

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

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

Mayor Slinker led in the pledge of allegiance.

Mayor Slinker called the roll:

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

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

Mayor Slinker presented the minutes of the June 20 and June 28 special meeting for consideration. Alderman Volkart made motion to approve the minutes as presented. Alderman Wilson seconded the motion. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker presented the agenda for adjustment or approval. Kyle Michel, City Administrator stated they decided to pull the resolution f.) Adjusting the FTE's in the City of Ashland Police Department from the agenda tonight. Alderwoman Bell made motion and seconded by Alderman Volkart to approve the agenda as amended. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker reported under scheduled appearances is Chuck Donigian 407 Billy Joe Sapp storm water project. He asked Mr. Donigian if he had anything new to add and limited this to 5 minutes. Chuck Donigian clarified the storm water project is located at 401 through 407 Billy Joe Sapp. He gave an overview of invoices from Allstate, construction plans changing, and breakdown in communication and city employees being dishonest. He questioned if there is a conflict of interest policy for employees, who benefit financially from their decisions? Mayor Slinker called for questions or comments from the Board. Alderman Plank asked if he agreed to the project to help his own yard or for his neighbors. He stated he was being neighborly and hoped the Board would address the concerns he has for his yard to go back to some resemblance of what it was before because he did not want to have to sue.

Mayor Slinker presented Council Bill No. 2023-025, an ordinance to change the zoning of a parcel of land from C-G to R-3 for Nicholas Martin, William & Kimberly Martin for 104 South Main Street. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director informed the Board this request is for rezoning of 104 South Main Street, from C-G to R-3. He stated the 2020 Comprehensive Plan anticipated this property to be downtown/mixed use zoning. The owners of this property contacted city staff earlier this year to discuss replacing the Main Street Car Wash with multi-family housing. Since residential is not a permitted use, only conditional in C-G zoning and after discussing options R-3 zoning seemed to be the best fit for this site. He stated this property is not contiguous to other R-3 zoned properties, mixed use is anticipated for this site as part of the City's future land use map and similar zoning is in close proximity to the subject property. He stated affordable and attainable housing are target goals for the City as we rarely see proposals come along for higher density housing or multifamily housing. The property project would add new multifamily housing stock in close proximity to our downtown core. The proposed redevelopment would add value to the area and would lend towards reinvestment and revitalization efforts in our downtown. He stated since housing, especially affordable and attainable housing is in short supply this would be one of a few new developments in downtown. The staff is supportive of this rezoning and the

