

APRIL 18, 2023
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Slinker called the regular meeting to order at 7:00 p.m. on April 18, 2023 at 101 West Broadway.

Mayor Slinker led in the pledge of allegiance.

Mayor Slinker called the roll:

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

Staff Present: Darla Sapp, City Clerk, Kyle Michel, City Administrator, Shelley Martin, Treasurer, Todd Smith, City Attorney, Gabe Edwards, Police Chief, Darin Ratermann, Community Development Director and James Creel, Public Works Supervisor.

Mayor Slinker presented the minutes of the April 04, 2023 meeting for consideration. Alderman Wilson 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 Wilson made motion and seconded by Alderman Plank to approve the agenda as presented. Mayor Slinker called for the vote. Motion carried. Plank. Motion carried.

Mayor Slinker presented a Resolution declaring the election results of the General Election held in the City of Ashland, Missouri April 04, 2023. Mayor Slinker called for the motion. Alderwoman Old made motion and seconded by Alderman Plank to approve the Resolution declaring the election results of the General Election held in the City of Ashland, Missouri April 04, 2023. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker reported the swearing in Alderwoman Bell and Wilson would be postponed until Alderwoman Bell is in attendance at the meeting tonight.

Mayor Slinker presented a Resolution appointing staff, Board Liaison's and members to certain Boards and Commissions. Mayor Slinker read the appointments and reappointments. Mayor Slinker called for the motion. Alderman Wilson made motion and seconded by Alderman Lewis to approve the resolution appointing staff, Board Liaisons and members to certain Boards and Commissions. Mayor Slinker called for the vote. 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. 2023-010, an ordinance authorizing the Mayor to enter into a wastewater operations and maintenance agreement with Boone County Regional Sewer District. Mayor Slinker called for the staff report. James Creel, Public Works Director gave an overview of the Boone County Regional Sewer District. He stated for the past year they have been under contract with us and we have no letters of warning from the Department of Natural Resources. He stated they recommended renewal of the contract but noted reflected increased labor costs but no increase in cost of their equipment. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderwoman Old made motion and seconded by Alderman Wilson to approve Council Bill No. 2023-010, an ordinance

authorizing the Mayor to enter into a wastewater operations and maintenance agreement with Boone County Regional Sewer District. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent, Alderwoman Bell-absent. Motion carried.

Mayor Slinker presented Council Bill No. 2023-011, an ordinance extending the corporate limits of the City of Ashland, Missouri by annexing unincorporated area; directing the City Clerk to give notice of the annexation-Smarr annexation. Mayor Slinker called for the staff report. Kyle Michel, City Administrator reported we held the public hearing last meeting and the protest period has ended and this is the first reading. He stated the findings associated with this proposed voluntary annexation is in the packet. He stated the proposed annexation is necessary and reasonable development of the City and contiguous with the existing corporate boundaries of the City and compact in nature. He stated the City is able to provide utility services to this property. Mayor Slinker called for Board questions or comments. Mayor Slinker called for comments from the public. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderman Wilson to approve Council Bill No. 2023-011, an ordinance extending the corporate limits of the City of Ashland, Missouri by annexing unincorporated area; directing the City Clerk to give notice of the annexation-Smarr annexation. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderwoman Bell-absent, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Council Bill No. 2023-012, an ordinance approving East Ashland Plaza Lots 13 & 14 replat. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director explained the purpose of this plat is to divide lot 14 into two lots creating lots 14A and 14B. He stated the owner is Corey Myers Construction and the submitting firm is Engineering Surveys and Services. He stated John Conway, City Engineer performed the review. He stated the lot is currently 1.53 acres in size, making Lot 14A be approximately 1.05 acre and 14B .48 acres. He stated the parcel is on the southeast corner of Route Y and Industrial Drive. He stated it is zoned General Commercial. He stated the intent of the minor subdivision is to allow for future development, by the owner, yet to be determined. Industrial Drive will provide access to Lot 14A and 14B. He informed there would be a 30-foot wide ingress/egress easement. He stated staff recommends approval of the minor subdivision as it has met the requirements of the City Code. He stated the Planning and Zoning Commission recommended approval at their April 11 meeting. Mayor Slinker called for any questions from the Board. Alderwoman Old expressed concern of lot 14B being not even a half acre and if it was buildable. Darin Ratermann, Community Development Director stated that is yet to be determined and nothing has been proposed at this point. He stated it is a small lot. Cory Bergthold, Engineering Surveys and Services stated this is a smaller lot but there our potential uses of the lot. He stated the Scooters lot is also a small lot. He stated they could do also purchase additional land to the east. He stated the current situation is the potential buyer did not want the entire Lot 14. Mayor Slinker called for public comments. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderman Plank to approve Council Bill No. 2023-012, an ordinance approving East Ashland Plaza Lots 13 & 14 replat. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderman Wilson-nay, Alderman Lewis-aye, Alderwoman Bell-absent, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Council Bill No. 2023-013, an ordinance approving McDow Subdivision Plat 2. Mayor Slinker called for the staff report. Darin Ratermann, Community Development stated the purpose of this replat is to divide Lot 2 and 3 into 4 lots creating Lots 2A, 2B, 3A and 3B. He informed the Board the property owner is Hills and Valleys LLC and the submitting firm is Brush and Associates. He stated John Conway, City Engineer performed the review. He gave the description of the proposed lot sizes and reported the zoning is General Commercial. He stated the intent of this subdivision is to create additional commercial lots allowing for future developments, by the owner, yet to be determined. There will be a 50-foot wide access easement and a 20' utility easement that runs to north side of Lot 3A. These easements run to the

