

TUESDAY, MARCH 02, 2021
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Sullivan called the regular meeting to order at 7:00 p.m. on March 02, 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, Gabe Edwards, Police Chief, 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 16, 2021 Board meeting for consideration. Alderman Volkart made motion and seconded by Alderwoman Bell 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. Alderwoman Old made motion and seconded by Alderman Lewis to approve the agenda as presented. Mayor Sullivan called for the vote. Motion carried.

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. 2021-012, an ordinance authorizing the Mayor to enter into a supplemental agreement with Bartlett & West, Inc. for professional services for the Broadway/Henry Clay roundabout. Alderman Volkart made motion and seconded by Alderwoman Bell to take up for consideration Council Bill No. 2021-012, an ordinance authorizing the Mayor to enter into a supplemental agreement with Bartlett & West, Inc. for professional services for the Broadway/Henry Clay roundabout. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator reported the City hired Bartlett and West several years ago for this project. He stated the engineering is about rapped up and the project is going out for bid around March 17, 2021 until mid-April. He stated the site work clearing will begin in mid to late April. He stated Bartlett & West acquired additional expenses for out of scope services for the project. Tony St. Romaine stated the change order is attached in the supplemental agreement with an additional 10 thousand dollars in expenses. Mayor Sullivan called for comments from the public. Mayor Sullivan called for questions or comments from the Board. Alderman Bradford questioned if this was the same company that did the other roundabouts. Tony St. Romaine, City Administrator stated that was a MoDot project and was unsure who the contractor was on that. Alderman Sapp stated the issue was with the contractor not the engineer. Mayor Sullivan called for the vote. Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Volkart-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bradford-aye. Motion carried.

Mayor Sullivan presented Council Bill No. 2021-013, an ordinance to amend Chapter 10, Planning, Zoning, Subdivisions, Building of the City of Ashland Code. Alderman Sapp made motion and seconded by Alderwoman Old to take up for consideration, Council Bill No. 2021-013, an ordinance to amend Chapter 10, Planning, Zoning, Subdivisions, Building of the City of Ashland Code. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator thanked Dan Vandevoorde for his work on this project. He gave an overview of taking the building permits over from the County on January 1, 2021. He stated code changes did not get put in place because it requires a 90 day public notice. He stated the public notice date was December 2, 2020. He stated this will become effective on March 17, 2021 after final approval by the Board. He stated this is basically not making any major changes. He stated by taking this in house it was to offer better service and be able to recover our expenses for the building inspector and plan reviewer. He stated the fees and formula examples are included. He stated he has predicted \$80 thousand per year in building permit revenue for residential and commercial construction permits. He stated the fee examples and notices were sent to general contractors and developers. He stated he included this information in the packet for the Board to review. He stated the information has also been on the website and provides a lot of detailed information to the public. Dan Vandevoorde stated this is adopting the addendums of Boone County to reflect the City of Ashland 2012 in the ICC codes. He stated one change is the requirement of ice and water barrier on roofs. He stated he added this because of the hail damage in Jefferson City. Mayor Sullivan called for comments from the public. Mayor Sullivan called for questions or comments from the Board. Alderman Lewis stated on the public notice second paragraph is a typo that states it will take effect March 9, 2020 and should be 2021. Mayor Sullivan called for the vote. Alderman Bradford-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderwoman Bell-aye. Motion carried.

Mayor Sullivan presented Council Bill No. 2021-014, an ordinance to amend Chapter 6, Chapter 9, Chapter 10, and Chapter 25 of the Codes of the City of Ashland. Alderman Sapp made motion and seconded by Alderman Lewis to take up for consideration Council Bill No. 2021-014, an ordinance to amend Chapter 6, Chapter 9, Chapter 10, and Chapter 25 of the Codes of the City of Ashland. Mayor Sullivan called for the staff report. Lelande Rehard, Assistant City Administrator stated due to turn over on the Boards due to covid and life in general they felt the need to formalize the process of electing Chairman's and Co-Chairman and appointment interim chair to serve. He stated he felt that would be easier to track. He stated they also will bring a policy for each of the Boards to adopt for special meetings, rules of order and best practices. Mayor Sullivan called for comments from the public. Mayor Sullivan called for comments or questions from the Board. Alderman Bradford asked if this was control to see who gets to put in position. Mayor Sullivan stated this basically just sets the election of Commission members or Board members to the first meeting of the Board following the first regular meeting of the Board of Aldermen in April. Mayor Sullivan called for comments from the public. Alderman Sapp questioned the first meeting after the election or should it be after the installation of the elected officials which is normally the second meeting in April. He felt this should be corrected in the ordinance. Mayor Sullivan stated he felt that should be corrected since both boards have people that run for alderperson and it makes sense. Lelande Rehard stated he would make this correction for the second reading. Mayor Sullivan called for the vote. Alderman Bradford-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderwoman Bell-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1335, 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. Alderman Lewis made motion and seconded by Alderman Volkart to take up Ordinance No. 1335, 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. Mayor Sullivan called for comments from the public. Eric Fogle spokesperson for 205 North Henry Clay Blvd. stated they own the adjacent property and wanted to ask some clarifying questions of does a development plan have to be approved for this lot by the Planning and Zoning

