

JUNE 06, 2023  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Slinker called the regular meeting to order at 7:00 p.m. on June 06, 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-present  
Ward Two: Melissa Old –present, Stephanie Bell- present  
Ward Three: Rick Lewis-present, David Wilson -absent

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

Mayor Slinker presented the minutes of the May 16, 2023 for consideration. Alderwoman Old 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. Alderwoman Bell made motion and seconded by Alderwoman Old to approve the agenda as presented. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker stated under special items we have Mitch Baumchen, requesting permission to have alcohol in the park during the YMCA softball season. Mitch Baumchen, Columbia, Mo. stated he is working on the team rules and trying to take necessary precautionary steps. He stated he is going to have a one-strike rule. He stated this is a new adult league and will be on Sunday evenings. He stated they have six teams signed up right now. He informed the Board promoting alcohol is not the values he lives through or the YMCA. Alderwoman Old questioned if alcohol would be allowed for the players and/or the spectators. Mitch stated for both. Alderwoman Old reported he did go to the Park Board and they did not have a strong opinion either way. Alderman Plank questioned Mitch if he thought it was possible to still have good time if no alcohol is allowed at this event. Mitch stated he felt it would be but thought adults would still be brought in and he did not know he could control this. Alderwoman Bell felt it was a great adult event and appreciated all the work Mitch has done. Mitch stated this is a pilot program and hopes to expand it in the future. He stated there will be extra trashcans there, he would be present at every game and do the work on the field area. Alderwoman Old stated her only concern would be the parking lot by the ballfield is owned by the school. Mitch stated he has been in contact with Trent at the school and his only concern was the trash. Alderwoman Bell made motion to suspend the no alcohol in the park rule one hour prior to the games and ½ after the games for the softball summer league. Alderwoman Old seconded the motion. Mayor Slinker called for the vote. Alderman Plank-nay, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Wilson-absent, Alderman Volkart-absent. Motion carried.

Mayor Slinker stated we have Kip Batye requesting a fireworks permits application for July 22, 2023 at 8 p.m. at the YMCA. Kip Batye 15904 South Palis Nichols Rd, Hartsburg, Mo. Stated he was present on behalf of the Ashland Betterment Coalition requesting a fireworks permit for July 22, 2023 at the YMCA. He stated they received their insurance today and they are still in the fundraising process. He stated they plan to have food trucks and vendors present at the event. Mayor Slinker called for questions or comments from the Board. Alderwoman Old questioned why the event was advertised prior to coming before the Board? Kip Batye stated he believed it stated pending approval. Alderman Plank questioned why it is not

