

TUESDAY, FEBRUARY 16, 2021
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Sullivan reported in the closed session at 6:00 p.m. pursuant to Chapter 610.021 (2) leasing, purchase or sale of real estate the Board took action to extend the contract with McKinney Properties, LLC for the building at Main and W. Broadway due to the delay in acquiring financing.

Mayor Sullivan called the regular meeting to order at 7:00 p.m. on February 16, 2021 via zoom.

Mayor Sullivan gave the invocation.

Mayor Sullivan led in the pledge of allegiance.

Mayor Sullivan called the roll:

Ward One: Nathan Volkart-here, Bryan Bradford-here
Ward Two: Melissa Old-here, Stephanie Bell-here
Ward Three: Rick Lewis-here, Jeff Sapp-here

Staff Present: Darla Sapp, City Clerk, James Creel, Public Works Supervisor, Jeff Kays, City Attorney, Dan Vande Voorde, Building Inspector, Lelande Rehard, Assistant City Administrator, and Tony St. Romaine, City Administrator.

Mayor Sullivan presented the minutes of the February 02, 2021 Board meeting for consideration. Alderman Volkart made motion and seconded by Alderman Bradford to approve the minutes as presented. Mayor Sullivan called for the vote. Motion carried.

Mayor Sullivan presented the agenda for adjustments. Being none, he called for the motion to approve the agenda. Alderman Bradford made motion and seconded by Alderwoman Old to approve the agenda as presented. Mayor Sullivan called for the vote. Motion carried.

Mayor Sullivan read a Proclamation congratulating Chad and Brenda Robinson in celebrating 30 years of business.

Mayor Sullivan reported there are no scheduled comments. He reminded everyone that if you wish to have a scheduled comment it needs to be in writing to the City Clerk on the Wednesday prior to the Board meeting. He stated zoom is the primary way of communication for this meeting. He stated this is on Facebook but it is not part of the official meeting. He stated there is opportunity for the public to speak on items on the agenda.

Mayor Sullivan presented Council Bill No. 2021-010, an ordinance to change the zoning of a parcel of land from Single Family Residential (R-1) to General Commercial (C-G) for Westhoff Rentals LLC. at 203 North Henry Clay Blvd. Alderwoman Old made motion and seconded by Alderman Lewis to take up an ordinance to change the zoning of a parcel of land from Single Family Residential (R-1) to General Commercial (C-G) for Westhoff Rentals LLC at 203 North Henry Clay Blvd. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator stated both rezoning bills were reviewed by the Planning and Zoning Commission. He gave an overview of what transpired at the meeting and the memo from Jeff Kays, City Attorney regarding the uncertainty of the votes taken. He stated the Planning and Zoning Commission voted earlier in the meeting and the rezoning's passed. He stated they took up the vote again later in the meeting on the two rezoning's and the rezoning at 203 North Henry Clay Blvd. was