proposed redevelopment project. He stated this was not approved by the Planning and Zoning Commission due to a tie vote. He stated the reason to not recommend was based on the concern for the spot zoning and the perceived undesirable nature of (R-3) higher density zoning. Mayor Slinker called for questions or comments from the Board. Alderman Plank asked what the primary motivation was for killing the car wash and building an apartment complex. Chris Sander stated the reason the owner wished to do this is the business of car wash has dwindled and they wished to change the business model. He stated this is tucked in behind other businesses/apartments. He stated they were looking at other methods to utilize the property. He stated the shape of the tract is 300 feet deep and 90 feet wide on the road frontage side. Alderman Volkart asked if there were preliminary plans on the lay out since, it is unusual shape. He asked if it would be similar with what was across the street. Nick Martin, owner stated they could put five townhouse style buildings with plans of being in a row. That way it will allow for parking. He stated their plan is to improve the downtown and the way it looks. Alderman Volkart questioned the parking spaces and concerns of overflow parking from downtown utilizing this parking. Nick Martin stated it would be posted as private parking for tenant use only. He stated they are required to have two spaces per residence. They discussed one lane in and one lane out of the complex. Alderman Lewis stated he is liaison for the Planning and Zoning Commission and their main concern was that R-3 zoning means low income housing. Nick Martin stated as property owners already they we do not deal with low income housing. He stated this is going to be new construction and they want them to be nice. He stated they are visualizing something similar to Kelly Ridge style apartments. Alderwoman Bell questioned if the Planning and Zoning Commission was explained to it was not low income housing. Alderman Lewis stated some of the Planning and Zoning Commission members are against any R-3 zoning. Darin Ratermann stated duplexes are allowed in R-2 zoning. Kyle Michel stated density is 4000 sq. feet of parcel for each dwelling unit in R-3 zoning. Todd Smith, City Attorney stated first the fair housing act is another thing consider. He stated this type of housing suits a lot of high income professional people. Alderman Volkart stated with Ranken opening up there is going to be R-3 zoning. The Board discussed this at length. Mayor Slinker called for comments from the public. Terry Wren, owner of Wren's Automotive stated he does not have a problem but had concerns since they have had issues with the mobile home park behind them. He stated there is also water run off issue below this lot and adjoining them. He also noted a sewer line that runs from across the lot that would need to be dealt with. Chris Sander of McClure stated the topography of this lot drains that the south and the east. He stated they would have a detention pond that complies with the code. He stated they are aware of the sewer line and feel like they will not need to be relocate it. Peggy Wren, owner of Wren's Automotive stated she had a couple concerns. She stated she has high regards for the Martin's and know they mean well but what happens if they decide to sell them there is no guarantee. She stated they could change it to Section 8 housing and lower income housing. She stated she was also concerned of vandalism and stated they have a lot of cars left over night on their automotive lot. She stated they have been in business for 72 years and they have put a lot into it. Mayor Slinker called for the motion. Alderman Lewis made motion and seconded by Alderwoman Bell to take up Council Bill No. 2023-025, an ordinance to change the zoning of a parcel of land from C-G to R-3 for Nicholas Martin, William & Kimberly Martin for 104 South Main Street. Mayor Slinker called for the vote. Alderman Volkart-aye, Alderman Plank-nay, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson- aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented Council Bill No. 2023-026, an ordinance to change the zoning of a parcel of land from C-G to I-L for Timeless Treasurers of Columbia, LLC for 11550 S. Hardwick Lane. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director stated this is a request for rezoning from C-G to I-L and is owned by Timeless Treasurers and is approximately 5 acres. He stated this subject property is east of Highway 63 off South Hardwick Lane across from the Maude Hall Jones roadside park. He stated the 2020 comprehensive plan anticipated this property to be APC (Airport Commercial) in 2021 there was approval to rezone to General Commercial and the intent for this property, from the beginning, was to be used as a self-storage facility. Darin Ratermann stated during the recent building inspection it was noticed that the gravel pad at the rear of the lot, previously used as a staging area for building material, now sat empty. After discussion with the owner, it became clear the owner desire to use