done on the 4<sup>th</sup> of July Kip Batye stated this is what works best for the gentleman doing the fireworks display. Alderwoman Bell questioned the overflow parking. Kip Batye stated at the YMCA, Jose Jalapenos, primary school parking, church parking lot and Liberty church parking lot. Alderman Plank questioned restrooms being available. Kip Batye stated the restrooms at Jose Jalapeno's were open last year and the YMCA, and port-a pots would be available. Kip Batye informed the Board the fundraiser for this event was only ¼ of the way and the cities money they paid to the Ashland Betterment Coalition was not being used for fireworks. Mayor Slinker called for the motion. Alderman Lewis made motion and seconded by Alderwoman Bell to approve the fireworks permit. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderwoman Bell-aye, Alderwoman Old-nay, Alderman Plank-aye, Alderman Volkart-absent, Alderman Wilson-absent. 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. 2023-019, an ordinance approving Middle Creek Subdivision Preliminary Plat. Mayor Slinker called for the staff report. Darin Ratermann, this is a preliminary plat for Middle Creek subdivision. He informed the Board the property owner is Corey Myers Developments, the submitting firm is Engineering Surveys and Services. He stated the engineer and owner is present at the meeting tonight. He stated the original proposed development was proposed at 116 lots with mixed zoning. Darin stated due to various reasons, including lack of available sewer capacity, the current plat is nine lots. He stated access to lots 1,3,5,6 and 9 will be from E. Clellie Harmon Road and access to lot 8 will be from South Crump Lane. Access to Lot 7 will be through an easement to Justin Lane and Lots 2 and 4 would be off Billy Joe Sapp Drive. He stated the easement have been proposed to allow City utilities to be supplied to the lots. The sidewalks would be up to the buyers of each to install. A hammerhead turnaround would be installed at the north end of Billy Joe Sapp. However, this is not required at the end of Justin Lane, due to the short section of street. There is also to be a small berm built on the south side of Lot 4 to control stormwater runoff to the existing homeowners to the south. Darin Ratermann stated the issues the Board discussed at the last meeting was city utilities, sidewalks and connectivity of Billy Joe Sapp and Clellie Harmon Road. He stated the Planning and Zoning Commission recommended approval on the condition the homes are connected to city sewer. Mayor Slinker called for questions or comments from the Board. Alderman Plank questioned the Community Developer Director on if his feelings has changed about the proposal and if it meets with the comprehensive plan. Darin Ratermann stated, it does meet the code requirements and the sidewalks on the road frontages needing sidewalks he is indifferent. He stated the tract of land could be better utilized but it does meet the code. He stated the comprehensive plan does show this as R-1. Corey Meyers, owner stated he did try to do a 161 lots but the cost to upgrade the City sewer was 4.5 million dollars. He stated they decided to go a different direction with the development. He stated he felt that was the best way for him to move forward. Corey Bergthold stated the sewer and preliminary plat submittal is a separate issue. He stated they have met the requirements of the city code. Alderman Lewis stated he not opposed to the idea of reducing the number of lots but his concern was the connectivity. He stated we have a number of dead-end streets in town. He asked since this is in the planning stage if Billy Joe Sapp could be connected now. Corey Myers stated this was not economical possible for him. He stated this would create more stormwater issues. He stated the bigger lots help and the estate lots are not going to want a roadway running through them. The Board members asked various questions relating to the difference of a hammerhead, cul-de-sac or through roadway. Alderwoman Old stated she did not like the fact the street is not connecting but it does meet the code. Mayor Slinker called for comments from the public. Mayor Slinker called for the motion. Alderman Plank made a motion to deny Council Bill No. 2023-019 approving Middle Creek Subdivision Preliminary Plat. Mayor Slinker called for a motion. Motion died for lack of a second. Alderwoman Bell made motion and seconded by Alderwoman Old to approve Council Bill No. 2023-019, an ordinance approving Middle Creek Subdivision Preliminary Plat with the condition this be connected to the city sewer. Mayor Slinker called for the vote. Alderman Plank-nay,

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

Mayor Slinker presented Council Bill No. 2023-022, an ordinance authorizing the Mayor to enter into an animal control enforcement cooperative agreement. Mayor Slinker called for the staff report. Kyle Michel, City Administrator reported this is the annual renewal animal renewal contract with the increase of .76 cents per hour to cover the salary increase. Chief Edwards stated the City has contracted with the County for at least the last six years. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for comments from the audience. Mayor Slinker called for a motion. Alderman Bell made motion and seconded by Alderman Lewis to approve Council Bill No. 2023-022, an ordinance authorizing the Mayor to enter into an animal control enforcement cooperative agreement. Mayor Slinker called for the vote. Alderman Plank-aye, Alderman Old-aye, Alderman Bell-aye, Alderman Lewis-aye, Alderman Wilson-absent, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented Ordinance No. 1443, an ordinance approving South Wind Tract Split Final Plat. Mayor Slinker called for the staff report. Darin Ratermann, stated this is the second read regarding parcel reconfiguration of the South Wind subdivision. This replat of the two parcels, Lot 1 and 2 are to become Plat 7 and 8. The property owner of both parcels is Winscott Construction, LLC. He stated McClure Engineering, acting on behalf of Lombardo Homes of Columbia. Phase 7 will be approximately 22.03 acres in size and Lot 2, to become Phase 8, will be approximately 22.08 acres. He stated staff is supportive of this plat and the Planning and Zoning Commission approved this on May 9<sup>th</sup>. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for public comment. Mayor Slinker called for the vote. Alderman Old made motion and seconded by Alderman Lewis to approve Ordinance No. 1443, an ordinance approving South Wind Tract Split Final Plat. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Bell-aye, Alderman Old-aye, Alderman Plank-nay, Alderman Wilson-absent, Alderman Volkart-absent.