east and south to provide access and utilities to lots 2B and 3B. He stated staff recommends approval and was conditionally approved by the Planning and Zoning Commission on the April 11 meeting. The condition is that the easements be legally deeded before final approval of the Board. He stated the easements have been deeded but there was an error in the legal description and it will need to be corrected. He stated this is the first reading and should be corrected prior to the second reading of this ordinance. Kevin Schweikert, Brush and Associates stated this has been corrected. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Plank made motion and seconded by Alderman Lewis to approve Council Bill No. 2023-013, an ordinance approving McDow Subdivision Plat 2. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Volkart-absent, Alderwoman Bell-absent. Motion carried.

Mayor Slinker presented Council Bill No. 2023-014, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2023 Budget. Mayor Slinker called for the staff report. Shelley Martin, Treasurer, stated this budget amendments and appropriations from Park Fund Balance. She stated this decrease in fund balance at the close of this fiscal year is due to not receiving reimbursement for the Park Ball Field project from the LWCF. She stated the first reimbursement should arrive in May or June of 2023. She stated the second reimbursement request would be sent May 1 and we should receive it in July or August. She stated we have done our due diligence in reporting the short fall in revenue as required by law. Shelley stated there would be no long term impact, as we will see the LWCF reimbursements during the next fiscal year. She recommended that the Board of Aldermen approve the ordinance. She informed them by not passing the ordinance would put the city in a position of not complying with State Statute, Chapter 67. She stated this requires that each political subdivision be prohibited from expending public monies unless those expenditures have been authorized as provided in Chapter 67. She stated her plans was to meet with the Park Board at their next meeting and go over this with them. Alderwoman Old stated they are spending out of fund balance. Shelley Martin stated it would show additional revenue in the next year's budget. Shelly Martin stated last year budget we did a 60-40 split from the parks and storm water tax but will revert back to the original 50-50 split in the upcoming budget.

Alderwoman Bell was in attendance at 7:18 p.m.

Alderman Lewis asked if there was a chance of the City not getting reimbursed for this. Shelley stated the grant funds were approved so she did not see that as being an issue. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Plank made motion and seconded by Alderwoman Old to approve Council Bill No. 2023-014, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2023 Budget. 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 Council Bill No. 2023-015, an ordinance to amend Chapter 10, Planning and Zoning, Subdivisions, Building of the City of Ashland Code. Mayor Slinker called for the staff report. Darin Ratermann, Community Development as the Board recalled they modified the permit fee. He stated it is anticipated that further adjustment might be necessary as more data from the last year's permits were collected. He stated in previous years it was based on estimated cost of construction. He stated as part of the annual review of our building permit fee structure in support of the budget for FY24 budget, we determined that the residential fee multipliers needs to go from .0025 (.25%) to .003 (.3%) leveled playing field- original fee multiplier. He stated this modification would also include the automatic adjustment in the ICC valuation. He stated this would be necessary to adjust the multiplier down to .003, to satisfy the Community Developments budgetary requirements. He stated he recommends the Board approve the permit fee multiplier adjustment for the fiscal year 24. Mayor Slinker called for comments or questions from the Board. Alderman Plank questioned the amount of permits. Darin Ratermann stated about half as

