

TUESDAY, FEBRUARY 18, 2020  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on February 18, 2020 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, Richard Sullivan-here  
Ward Three: Rick Lewis-here, Jeff Sapp-here

Staff Present: Darla Sapp, City Clerk, James Creel, Public Works Supervisor and Tony St. Romaine, City Administrator.

Mayor Rhorer presented the agenda of February 18, 2020 for consideration. Alderman Bronson 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 February 04, 2020 Board meeting for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of February 10, 2020 special board meeting for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer asked if anyone wishing to appear before the Board to come to the podium and state their name and place of residence on any city business other than Police Chief. He stated they are going to hear this first than move to public comments regarding Police Chief. He stated that each person will be allowed five minutes with a total of 30 minutes per subject. He asked that everyone speak clearly and without any interruptions.

Dan Vande Voorde of 401 Billy Joe Sapp informed the Board he is still waiting on the Board to proceed with Phase 1 of addressing his stormwater issue before Spring. He stated this has gone on for over ten years and he is afraid his house will be flooded again.

Saif Ali of 104 East Liberty Lane stated he had a stormwater issue that is causing damage to his back yard. He stated he is unable to mow this area and asked for a quick fix on this. Mayor Rhorer stated he would have the City Administrator look at this.

Mayor Rhorer stated that each person would be given up to five minutes to speak with a total of thirty minutes on the topic of Police Chief. He asked the citizens to come up to the podium and state their name and place of residence.

TJ Forck stated he lives on David Sapp Rd. in Hartsburg but he wanted to show his support for Chief Woolford. He stated he is a navy vet and is the best thing that has happened in Ashland for 30 years. He stated he could not stand by and watch someone that has done so much be railroaded. He stated the City

has not informed the community or Woolford what he has done to be put on administrative leave. TJ Forck stated Lyn Woolford is a great man, great for our community and the future of our community. He stated this hurts our community and this will be on the city officials and Alderman. He stated this could inadvertently hurt property values. He stated we currently have low crime rate and we have a good respected police force. He stated we are a laughing stock of Boone County. He stated we have promising things to think about the greater good and get over this hiccup in the road. He stated he supports Lyn and his work is not done here. TJ Forck asked the Board to think about the tax dollars if this goes full force. He asked the Alderman to be on the right side or they will not be setting in those chairs. He stated there better be a good reason for all of this.

Roy Williams resides at 308 South Main Street offered a prayer for our community to guide us in the right direction.

Cynthia Wills of 5049 Patriot Lane asked that the issue with the Police Chief on paid administrative leave be resolved swiftly and we continue to do great things. She stated we could not do that with this kind of conflict.

Carrie Ward Mertensmeyer stated when you think of Ashland the Police Chief comes to mind. She stated we think Ashland is a bedroom community, where we get up everyday and leave our houses and take the kids to school. She stated when you think of the Chief you think of safety first. She asked this be considered when the Board is making decision for our town and community.

Peggy Triplett stated she lives outside of Ashland. She stated she moved here in 2014 and picked Ashland because it seemed like a friendly small town. She stated she lived in a small town that had a lot of controversy and tension. She stated there was politics involved. She stated that attitudes and tempers get out of hand. She stated she liked Ashland and the community as a whole and felt we have a great police force. She thanked the police department for what they put up with and the Alderman and Mayor. She stated it is not an easy thing to do. She asked that you take a deep breath and look at everything as a whole. She stated Chief Woolford has done a lot for our good for our community and the school.

Joe Bennett 6110 East Loy Martin Road spoke of his grief for his termination because of political reasons by administration. He stated perhaps we need to set back and think before we push this through and do what our reflections on our hearts and minds are telling us. He stated there is no reason for this going any further and he would like to see it end.

Stephane Forck stated she lives on Gilpin Road and stated that personally seeing Lyn at the crosswalk everyday with his crazy hats puts a smile on her face and made her day. She stated that is what we need. She states so many are against law enforcement and Lyn has went out of his way to make relationships with the kids.

Randy Burhans, 111 Red Tail Drive, thanked the Alderman for what they do but stated with the same token they need to do your jobs right now and check this the way it should be checked.

Jerrold Bryan, 500 Trotter Lane spoke in support of Lyn Woolford and felt he was an asset to this town. He stated he boosted this community as far as wearing many hats, but he also shared a dual role of Police Chief and City Administrator for a while.

Bill Lloyd, 5051 East Eagle Ridge Road stated he has friends on both sides of this and he thinks it is unfortunate we find ourselves in this situation. He stated the primary plea tonight is the community at large not knowing why. He asked that we dial back for a while because it is human resource matter and can not be shared at this point. He stated he told folks in a small town everyone knows your business and if they

don't they make it up. He stated the Southern Boone Economic Development has been working on bringing a satellite office for Ranken Technical College. He stated we are asking people to look at Ashland and don't think this is a good thing. He asked that the two set down at a table and talk. He asked the citizens to scale back their thought process and scale back our emotions.

