

FEBRUARY 20, 2024
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Slinker called the regular meeting to order at 7:00 p.m. on February 20, 2024 at 101 West Broadway.

Mayor Slinker led in the pledge of allegiance.

Mayor Slinker called the roll:

Ward One: Nathan Volkart-absent, Loren Plank-present
Ward Two: Melissa Old-present, Stephanie Bell-present
Ward Three: Rick Lewis-present, David Wilson-present

Staff Present: Darla Sapp, City Clerk, Kyle Michel, City Administrator, Scott Young, Interim Police Chief, James Creel, Public Works Director, Darin Ratermann, Community Development Director and Todd Smith, City Attorney.

Mayor Slinker presented the minutes of the February 6, 2024 meeting for consideration. Alderman Lewis made motion to approve the minutes as presented. Alderman Wilson seconded the motion. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker presented the agenda for adjustment or approval. Alderman Lewis made motion and seconded by Alderwoman Bell to approve the agenda as presented. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker reported under scheduled appearances is Kip Batye to give an annual report from the YMCA. Kip Batye, Branch Director at the YMCA, stated his 2023 report was sent out in the packet. He gave an overview of the increase in membership of 12% from 2022. He informed the Board they currently have 8 full-time employees and 50 part-time employees. He gave an overview of the youth enrichment and development programs, child and outdoor programs, community participation programs, martial arts and sports programs they currently offer. He asked the Board if there was anything they would like to see them do that they aren't currently doing. Mayor Slinker asked how the farmers market was going. Kip Batye, stated they had 12 vendors last year but the average was 6 to 7 vendors weekly. He stated they have held a meeting and will start working on the farmers market for this this year.

Mayor Slinker stated just as a reminder written request must be received by the City Clerk by Wednesday prior to the meeting date.

Mayor Slinker presented Council Bill No. 2024-01, an ordinance approving Middle Creek Subdivision Plat 1. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director stated this is a request regarding approval of a Final Plat for the subdivision known as Middle Creek Plat 1. He stated the property owner is Corey Myers Development, LLC. He stated the submitting engineer is Engineering Surveys & Services. He stated Christina Luebbert Engineering performed the review. He stated the owner and engineer was present at the meeting tonight. He stated the subject development is approximately 44.85 acres in size at the southwest corner of E. Clellie Harmon Road and S Crump Lane. He stated Plat 1 consists of lots 2 and 4 and being 5 acres and 5.6 acres and zoned R-1. Darin Ratermann stated the original preliminary plat for Middle Creek, approved in mid-2021, was for a mixed residential subdivision consisting of 116 lots but due to circumstances, including costs associated with providing sewer service, the most recent preliminary plat, approved on June 20, 2023, and reduced the development to just 9 lots. The final plat known as Plat 1, will consist of two lots, lots 2 and 4. Access to these two lots will be off the north end of Billy Joe Sapp Drive. Easements have been designed to allow City utilities to be