approved but the rezoning for 407 Redbud Lane failed. He stated the City Attorney stated that according to Roberts Rules of Orders this is proper in this case. He stated Jerrod Bryan, Acting Chairman of the Planning and Zoning Commission is present as are Commission members. He stated the applicant is present as well. Mayor Sullivan called for comments from the Planning and Zoning Commission. Jerrod Bryan stated he had no additional comments. He reported on the votes taken by the Commission. Mayor Sullivan called for public comment. Eric Fogle and Andi Rauch property owners of 205 North Henry Clay Blvd. stated they are in objection to both parcels being considered for rezoning. He asked what caused the vote to be reconsidered at the end of the meeting. He asked why they voted against the Redbud rezoning but not the North Henry Clay Blvd. rezoning. He stated he feels this decision is backwards. He stated this is not consistent with the 2020 comprehensive plan. He stated this plan is a not even a year old. He stated it shows low-density residential or mixed use but not general commercial. He expressed concern of investing in residential areas and then having commercial in the middle of it. He stated there should be a transition or buffer area. He stated that a lot of time and money was spent on the comprehensive plan and we need to follow it. Mr. Fogle stated Andrea wanted to sell her property to her daughter but feels this will be a challenge for her to resale later. Mayor Sullivan asked if anyone wished to speak in favor of the rezoning. Dave Westhoff, owner of the property in discussion stated that first of all he bought 409 Redbud it was in bad shape, had good visibility and was contiguous with commercial property. He stated he has spoken to the surrounding neighbors and they did not have a problem with the rezoning. He stated the biggest change to him is the roundabout and how it will affect that area. He stated the lot he bought where the old trailer was in bad shape and needed to be removed. He gave an overview of prior commercial properties he has remodeled and developed. He stated he has never done anything detrimental to his neighbors. He stated all communities have commercial that touches residential areas. He stated most of his commercial is office or small retail shops that are open during the day and rarely at night or on weekends. He stated he was not sure what happened at the Planning and Zoning meeting but was shocked when he heard they took it after he was not in attendance at the meeting. He thanked the Board for their consideration and stated he appreciated everything the Board does. Mayor Sullivan called for Planning and Zoning Commissioners to speak. Commissioner Dooley stated he felt this was good for Ashland and three of the four lots that are contiguous are zoned commercial. Commissioner Frese stated the shading on the comprehensive plan does show different zoning for Mr. Westhoff. He discussed the corridor going to north there are a lot of homeowners. He stated it is best practices to have some sort of buffer between the zoning districts. He stated the second issue was when the Red Tail rezoning from existing residential to commercial was defeated by the Planning and Zoning Commission and the Board of Alderman. He questioned what the difference was. He stated he felt the proposed Ashland Commons with office/apartments, etc. is appropriate buffer area. Tony St. Romaine, City Administrator stated his initial thoughts were we did spend a lot of time on comprehensive plan and the future land use map. He stated he views this plan as a guiding document but is not written or set in stone by any means. He stated we need to review the pro's and con's and make the decision. He stated the Planning and Zoning Commission made recommendation on this and we can either vote to uphold or make a change. Mayor Sullivan called for comments or questions from the Board of Aldermen. Alderwoman Old stated the one thought on Red Tail project was not comparable to this request. She stated she reviewed the minutes and there is a big difference than what we are talking about tonight. Alderman Lewis stated the roundabout was a game changer for that area. He stated he has full confidence that Mr. Westhoff would not do anything detrimental to his neighbors. He stated Mr. Westhoff has purchased property that are eyesores and cleaned them up. He stated he is in favor of the rezoning. Alderman Bradford questioned if anyone was living in the house on North Henry Clay he is wanting to rezone. Dave Westhoff stated his daughter lives there. Alderman Bradford asked if he had explicit details of what he wants to do with the property. Mr. Westhoff stated he has no details right now and won't until he visually sees the roundabout in place. Mayor Sullivan stated this is the rezoning and anything that would be built or developed there would need a site plan approved by the Planning and Zoning Commission. Alderwoman Bell questioned the zoning in the area and felt it makes sense to rezone. Alderman Volkart commented on a couple items of the comprehensive plan and the change of the roundabout. He stated the roundabout location and size has been changed within the last six months. He

stated the town has grown so quick. He reported he has talked with the property owner at 405 Redbud and he is not opposed to the rezoning. He stated this corner is already commercial. He stated that Redbud is going to have a facelift to say the least with the roundabout planned. Mayor Sullivan called for the vote. Alderwoman Old-aye, Alderman Sapp-aye, Alderwoman Bell-aye, Alderman Bradford-no, Alderman Volkart-aye, Alderman Lewis-aye. Motion carried.