Logan Mertensmeyer stated Lyn has been at Liberty Lane helping him get to school safely and hoped he could keep doing it.

Colton Mayse stated Chief Woolford was super special and brought smiles to our faces and we want him back.

Saif Ali of 104 East Liberty Lane stated Mr. Woolford was one of the first people he met when moving to Ashland four years ago and he made him feel welcome and helped him with the stormwater runoff at his residence. He stated he made him feel special and he felt we have something missing from our community and we needed to keep Mr. Woolford.

Mayor Rhorer asked if anyone else wished to appear during the public speaking portion of the meeting. Joe Bennett of East Loy Martin Road questioned the firing process of the Police Chief.

Mayor Rhorer assured the citizens he did not act on his own.

Jeff Kays, City Attorney stated there was a closed meeting and there was no action taken. He stated the City Code is 2.115 if Mr. Bennett wants to look at that.

Mayor Rhorer stated this ended the public comment speaking portion of the meeting.

Alderman Lewis suggested a recess to allow the public to be able to leave if they wish.

Alderman Clay made motion and seconded by Alderman Sapp to take a five-minute recess. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer called the meeting back to order.

Mayor Rhorer presented the appointment of Tanner Kruger to the Planning and Zoning Commission. Alderman Bronson made motion and seconded by Alderman Clay to approve the appointment of Tanner Kruger to the Planning and Zoning Commission. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp. Motion carried.

Mayor Rhorer presented the appointment of Terry Toalson as Interim Police Chief. Alderman Bronson made motion and seconded by Alderman Sapp to appoint Terry Toalson as Interim Police Chief. Mayor Rhorer called for questions or comments. Tony St. Romaine, City Administrator asked that this temporary appointment be made due to the situation we have. He stated it is important to recognize his pay be adjusted by 17 percent (26.00 per hour). Alderman Lewis asked Deputy Chief, Toalson if he was comfortable with this. Deputy Chief Toalson stated yes he is. Mayor Rhorer stated Deputy Chief Toalson did a great job and stepped in before. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderwoman Martin-aye, Alderman Clay-abstained, Alderman Sullivan-aye. Mayor Rhorer was unsure if this passed because of Alderman Clay abstention. Jeff Kays, City Attorney stated he would have to review Roberts Rules of order. The Mayor continued the meeting.

Mayor Rhorer presented Council Bill No. 2020-006 for consideration. Alderman Sullivan removed his self from the room because of a potential conflict of interest. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2020-006, an ordinance to amend Chapter 2 as it pertains to compensation of the Mayor. First reading by title only. Mayor Rhorer called for questions or comments. Alderman Sapp stated he asked this to be placed back on the agenda because he was unclear what he was voting on at the last meeting. Mayor Rhorer stated the Council Bill states the stipend would continue for a two year term. Alderman Bronson stated he is not in favor of this to continue until we see if is warranted. He did not want citizens to run for a financial gain. Alderman Lewis stated he was also unclear what he was voting on. He stated the person holding that position does take time and personal expense for doing City business. Mayor Rhorer stated it does take a lot of time and personal expense and guarantees that citizens would not be running for the \$500.00 per month. He stated people have their day jobs and they are going to suffer for it and he felt the least we could do for them is the stipend. The Board members debated this. Mayor Rhorer reported that the roll of Mayor in a fourth class city takes time out of your daily schedule plus expenses. He stated the Board needs to vote however they wish. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-nay, Alderman Clay-aye. Motion carried.

Alderman Sullivan returned to the meeting room.

Jeff Kays, City Attorney reported to answer back on Toalson appointment the City uses Roberts Rules of Order that govern our proceedings and abstaining does not count as “aye” or “nay.” Mayor Rhorer reported we had three ayes, two nays and one abstaining. He reported the appointment was approved for Terry Toalson as Interim Police Chief.

Mayor Rhorer presented Council Bill No. 2020-008 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2020-008, an ordinance authorizing the Mayor to execute a Missouri Highways and Transportation Commission Municipal Agreement. First reading by title. Mayor Rhorer called for questions or comments. Tony St. Romaine reported this is municipal agreement for the Broadway and Henry Clay Blvd. roundabout. Alderman Lewis questioned if this was part of the design. Tony St. Romaine stated it is only clarifying the maintenance. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2020-009 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2020-009, an ordinance authorizing the Mayor to execute a Missouri Highways and Transportation Commission Maintenance Agreement. First reading by title only. Mayor Rhorer called for questions or comments. Tony St Romaine, City Administrator reported this is for the center of the island for landscaping. He stated this would not be MoDot responsibility. He stated the City would have to maintain this. Alderman Sullivan stated he was glad that it won't be just a piece of concrete but part of the downtown beautification area. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderwoman Martin-aye, Alderman Sullivan-aye. Motion Carried.