Mayor Slinker presented Ordinance No. 1444, an ordinance approving South Wind Plat 7 & 8 preliminary plat. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director stated this is a preliminary plat for the proposed phase 7 and 8 of South Wind Subdivision. He stated this is the second read and the last time the only issue was to construct the sidewalk along Henry Clay Blvd. or give an escrow to the City for cost to construct the sidewalk. Mayor Slinker called for comments or questions from the Board. Alderman Plank questioned the amount of homes and approximately how many school children. He also questioned if water drainage problem comes up what are the homeowners to do. Darin Ratermann stated there is proposed 97 homes. Chris Sander of McClure Engineering stated he was filing in engineer on this project due to a medical procedure. He stated in this subdivision Lombardo Homes will build all the homes on these lots. He stated they will be the owner and developers. He informed them they have grading plan for each site. He stated they go above and beyond what is usually done. He stated they provide a warranty with the homes so there is a different relationship. Alderman Plank has for an explanation of the warranty in depth. Todd Smith, City Attorney reported the city would not be involved if there was concerns between the developer and the homeowner. Darin Ratermann stated at a city stand point it will be easier to work with one developer and builder. Mayor Slinker called for comments from the public. Mayor Slinker called for the motion. Alderman Lewis made motion and seconded by Alderman Old to approve Ordinance No. 1444, an ordinance approving South Wind Plat 7 & 8 preliminary plat as amended to require the sidewalk be constructed or escrow money for future construction be submitted. Mayor Slinker called for the vote. Alderman Plank-nay, Alderman Old-aye, Alderman Bell-aye, Alderman Lewis-aye, Alderman Wilson-absent, Alderman Volkart-absent.

Mayor Slinker presented Ordinance No. 1445, an ordinance authorizing the Mayor to enter into an animal control enforcement cooperative agreement. Mayor Slinker called for the staff report. Kyle Michel, City Administrator stated this is the second reading. Mayor Slinker called for questions or comments from the

Board. Mayor Slinker called for comments from the audience. Mayor Slinker called for a motion. Alderwoman Bell made motion and seconded by Alderman Lewis to approve Ordinance No. 1445, an ordinance authorizing the Mayor to enter into an animal control enforcement cooperative agreement. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Wilson-absent, Alderman Volkart-absent. Motion carried.

Mayor Slinker reported the next item on the agenda is a resolution adopting the revised personnel manual. Mayor Slinker called for the staff report. Kyle Michel, City Administrator stated he sent out old and revised manual to the Board. He stated some were minor things to change to drug and alcohol policies resulting from state law changes with regards to the recreational marijuana use, defined certain employee expectations and policy standards as they relate to tuition reimbursement programs, temporary light duty, sexual harassment, etc. He stated it is a lengthy documents. Mayor Slinker called for questions or comments from the Board. Alderwoman Bell questioned the education reimbursement in the manual. Kyle Michel reported this refers to associates or bachelors degrees and not academy's. Chief Edwards stated this is the not the standing policy to pay for academy but in this years budget. Alderwoman Bell also questioned the election activities section. Alderman Plank questioned Kyle Michel on what the most important addition to the policy manual that was made. Kyle Michel stated the biggest change was the transitional duty because we had lack of policy. He stated that was the most substance change. He stated that section was expanded on. Mayor Slinker called for comments from the public. Mayor Slinker called for the motion. Alderwoman Bell made motion and seconded by Alderman Lewis to approve the resolution adopting the revised personnel manual with changes under permitted political activities in order to comply with the State Statute. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Wilson-absent, Alderman Volkart-absent. Motion carried.

Alderwoman Bell thanked the Kyle and City Attorney for the work in updating this. She stated it is important work and is often put off for a long time.