Mayor Sullivan presented Council Bill No. 2021-011, an ordinance to change the zoning of a parcel of land from Single Family Residential (R-1) to General Commercial (C-G) for Westhoff Rentals LLC. at 407 Redbud Lane. Alderwoman Old made motion and seconded by Alderwoman Bell to take up Council Bill No. 2021-011, an ordinance to change the zoning of a parcel of land from Single Family Residential (R-1) to General Commercial (C-G) for Westhoff Rentals LLC. at 407 Redbud Lane. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator stated this Council Bill is unlike the previous Council Bill and the Planning and Zoning Commission did not recommend approval. Mayor Sullivan called for public comment. Gerald McKinney owner of 101 West Broadway stated that Mr. Westhoff has made improvements to Ashland. He stated the City needs to get away from turning houses into businesses. He discussed his past experience and displeasure of development within Ashland. He stated he would not reinvest in Ashland because the City changes the rules and he finds this frustrating. Mayor Sullivan called for comments from the Board. Mayor Sullivan called for questions or comments from the Board. Alderman Volkart stated this is a vacant lot with no home on it. Tony St. Romaine, City Administrator stated we are currently working on reviewing the codes and updating the codes. He said they can't speak for what happened in the past. He stated they are also working on a downtown revitalization plan. Mayor Sullivan called for comments. Eric Fogle stated you ask for input then you ignore it. Eric Fogle asked where do we create a buffer and what if Mr. Westhoff sells the property to someone else. Mayor Sullivan called for comments from the Board or Tony St. Romaine. Mayor Sullivan stated he was thankful for the healthy dialog. Mayor Sullivan stated voting in favor is approving the rezoning. Mayor Sullivan called for the vote. Mayor Sullivan called for the vote. Alderman Volkart-aye, Alderman Bradford-no, Alderman Lewis-aye, Alderman Sapp-no, Alderwoman Bell-aye, Alderwoman Old-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1324, an ordinance authorizing the City Administrator to enter into a Right of Use Permit agreement with Boone County, Missouri on behalf of its Office of Emergency Management. Mayor Sullivan stated this Council Bill has been read once and unanimously approved. He stated Alderman Volkart brought up concerns that was made from local residence about the location selection and has met with Chris Kelley with the Office of Emergency Management. Alderman Volkart gave an overview of what he learned about the selection process in placement of warning sirens. Alderman Volkart stated his concern and objections are that he lives in the neighborhood. He stated his understanding is this location or no siren for the next several years. Chris Kelley, representative from the Emergency Management stated they work from a five year plan and if other sites in other communities fall through we could be put back on the list sooner than the five year. A representative from Blue Mountain discussed the other location sites and issues with location and existing infrastructure in the way. Leland Rehard, Assistant City Administrator shared the radius map with the Board. Mayor Sullivan called for comments from residents living in the vicinity. No one spoke. Mayor Sullivan called for comments or questions from the board. Alderman Lewis asked Alderman Volkart if the people that contacted you are working from home or retired. Alderman Volkart stated it was mixed. Alderwoman Bell stated there are different kinds of warning sirens in Jefferson City and asked if that would be a better fit for subdivisions. Chris Kelley stated that is not an option those are mainly used for school districts. Alderwoman Old questioned if this is our opportunity for an additional warning siren and if we don't approve we would be back at the end of the list. Chris Kelley stated that was correct. Mayor Sullivan stated he appreciated everyone working on this. Mayor Sullivan called for the vote. Alderman Volkart—no, Alderman Bradford-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Bell-aye, Alderman Old-aye.

Mayor Sullivan presented a Resolution to appoint Nathan Lacy to the Board of Directors of East Ashland Plaza Community Development Improvement District. Alderman Bradford made motion and seconded by Alderwoman Old to take up for consideration a Resolution to appoint Nathan Lacy to the Board of Directors of East Ashland Plaza Community Development Improvement District. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator reported this is a community improvement district that was formed and if member changes were made it needs to be approved by the local municipality. 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 Volkart-aye, Alderman Bradford-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderwoman Bell-aye, Alderwoman Old-aye. Motion carried.

Mayor Sullivan presented a Resolution authorizing the Mayor to enter into a private placement agreement with D.A. Davidson to obtain lease purchase financing for the new City Hall/Police Department. Tony St. Romaine, City Administrator stated this is for financing for the new City Hall. He stated we were seeking funding from a federal agency and their time is not matching up. He stated we have been unable to get a firm date so we started looking for alternatives for funding. He stated he recommends entering into agreement with D.A. Davidson. He stated the interest rate and term is good, and we should be able to close within 30 to 45 days. He stated they would submit competitive bids with the local banks. Mayor Sullivan stated in closed session we voted to extend the contract agreement with the seller to obtain financing. Mayor Sullivan called for comments from the public. Mayor Sullivan called for questions or comments from the Board. Mayor Sullivan called for the vote. Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bradford-aye, Alderman Volkart-aye.

Mayor Sullivan presented a Resolution accepting the proposal submitted by Central Bank of Boone County for lease to own financing for patrol vehicles and authorizing the City Administrator to enter into an agreement. Alderwoman Old made motion and seconded by Alderman Sapp to take up for consideration a Resolution accepting the proposal submitted by Central Bank of Boone County for lease to own financing for patrol vehicles and authorizing the City Administrator to enter into an agreement. Mayor Sullivan called for the staff report. Lelande Rehard, Assistant City Administrator reported due to the aging patrol vehicles we need to purchase some police vehicles. He stated government leasing is different and it is considered a type of financing. He stated we received three proposals and have selected Central Bank of Boone County. He stated the type of vehicles is still to be determined. Mayor Sullivan called for public comments. Mayor Sullivan called for questions or comments from the Board. Alderman Sapp thanked the staff for getting the proposal out there and stated the interest rate was extremely low. Mayor Sullivan called for the vote. Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bradford-aye, Alderman Volkart-aye. Motion carried.