the year before probably between 30-50. Darin Ratermann stated he has sent a memo to the builders with the permit fee multiplier adjustment. He stated he has had some complaints and some questions from the builders. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderman Lewis to approve Council Bill No. 2023-015, an ordinance to amend Chapter 10, Planning and Zoning, Subdivisions, Building of the City of Ashland Code. 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 Ordinance No. 1431 an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year budget. Mayor Slinker called for the staff report. Shelley Martin, Treasurer stated this is the second reading of the budget amendments. She gave an overview of the amendments that were made and reasons. She stated that no more spending after today. She stated the department heads did a good job monitoring their budgets. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for the motion. Alderman Plank made motion and seconded by Alderman Wilson to approve Ordinance No. 1431, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year budget. 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. 1434, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2023 Budget. Mayor Slinker called for the staff report. Shelley Martin, Treasurer, reported this Ordinance No. should be 1433 not Ordinance No. 1434. She stated this is the second reading and is for the park budget adjustments and needs to be passed to stay in compliance. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderwoman Old made motion and seconded by Alderman Lewis to approve Ordinance No. 1433, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2023 Budget. 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 Ordinance No. 1432, an ordinance adopting the annual budget for fiscal year beginning May 1, 2023 and appropriating funds pursuant thereto. Mayor Slinker called for the staff report. Shelley Martin, Treasurer stated this is the final reading of the budget. She noted the new tax for law enforcement and streets that was passed in April has been added but with no revenue or expense data in it. She stated it would take six to eight months before we start seeing this tax and a budget adjustment can be made closer to the end of the next fiscal year. 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 Ordinance No. 1432, an ordinance adopting the annual budget for fiscal year beginning May 1, 2023 and appropriating funds pursuant thereto. 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. 1434, an ordinance authorizing the Mayor to enter into a wastewater operations and maintenance agreement with Boone County Regional Sewer District. James Creel stated he gave the presentation earlier in the meeting and this is the second reading tonight and is the contract renewal with BCRSD. Mayor Slinker called for the staff report. Mayor Slinker called for comments from the public. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderwoman Old made motion and seconded by Alderman Wilson to approve Ordinance No. 1434, an ordinance authorizing the Mayor to enter into a wastewater operations and maintenance agreement with Boone County Regional Sewer District. Mayor Slinker called for the vote. Alderman Plank-aye,

Alderman Old-aye, Alderman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Ordinance No. 1435, an ordinance to amend Chapter 10, Planning and Zoning, Subdivisions, Building of the City of Ashland Code. Mayor Slinker called for the staff report. Darin Ratermann, Community Development stated this is the second reading of the fee multiplier. Mayor Slinker called for comments or questions from the Board. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderman Lewis to approve Ordinance No. 1435, an ordinance to amend Chapter 10, Planning and Zoning, Subdivisions, Building of the City of Ashland Code. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderman Bell-aye, Alderman Old-aye, Alderman Plank-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented a Resolution authorizing the purchase of ballistic vest for the Police Department. Mayor Slinker called for the staff report. Gabe Edwards, Police Chief, stated this is approval of the purchase of three vests to be made on May 1, 2023. He stated the Ashland Police Department requires all uniformed police officers to wear custom-fitted bullet resistant vests. He stated it is a requirement of their participation in the federal bulletproof vest program which provides funds to reimburse agencies for the expense of the vests. He stated the first vest is for the newest hire, Laine Wilson, and two are replacement vests for Allie Leiva and St. Worrall which both currently have expired vests. He stated the vests include soft armor and rifle-rated plates that will be worn in conjunction with the soft armor. The combination provides a higher level of protection for officers, and eliminates the need for them to change vests or retrieve additional armor from their patrol car in the event such armor is needed while on duty. He explained the total cost of the three vests is \$7,626.32 and the eligible funds of \$3,231.02 from the BVP grant that can be reimbursed and would likely be disbursed during the FY 24 which would reduce the total impact to \$4,395.30. Mayor Slinker called for questions or comments from the Board. Alderman Plank asked for an explanation on the expiration of vest. Chief Edwards stated the manufacturers put this on the vest due to wear and fibers and material breaking down. Alderman Old questioned if the funds we receive back from the grant would go back into the line item for equipment for the Police Department. Shelley Martin, Treasurer stated this goes back into general revenue fund and is already considered in the general fund budget. This was discussed this at length. Mayor Slinker called for any questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderman Lewis to approve the Resolution authorizing the purchase of ballistic vest for the Police Department. Mayor Slinker called for the vote. Alderman Plank-aye, Alderman Old-aye, Alderman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented a resolution entering into a renewal agreement with Gilmore Lawn & Land. Mayor Slinker called for the staff report. James Creel, Public Works Director stated this is the FY24 mowing contract renewal for \$22,071.54. He informed the Board last year we put this out for bid and Gilmore Lawn & Land was the low bidder. He stated the contract had a renewal options for two additional years upon agreement by both parties. He stated Gilmore Lawn & Land has agreed to renew the contract for FY24 at the same pricing. Mayor Slinker called for questions or comments from the Board. Alderman Plank questioned how many acres they mow. James Creel stated he was not sure it was listed out into parcels between the parks, sewer, water and general funds. He gave an overview of the property. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderman Old made motion and seconded by Alderman Bell to approve the resolution entering into a renewal agreement with Gilmore Lawn & Land. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Wilson-aye, Alderman Bell-aye, Alderman Old-aye, Alderman Plank-aye, Alderman Volkart-absent. Motion carried.

