

MAY 17, 2022
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Slinker called the regular meeting to order at 7:00 p.m. on May 17, 2022 at 101 West Broadway.

Mayor Slinker led in the pledge of allegiance.

The City Clerk swore David Wilson into office prior to the meeting.

Mayor Slinker called the roll:

Ward One: Nathan Volkart-here, Bryan Bradford-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, Gabe Edwards, Police Chief, John Conway, City Engineer, and James Creel, Public Works Director.

Mayor Slinker presented the minutes of the May 03, 2022 Board meeting for consideration. Alderman Bradford made motion to approve the minutes as presented. Alderman Lewis seconded the motion. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker presented the agenda for consideration. Alderman Bradford made a motion to approve the agenda as presented. Alderman Volkart seconded the motion. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker stated there are no scheduled appearances tonight. He reminded everyone a written request must be received by the City Clerk before Wednesday prior to the meeting.

Mayor Slinker presented a resolution authorizing the Mayor to execute an agreement with Bartlett & West, Inc. for a facility plan for wastewater treatment plant collection system. Alderwoman Old made motion and seconded by Alderman Lewis to take up for consideration the resolution authorizing the Mayor to execute an agreement with Bartlett & West, Inc. for a facility plan for wastewater treatment plant collection system. John Conway, City Engineer, stated this is an outcome of the inflow and infiltration study was the recommendation to move forward for the planning of upgrading of the wastewater treatment facility. He stated they requested qualifications with the deadline of March 25. He stated we received seven proposals and the evaluation team scored the RFQ according to the criteria outlined in the RFQ. He stated Bartlett & West had the highest aggregate score and was selected. He stated that James Creel and he met with the engineering firm to develop the scope of work and the fee to complete the facility plan. He stated the staff recommends the Board to approve the Engineering Services Contract with Bartlett & West in the amount of \$111,430.00. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for the vote. Alderman Volkart-aye, Alderman Bradford-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented a resolution authorizing the reduction of the building permit fee as a donation to the project cost to support Ranken Tech. Alderman Bradford made motion and seconded by Alderman Wilson to take up for consideration the resolution authorizing the reduction of the building permit fee as a donation to the project cost to support Ranken Tech. Mayor Slinker called for the staff report. Kyle Michel, City Administrator, stated the City restructured the building permit costs a few years back. He stated they are looking at the fee structure internally. He stated the commercial building permit fees do not have a cap on square footage costs. He stated they reviewed other community's fee structure and found our fee