Commission or the Board of Aldermen. Tony St. Romaine stated a site plan would need to be submitted and approved by the Planning and Zoning Commission. He stated it would be reviewed by an engineering firm to make sure it meets our setback requirements, etc. Eric Fogle asked what happens if Dave sells the property to someone else and it is zoned commercial. He stated they would be allowed to build anything that is listed to the code as permitted uses. He stated this property is 10 feet from the property line and says there needs to be a proper buffer. He stated he is just trying to protect his family. He stated he knows Dave would be fine but the non-Dave is where the issue lays. He states he understands the roundabout change does open the area for development. Mayor Sullivan called for comments or questions from the Board. Mayor Sullivan called for the vote. Alderman Bradford-no, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderwoman Bell-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1336, 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. Alderman Lewis made motion and seconded by Alderwoman Old to take up Ordinance No. 1336, 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 comments from the public. Gerald McKinney, 101 West Broadway stated he would echo what Eric said and he does have all respect for Dave and his intentions are good. He stated his question to the city is are we to expect residential development to commercial. Mayor Sullivan stated this is a comment section and not a question answer. He stated if Mr. McKinney wanted to reach out to him and Board members to ask questions to feel to contact them by e-mail or phone call. Gerald McKinney encouraged the City to ask what the use will be when rezoning requests are made. He asked the developers to put skin in the game before we make a decision of rezoning in the future. Mayor Sullivan stated this will come back to the Planning and Zoning in the future. Tony St. Romaine, City Administrator stated we are limited by the existing zoning ordinance. He stated we are working on our zoning ordinances, building codes, etc. and establishing a downtown district to be defined. He stated it will include some sort of mixed use and multiple story. He stated the Planning and Zoning can require a buffer at the time the site plan is reviewed. Eric Fogle stated general commercial has a long list of uses and as long it meets all the requirements the Planning and Zoning Commission is required to approve it. He stated he has never seen the Planning and Zoning Commission turn it down. He stated if Dave does not develop and it is zoned general commercial it is carte blanche. He stated this is at the edge of residential. He said he has faith in Dave. Mayor Sullivan called for questions or comments from the Board. Alderman Volkart stated he understands the concerns raised was to be on record for future. But at this point and time there was only two voices that are opposed in that area and one does not own a property next door and the other uses a home for rental property. Alderman Sapp reminded the Board the Planning and Zoning Commission voted to deny the rezoning. Mayor Sullivan called for the vote. Alderman Bradford-no, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderwoman Bell-aye. Motion carried.

Mayor Sullivan presented a Resolution authorizing the Mayor to enter into a lawn waste disposal contract with Clean Cut Services, LLC. Alderman Lewis made motion and seconded by Alderwoman Old to take up a Resolution authorizing the Mayor to enter into a lawn waste disposal contract with Clean Cut Services, LLC. Mayor Sullivan called for the staff report. Tony St. Romaine, City Administrator reported this is a renewal contract for lawn waste services and he has received no complaints over the last year. He stated this is to authorize a one year agreement with a 3% increase. Mayor Sullivan stated there has been a couple of complaints on the fact he is not open at certain times when he should be. Alderman Sapp stated he has taken items there and the sign is posted they will be open at 7:00 and it was not open still at 7:30. He stated another incident of a comment made by Mr. Jones regarding brush that he does not get paid enough to deal with this. He stated 90 percent of the time Mr. Jones is hindering his disposal or making rude comments to the such. Tony St. Romaine, City Administrator stated he was not aware of these complaints. He stated there are currently no other options for lawn waste disposal. Lelande Rehard stated Republic Services has no option because they can't dispose of yard waste in the landfill. Mayor Sullivan called for comments

from the public. Elisabeth Sobzcak stated she did not feel a lot of people know they can take yard waste there. She stated she has heard of people getting turned away or they need to be cut in certain lengths, etc. She stated people are not being allowed to use service they are paying for and did not think the increase is worth it. She asked how many citizens use it. Mayor Sullivan called for comments or questions from the Board. Tony St. Romaine stated they would look up options and see what the volume and how much service this is to the community. Alderman Bradford made motion and seconded by Alderwoman Bell to table the resolution. Mayor Sullivan called for the vote. Motion carried.

Mayor's Report:

Mayor Sullivan informed the Board he is working with the Parks & Recreation Board on the Easter event. He stated he will be having a sign- up sheet for some helping with the event. He stated we did have a couple of complaints on the trash service last couple of weeks. He stated they are working on ongoing issues of the school traffic.