The City Clerk swore into office Alderman Wilson and Alderman Bell.

Mayor's Report:

Mayor Slinker thanked the Parks for the gaga ball arena. Alderwoman Old reported that was an Eagle Scout Project.

Mayor Slinker asked the status of the ballfield project completion. James Creel, Public Works Director stated it should be done within the month. He stated they are waiting on locates to proceed with some work. He stated the concrete and storm water needs finalized and the field needs dressed up. He stated the dugout is closed right now due to the floor settling and there is a large crack in it. He stated next week they would be doing the wing walls to guide run off.

Kyle Michel stated they have not been able to find a good location at City Hall for a flagpole but will continue to work on that but it would not be in this year's budget.

City Administrator Report:

Kyle Michel gave an update of the events happening this week with the Chamber and the Earth Day the Community Clean up on Saturday morning at 8:00 a.m. starting at the middle school parking lot. He reported the Ashland Betterment Coalition is having a Kentucky Derby event at Eagle Knoll on May 6th

City Attorney's Report:

Todd Smith, City Attorney informed the Board the Supreme Court of Missouri has approved rule changes that allow access to public court records through casenet. He stated this would begin on July 1, 2023. He stated it does not apply to old records just from July 1 forward. He stated this gives the court the opportunity to work with the Missouri Bar to educate attorneys, court staff, parties of anyone else offering documents for filing in any Missouri State court to keep unnecessary confidential information out of the otherwise public documents and to redact that information to protect it from disclosure. He stated there would need to be training on this. The Board discussed this.

Public Works Director monthly report:

James Creel informed the Board the T.A.P. grant engineering work as begun. He stated they are still waiting on approval from MoDot on the Perry Avenue project to be bid out. He stated Billy Joe Sapp storm water project has been completed and the next storm water project is Oak Street. Gave an update on the park ballfield and Earth Day clean up at the park.

James Creel reported the generator grant was approved with a 90% grant and he would be attending grant administration training to get the project implemented.

Community Development monthly report:

Darin Ratermann stated he is working in developing neighborhoods to get the streets cleaned up. Alderman Plank questioned what kind of clean up? Darin Ratermann stated he received three complaints in Forest Park of nails, screws and mud in the roadways. He stated if this was not cleaned up by the contractors he would possibly report them to the Department of Natural Resources. He stated the problem is the contractors don't see this as being a problem. The Board discussed these issues at length with possible solutions to address these concerns.

Alderwoman Bell questioned the rules for rv's, as in where can they be parked. Darin Ratermann stated they can be on private property.

Board of Alderperson's Reports:

Alderman Plank thanked the Parks and Recreational Commission for the mulch at the park. James Creel, Public Works Director stated they are mulching the playgrounds and would finish it tomorrow.

Alderman Old stated she received a call today on parking issues on Redwing and has forwarded it to the City Administrator.

Alderman Lewis stated he received one call about a camper parked in a yard and other vehicles. It was reported this is legal as long as it is not up on blocks.

Alderman Lewis informed the Board they are working on a proposal for curbside yard waste. Kyle Michel stated we would need a special meeting on Thursday via zoom to consider the proposals. The Board agreed upon 3:30 p.m. via zoom and it would be posted on the website.

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

Mayor Slinker called for the vote to adjourn the meeting. Alderman Bell made motion and seconded by Alderman Wilson to adjourn the meeting at 8:16 p.m. Mayor Slinker called for the vote. Motion carried.

Darla Sapp, City Clerk

Dorise Slinker, Mayor