

MARCH 21, 2023
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Slinker called the regular meeting to order at 7:00 p.m. on March 21, 2023 at 101 West Broadway.

Mayor Slinker led in the pledge of allegiance.

Mayor Slinker called the roll:

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

Staff Present: Darla Sapp, City Clerk, Kyle Michel, City Administrator, Shelley Martin, Treasurer, James Creel, Public Works Director Todd Smith, City Attorney and Darrin Ratermann, Community Development.

Mayor Slinker presented the minutes of the March 07, 2023 meeting for consideration. Alderman Volkart made motion to approve the minutes as presented. Alderman Plank seconded the motion. Mayor Slinker called for the vote. Motion carried.

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

Mayor Slinker stated the next item on the agenda under special items is Izzy Smith, Vice-President of the Ashland Betterment Collation. Izzy Smith gave an overview of their organization and the established district. She stated they are facing a critical issue that requires the Boards attention and support. Ms. Smith stated they are a non-profit organization and rely on volunteers, sponsorships, donations, fundraisers and grants to fund their work. She gave an overview of the projects such as planters, Christmas lighting improvements, possible 4th of July parade and fireworks display and improving relationships with Southern Boone Chamber of Commerce and Southern Boone Economic Development District. Ms. Smith requested funding from the City be allocated in the budget. She stated the current allocated city funds are not sustainable to fund a paid position that was originally attended. But they would like to ask for funds to continue being in compliance with Missouri Main Street, the grant received, the state requirements for a 501(c) organization and larger projects the community wants to see plus liability insurance, update their by-laws and obtain tax support at the least to complete the housekeeping tasks for the group. The Board asked various questions regarding the dollar amount they are requesting. Shelley Martin, Treasurer stated the funds that was allotted since there was not a plan of action put in place was removed from the budget. She suggested the ABC present something for the first reading in April to be included in the upcoming budget. Alderwoman Old recommended we remain in compliance with grant so we don't have to pay it back.

Mayor Slinker reported the next item on the agenda is the preliminary budget work session. Shelley Martin, Treasurer reported the preliminary budget was in the packet. She explained there was not too much change since the department heads presented their budgets. She stated there was some expense and revenue calculations to they made. She explained Perry Avenue won't be completed and constructed this year. Alderman Plank stated there are new columns on the report. She stated it shows the 21/22 and 22/23 budget plus preliminary budget 23/24 proposed budget. Shelley Martin, Treasurer reported the 1st meeting in April they would have the first readings of Council Bill's for the budget amendments and 23/24 Budget for

consideration. She stated any changes needs to be made prior to the final phase and asked the Board for their input.

Mayor Slinker stated under appointments he would like to appoint Kyle Michel and James Creel to the Mid-Mo Solid Waste Management District Council. Mayor Slinker called for the staff report. Kyle Michel, stated this is a routine appointment. Alderman Plank made motion and seconded by Alderman Lewis to appoint Kyle Michel and James Creel to the Mid-Mo Solid Waste Management District Council. Mayor Slinker called for the vote. Alderman Volkart-aye, Alderman Lewis-aye, Alderman Plank-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Motion carried.

Mayor Slinker reported there were no appearances scheduled but reminded everyone a written request must be made the Wednesday prior to the meeting with the City Clerk.

Mayor Slinker presented Council Bill No. 2023-005, an ordinance of the City of Ashland, Missouri amending the city code in regard to recreational marijuana use. Mayor Slinker called for the staff report. Todd Smith, City Attorney stated he revised the original ordinance based on the outcome of the closed meeting discussion. He gave an overview of those changes to the model ordinance. Alderman Plank suggested splitting this up for each different section. Todd Smith, City Attorney stated he could do this and would take a modest amount of time, which would cost more money. The Board discussed most of this is already covered in the state statute and would be redundant. The Board discussed this at length. Alderman Plank stated he would like to see under public consumption page 19 c) Restaurants serving food that contains marijuana must register with the City and provide notice on all public entrances and on all menus that certain food contains marijuana be changed from register to must obtain approval of the City. Alderman Plank made motion and seconded by Alderman Volkart to amend the ordinance under public consumption c) restaurants serving food that contains marijuana must obtain approval of the City prior to offering such food and must provide notice on all public entrances and on all menus that certain food contains marijuana. Alderwoman Bell questioned if anyone had sued on this ordinance yet. Todd Smith reported not that he is aware of. Mayor Slinker called for the vote for the amendment. Alderman Plank made motion and seconded by Alderwoman Old to approve Council Bill No. 2023-005, an ordinance of the City of Ashland, Missouri amending the code in regard to recreational marijuana. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderman Plank-aye, Alderman Volkart-aye, Alderwoman Bell-aye, Alderwoman Old-aye. Motion carried.