structure for commercial to be out of line. He stated it is not the policy for the City to reduce permit fees. Kyle Michel, City Administrator, stated he felt it may be beneficial to the project, as this would free up capital to be spent in other places, such as classroom equipment as part of outfitting curriculum needs. He stated he felt the benefit to the City and surrounding community far exceeds the donated permit costs. He stated the reduction would not impact our ability to conduct necessary reviews and inspections and would be simply foregoing revenue in our Community Development Department. He stated the proposed reduction is \$21,000.00 which will make the permit fee \$20,000.00. He stated they have paid \$11,000.00 for the plan review fee already. Kyle Michel, City Administrator, stated the School plans on doing additional fund raising. He stated they have a bridge loan to get them through before the E.D.A. starts the cash flow. Mayor Slinker called for comments from the public. Jeff Sapp, 407 W. Broadway, stated he felt this is a mistake and sitting a precedence for future development. He stated the Board set the fees and it is determinately to the City. He stated the City has helped with the extension of Perry Avenue. Mike Frese, 5775 Charlotte Drive, dittoed what Jeff Sapp said and he stated it is bad precedence. He felt it was opening up a big can of worms. Alderwoman Bell stated if our fees are out of line then we need to look at that. Alderman Volkart stated he understands the cap issue on the fees but felt we are more or less building them a road at city expense. He stated he understands the benefits the students in our community. He stated with the request for the reduced fees it is sitting a precedence. He stated they are not for profit and pay no taxes to the City. He stated other than water revenue. He felt the City gave them a significant donation with the Perry Avenue Extension. Alderwoman Old stated she agreed the \$200,000.00 Perry Avenue extension is a significant donation. She felt if we need to redo the fee structure then we do that. Alderman Volkart stated this is not a donation but an incentive. He stated the YMCA has a contract with reduced rates for City employees. Alderman Volkart stated this would increase our traffic. Alderman Lewis stated he was on the fence about this. He stated it is sitting a precedence but on the other hand if we should look at our fee structure and capping that for future projects. Alderwoman Old stated she felt the Ranken project is a great benefit to the community. Alderman Volkart stated the City has a goal to get commercial development into town. He stated this is not the commercial we have been shooting for. He stated we need to get revenue in the City. He stated the Perry Avenue extension would benefit the Lakeview area. Alderwoman Bell stated she would like a packet from the staff on the fees and the recommendation to change the ordinance and it applies to everyone equally. Not just a onetime reduction/donation to Ranken. Nathan Nickolaus, City Attorney, stated we could look at adopting a policy on incentives such as reduction in permit fees, etc. Mayor Slinker called for questions or comments Alderwoman Bell stated she pulled up the information from Branson and it is a 40 page policy. The Board discussed this at great lengths. Alderwoman Bell made motion and seconded by Alderman Volkart to table this resolution. Mayor Slinker called for comments from the public. Mayor Slinker called for the vote to table this resolution. Motion carried.

Mayor's Report:

Mayor Slinker stated he would give his report last.

Administrator's Report:

Kyle Michel, City Administrator, updated the Board on the land use code review. He stated the codification with Municode is starting and we will be uploading the ordinances. He stated they indicated it might take longer than first projected. Kyle Michel, City Administrator, informed the Board that Izzy Smith and Alicia Ozenburger from the Ashland Betterment Coalition will be coordinating the 4th of July parade. He gave an update on Ashland Lakeside is planning an event for the 4th of July. He stated they have been waiting on an electrical service panel and the final occupancy permit. Kyle Michel, City Administrator, reported they received Amazon sign permit and they should be operational June 9th. He stated they met with the Regional Planning Commission on grant opportunities and the transportation plan at a cost of \$2,000. He stated they would look at the land use map as well. He stated they are currently working on updating the city limits, zoning map and ward maps. He reported Leslie Martin is back from leave and we have created an additional workstation and moved the printer down in the hallway.

City Attorney's Report:

Nathan Nickolaus, City Attorney, stated if the City has a tax to collect for vehicles purchased outside the city limits of Ashland it needs to be extended by the vote of the citizens. He stated this is different from the use tax for out of state purchases. He stated the City would need to pass an ordinance and place this on the ballot for the November election in order to keep receiving these funds from the Department of Revenue. He stated this is not a new tax only but to continue to receive this. If not we will lose that revenue.

Public Work's Director Monthly Report.

James Creel, Public Works Director, stated the final signage was installed on the roundabout project May 10 and the closeout is underway. He stated the storm water repairs/maintenance would begin in early June on Billy Joe Sapp when they are full staff again. He stated one employee transferred to the sewer department and they should have that vacancy in the streets department filled by the end of the month. James Creel reported the ballfield remodel restroom facility bids are due Friday. He stated the bid tabs have to go through Department of Natural Resources but it goes to the Board for approval. Alderwoman Old reminded James Creel it also has to go through the Park Board. He stated the Public Works is working with Alliance Water Resource and Boone County Regional Sewer District to ensure smooth transition of services. He stated they have one opening in the sewer division and will be conducting interviews this week.

Alderwoman Old stated she had a question on an item not in James Creel report. She stated after the park board meeting the other night they looked at the tennis courts that are less than a year old since we resurfaced them. She stated it is already cracking between the two courts and ponding water. She asked if this would be covered under the contract. James Creel reported there is a rider in the contract since the cracks will reoccur it would not be covered in the warranty. He stated he would get with McConnell on this but he was sure it would not be covered under the warranty. He stated and review the contract.

