

TUESDAY, FEBRUARY 02, 2016
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on February 02, 2016 at 815 East Broadway Ashland, Missouri.

Alderman Bronson gave the invocation.

Mayor Rhorer called the roll:

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

Ward Two: Jesse Bronson-here, James Fasciotti-here

Ward Three: Rick Lewis-here, Fred Klippel-here

Staff Present: Lyn Woolford, Police Chief/Interim City Administrator, Jeffrey Kays, Interim City Attorney and Darla Sapp, City Clerk.

Mayor Rhorer presented the following amendments to the agenda:

Delete: The Resolution to enter into a Development Agreement with Alta Vista Properties, LLC
Add: Council Bill No. 2016-006: An ordinance authorizing the Mayor to enter into a development agreement with Alta Vista Properties, LLC

Add: Ordinance No. 1055: An ordinance authorizing the Mayor to enter into a development agreement with Alta Vista Properties, LLC.

Mayor Rhorer presented the agenda for February 02, 2016 for consideration. Alderman Bronson made motion and seconded by Alderman Lewis to approve the amendments to the agenda as presented by Mayor Rhorer. Mayor Rhorer called for the vote. Motion carried.

Alderman Bronson made motion and seconded by Alderman Klippel to approve the agenda. Motion carried.

Mayor Rhorer presented the minutes of January 19, 2016 for consideration. Alderman Fasciotti made motion and seconded by Alderman Campbell 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 present wished to appear before the Board.

Mayor Rhorer presented Council Bill No. 2016-004 for consideration. Alderman Fasciotti made motion and seconded by Alderman Klippel to take up Council Bill No. 2016-004, an ordinance approving the minor subdivision plat for Parkside Subdivision. First Reading by title only. Mayor Rhorer called for questions or comments. Alderman Elliott expressed his opinion that the Board of Adjustment exceeded what they should have allowed. He felt this was advantageous to the community. He stated the city platted this as one lot a long time ago and this is the main entrance to the city park. He reported this would add density to the park. He stated he was not in favor of re-platting this. Steve Heying, land surveyor for this minor subdivision plat reported this is the old part of town and the lots in this area are smaller. He stated all of the houses on this street would not meet the current lot sizes or setbacks. He stated he felt the minor subdivision plat fit with the area. He reported he would be making a petition to the Board within the year to allow smaller lot sizes for more affordable housing. Mr. Heying reported the Board of Adjustment approved the lot sizes and they would meet the current required setbacks. Mr. Nichols stated the property is zoned R-2 and he plans

on building two duplexes which requires two parking spaces per unit. The Board was against the apartments utilizing the public parking at the tennis courts and park area. Mr. Nichols reported he has spent over \$15,000.00 on updating the existing house this year. Mayor Rhorer reported this is one lot they are wanting to split into three separate lots and the Board of Adjustment has approved the variance on the lot sizes. Alderman Campbell stated on Mr. Nichols behalf he did offer to sell this property to the City. The City is not in financial position to purchase this and Mr. Nichols wishes to pursue his plans to develop the property. Alderman Elliott stated this was not the best thing for the city and it would increase traffic to the area. Alderman Bronson stated the Board of Adjustment discussed that parking might be an issue and they were against the parking spaces at the park being used. The Board discussed this at great length. Mayor Rhorer reported this is a legal replat with a variance granted by the Board of Adjustments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Lewis-aye. Motion carried

Mayor Rhorer stated he could see a variance of 5% but this approval by the Board of Adjustment was clearly out of alignment and should not have been approved.

Mayor Rhorer presented Council Bill No. 2016-005 for consideration. Alderman Campbell made motion and seconded by Alderman Elliott to take up Council Bill No. 2016-005, an ordinance to amend Appendix C-1 of Chapter 14 of the Code of the City of Ashland to increase sewer rates. Interim City Administrator Lyn Woolford reported this is the second incremental increase for the wastewater facility improvements. First Reading by title only. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Elliott-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2016-006 for consideration. Alderman Fasciotti made motion and seconded by Alderman Bronson to take up Council Bill No. 2016-006, an ordinance authorizing the Mayor to enter into a development agreement with Alta Vista Properties, LLC. First reading by title only. Alderman Campbell stated he is very impressed with the plans and how Mr. Potterfield has presented it. He stated he thinks this is an asset to the City of Ashland. Mr. Campbell asked that this Council Bill be passed. Alderman Fasciotti questioned what was planned for this area. Jason Kemna, representative for Mr. Potterfield stated the property is zoned industrial and airport commercial so it will be a mixed use. He reported the development would consist of green space, landscaping and conservation. Chad Sayre, Allstate Consultants, asked that the easement plan be attached to the Council Bill. Alderman Fasciotti made motion seconded by Alderman Bronson to amend Council Bill No. 2016-006 to include the easement plan attachments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Elliott-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1054 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Ordinance No. 1054, providing for submission of a proposal to continue application and collection of the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer to the qualified voters of the City for their approval at the municipal election to be held on Tuesday, August 2, 2016. Mayor Rhorer called for questions or comments. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Elliott-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1055 for consideration with the amendment to include easement plan attachments. Alderman Bronson made motion and seconded by Alderman Klippel to approve Ordinance No. 1055 with the amendment of the easement plan attachments. Mayor Rhorer called for questions or comments. Alderman Elliott questioned why we are doing two readings tonight. Mayor Rhorer reported it was at the request of the property owner and they would like to proceed with his work and to bid out the project as soon as possible. Jason Kemna, representative for Alta Vista Properties, LLC reported

