

TUESDAY, FEBRUARY 06, 2018
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on February 06, 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-absent, 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, Coby Morris, Public Works Department and Lyn Woolford, Police Chief/City Administrator.

Mayor Rhorer presented the agenda of February 06, 2018 for consideration. Alderman Clay made motion and seconded by Alderman Sapp to approve the agenda as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of January 16, 2018 for consideration. Alderman Clay made motion and seconded by Alderman Sapp to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer called for Darren Poaute to address the Board reference recycling issues. Mr. Poaute was not present.

Mayor Rhorer asked if anyone wished to appear before the Board to come to the podium and state their name and address.

Cecil Payne, stated he is coming before the Board as a citizen and as a member of the Planning and Zoning Commission. He stated he wanted to call attention to the Liberty Landing plat on the agenda tonight that needs some corrections on it before it is approved. He stated one is a typo on the street name and there was discussion of concern of the access in and out of the new subdivision. He stated he lives in an area like this and wants to make sure it does not happen again.

Mayor Rhorer presented Council Bill No. 2018-004 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Council Bill No. 2018-004, an ordinance approving the preliminary plat for Liberty Landing 5, 6, and 7 for Martin Builder's, Inc. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer reported this was approved by the Planning and Zoning Commission. Alderman Sapp reported that phase 4 of Liberty Landing subdivision has a second entrance and exit on Liberty Lane. Lyn Woolford reported that the Martins' and Chris Sanders, engineer were present tonight for any questions. Chris Sanders, with McClure Engineering, stated there was a small extension because the name of the street was incorrect and he would correct this. Lyn Woolford reported this is a preliminary plat not a final plat. Alderman Sapp stated there was discussion of the Redtail extension on this plat but the fire marshal has approved the preliminary plat. It was reported this is privately owned property and the city or the Martin's can't legally require Redtail the street to go through with this development. Mayor Rhorer and Lyn Woolford discussed the possibility of cost share of Redtail Drive road improvements for the future. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye,

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

Mayor Rhorer presented Council Bill No. 2018-005 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Council Bill No. 2018-005, An ordinance authorizing the Mayor to enter into a professional operating services and management agreement with Alliance Water Resources, LLC. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer stated this is what we reviewed at the last meeting. Mr. Boeckmann, City Attorney reported there was some minor issues and they have been worked out in this final agreement. Lyn Woolford reported Terry Merritt was present if anyone had any questions. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderman Bronson-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-006 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Council Bill No. 2018-006, An ordinance to amend Chapter 10 of the Code of the City of Ashland relating to building codes. First reading by title only. Mayor Rhorer called for question or comments. Lyn Woolford, City Administrator stated this is to give us some enforcement power that we did not have. Mayor Rhorer questioned sending the appeals to the Board of Adjustment. He stated he did not feel that was the right Board. Mr. Boeckmann stated he used this Board since we did not have Board of Appeals set up. The Board discussed this and felt the appeals should come before the Board of Aldermen. Alderman Fasciotti stated since the City Administrator is the building official the appeals would be against the City Administrator. Therefore, he felt the appeals should go through an elected Board not an appointed Board. The Board concurred it should be changed to the Board of Aldermen instead of the Board of Adjustment. Fred Boeckmann, City Attorney reported this can be corrected for the final reading. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Bronson-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-007 for consideration. Mayor Rhorer read the bid tab for the wastewater treatment facility to the Board of Aldermen. He stated McClanahan Construction Co., Inc. was the low bid of \$6.5 million dollars. Lyn Woolford stated the bids are in the packet under "other". Lyn Woolford reported that Allstate Consultants have given notice that they found them the responsible lowest bidder. He reported that we need to submit this recommendation to the Department of Natural Resources and he has a letter for the Mayor to sign. Alderman Clay made motion and seconded by Alderman Lewis to take up Council Bill No. 2018-007, An ordinance accepting the low bid of McClanahan Construction Co., Inc. for the Wastewater treatment facility. First reading by title only. Mayor Rhorer stated that the company is compliant with all bidding requirements. Alderman Sapp expressed his concern after reviewing the company finding only 15 employees and 2.2 million dollar a year revenue. He felt this might be an issue in getting bonded and how they will get the job done with the low amount of employees. Alderman Fasciotti stated he felt this job was over and above what this company could do. He stated he did not feel they could man the job in an effective manner. He stated River City Construction is a local contractor and are able to do jobs of this magnitude. It was discussed the River City bid being \$375,000.00 over the low bidder. The Board discussed the bids, bidding documents, requirements, qualifications, previous projects the contractor worked on and time-frame with penalties if the job does not get completed within that time frame. The Board asked that Allstate Consultants and a representative from McClanahan Construction be in attendance at the next meeting. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-absent. Motion carried.

