

TUESDAY, NOVEMBER 15, 2016  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Rhorer called the public hearing to order on the annexation for Greg and Mitsu Rennie. He asked if anyone wanted to address the Board on this annexation request. No one came forward. Mayor Rhorer reported that the Rennie's were unable to attend the meeting tonight and he was acting as their representative. Mayor Rhorer reported this is consistent with the area. He reported they currently live on this property and has requested no service at this time. Alderman Campbell reported this is a continuation of via Larry Potterfield development and presents other possibilities. Alderman Clay reported that the Planning and Zoning Commission has approved the zoning and conditional use of this property.

Mayor Rhorer closed the public hearing on the Rennie annexation.

Mayor Rhorer called the public hearing to order on the annexation for Joe and Elaine McDow living trust. He asked if any wished to appear before the Board on this. Alderman Bronson questioned why they would want to annex into the City limits. Elaine McDow reported it is close the development already taking place, they do all their business inside the City limits of Ashland and wants to be part of the City. Alderman Campbell reported this is at the southwest quadrant of the Route H overpass and felt this annexation was an economic development benefit for the McDow's as well as the City. Alderman Clay reported the zoning of this property was approved by the Planning and Zoning Commission.

Mayor Rhorer closed the public hearing on the McDow annexation.

Mayor Rhorer called the regular meeting to order at 7:10 p.m. on November 15, 2016 at 815 East Broadway, Ashland, Missouri.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll:

Ward One: George Campbell-here, Danny Clay-here  
Ward Two: Jesse Bronson-here, James Fasciotti-here  
Ward Three: Rick Lewis-here, Fred Klippel-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 November 15, 2016 for consideration. Alderman Lewis 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 November 1, 2016 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. Mike McCubbin reported he is requesting General Commercial zoning from Light Industrial on lot 7 and 8 of Southwoods Commerce Park. He stated he has a few ideas but has no plan at this time. He stated he felt that light industrial was too intrusive for this area and did not match the area. Alderman Campbell stated this zoning has become a hot item and is being watched closely. He questioned if the reason for rezoning to General Commercial

was so he could come back and ask for a conditional use permit to have apartments. Mike McCubbin stated commercial fits better and if he did apply for a conditional use permit it would require him to go before the Planning and Zoning Commission and the Board of Aldermen again. He reported this is his fourth rezoning application for these lots. He gave an overview of the other rezoning requests. Alderman Bronson questioned Mike McCubbin on his plans for the property. Mike McCubbin stated it would be within the commercial zoning guidelines with no direct plans but his banker has asked that it be rezoned to commercial. This matter was discussed at length. Alderman Clay stated the Planning and Zoning Commission recommended approval of the commercial zoning on this property.

Mayor Rhorer asked if anyone else wished to before the Board. No one came forward.

Mayor Rhorer presented Council Bill No. 2016-051 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Council Bill No. 2016-051, an ordinance extending the unincorporated area on the east side of Highway 63 and Hardwick Lane; directing the City Clerk to give notice of the annexation; and placing (C-G) General Commercial zoning on the property with a conditional use permit for Greg and Mitsu Ann Rennier. First Reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2016-052 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Council Bill No. 2016-052, an ordinance extending the incorporated area on the west side of Highway 63 and East Log Providence Road; directing the city clerk to give notice of the annexation and placing (C-G) General Commercial zoning on the property. First Reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2016-053 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Council Bill No. 2016-053, an ordinance to change the zoning of a tract of land from (I-L) Light Industrial to (C-G) General Commercial for Conservation Home Builders. First Reading by title only. Mayor Rhorer called for questions or comments. Alderman Lewis questioned the zoning for the immediate surrounding property. Mr. McCubbin reported four are commercially zoned with conditional use permits and two are zoned light industrial. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-nay, Alderman Campbell-nay, Alderman Bronson-nay, Alderman Klippel-aye. Mayor Rhorer called a tie vote and voted nay. Motion failed.

Mayor Rhorer presented Council Bill No. 2016-054 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Council Bill No. 2016-054, an ordinance approving the six-month budget revision for fiscal year 2016-2017. First Reading by title only. Lyn Woolford, City Administrator and Shelley Martin, Treasurer/Deputy City Clerk gave an overview of the proposed budget amendment. The Board asked various questions. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1095 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1095, an ordinance to amend Chapter 14 of the Code of the City of Ashland. Mayor Rhorer called for questions or comments. Lyn Woolford reported we went through this at the last meeting but we did not include a dollar amount. He stated there is a