Mayor Slinker presented Council Bill No. 2023-006, an ordinance approving Ranken Lot #3 Subdivision replat. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director, stated this is a replat of Lot 3 of the Ranken Subdivision. He stated this replat is to divide Lot 3 into two lots creating lots 3A and 3B. He stated the owner of the property is JAJ, LLC and submitting firm is Simon and Struempff Engineering. He stated Derek Forbis of Central Counties Surveying did the Survey and Plat. He stated currently Lot 3 is approximately 15.8 acres and lot 3A will be approximately 5.32 acres and 3B would be 10.48 acres. He stated the parcel sits just East of Highway 63 on Perry avenue just south of Ashley Drive and lots 1 and 2 of Ranken Subdivision and is zoned C-G. Mr. Ratermann stated the intent of this subdivision is to transfer a portion of the property to a new LLC for development purposes. He stated Lot 3 is currently accessed from Perry Avenue and with the creation of lots 3A and 3B, 3B would have access easement on the south side to grant access and utilities to Lot 3A. He informed the Board the staff and the Planning and Zoning Commission recommend approval. Mayor Slinker called for questions or comments from the Board. Mayor Slinker questioned if the Planning and Zoning had any concerns. It was reported they did not. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderman Wilson to approve Council Bill No. 2023-006, an ordinance approving Ranken Lot #3 Subdivision replat. Mayor Slinker called for the vote. Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Volkart-aye, Alderman Plank-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented Council Bill No. 2023-007, an ordinance authorizing the Mayor to execute the right-of way dedication for the Perry Avenue Extension. Mayor Slinker called for the staff report. James Creel stated this ordinance is regarding the Perry Avenue extension project. He informed the Board as the this project is being funded jointly by the City of Ashland and Department of Transportation, and Southern Boone School District/Economic Development Administration, there were several requirements that must be met. One of these requirements is that there must be dedicated right of way along this road, regardless of adjacent ownership. He stated the approval of the right of way dedication is necessary to ensure that the City of Ashland will have such in perpetuity. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for comments from the public. Mayor Slinker called for a motion. Alderwoman Old made motion and seconded by Alderwoman Bell to approve Council Bill No. 2023-007, an ordinance authorizing the Mayor to execute the right-of way dedication for the Perry Avenue Extension. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Plank-aye, Alderman Volkart-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderwoman Old-aye. Motion carried.

Mayor Slinker presented Ordinance No. 1427, an ordinance authorizing the Mayor to execute the right of way dedication for the Perry Avenue extension. Mayor Slinker called for the staff report. James Creel reported this is the second reading and no further report. Mayor Slinker called for a motion. Alderwoman Old made motion and seconded by Alderman Lewis to approve Ordinance No. 1427, an ordinance authorizing the Mayor to execute the right of way dedication for the Perry Avenue extension. Mayor Slinker called for the vote. Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Volkart-aye, Alderman Plank-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented a resolution authorizing the Mayor to execute an agreement with TWM, Inc. for engineering services related to the TAP Grant-sidewalk and Trail Project. Mayor Slinker called for the staff report. James Creel, Public Works Director stated this is the engineering firm contract for the TAP Grant sidewalk and trail project. He stated by approving the contract with TWM, Inc. this allows the project to proceed upon authorization of MoDot. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called a motion. Alderman Wilson made motion and seconded by Alderman Lewis to approve the resolution authorizing the Mayor to execute an agreement with TWM, Inc. for engineering services related to the TAP Grant-sidewalk and Trail Project. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Plank-aye, Alderman Volkart-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderman Old-aye. Motion carried.

Mayor Slinker presented a resolution approving the site plan for Car Quest. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director gave an overview of the commercial site plan for a retail parts store owned by Sanford Investments LLC and the submitting firm is Allstate Consultants. He stated this subject site is Lot 12 East Ashland Plaza and is approximately 1.28 acres and is located east of the intersection of Industrial and Eastside Drives and on the north side of Blue Stream Drive. The site plan is for an approximately 10,000 square foot automotive parts retailer. Mr. Ratermann stated there will be an entrance/exit on both south and west sides of the property and a public sidewalk installed along both road frontages. Storm water detention for East Ashland Plaza has been a constant topic of discussion, for the Planning and Zoning Commission, since this developments inception. With that said, storm water for this site will be directed to the south, into a community detention, on lot 11B, which has yet to be constructed. The Planning and Zoning Commission approved the site plan with the condition that a building permit not be issued until the required storm water detention is installed and verified on lot 11B. Darin Ratermann stated the owner and engineer both are present tonight. Alderwoman Old questioned who was responsible for the detention? Darin Ratermann stated the developer of the subdivision, which is C.L. Richardson Construction. Alderman Volkart questioned if the owner and engineer was okay with this condition. Wes Bolton, Allstate Consultants stated he felt it was odd but if that was the condition they placed on it then they would have to conform. Kyle Michel stated they have the option to put a detention