Mayor Rhorer presented Council Bill No. 2020-010 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No.2020-010, an ordinance approving the preliminary plat for Ashland Commons Plat 1. First reading by title only. Mayor Rhorer called for questions or comments. Alderman Sapp stated the Planning and Zoning Commission reviewed this and their recommendation was to approve it. Tony St. Romaine, City Administrator reported that Brian Harrington was present from Allstate Consultants to answer any questions. Tony St. Romaine reported they held a work session last month on the site plan for this development. He stated the Planning and Zoning Commission approved this. He stated this is important for the city and community and is a mixed use of

commercial/office and residential. He stated Mr. Quick would donate two acres for the new City Hall and Police facility would be in this development. Mayor Rhorer stated the plans look as South Main would be rerouted. Brian Harrington, Allstate Consultants stated he observed the traffic in the school intersection tonight and it does become blocked. He stated what the goal is separation of the major intersection and the Main Street intersection. He stated it puts it further away to allow for future improvements to South Henry Clay Blvd. intersection. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Sapp-aye, Alderman Bronson-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2020-011 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2020-011, an ordinance granting a conditional use permit to Ashland Commons, LLC to permit Planned Residential Development. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer reported this is mixed zoning. Alderman Sapp stated the Planning and Zoning Commission stated the residential lots was a concern because they are only 50 feet wide. He stated this is allowed in the planned residential district. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderwoman Martin-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2020-012 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2020-012, an ordinance accepting a Missouri General Warranty Deed from Richardson Family Limited Liability partnership. First reading by title only. Mayor Rhorer called for questions or comments. Alderman Clay questioned the 1/8 of an acre not owned by the Richardson's. Tony St. Romaine stated it is owned by Jim Wilson and we will be approaching him to see the possibility of the land being donated so the City will own the entire lake. Tony St. Romaine stated this Council Bill is accepting the portion from the Richardson Family. He stated when this is completed it will become a community lake and we will apply for grants for developing this. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Sapp-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Bronson-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1285, an ordinance amending Chapter 2 of the City code, Section 2.103 pertaining to purchasing. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1285, an ordinance amending Chapter 2 of the City code, Section 2.103 pertaining to purchasing. Mayor Rhorer called for questions or comments. Tony St. Romaine reported this is a house keeping issue to adjust Chapter 2 and Chapter 7 are consistent with the purchase of amount of \$5,000.00. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1286, an ordinance of the City of Ashland authorizing the Mayor to enter into a contract for banking services with Central Bank of Boone County. Alderman Clay made motion and seconded by Alderman Sapp to take up Ordinance No. 1286, an ordinance of the City of Ashland authorizing the Mayor to enter into a contract for banking services with Central Bank of Boone County. Mayor Rhorer called for questions or comments. Alderman Bronson questioned this. Tony St. Romaine stated they put out request for proposals for general banking services and they felt this was the best qualified to handle the City business. Mayor Rhorer reported we have several certificate of deposits in other banking intuitions in Ashland. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented a resolution authorizing the Mayor to enter into an agreement to transfer deed. Alderman Bronson made motion and seconded by Alderman Clay to take up for consideration a resolution authorizing the Mayor to enter into an agreement to transfer deed. Mayor Rhorer called for questions or comments. Tony St. Romaine, City Administrator reported this is for the pocket park that is too small of a

parcel of land to build on. He stated he reached out to the three property owners adjoining this and two of the property owners expressed interest. He stated he met with them on the division of the property and they have verbally agreed to the preliminary division with them paying for the cost of surveying and re-platting not to exceed \$2,500.00. He stated once he gets these signed he will have All- state Consultants move forward with the survey. Alderman Sullivan stated he felt this was a fair thing since we have been maintaining this pocket park with no one utilizing the park. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderwoman Martin-aye, Alderman Sapp-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented a resignation from the Parks and Recreational Board from Jessy Henderson. Alderman Bronson made motion and seconded by Alderman Clay to accept the resignation from Jessy Henderson from the Parks and Recreational Board. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented a recommendation to join TIPS/TAPS. Alderman Bronson made motion and seconded by Alderman Clay to join TIPS/TAPS. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderman Bronson-aye, Alderman Sapp-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented a recommendation to authorize the city staff to begin the grant application for the park through USTA. Alderman Bronson made motion and seconded by Alderman Clay to approve city staff to begin the grant application for the park through USTA. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Sullivan-aye. Motion carried.

Mayor Rhorer presented a recommendation to consider either crack filling or resurfacing the tennis courts. Alderman Sullivan made motion and seconded by Alderman Bronson to approve the resurfacing of the tennis courts. Ernie Wren, Park Board member stated he appreciated the efforts going into this. James Creel, Public Works Supervisor reported there are two options, one being crack filling or resurfacing. He stated the park board recommended resurfacing then going forward have an annual maintenance check to keep up on the condition of the tennis courts. The Board discussed this and the grant application process for resurfacing. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer reported the next item on the agenda is the discussion to allow the use of golf carts with specific regulations. Tony St. Romaine, City Administrator reported he presented several cities golf cart ordinances in the packet for the Board to review. He stated the Board needs to decide if they will allow golf carts and if so what type of restrictions and requirements would they want in our ordinance. The Board discussed streets with 20 or 30 mph, brakes, seatbelts to be street legal. The Board discussed that golf carts are made out of plastic and have a greater risk for injury. The Board discussed the current ATV and UTV permits. Mayor Rhorer took a general consensus of the Board and authorized Tony St. Romaine, City Administrator to move forward in crafting an ordinance. Alderman Sullivan suggested we contact the one person that has brought up this concern and see what his plans are before we proceed with this.

Mayor's Report:

Mayor Rhorer did not have a report.

City Administrator's report:

Tony St. Romaine stated he did not prepare an updated spreadsheet of projects and progress tonight. He stated that he had a conversation with Chris Felmlee, Superintendent of Schools regarding the traffic control

during peak school times where Chief Woolford did the crossing guard duties. He stated it was around 7:35 a.m. to 8:05 a.m. and 2:55 to 3:30 in the afternoon. He reported this is very much needed. He stated he had assumed this was being done but Mr. Felmlee reported it is not being done. Mayor Rhorer stated this is critical because of the congestion and Chief Woolford took that upon his self to do that. The Board was in agreement this needs to continue. Deputy Chief Toalson stated this has not been done because we have two positions unfilled and calls for service is the primary responsibility. He stated he has not been made aware of the applications, or review and hiring process to fill the open position. The Board felt the traffic control at the school could be done by the School Resource Officer for now. Mayor Rhorer suggested maybe hiring a trained crossing guard. The Board asked that the School Resource Office be placed during those needed times until we are able to find a different solution. Mayor Rhorer asked this be covered right away.

#### Public Works Director monthly report:

James Creel gave an update on the subdivision acceptance inspections he is working on. He stated he would submit his findings to Tony St. Romaine and we would proceed from there. He stated they are doing pothole repairs when weather allows. He stated they are doing winter street maintenance. He gave an overview of the park improvements and the repair of the west restroom door that was vandalized. He stated the Regional Planning Commission submitted the two grant applications for various park improvements.

#### City Attorney's Report:

Jeff Kays reported a citizen brought attention that we need to address the point of order of Alderman Clay's vote to abstain from the appointment of Terry Toalson to Interim Police Chief. He cited the city code 2.505; Every member of the Board shall vote upon every question and when requested by any member the vote upon any question shall be taken by "ayes" and "nays" and be recorded, except that every Board member who has a substantial personal or private interest, as defined by state law, in any bill shall disclose on the records of the Board of Aldermen the nature of his interest and shall disqualify himself from voting on any matters relating to this interest. Alderman Clay stated he will change his vote to "Present."

#### Board of Aldermen's Reports:

Alderwoman Martin stated a resident complained about a city plow vehicle blocking her driveway making it difficult for her to get out in West Oaks Subdivision. James Creel, Public Works Supervisor was going to check on this matter.

Alderman Sullivan stated we had a huge showing tonight of our town and a lot of emotions. He commended TJ Forck for getting the group together and he was impressed how they conducted themselves. He stated he felt it went smoothly. He stated we needed to do what is best for the community and do what is best for the future. He stated we have a lot of developments happening and as Bill Lloyd said we do need to take a breather and look at our roles as Alderman and give us time and work through this. He stated it may not happen overnight.

Alderman Clay made motion and seconded by Alderman Bronson to go out of open session into closed session pursuant to Chapter 610.021 (3) personnel matters with a ten-minute recess. Mayor Rhorer called for the vote. Motion carried.

The City Clerk was not present at the closed session.

Darla Sapp, City Clerk

Gene Rhorer, Mayor

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

Alderman Bronson made motion and seconded by Alderman Clay to adjourn the meeting. Mayor Rhorer called for the vote.

Gene Rhorer, Mayor