Mayor Slinker presented a resolution of the Board of Aldermen of Ashland, Missouri awarding bid for South Main Street waterline and resurfacing project to M & M Landscaping and Construction, LLC. Mayor Slinker called for the staff report. James Creel, Public Works Director stated this is authorizing the notice of award for this project. He stated this is pertaining to the South Main Water line and resurfacing project. He stated this project should be completed over the summer months. He stated this is a major thoroughfare. He informed them the bid opening was May, 18<sup>th</sup> and they received two bids. He stated staff has recommended bid option 1 which was the waterline, 3 inch mill and overlay; Mayor Slinker called for questions or comments from the Board. Alderwoman Old asked what the bid option differences were. James Creel stated the alternate 1 was for the waterline, concrete repairs, 2 inch mill and overlay. This was discussed. Alderwoman Old questioned what the hiccups with this project is. James Creel stated we are waiting on the contract documentation, insurance and bid bonds. He stated everyone wants to get this project going. Alderwoman Old asked what are the plans to divert traffic. James Creel stated they met with the potential contractor this evening prior to the meeting and they are working on a plan. He stated it would probably just be closed to through traffic. He stated hopefully we could decrease traffic during construction to allow them to meet their timeline. Alderman Plank asked what the timeline was. James Creel stated after all documents are obtained locates done and coordinate the project, hopefully get started in a couple of weeks. Alderman Plank asked if there were liquidated damages or penalties in the contract. James Creel stated we do not have a contract yet. He stated they are hoping to get this project completed prior to school starting. The contractor answered various questions 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 the resolution of the Board of Aldermen of Ashland, Missouri awarding bid for South Main Street waterline and resurfacing project to M & M Landscaping and Construction, LLC. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderwoman Bell-aye, Alderwoman Old-aye, Alderman Plank-aye, Alderman Wilson-absent, Alderman Volkart-absent. Motion carried.

Mayor Slinker presented a resolution authorizing the Mayor to execute Supplemental Agreement No. 1 with TWM, Inc. relating to the TAP Grant Sidewalk & Trail Project. Mayor Slinker called for the staff report. James Creel, Public Works Director stated this is a requirement that MoDot staff determined was needed due to the land that is categorized as “undisturbed” that may contain intact archaeological deposits, and archaeological sites have been documented in similar settings in the county. He stated they are requiring that Phase 1 cultural resource survey of the area be completed, prior to the project moving forward. He stated this is a common occurrence in grant funded projects. He stated part of this project is behind the YMCA. James Creel state that TWM has reached out to two separate firms that are MoDot preapproved LPA Consultant list. He stated SCI Engineering Inc. was \$7,600 plus \$500 if curation becomes necessary and WSP USA Engineering and Infrastructure, Inc. \$19,430. Mayor Slinker called for questions or comments from the Board. Alderwoman Old asked why we could not have found out this before now. The Board asked what if happens if they find something. James Creel stated that each proposal entailed one day of field work and walk through the area and taking samples. He stated a report would be completed within 3 months of issuance of the Notice to Proceed. He stated the funding is eligible for funding through the TAP Grant, with a 20% match required of the City of Ashland and Southern Boone Schools and the YMCA jointly. He stated he did not anticipate this project be completed in the 2023/2024 Budget year. Alderwoman Old asked if they would award additional funds since this was not included in the original. The Board discussed this and James Creel reported the other partners have been looped in on this new information. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderwoman Bell to approve the resolution authorizing the Mayor to execute supplemental agreement No. 1 with TWM, Inc. relating to the TAP Grant Sidewalk & Trail Project. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-nay, Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Volkart-absent, Alderman Wilson-absent. Motion carried.

Mayor Slinker presented a resolution of the Board of Aldermen of Ashland, Missouri awarding bid for project S403001 for the Perry Avenue extension to M & M Landscaping and Construction, LLC. Mayor Slinker called for the staff report. James Creel, stated this is another request for notice of award with the similar issues of getting the contract document ready for signing, which should be done by the end of the week. He stated that M & M Landscaping and Construction was the low bid on this project. He stated they met before the meeting and are working on the timeline. He stated the hard deadline for this project is at the end of October. He stated we had six companies submit bids. He stated the Base Bid was a 27 foot wide roadway, Base Bid B included the water line. He stated there was Alternate 1 increase roadway width to 32 feet and Alternate 2 was a 5-foot sidewalk. The combined total for these options was \$596,740.40 He stated the projected budget was \$715,155.00. Mayor Slinker called for questions or comments from the Board. Alderwoman Old stated these are two big projects and she was concerned of them getting both done. A representative for M & M Landscaping and Construction, LLC stated it was feasible for them to do both projects. Mayor Slinker called for public comment. Mayor Slinker called for a motion. Alderwoman Old made motion and seconded by Alderman Lewis to approve the resolution of the Board of Aldermen of Ashland, Missouri awarding bid for project S403001 for the Perry Avenue extension to M & M Landscaping and Construction, LLC. Mayor Slinker called for the vote. Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Wilson-absent, Alderman Volkart-absent. Motion carried.