supplied to these lots. Because a section on the southeast corner of lot 4 will not be fully serviced by the proposed fire hydrant coverage, there is a note on Plat 2 stating, building may only be constructed where every portion of the exterior wall is within 600 feet of fire hose drag distance from a fire hydrant. He informed them there would be a hammer head turnaround installed at the north end of Billy Joe Sapp. He stated the developer intends to preserve as many of the trees as possible, during development. He stated staff is supportive of this final plat. He stated the Planning and Zoning Commission voted to approve this final plat on February 13, with the condition that a bond be posted for the required infrastructure improvements not yet completed. He stated Mr. Myers has until next Wednesday at 5:00 p.m. to provide the bond in order to have the second reading and it is approved. Mayor Slinker called for questions or comments from the Board. Alderwoman Old questioned if there was a risk that this area could be built on. Darin Ratermann stated they would have to apply for a building permit and then they would show their building plans and setbacks. Corey Bergthold, stated this portion of the lot could not be used for building but they would need to expand the fire hydrant. He stated this is clearly shown on the plat. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderwoman Bell to approve Council Bill No. 2024-01, an ordinance approving Middle Creek Subdivision Plat 1 contingent upon the bond be posted for the required infrastructure improvements. Mayor Slinker called for the vote. Alderman Wilson-aye, Alderman Lewis-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Council Bill No. 2024-02, an ordinance granting an easement to Union Electric d/b/a Ameren Missouri. Mayor Slinker called for the staff report. James Creel, Public Works Director reported Ameren Electric reached out to them. He stated they expressed the need to install an additional power pole at the Ashland WWTF in order to provide electric service to the Liberty square commercial development which is currently under construction. He stated they currently have three power poles on the WWTF property in this area and additional pole would be just outside of the existing easement. He stated this would have no bearing on the future expansion of the WWTF. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderman Lewis to approve Council Bill No. 2024-02, an ordinance granting an easement to Union Electric d/b/a Ameren Missouri. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Ordinance No. 1460, an ordinance approving Middle Creek Subdivision Plat 1. Mayor Slinker called for the staff report. Kyle Michel stated this needs to be tabled pending the bond that will need to put down. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderwoman Bell to table the Ordinance No. 1460, an ordinance approving Middle Creek Subdivision Plat 1. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Ordinance No. 1461, an ordinance granting an easement to Union Electric d/b/a Ameren Missouri. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderwoman Bell to approve Ordinance No. 1461, an ordinance granting an easement to Union Electric d/b/a Ameren Missouri. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Resolution 2024-8, a resolution of the Board of Aldermen of the City of Ashland, Missouri, approving an agreement for yard waste services. Mayor Slinker called for the staff report. Kyle Michel, City Administrator stated this is to renew the current yard waste agreement with Salter Lawn that was a pilot program last year. He stated it is for curbside yard waste. He stated this would extend the contract

and would be for a five year renewal with a term running from May 1, 2024 to April 30, 2029. He stated the agreement includes a 5% increases for each year. He stated the contract price includes 25 new customers for new customers and the \$1.50 per month customer rate is sustainable for the life of this contract. He stated they intend to push additional advertising for the yard waste program to increase utilization. He stated it currently looks to be 20% of utilization based on data. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderman Wilson to approve Resolution 2024-8, a resolution of the Board of Aldermen of the City of Ashland, Missouri, approving an agreement for yard waste services. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-abstained, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Resolution 2024-9, a resolution accepting a corporate security bond from Corey Myers Development LLC for Middle Creek Plat 1. Mayor Slinker called for the staff report. Kyle Michel stated this would need to be tabled since we do not have a bond yet. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderman Lewis to table Resolution 2024-9, a resolution accepting a corporate security bond from Corey Myers Development LLC for Middle Creek Plat 1. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Resolution 2024-10, a resolution authorizing change order #4 to MMLC, Inc. for the Perry Avenue Extension project. Mayor Slinker called for the staff report. James Creel, Public Works Director, stated this is change order number 4 as it relates to the water line extension. He stated this is due to unnecessary isolation valves and a t-fitting. He stated this is an underrun/deduct of \$4,690.00. He stated the City of Ashland will be the sole beneficiary of this change order, as this portion of the project was funded solely with city funds. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderman Plank to approve Resolution 2024-10, a resolution authorizing change order #4 to MMLC, Inc. for the Perry Avenue Extension project. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Resolution 2024-11, a resolution authorizing the Mayor to enter into a contract with Brightly Software, Inc. Mayor Slinker called for the staff report. James Creel, Public Works Director stated this is a contract to purchase and implementation of asset management and work order software. He stated the staff has been conducting demos of different software for ways we can improve efficiency and completion of various tasks; manage and maintain city owned assets and properly track material and labor expenses. He stated the software will be a force multiplier for public works and utilities. It would improve the abilities of staff members to complete their work with reduced delays and improve preventative maintenance operations. He stated this is the same software we use for building permits and inspections. Mayor Slinker called for questions or comments from the Board. Alderwoman Old questioned if this work order is for parks and if park reservations could be made through it. Kyle Michel stated it would not be for park reservations but would have a component allowing citizens to report potholes, etc. Alderman Wilson made motion and seconded by Alderman Lewis to approve Resolution 2024-11, a resolution authorizing the Mayor to enter into a contract with Brightly Software, Inc. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Plank aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Volkart-aye. Motion carried.