Mayor's Report:

Mayor Sullivan extended his appreciation to Public Works Department and Police Department for working in this weather the last two weeks. He stated there has been ongoing dialog on the trash service and City Hall being inundated with phone calls. He stated the trash service is running one day behind on picking up the trash. He stated citizens should leave the trash carts out at the end of the curb and the trash company will get these picked up weather permitting.

City Administrator's Report:

Tony St. Romaine, City Administrator highlighted the zoom meeting tomorrow night on the Downtown Revitalization at 6:00 p.m. He stated they plan to have four different facilitators in breakout rooms. He stated this would be a four-point approach. Focus on organization, group economic vitality, promotion and design. He presented the new website for review and stated they hope to have this up and working by the end of the month.

Mayor Sullivan stated he would be doing an interview on Thursday at 6:00 with Chris Felmler and Bill Lloyd on the proposed Ranken Community College.

City Attorney's Report:

Jeff Kays, City Attorney reported he has the brand new 12th Addition of Robert Rules of Order he will drop off at City Hall for future reference.

Public Works monthly Report:

James Creel, Public Works Director gave an overview of the snow removal. He stated there was a list of upcoming storm water plans and street projects included with his report. He reported they are working on acquiring the easements on Billy Joe Sapp. James Creel informed the Board of park improvements for tennis courts is on hold but they are purchasing new trashcans and picnic tables. James Creel informed the Board he received the financial assistance agreement for the improvements to the recycle center.

Board of Aldermen's Reports:

Alderwoman Bell informed the Board she did receive a complaint about the alarm at the sewer treatment plant again.

Alderman Sapp stated that in regards to the Planning and Zoning meeting he thanked Mr. Kays for writing the legal opinion memo and the City Clerk for including the Planning and Zoning minutes in the packet.

Alderman Lewis stated he has received traffic congestion concerns at the elementary school and crossing guard. He stated a suggestion of a cross walk to Liberty Landing Subdivision. He stated there is one parcel of undeveloped land that does not have sidewalks on it. The Board discussed this. Mayor Sullivan stated he is concerned about kids walking from Liberty Landing Subdivision. He discussed the traffic congestion at the school.

Alderman Lewis gave an update on his medical issues and expressed his deepest thanks to the Mayor for visiting him in the hospital.

Mayor Sullivan asked that everyone keep Alderman Lewis in your thoughts and prayers.

Alderman Volkart stated he was glad Alderman Lewis was doing better. He commented on the school traffic congestion being worse because the window to drop of kids have narrowed and bus riding has been discouraged due to covid.

Alderman Volkart commented that sometimes topics get contentious and he understands the citizen's care but that is why the Board of Aldermen is in office to make decisions. He stated they might not always agree but we need to make sure we highlight the positive. He thanked the public for sharing their comments.

Mayor Sullivan thanked the Superintendent and staff for keeping the kids in school and keeping the school open.

Mayor Sullivan called for additional comments by the public or staff comments.

Mr. Frese stated it was refreshing how meetings are ran and public is allowed to speak often and not just at the beginning of the meeting. He stated previous meetings were short and a lot of jokes and unanimously votes. He suggested when a property is asked to be rezoned or annexed we put up a sign. He stated that is a best practice and increases transparency. He stated the notification to property owners within 185 feet is not a great distant and he asked that we think about revising that distance. Tony St. Romaine, City

Administrator reported we are in the process of rewriting these codes. He stated it is a process and hopes it is completed by the end of the year.

Mayor Sullivan stated he is in favor of posting signs on proposed rezoning, conditional use permits and annexations.

Alderwoman Old stated she felt if we change the procedure it needs to be in the code.

Gary McKinney stated he would like to see more proactive enforcement of laws and ordinances such as temporary signage, gravel parking lots and lean-to's. He stated this is ugly and not attractive to our town.

Mayor Sullivan stated they are currently working on several code issues.

Mayor Sullivan called for adjournment.

Alderman Sapp made motion and seconded by Alderman Bradford to adjourn the meeting. Mayor Sullivan called for the vote. Motion carried.

Darla Sapp, City Clerk

Richard Sullivan, Mayor