#### Mayor’s Report:

Mayor Slinker questioned the progress on the implementing a safe place program. Mayor Slinker stated he had a question for Gabe reference why the City police did not handle a call on a speeding incident on Crump Lane the other night. Mayor Slinker reported the County responded. Chief Edwards reported how the dispatch center works they dispatch the calls reference to the location.

#### City Administrator Report:

Kyle Michel reported Leslie Martin asked him to remind everyone the food trucks will be next Tuesday from 5-8 pm. He stated they are still researching the irrigation meter options with the software company. Kyle Michel reported the Optimist Club would be hosting 54 Country Dance Club.

City Attorney's Report:

Todd Smith, City Attorney reported a legislative bill that passed both houses reference police officers they are watching. He reference a federal judge in Tennessee banned drag shows.

Police Chief's monthly report:

Chief Edwards stated with Jeff Barringer hired and in the academy they are fully staffed but that is going to change in a couple of weeks. He stated Jeff is doing well in class and has been appointed as class captain. He informed the Board Desmond would be leaving the Police Department to pursue a job as he has obtained his masters in Accounting. He stated they are happy for him and his family. Laine Wilson will be graduating the police academy June 8<sup>th</sup> and will be taking a week off between graduation and the start of field training. He informed them Tracey Cleeton, formerly a Boone County Sheriff's Office has been added to our part-time office roster and will be supplementing patrol staff on the weekends and wherever else he is needed. Chief Edwards informed them the defensive tactics program has officially been launched. Full time patrol staff are require by policy to attend a certain number of training sessions at Shawn Woods gym every pay period. He updated the board on the software named The Guardian Tracking software they budgeted for this fiscal year has been obtained and we are currently working through the set up phase. Final training for Chief Edwards and Sergeant Worrall is Monday June 5<sup>th</sup> and we anticipate launching the software department wide follow our final training. He stated early warning/intervention software used to measure various metrics and individual officers, such as use of force, pursuits, commendation, complaints, etc.

Board of Aldermen report:

Alderman Plank gave a synopsis of the Ashland Betterment Coalition meeting last night. He stated they roughly grossed \$4,500 at the Kentucky Derby event. He stated the ABC is hosting the Independence Parade at 9:00 a.m. on the 4<sup>th</sup>. He stated the fireworks display would be July 22, 2023 at the YMCA. Alderman Plank stated the ABC need one or two more volunteers to be fully staffed.

Alderwoman Bell reported she had two people reach out one regarding kids at the Eagle Lakes using foul language and playing rap music. She stated they had permission to be there but has since been resolved. She stated she has already talked to the City Administrator and the Police Chief about this complaint. Alderwoman Bell stated she got a call from someone putting in a pool and he was not getting much help from the City on his questions. Kyle Michel and Darin Ratermann stated they have been in contact with him and he cannot build in an easement.

Alderman Lewis informed the Board the Lions Club collected enough recyclables donated to purchase a park benches for the Veterans Memorial area in the park and they would be delivered soon.

Mayor Slinker asked if was possible to move some picnic tables over for the food truck event next Tuesday. He stated he heard complaints of no place to set being an issue.

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

Chuck Donigian, 407 Billy Joe Sapp stated he was in attendance at the January 19 2021 meeting where the Board approved 401 Billy Joe Sapp project option 3B. He gave an overview of timeline of discussions with City staff, Allstate Consultants and claimed the project was not the option the board voted on. He stated he would not have signed the easement and he did not receive what was promised to him. He discussed is dissatisfaction of the condition of his yard. Mr. Donigian informed the Board he wanted them to know

what he was going through and asked for suggestions. He stated he had pictures for the Board. Kyle Michel informed him if wanted he could give them to the Clerk for the records.

Mayor Slinker called for the vote to adjourn the meeting. Alderman Lewis made motion and seconded by Alderwoman Bell to adjourn the meeting at 8:37 p.m. Mayor Slinker called for the vote. Motion carried.

Darla Sapp, City Clerk

Dorise Slinker, Mayor