Mayor Slinker presented Resolution 2024-12, a resolution reducing site setback requirements for EmmaLeaf pursuant to Chapter 19 of the Ashland Code of Ordinances. Mayor Slinker called for the staff report. Kyle Michel stated this resolution is to provide the Board with the opportunity to take action pursuant

to the adopted marijuana regulations of the City regarding the building permit submitted by EmmaLeaf at Liberty Square. He stated it is for a proposed marijuana –infused, manufacturing facility. He stated the owner, Josh Oxenhandler is here to present his behalf. He stated the marijuana regulations adopted by the City in 2023, as part of the legalization of private consumption of marijuana, there are certain additional restrictions and requirements for manufacturing facility to be constructed within the city limits. He stated it says “may not be located within a walkable distance of 1000 feet from an existing school, childcare center or church.”. He stated the proposed site for this facility is in a section of town that does not have existing and complete sidewalks systems. Due to this, staff is unable to measure a legally walkable distance. He stated the distance is between 825 feet and 1,200 feet depending on routing and future crosswalk construction. He stated the Board can reduce the legally walkable distance at their discretion. Josh Oxenhandler, CEO and co-owner introduced himself and his staff. He stated this is a state licensed business. He reported there would be a 10 foot fence surrounding the building. He stated they would be manufacturing and employ 18 to 20 employees with plans of moving that up to 50 within the year. He reported the building would be secure. He stated they obtained a letter from the childcare center and they had no objection to this facility. He showed exhibits of site line scenarios and measurements taken. He stated there were no sidewalks that extend and no continuous paths, making this hard to determine legally walkable distance. Mayor Slinker called for comments or questions from the Board. Alderman Lewis-questioned if this omit any odor. Paul the operations manager that this building has been engineered to have no odor. The Board asked various questions. Todd Smith, stated City Attorney explained the legally walkable distance and not having a clear definition. He informed the Board they could grant an exception. Mr. Oxenhandler reported this would wholesale not store front. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderwoman Old to approve presented Resolution 2024-12, a resolution reducing site setback requirements for Emmaleaf pursuant to Chapter 19 of the Ashland Code of Ordinances. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-nay, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-nay, Alderman Volkart-absent. Motion carried.

Mayor’s Report:

Mayor Slinker asked if we received a business license application for an Event Center. The City Clerk reported we received one today. He reported speeding on North Henry Clay Blvd. He stated he received a call referencing the commercial trash being mandated to use Republic. Kyle Michel reported this is in the contract and we could look at that next fall since the contract is valid until April of 2025. He informed the Board that Saturday the FFA is serving breakfast at the Optimist Club.

City Administrators Report:

Kyle Michel gave an overview of upcoming meetings. He informed the Board the bulk city wide clean-up is scheduled for May 2, 2024. He reported the Chamber is doing a business show case in May and he would have staff there to talk about their departments. He reported that March 25 is the candidate forum date and would be held done here at City Hall. He reported that Alderman Lewis and he attended the Legislative workshop earlier today. He stated the sales tax exemption on food and personal property tax. He stated these changes would decrease the revenue streams.

City Attorney’s report:

Todd Smith stated he had no report.

Public Works Director’s monthly report:

James Creel stated Perry Ave is mostly complete with the exception of the close out documents and silt fence has not been removed because it has to have 80 percent vegetation. He stated the Christmas Tree Recycling Program has wrapped up. He reported drinking fountains would be placed by the walking trail in the park and 3 decommissioned fire hydrants were moved to the dog park.

Community Director's report:

Darin Ratermann asked if there were any questions from his report. No one had any questions.

Board of Alderperson's report:

Alderman Lewis stated he had nothing other than what Kyle mentioned on the legislative workshop they attended today. Kyle Michel reported that MML does not support items that would have a negative impact on cities. He reported some changes proposed on the home based business, eliminating sales tax on foods.

Alderman Plank stated the Ashland Betterment Coalition will have trivia night on March 20 at Woody's. Alderwoman Bell noted that was spring break and they might consider changing that date.

Mayor Slinker called for comments by the public, Aldermen or staff.

Mayor Slinker called for a motion to adjourn the meeting. Alderman Wilson made motion and seconded by Alderman Lewis to adjourn the meeting at 7:58 p.m. Motion carried.

Darla Sapp, City Clerk

Dorise Slinker, Mayor