revision under Resolutions for the policy manual and it states \$800.00 limit for the adjustment. The Board discussed this at length with the City Administrator and the City Treasurer and decided a monthly report would be sufficient. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1096 for consideration. Alderman Bronson made motion and seconded by Alderman Klippel to take up Ordinance No. 1096, an ordinance approving the six-month budget revision for fiscal year 2016-2017. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented a Resolution for consideration. Lyn Woolford, City Administrator reported this is a deposit that would be collected to help cover the engineering review fees, compaction test, concrete testing and other fees associated with development. He stated we currently have to pay the fee then seek reimbursement from the developer. Alderman Campbell stated he did not think this resolution had any teeth to it. He suggested if we have unpaid invoices we place a lien on the development. Mayor Rhorer reported we have several outstanding fees, some of them in the thousands of dollars. He stated he was not comfortable with this since the city has to pay the fees then bill out to the developer. Fred Boeckmann, City Attorney advised you could not put a lien on the property but could withhold issuing building permits. Alderman Bronson made motion and seconded by Alderman Klippel to amend the development application fee schedule and related city services. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented a Resolution for consideration. Alderman Klippel made motion and seconded by Alderman Bronson to amend the utility adjustments in the utility procedures manual in accordance with Chapter 14; Sewer, Water and Solid Waste. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

Mayor Rhorer presented a request for a one-time waiver from the drone regulations for Allstate Consultants. Alderman Fasciotti reported the City ordinance was adopted prior to the F.A.A. placing drone regulations. He stated his intent was to allow the use of drones within the residential areas of the city with limitations. He reported Allstate would still have to work within the F.A.A. guidelines. The Board discussed this.

Alderman Fasciotti made motion and seconded by Alderman Bronson to grant a waiver on the drone regulations to Allstate Consultants as requested per their letter dated November 11, 2016. Mayor Rhorer called for the vote. Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye, Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye. Motion carried.

#### Mayor's Report:

Mayor Rhorer informed the Board he met with the Mayor of Columbia and Jefferson City and talked about what the airport development in the area. He stated that the likelihood of the City of Columbia connecting to the City sewer is making headway. He stated they will be having two additional meetings in the near future.

#### City Administrator's/Police Chief Report:

Lyn Woolford gave an update on the sales tax for the month. He reported there is also a combined statement and fund balance report that gets published in the newspaper every six months. Shelley Martin,

Treasurer/Deputy City Clerk and Lyn Woolford gave an overview of this report. They discussed an issue with Main Street Bank and plans to move the city funds from this bank.

Lyn Woolford stated he has asked MoDot to allow the City of Ashland to adopt two intersections, one being Route Y and the other Route H. He reported that will consist of mowing, removing garage sale signs in the right of way trying to make appearance much more attractive. Alderman Campbell questioned when the City limit signs could be adjusted. Lyn Woolford stated he is having the street department work on Eastside Drive to clean that area up as well. He stated he has not heard back from MoDot yet on this adoption yet.

He reported they are checking the feasibility of the City doing our own yard waste chipping. He stated that the cost of a chipper is very expensive, along with increase in insurance. He stated there is challenges of how and who oversees it and where to locate it.

Lyn Woolford reported they are addressing Alderman Clay's concern of the abandoned vehicle on Bass Street.

Lyn Woolford informed the Board of several police incidents consisting of a stolen vehicle Sunday night from Salter's Lawn Service and stated it is an open case. He reported a couple of automobiles had items stolen out of them in the Palomino Ridge Subdivision. Lyn Woolford stated they have a death investigation at 111 Eastside Drive they are waiting for lab results to help determine the cause of death.

Alderman Lewis questioned an incident report on tampering with city services. Shelley Martin, City Treasurer/Deputy City Clerk explained that it was from an elderly woman at mobile home park getting his services tampered with by another resident at the park that had their water disconnected.

#### City Attorney's Report:

Fred Boeckmann gave an update on the Tracfone settlement agreement. He reported the City of Ashland would receive roughly \$7,000.00. but that number has not been finalized. He asked if the City wished to assign a dollar amount or a percentage to the Missouri Municipal League? He reported that we have until December 16, 2016 to get the paperwork in for that. The board discussed this. Alderman Fasciotti made motion and seconded by Alderman Bronson to assign five percent to the Missouri Municipal League. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Fasciotti-aye, Alderman Clay-aye, Alderman Klippel-aye, Alderman Bronson-aye, Alderman Campbell-aye. Motion carried.

#### Board of Aldermen's Report:

Alderman Bronson updated the Board on the Community meeting on the solar eclipse last night. He reported it was low turnout for the event. He stated they would continue working on this event.

Alderman Lewis reported he was impressed with the work completed at the round-a-bout but there seems to be some repairs needed at the bridge. He stated that is broken up concrete chunks on the roadway. Lyn Woolford reported he was unsure when the construction crew would be back to pick up the mess and the cones they left.

Alderman Clay reported that Ernie Wren was the new Planning and Zoning Chairman and Jeff Sapp was the new Vice Chairman.

Alderman Campbell asked the Board to collectively think as a group regarding the sewer system and the potential of the many options it will bring to the City of Ashland. He asked if we could possibly take on customers outside the city limits, network with Boone County Regional Sewer District or possibly sell the

system to the Boone County Sewer District. He stated he felt that the city could profit from this and felt this was good for the town. He stated we needed to capitalize off that potential.

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 Clay-aye, Alderman Fasciotti-aye, Alderman Lewis-aye. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor