

FEBRUARY 15, 2022
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Sullivan called the regular meeting to order at 7:08 p.m. on February 15, 2022 at 101 West Broadway.

Mayor Sullivan gave the invocation.

Mayor Sullivan led in the pledge of allegiance.

Mayor Sullivan called the roll:

Ward One: Nathan Volkart-here, Jean Selby-here
Ward Two: Melissa Old-here, Stephanie Bell-absent
Ward Three: Rick Lewis-here, Dorise Slinker-here

Staff Present: Darla Sapp, City Clerk, Gabe Edwards, Police Chief, James Creel, Public Works Director, Tony St. Romaine, City Administrator, Nathan Nickolaus, City Attorney John Conway, Civil Engineer and Darin Ratermann, Community Development Director.

Mayor Sullivan presented the minutes of the January 18, 2022 Board meeting for consideration. Alderman Slinker made motion to approve the minutes as presented. Alderwoman Selby seconded the motion. Mayor Sullivan called for the vote. Motion carried.

Mayor Sullivan presented the agenda for consideration. Alderwoman Old made a motion to amend the agenda to table Ordinance No. 1392 until the March 1, 2022 meeting. Alderman Slinker seconded the motion. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderman Lewis-aye, Alderwoman Old-aye, Alderwoman Selby-aye, Alderman Volkart-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan stated under special items we had a presentation from Kyle Landwehr of Bartlett & West on the inflow and infiltration study for the waste water system. Kyle Landwehr gave a detailed overview of the packet he handed out to the Board with the inspections, studies completed, pictures of some issues they found, and suggested recommendations. He stated there are a couple copies with a full detailed report available. He gave an overview of the grant the City received from the Department of Natural Resources to help identify storm water that is getting into the City's sewer system. He stated there is cost associated with treating this, plus a capacity issue of the wastewater treatment facility. He stated the City should be moving forward with an engineering report to address expansion of the waste water treatment facility to meet flow increases that are quickly increasing with the increased development of Ashland. Tony St. Romaine, City Administrator stated they would discuss this at staff level as to how to move forward.

Mayor Sullivan stated there are no scheduled public comments.

Mayor Sullivan presented Council Bill No. 2022-003, an ordinance adopting the revised Personnel Manual. Alderwoman Old made motion and seconded by Alderman Lewis to take up for consideration Council Bill No. 2022-003, an ordinance adopting the revised Personnel Manual. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator, stated that currently the city code stated the City Administrator will review the personnel manual annually and bring changes to the Board. He stated he was unsure the last time that was done. He stated before the Assistant City Administrator, Lelande Rehard, left he had been working on it. He stated he realized the Board was not given the red line copy so they could see the changes made. He stated that he and Shelley Martin reviewed this. He gave a quick overview of the updates, such as the current population, tax revenues, life insurance, supplemental insurance (the city

no longer pays \$20.00 per month towards),and an update on nominating an employee as delegate as the Mo Lagers representative. He stated they added the use of family medical leave act for the adoption or birth of child to the father. He stated they clarified the section on military leave, compassion leave, and discount on membership for employees at the Y.M.C.A. He stated this is the first reading and the second would be the first meeting in March. Mayor Sullivan called for questions or comments from the Board. Alderwoman Old and Alderman Lewis noted several typing errors. Mayor Sullivan called for comments from the public. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderman Lewis-aye, Alderwoman Old-aye, Alderwoman Selby-aye, Alderman Volkart-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan presented Council Bill No. 2022-004, an ordinance authorizing the Mayor to enter into a wastewater operations and maintenance agreement with Boone County Regional Sewer District. Alderwoman Old made motion and seconded by Alderwoman Selby to take up for consideration Council Bill No. 2022-004, an ordinance authorizing the Mayor to enter into a wastewater operations and maintenance agreement with Boone County Regional Sewer District. Mayor Sullivan called for the staff report. John Conway, City Engineer stated the Public Works Department is proposing to take the next step toward the long term goal of having the operations of the city's wastewater treatment plant conducted by city staff. He stated we have a used a contract operator for three years now. He stated there has been some pros and cons. He stated they would like to get local control of our facility and move away from a contract operator. He stated transition will have two full-time city utility service workers working with the licensed operators contracted through Boone County Regional Sewer District. Mayor Sullivan called for comments from the public. Mayor Sullivan called for questions or comments from the Board. Alderwoman Old noted in the contract itself where it discusses scope of services it is left blank. It was reported that the scope is imbedded in the contract itself and this will need corrected. He stated the City Attorney has not had the opportunity to review this and we will sort this out prior to the second reading. She had a couple of other corrections she noted. Alderman Lewis questioned how long this process is anticipated to take. John Conway stated we are looking at one year with an option for two years. He stated the Boone County Regional Sewer District is ready when we get an agreement in place. Mayor Sullivan called for the vote. Alderman Volkart-aye, Alderwoman Selby-aye, Alderwoman Old-aye, Alderman Lewis-aye, Alderman Slinker-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan presented Ordinance No. 1391, an ordinance to change the zoning of a tract of land from City A-1 to General Commercial District (C-G) for R. Anthony Holdings, LLC. Alderwoman Old made motion and seconded by Alderman Lewis to take up for consideration, Ordinance No. 1391, an ordinance to change the zoning of a tract of land from City A-1 to General Commercial District (C-G) for R. Anthony Holdings, LLC. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator stated this is the second reading on this. He informed the Board the Planning and Zoning Commission recommended approval of this rezoning. Darin Ratermann explained the location being on Hayes Road, west of Ashland Lakeside development. He stated this is owned by R. Anthony Holdings, LLC and the rezoning is requested to allow for the future development of St. Raymond's Society facility. Mayor Sullivan called for comments from the public. Mayor Sullivan called for questions or comments from the Board. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderman Lewis-aye, Alderwoman Old-aye, Alderwoman Selby-aye, Alderman Volkart-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan presented a Resolution authorizing the Mayor to enter into a lease agreement with The Callaway Bank. Alderwoman Old made motion and seconded by Alderman Slinker to take up for consideration a Resolution authorizing the Mayor to enter into a lease agreement with The Callaway Bank. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator stated a copy of the lease is in the packet. He stated we revisited the existing lease agreement that we acquired with the purchase of this building. He stated that The Callaway Bank wishes to stay. He stated the new lease term will run through January, 2025 with the attached monthly rent payments. He stated in addition the bank will be

responsible for twenty percent of all charges for gas, electricity, lawn care, and pest control of the entire building and pay for all the property taxes on the leased premises to the city. He stated this lease will bring in \$106,452.00 in revenue through 2025. Mayor Sullivan called for comments from the public. Mayor Sullivan called for comments or questions from the Board. Alderwoman Old stated we have our old address in the contract. Mayor Sullivan called for the vote. Alderman Volkart-aye, Alderwoman Selby-aye, Alderwoman Old-aye, Alderman Lewis-aye, Alderman Slinker-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan presented a Resolution accepting the audit report for fiscal year ended April 30, 2021. Alderwoman Old made motion and seconded by Alderman Slinker to take up for consideration a Resolution accepting the audit report for fiscal year ended April 30, 2021. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator stated he would give some brief comments. He stated they talked about this in closed session. He stated we made some changes in the Treasurer position. He stated Shelley Martin former Treasurer took the position back. He stated we found problems which has been revealed in the audit report ending April 30, 2021. He stated we will add the audit report to the City website. He informed the Board the most significant finding was in the budgetary area which indicated that actual expenditures in the general fund exceeded final budgetary expenditures in the general fund, street fund and the capital project fund. He gave an overview of the findings, and response from City management addressing what measures have been put in place to assure future compliance to State Statute RSMo. 67. He stated this has since been reconciled. He stated the expenditures were approved by the Board but there were never budget amendments made. Shelley Martin, Treasurer, reported the biggest difference is the lease/lease back purchase of this building. She stated the revenue source was not reflected in the budget but the expenditure was. She stated that was in the amount of 1.6 million dollars. She stated the street department spent more funds than was reflected in the budget. She stated the expenditure was approved by the Board. She stated most of these issues stemmed from a procedural problem. She stated the budget is a living document that changes, so if there is more revenue or expenditures it has to be adjusted. She stated budget amendments should be done throughout the year. Mayor Sullivan called for comments from the public. Mayor Sullivan called for questions or comments from the Board. Alderman Slinker asked what recourse or fines are involved in this violation of the statute. It was reported there are no fines but this has been sent to the state auditor and we are in compliance. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderman Lewis-aye, Alderwoman Old-aye, Alderwoman Selby-aye, Alderman Volkart-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan presented a Resolution adopting a title for the use tax ballot issue. Alderwoman Old made motion and seconded by Alderman Slinker to take up for consideration a Resolution adopting a title for the use tax ballot issue. Mayor Sullivan called for the staff report. Nathan Nickolaus, City Attorney stated when we passed the ordinance on the use tax we did not assign a title. He stated a title is needed for the ballot and Boone County and Columbia Chamber of Commerce has asked all municipalities use "Proposition 1" to be consistent. He stated the Boone County Clerk can add this to the ballot if the Board approves it. He stated they felt it would be less confusing for the voters. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderman Lewis-aye, Alderwoman Old-aye, Alderwoman Selby-aye, Alderman Volkart-aye, Alderwoman Bell-absent. Motion carried.

Mayor Sullivan stated the next item on the agenda is a presentation of the proposed Fiscal year budget 2023. Mayor Sullivan called for the staff report. Shelley Martin, Treasurer stated this is a review/workbook of the proposed fiscal year budget 2023. She stated it includes the fund balances as of yesterday, proposed FY 23 pay classification, employee wage adjustments, worksheet schedule, the proposed revenue and expenditures. She gave an overview of the tax rates and monies received as well as the expenditures. She discussed the use of A.R.P.A. funds. She stated we have not closed on the sale of 601 East Broadway yet. She stated the parks and storm water sales tax revenue is divided 50/50 currently. She informed the Board this includes a proposed 6 percent cost of living increase but not an updated pay schedule. She stated it did

not include temporary or part time salaries. She stated she would be proposing to transfer from court fund to police fund to supplement their expenses. She stated she does not feel comfortable deflating the revenue. She stated they plan to make budget adjustments throughout the year to adjust their projections. There was discussion of spending out of cash reserve or fund balances. She stated she would be proposing a one-time fiscal year distribution of the parks/storm water tax revenue to help offset the lake property payment and ball field project for the parks. She stated the reason for this is so we can use A.R.P.A. funds for the storm water projects. She stated she was going to get with Alderwoman Old as Park Board Liaison and prepare a presentation. Shelley Martin stated there is a list of projects from James Creel and Curtis Bennett that are qualifying expenditures in storm water and water improvements under the A.R.P.A. money. She stated they are laid out in the notes under the expense lines in the workbook. She stated they have received \$400,000 and should receive another \$400,000 this year. She stated they would go over the list in the budget work session at the next meeting. She gave an overview of the street fund and their depleted funds over the last couple of years. She stated they would mainly only focus on the contractual projects in the street budget. One being Perry Avenue and the payments on the round-a-bout. She gave an overview of the enterprise funds which is water and sewer. She stated the big water project would be the South Main Street water improvements. Shelley Martin stated John and James have been going over the sewer budget. She stated we have budgeted codification services. Shelley Martin stated there is a time frame the A.R.P.A. funds have to be used. She presented an FY 23 budget schedule for the work sessions as well as adoption schedule. She asked the Board to review the workbook and make notes in it to bring back to the work session.

Mike Frese asked if the workbook would be posted on the City website. Tony St. Romaine stated they would post it to the website. He stated the work session would be at 6:00 p.m. prior to the regular meeting on March 1, 2022.

Mayor's Report:

Mayor Sullivan had no report.

Administrator's Report:

Tony St. Romaine, City Administrator stated he has an 84 item project list to pass over to the new City Administrator. He stated Kyle Michel would begin work on the 21st of February. He stated he has the projects assigned to folks with the most knowledge and the status of each project. He stated we did not receive the T.A.P. grant for sidewalks downtown but we will reapply. He stated the City Ward map has not been updated since 2009. He stated we have annexed property and residential homes have been built throughout Ashland and we need to equalize the ward boundary. He stated Jennifer Bowden with Mid-Missouri Regional Planning Commission is going to update the city maps and get the block data from the census and start the process on redistricting.

Mayor Sullivan stated there will be a farewell gathering for Tony and a welcoming for the new City Administrator, Kyle Michel from 1 to 2 here at City Hall.

City Attorney's Report:

Nathan Nickolaus, City Attorney, gave an overview of the legislature and several bills are concerning. He stated one bill is to change Municipal candidate election to a partisan's election and moving the municipal election to November. He stated one bill was to eliminate code enforcement. He stated one bill is on property tax where the city would have to refund tax payers equal to what we get in A.R.P.A. funds.

Police Chief's Monthly Report:

Chief Edwards stated he did not have a prepared report. He stated for the last few weeks he has been consumed with moving here and settling in here. He informed the Board of an attempted child abduction that ended up being a false report. He stated they still have one opening in the Police Department to fill.

Alderwoman Old questioned citizens tagging the police department on Facebook with information of the area that supposedly the attempted abduction accrued. She questioned if the police department follows up on those posts? He encouraged citizens to call 911 or non-emergency number of 311 with this type of information. He stated they might not see the Facebook. He stated they did receive private messages and the officers followed up on those.

Public Works Director Monthly Report:

James Creel stated his report was in the packet. He asked if the Board had any questions for him. Alderwoman Old asked when the proposal for Oak Street happened. She stated she asked to be included in this project. James Creel stated he would include her in the future.

Alderman Volkart stated there is a pothole at the Eastside Drive entrance that MoDot needs to repair. James Creel stated he would report this to MoDot.

Alderman Slinker asked for an update on Billy Joe Sapp storm water project. James Creel reported they are still waiting on the grates and once they are delivered they can proceed with the project.

James Creel expressed his gratitude to Tony St. Romaine and wished him the best.

Board of Aldermen's Reports:

Alderman Slinker asked James about pop up drains and how far do they have to be from the property line? He stated they can go up to their property line but he encourages everyone to look closely at that because it could create storm water to run on to someone else's property and they may have a liability and, civilly responsible if it creates damage to others.

Alderman Slinker stated we need to be working on an additional entrance and exit to our city. He questioned the overpass and the life expectancy. Tony St. Romaine stated it was built in 1973. He stated this is MoDot and we can check to see where it falls on their bridge repair program.

Tony St. Romaine, City Administrator gave an update on Nextsite and his discussion with Chuck Branch on working with franchise companies.

Alderman Lewis stated the Board would miss Tony St. Romaine

Alderwoman Old stated it was nice to work with Tony and thanked him for his service to the community. She also thanked Shelley Martin, Treasurer in helping her understand the park board budget and they would be meeting quarterly on this.

Alderwoman Selby thanked Tony St. Romaine for his service to Ashland.

Alderman Volkart also thanked Tony St. Romaine and stated it was a pleasure working with him.

Mayor Sullivan called for additional comments from the public. Mayor Sullivan called for comments or questions from the Board or staff.

Mayor Sullivan called for the vote to adjourn the meeting. Alderman Volkart made motion and seconded by Alderwoman Old to adjourn the meeting. Mayor Sullivan called for the vote. Motion carried.

Darla Sapp, City Clerk

Richard Sullivan, Mayor