City Administrator's Report:

Tony St. Romaine, City Administrator reported Dan VandeVoorde is working with the property owner's around Billy Joe Sapp Drive to acquire the necessary easements for the stormwater project. He stated Allstate Consultants are working on the construction drawings to install the infrastructure. He stated that James and Lelande are working with Boone County on a road maintenance agreement. He reported Lelande Rehard, Assistant City Administrator presented the Broadway sidewalk project tap grant application on February 24th for funding. Lelande Rehard stated it ranked 2nd in regional scoring but it is unlikely it will be funded this year. He stated if not they will clean up the project and hopefully resubmit and get funded in the next cycle. He informed the Board they are working on the final plan for the new City Hall/Police Department. He stated their goal is to bid April of 2021 and hopefully select contractor by mid May and hopefully move in October 2021. Tony St. Romaine stated they are looking at mapping solutions for utilities. He stated the city website should have went live today but there was some issue and hopefully will be live by end of week. He updated them on the Lakeview park improvements and acquiring a tract of land. He stated the park board was not in favor of that large of an expenditure. He stated at their next meeting they would reconsider just purchasing the track that adjoins the lake. He stated we could apply for conservation grant funds in developing that area. He discussed the Liberty pump station and the proposed Liberty Lane North development. He stated he has met with property owners to discuss a regional lift station in this area. Mayor Sullivan stated he would like to have a special meeting to discuss this. The Board agreed on Thursday, March 11, 2021 at 7:00 p.m. Tony St. Romaine stated the USTA grant was denied for the improvements to the tennis court. He stated the park board wants to have additional discussion on this before we proceed without a grant. He stated Lelande is working with the park board on a master parks plan. He stated they would be discussing these items at their meeting next week. Tony St. Romaine stated Jon, Carrie and himself are working on updating the utility policy and procedures. He stated they would be bringing an updated policy and procedure back to the Board to consider in the next month or two. He updated the Board on a meeting with the consultants and team on rewriting the Planning and zoning codes. He stated they recently added Alderwoman Stephanie Bell and Interim Planning and Zoning Chairman to the team.

Mayor Sullivan stated he met with the Optimist President, Jan Palmer and Ernie Wren and presented them the check from the Park Board and the City of Ashland for their lose with swimming pool last year. He stated they would be talking about the pool and the direction moving forward. He stated it would be presented back to the Board of Aldermen

City Attorney's Report:

Jeff Kays, City Attorney stated he had no report.

Police Chief's monthly Report:

Chief Edwards gave an update on the his patrol fleet. He stated the original plan he brought to the Board on the replacement of vehicle has been altered slightly. He stated they would not be able to get 2021 Tahoe's and are looking at Dodge Durango as the suv. He updated the Board on his new Officer Justin Harlan. Officer Harlan reported he had roughly 15 years experience. He also introduced John Stamper that will start employment on March 15. John Sanford stated he previously worked for Marshall Police Department and the Boone County Courthouse. Chief Edwards stated this is first time since January of 2020 he is fully staffed. Alderman Sapp welcomed the two officers. Alderman Bradford questioned if we were not going to get our cars from the State Highway Patrol any longer. Chief Edwards reported they are planning to buy new through a dealership. He stated buying the used patrol cars with 55,000 to 60,000 miles was causing a maintenance cost to be higher and resale value being very low. Alderman Bradford also welcomed the two new Officers. Alderman Volkart stated he received complaints of drivers turning left out of the Eastside Drive instead of going through the roundabout. Chief Edwards reported there is no signage in place yet. Mayor Sullivan stated the rooster was still at the end of Renee Drive.

Board of Aldermen's Reports:

Alderwoman Bell reported she has talked with the Mayor this week about getting complaints on speeding on Liberty Lane and Peterson Lane. Mayor Sullivan stated he has asked the police department to continue enforcement in these areas and all residential areas.

Alderman Volkart informed the Board that he has talked with James Creel briefly about a section of the asphalt overlay in Setter's Knoll having chunk of asphalt out of it. He stated James was going to have the company that did the asphalt overlay address this.

Mayor Sullivan also discussed the big dip at Russian Setter and Covey Rise. Alderman Volkart stated that issue is bigger than a minor street repair. He stated he was told there is a sanitary sewer line under the street and the fill has collapsed. He stated he was told the developer fixed this issue the first time. He stated this is about six inch drop and a vehicle could bottom out on this. Tony St, Romaine stated he will meet with James in the morning to look at this issue.

Alderman Sapp reported speeding issues on West Broadway.

Alderman Bradford questioned the candidates for the April election. Mayor Sullivan gave an overview of the candidates that filing ended on January 19, 2021. Mayor Sullivan reported they are working on a candidate online forum like last year for candidates. Alderman Bradford stated Redbud Lane is not made for commercial period.

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

Lisa Sobczak stated she felt the Board made good decisions and commended the Mayor and Board for their vision for the future and she supports it.

Mayor Sullivan thanked everyone for their feedback. He stated he appreciated everyone's issues and questioning and the difference of opinions. He reminded everyone the public is allowed for comments only and not questions. He stated only the Board members can ask questions. He stated if the public has an issue or if they want clarification to reach out before the meeting. He stated this is a growing community. He stated there is so many positive things happening in our community.

Mayor Sullivan called for adjournment.

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

Darla Sapp, City Clerk

Richard Sullivan, Mayor