed the Board that sales tax revenue is still under from last year. He stated that he still has a hiring freeze. He stated this is very concerning and we need to find additional revenue sources. Shelley Martin, Treasurer/Deputy City Clerk reported she has started working on the next fiscal year budget. She stated she should have preliminary numbers by the middle of January. She stated that they should begin budget talks soon. She stated she felt the budget would be flat. Shelley Martin stated the park board needs to look into a park sales tax, which also covers stormwater. Mayor Rhorer stated we would put the items needed in the budget then have to start cutting. There was discussion of lobbying to get more retail business to help with the sales tax.

City Attorney's Report:

Fred Boeckmann reported in General Commercial District a conditional use permit would be needed for single family residential use.

Board of Aldermen's Report:

Alderman Bronson reported the park board did not have a quorum last Monday so they could not hold a meeting. He stated that the last two Planning and Zoning meetings have been held at Heartland Church due to the large crowd.

Mayor Rhorer reported on the table there was a letter from Paul Beuselinck for the Board members.

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

Darla Sapp, City Clerk

Gene Rhorer, Mayor