Mayor Rhorer presented Michael Poole from Tower Point Capital to discuss the income split of the proposed tower lease agreement. Mr. Poole explained the purchase price of the existing leases would be a onetime fee of \$800,000.00. If there were any additional revenue from increases, upgrades or new lease

tenants the city would get 50% of the additional fee only. He stated they would be the site management and property management firm. The Board discussed the revenue stream of approximately \$60,000.00 per year. The Board asked for other Missouri cities they have these agreements with. The Board discussed this at length.

Mayor Rhorer presented a resignation letter from James Branson from the Planning and Zoning Commission. Alderman Sapp made motion and seconded by Alderman Clay to accept the resignation from James Branson. Mayor Rhorer thanked Mr. Branson for his many years of service on this Board. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Fasciotti-aye, Alderwoman Martin-aye, Alderman Bronson-absent. Motion carried.

Mayor Rhorer presented a utility bill adjustment request in excess of \$800.00 from Golden Windmill Trailer Court. Lyn Woolford reported this is a greater adjustment than the amount he is allowed to give. He reported Golden Windmill Trailer Court has submitted a request for an adjustment due to a leak they had in the main. He reported they annually send in a request. The Board discussed the leak adjustment policy and continued leaks with the water lines in the mobile home park. Tony Gilmore was present as a representative for the park and had the invoices of the leak being repaired by C.L. Richardson Construction. Shelley Martin, Treasurer/Utility Clerk reported the adjustment is off the sewer charge only and they use the last four months average to figure this. Alderman Sapp made motion and seconded by Alderman Lewis to approve the leak adjustment (as per current policy) with the requirement the mobile home park owner seek a permanent solution to these water leaks. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Clay-nay, Alderman Sapp-aye, Alderman Fasciotti-nay, Alderwoman Martin-aye. Fred Boeckmann, City Attorney reported this motion passes because it is a simple motion. Motion carried.

Mayors Report:

Mayor Rhorer had to no report.

City Administrator/Police Chiefs Report:

Lyn Woolford, City Administrator stated we have already discussed the wastewater treatment plant. He informed the Board they would be looking at ways to reduce the expense of the wastewater treatment plant because the bids were higher than predicted.

He gave an overview of the utility adjustments for the month.

Lyn Woolford reported they have been receiving complaints on the high water bills this month. He reported that the Water Department has been checking the meters of the customers that have called in. He stated the meters are working correctly. Shelley Martin, Treasurer/Utility Clerk stated this billing cycle was from 12-15-2017 to 1-16-2018, which covers the Christmas and New Year Holiday and children being out of school.

Lyn Woolford discussed the deployment of wireless facilities in municipal right of ways.

He reported that the Sapp family has volunteered to repair the Bob Sapp Memorial in the Community Park.

Lyn Woolford informed the Board that the Park Board and Planning and Zoning Commission will be having a webinar on "Conducting City Business" in February.

City Attorney's Report:

Fred Boeckmann had no report.

Board of Aldermen's Report:

The Aldermen had no reports.

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

Darla Sapp, City Clerk

Gene Rhorer, Mayor