Board of Aldermen's Reports:

Alderman Volkart expressed concern of the school not paying for improvements such as a portion of a sidewalk on Liberty Lane on the school property. He asked that the City make an effort to form a good working relationship with the new superintendent of the school. Kyle Michel, City Administrator, stated this is a county road and did not require sidewalks. Alderman Volkart stated it could have been done voluntarily for the use by the children. He stated he felt the school traffic creates an issue at the Liberty Lane and S. Henry Clay Blvd. more than the Liberty Landing subdivision and he felt the school should participate in a cost share for that project. Kyle Michel, stated he is looking at a TAP grant and his intent is to ask the school to cost share in part of this project.

Alderman Bradford informed the Board he attended the Ribbon Cutting for the Dandy Lion Cafe and Helping Hands. He informed the Board he attended the governmental training in St. Joe, Missouri and found it very informative. He stated he registered to attend the MML Newly Elected Training Conference on June 9th and 10th.

Alderwoman Old stated she had a couple of questions on the legislative authority for motel/hotel tax. Kyle Michel, City Administrator reported he reported this a couple of months ago. He stated it is a dead issue and would need brought up and voted on by the legislature again. Alderwoman Old stated we could save our gas receipts and submit for refund. Alderwoman Old stated she attended an event at Dandy Lion Café and it was a good time and tame.

Alderman Lewis stated he attended the Planning and Zoning Commission as a Board Liaison and one of the issues coming up is the annexation of the Welch property. He stated the Planning and Zoning reviewed the rezoning and the preliminary plat. He stated there was probably a dozen people in attendance at the meeting besides the Board. He stated no one spoke against it but there are two issues that came up. He stated one being a drainage issue and the fence line north and south has a tree row. He stated the property

owner to the east that this is part of his property. He stated the engineer is saying it is 35 to 24 feet on the east side. He stated this would take part of the Smarr's driveway and dog pens. He stated there seems to be a dispute of property line. Alderman Lewis questioned rather or not we should take action on the annexation, rezoning and preliminary plat until this gets resolved between the two adjoining property owners. He stated neither party wants to remove the tree line.

Jeff Sapp, Planning and Zoning Commission Chairman, stated there seems to be a legal dispute on the survey is being disputed. He stated the two property owners are trying to work something out. He stated it could be beneficial to wait on this until this gets resolved.

Mayor's Report:

Dories Slinker presented Gabe Edwards with a 5-year service award to the Ashland Community.

Mayor Slinker called for additional comments from the public.

Jeff Sapp, 407 West Broadway stated the last couple of years we have been discussing storm water issues, our sewer system, and inflow and infiltration study. He stated he has had a sinkhole adjacent to a manhole in his yard for several years and Alliance dropped the ball on getting this fixed. He stated James Creel, Public Works Director brought his crew out and dug this out and found a collapsed pipe draining into the sanitary sewer. He stated this is a big issue and he thanked James and his crew.

Mike Frese, 5775 Charlotte Drive, stated the annexation was not discussed at the Planning and Zoning Commission meeting. He asked why the Planning and Zoning Commission did not use the Council Chamber. He stated they were crowded in the Community room.

Mayor Slinker called for comments or questions from the Board or staff.

Mayor Slinker called for a vote to go into closed session pursuant to Chapter 610.021(1) Legal Actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body to its representatives and its attorneys. Alderwoman Old made motion and seconded by Alderman Wilson to closed into closed session pursuant to Chapter 610.021(1) Legal Actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body to its representatives and its attorneys. Mayor Slinker called for the roll call vote. Alderman Volkart-aye, Alderman Bradford-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker reported we are back in open session with informed the public there was no reportable action taken.

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

Darla Sapp, City Clerk

Dorise Slinker, Mayor