they are trying to get this bid out before the rush and hopefully get competitive bids. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Elliott-aye, Alderman Fasciotti-aye, Alderman Lewis-aye. Motion carried.

Alderman Campbell questioned the time line for the bids to be advertised. Chad Sayre, Allstate Consultants reported they need to add the pump station and they need get the specifics for each property owner to include in the plans. It was discussed that middle of May it might be possible to begin construction. Mayor Rhorer expressed that he wants to make sure that each property owner in the easement gets what they wanted in their special provisions in the agreement. He stated that this is very important to him. Jason Kemna, Representative for Alta Vista Properties, LLC reported the job specials will be upfront in the bidding documents.

Mayor's Report:

Mayor Rhorer reported he talked with Mr. Boeckmann and he is following what we are doing. He thanked Mr. Kays for sitting in for Mr. Boeckmann.

Lyn Woolford gave an overview of the Public Works monthly report. He reported he is looking on getting a maintenance schedule of work being done by the Public Works Department. Alderman Elliott asked for list of what they found and proposals to complete these issues. He also wanted to know where they were on their five year maintenance program. Mr. Woolford reported he would check on this. Alderman Lewis questioned if Dogwood is on street repair list for 2016. Mr. Woolford reported he would check on this. Alderman Campbell questioned the damage to the road on Angel Lane.

Interim City Administrator Report:

Mr. Woolford gave an overview of the trash company initially asking for no increase in their contract. However, they are asking for a \$55,000.00 increase plus a change in the trash pickup service. He stated they are going to present a revised agreement for Board consideration. Alderman Campbell asked if we were going to open this out to bids. Mr. Woolford reported they are negotiating the contract with Republic and will let the Board know. He reported the Fastlane car wash is scheduled for demo and McDonald's is moving ahead with construction of the free standing building. He reported we had inquiries of tiny houses in people's back yards and our code does say accessory buildings can't be lived in. The Board felt this should be sent to the Planning and Zoning for review of our ordinance. He reported they are working with the fire department on increasing the fire code inspections. He presented a copy of the new paper utility bills we are going to in March. He stated this allows for announcements to be placed on the bill and a detailed report of the utility bill. Alderman Elliott questioned the cost difference of the bills and postage. Mr. Woolford was going to get this information. Mr. Woolford reported in March the budget workshops will begin. Alderman Elliott questioned the tennis court resurfacing. There was discussion of considering the 2012 building codes adoption. The Board asked the differences between the current code we are using and the 2012 and having the Planning and Zoning review.

Interim City Attorney Report:

Jeff Kays presented the Missouri Constitution relating to tax exemption of churches and also case law on tax exempt. He explained this to the Board in great detail. Mr. Kays reported that The Baptist Home has not filed for a tax exemption through the state. He discussed special assessments to help cover the cost acquired for services since it is a burden on services, such as fire and police. He explained certain parts of the development could be tax exempt. Alderman Campbell stated it seems to be an unfair advantage to the other businesses.

Board of Aldermen's Report:

Alderman Bronson reported he received complaints on a house on Trotter Lane with junk and burnt vehicle. He asked that this be checked into a possible code violation. He gave an update on Lemonade Daze and the committee working together.

Alderman Bronson reported there would be a presentation from the Parks and Recreation Board on the potential for a community garden at the Palomino Ridge Park.

Alderman Lewis thanked Mr. Kays for this report on The Baptist Home.

Alderman Lewis reported he received a complaint concerning a speeding ticket on Main Street. He reported he felt it was difficult to drive 20 mph and suggested we consider increasing it to 25 mph in the future.

Alderman Fasciotti reported he hoped the Lemonade Daze would not cost the City any money. Alderman Bronson reported they are looking for as many sponsors as they can. Alderman Fasciotti thanked Mr. Kays for his research and report on The Baptist Home.

Alderman Elliott asked for board packets for all City meetings.

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

Darla Sapp, City Clerk

Gene Rhorer, Mayor