basin on their lot if they wished. Wes Bolton stated that Dave Richardson stated they would have this in place in a few weeks. He stated they could just hold up the occupancy permit but issue a building permit. Alderman Volkart questioned what if the construction of the detention is delayed for six months and it holds up this project. Kyle Michel stated he could do an on-site detention. Alderman Lewis stated the Planning and Zoning Commission has felt prior conditions were not written out and not abided by. Alderwoman Old stated the alternate would be to hold occupancy permit not the building permit. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for comments from the public. Mayor Slinker called for a motion. Alderman Volkart made motion and seconded by Alderman Lewis to approve the resolution approving the site plan for Car Quest. Mayor Slinker called for the vote. Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Volkart-aye, Alderman Plank-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented a resolution of the Board of Aldermen authorizing the City Administrator to file with Boone County for an ARPA grant. Mayor Slinker called for the staff report. Kyle Michel, City Administrator stated this is authorization to apply for the Boone County ARPA grant application which will be for expansion of the wastewater treatment plant. He stated up to \$5 million in funding would be considered in the Spring of 2023 with the deadline of March 31, 2023. He stated it is his understanding that the Southern Boone Fire District, YMCA and the Ashland Optimist Club is also applying for grant funding. He stated he is hopeful we score well. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for comments from the public. Mayor Slinker called for a motion. Alderman Volkart made motion and seconded by Alderman Wilson to approve the resolution of the Board of Aldermen authorizing the City Administrator to file with Boone County for an ARPA grant. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Plank-aye, Alderman Volkart-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderwoman Old-aye. Motion carried.

Mayor's Report:

Mayor Slinker stated the 80's Prom and Trivia night was successful and a great event.

City Administrator Report:

Kyle Michel shared the curbside recycling survey results with the Board. He stated they received 139 results. He gave an overview of the findings. He stated they are going to keep running the survey and are improving the signage at the recycling center. Alderwoman Old stated it is hard to make a decision on only so many responses. Kyle Michel stated they are pushing this on social media and can reach out by mailing surveys to homes. He stated out of 1800 residential customers we should have more input. The Board discussed different options, costs associated and willingness of residents to pay and how much. He stated the new solid waste contract begins May 1, 2023 and he will work with Republic to give the City a couple of options. There was discussion of the yard waste recycling and actual usage of this site and if it was needed.

Kyle Michel updated the Board on the meeting they had with Lakeside Ashland on their upcoming events.

City Attorney's Report:

Todd Smith, City Attorney reported a city official training event his firm is hosting on April 28th in Jefferson City for Elected Officials training. He stated the cost is \$30.00 and he encouraged the Board to attend.

Public Works Director Monthly report:

James Creel stated most of the highlights have been discussed. He stated two things is the park projects, ball field and the restroom was delivered and set up Friday. He informed the Board staff would work on the remaining scope items as work load and weather allows. A portion of the trail is closed and needs to be replaced and A.D.A. compliant. James Creel reported there is a Park clean up day on April 22 and the honeysuckle will be cleared at that time. Mayor Slinker called for comments or questions. Alderman Lewis

questioned the tap grant sidewalk and trail completion. James Creel reported by the end of the summer and completed prior to new school year in the fall. Alderman Plank suggested the underbrush on the west side of creek also needs cleaned up.

Community Development Monthly report:

Darin Ratermann informed the Board Brightly software/Dude Solutions/SmartGov permitting software is operational as of March 7th. He stated they are still working on what information would be public. He stated the link is on the website and building permits can be done on-line once they set up an account.

Board of Alderperson's Reports:

Alderman Plank suggested volunteers to pick up trash around the City.

Alderwoman Bell said she received contact about trash and recycling.

Alderwoman Old stated she also received e-mails regarding the recycling and forwarded them to the City Administrator.

Mayor Slinker called for comments from the public, staff or the Board.

Nancy Lenger stated she owns property at the corner of E. Liberty Lane and Allegiance and just learned of sidewalk project along her property and she is concerned about water run off on our vacant lot. Kyle Michel, City Administrator stated this project has not been engineered yet.

Mayor Slinker called for a motion to go into closed session pursuant to RSMO. 610.021 (1) legal actions, causes of action or litigation involving a public government body and any confidential or privileged communications between the public governmental body or its representatives and its attorney at 8:08 p.m. Alderman Volkart made motion and seconded by Alderman Wilson. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Volkart-aye. Motion carried.

Mayor Slinker reported we are back in open session with no reportable action taken.

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

Darla Sapp, City Clerk

Dorise Slinker, Mayor