the gravel for temporary storage. He stated the owner was not aware in general commercial the parking surface requirements could not be gravel. He stated staff and the Planning and Zoning Commission was supportive of this rezoning. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for comments from the public. Mayor Slinker called for the motion. Alderman Volkart made motion and seconded by Alderman Lewis to take up Council Bill No. 2023-026, an ordinance to change the zoning of a parcel of land from C-G to I-L for Timeless Treasurers of Columbia, LLC for 11550 S. Hardwick Lane. Mayor Slinker called for the vote. Alderman Lewis-aye, Alderman Volkart-aye, Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented Council Bill No. 2023-027, an ordinance to change the zoning of a parcel of land from C-G to I-L for Larkin Powers for 601 East Liberty Lane. Mayor Slinker called for the staff report. Darin Ratermann, Community Development Director stated this is a request for rezoning of 601 E. Liberty Lane from C-G to I-L for Larkin Powers He stated it is approximately 9.07 acres and is located at the southwest corner of Highway 63 and E. Liberty Lane. He stated the current zoning is General Commercial and the proposed zoning is Light Industrial. He stated Mr. Powers desires to put four or five large white box buildings on the site. He stated these could be either large warehouses and/or other types of leasable space. Darin Ratermann stated the 2020 comprehensive plan accounts for this property to remain C-G zoning. He stated these two zonings are closely related. He stated staff is supportive of this rezoning as this property shares boundaries with properties of like zoning. He stated the Planning and Zoning Commission approved this at their July 11, 2023 meeting. Mayor Slinker called for questions or comments from the Board. Alderwoman Volkart questioned what a white box building meant. Darin Ratermann stated it is a shell with the interior built to suit. Mayor Slinker called for comments from the public. Mayor Slinker called for the motion. Alderman Wilson made motion and seconded by Alderman Lewis to take up Council Bill No. 2023-026, an ordinance to change the zoning of a parcel of land from C-G to I-L for Larkin Powers for 601 East Liberty Lane. 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 presented a resolution authorizing the appropriating of funds to certain accounts within the fiscal year 2024 Budget for necessary equipment repair (sewer division). Mayor Slinker called for the staff report. Shelley Martin, Treasurer stated that authorization is needed to have repairs completed on the City owned Aries Pathfinder pipeline inspection system in order for it to be returned to operational status. She informed the Board the additional expense to capital equipment line 40-40-5810 for diagnostic/repair of the Aries Pathfinder, specifically to determine if reel cable needs replaced or termination will correct issue. She stated the estimate is from Coe Equipment which is a sole source vendor and the estimate was in their packet. She stated the camera system is a critical piece of equipment of Ashland Public Works as it is regularly used for the inspections of sanitary sewer and storm water sewer pipes. She stated over the last nine years, the system has been utilized regularly and is showing wear and tear. She stated they have diagnosed the issues with the camera system and provided a service quote in the amount of \$9,229.16. She stated the sewer department is requesting this be added to sewers capital equipment line 40-40-5810 in order to diagnose and repair the unit. She informed the board the original 24 budget they allocated \$20,000.00 for an end dump trailer and \$20,000.00 for a crane. It is anticipated these two items will not cost what he originally budgeted therefore these amount can be modified allowing sufficient funds remaining in 40-40-5180 to cover the cost of the diagnostic and report. She stated staff is not asking to increase the expense line, only to add an additional capital expense for the repair and authorization for the repair by Coe Equipment. Mayor Slinker called for questions or comments from the Board. Alderwoman Old questioned what changed for the dump trailer and crane price estimates. James Creel reported they found a vendor to purchase the trailer from for \$15,000.00 and priced a crane to the sewer truck. Mayor Slinker called for a motion. Alderman Volkart made motion and seconded by Alderman Lewis to take up a resolution authorizing the appropriating of funds to certain accounts within the fiscal year 2024 Budget for necessary equipment repair (sewer division). Mayor Slinker called for the vote. Alderman Volkart-aye,

Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented a resolution authorizing the appropriating of funds to certain accounts within the fiscal year 2024 Budget (police department). Mayor Slinker called for the staff report. Shelley Martin, Treasurer stated she sent out an amended memo to the Board after the packets were submitted. She stated additional expenditures were needed in the police budget, specifically related to the increased cost of the Axon contract and additional invoices submitted pertaining to uniform expenses, requires a budget amendment in order for purchases to be paid. She stated the Axon contract for additional services requires that expense line 10-15-5380 (service agreements) increase by \$210.00 so adequate funds are budgeted in this line for the remaining fiscal year agreement expenses. She stated additionally expenses pertaining to uniforms has exceeded what was originally budgeted in FY 24 by \$4126.00. She stated it is necessary to increase expense line 10-15-5105 (uniforms & equipment) to cover the cost of five current outstanding invoices. Amendments to increase expense line 10-15-5105 to a total amount of \$4,126.00, to cover cost of additional vest and equipment for possible new hire. She stated staff is proposing a decrease in line 10-15-5000 (salaries for \$4,335.93. She stated due to current vacancies, this fund line can support a decrease of \$4,335.93, to increase expense lines 10-15-530 (service agreements) and 10-15-5105 (uniforms/equipment) Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderwoman Bell made motion and seconded by Alderman Wilson to take up a resolution authorizing the appropriating of funds to certain accounts within the fiscal year 2024 Budget (police department). Mayor Slinker called for the vote. Alderman Volkart-aye, Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented a resolution authorizing the purchase of a cold planer skid loader attachment. Mayor Slinker called for the staff report. James Creel, Public Works Supervisor stated this is a resolution authorizing them to complete the purchase of a cold planer skid loader attachment from Martin Equipment that was a planned purchase in this year's budget. He stated Public Works staff recently held a competitive bid process for proposal to purchase a cold planer attachment for the John Deere 325G skid loader that Ashland Public Works owns. This attachment will allow the department staff to conduct milling work throughout the City in efforts to permanently repair potholes, street heaves, and other surface issues, rather than filling them with cold patch or completing concrete repair when unnecessary. He stated they received one bid from Martin Equipment for a CP18G cold planer in the amount of \$24,743.40 and a CP24G for \$26,913.28 plus an alternate for additional sets of picks for \$650.00/50 count set. He stated the total budget for this is \$26,920.00 and the staff recommends we purchase the CP24G cold planer from Martin Equipment for \$26,913.28 to be paid for streets-capital expenditures. He informed the Board this equipment would be ordered and estimated to be in around September. He stated the county has loaned us one to use on South Henry Clay Blvd. Mayor Slinker called for questions or comments from the Board. Alderwoman Old questioned the differences between the two planers. James Creel reported one is 24 inch wide and one is 18 inches wide. Mayor Slinker called for a motion. Alderman Plank made motion and seconded by Alderman Wilson to take up a resolution authorizing the purchase of a cold planer skid loader attachment. 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 presented a resolution of the Board of Aldermen of Ashland, Missouri, authorizing the Mayor to execute the contract documents with Capital Paving and Construction, LLC for the FY24 Mill & Overlay Asphalt Resurfacing Project. Mayor Slinker called for the staff report. James Creel, Public Works Director stated this is a resolution authorizing the Mayor to enter into a contract with Capital Paving and Construction, LLC for Milling and overlay asphalt resurfacing of multiple streets. He stated they held a competitive bid process for proposals to complete a milling and overlay project on several streets. He stated the streets selected was Billy Joe Sapp, Drive and/Appaloosa Drive (Base Bid item 1) Kristi Lane (Base bid item 3) and Middleton Drive (alternate bid item 1). He stated they received bids from Capital Paving

and Construction, LLC and MOSeal and the apparent low bidder was Capital Paving for the total for \$154,321.25 to be paid from street repairs, supplies and maintenance budget. He stated staff recommends to award the contract for bid items 1 and 2. Mayor Slinker asked if this was for curb and gutters also. James Creel reported this is for surface only. 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 take up for consideration a resolution of the Board of Aldermen of Ashland, Missouri, authorizing the Mayor to execute the contract documents with Capital Paving and Construction, LLC for the FY24 Mill & Overlay Asphalt Resurfacing Project. Mayor Slinker called for the vote. Alderman Volkart-aye, Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried.

Mayor Slinker presented a resolution authorizing the Mayor to enter into a contractual agreement with a police officer candidate. Mayor Slinker called for the staff report. Kyle Michel, City Administrator stated the Police Department is seeking authorization to enter into a contractual agreement with a police officer candidate for the purpose of buying out his existing contract with the University of Missouri Police Department. The contract also seeks to protect the financial investment we make into certain personal safety equipment expenses. He stated the Board just approved the budget amendment for the police department. He stated that he spoke to this officer this morning and he is still desirous to be employed by the City. He stated he believed this contract was mirrored after the Boone County Sheriff's Department. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Volkart made motion and seconded by Alderman Lewis to take up for consideration a resolution authorizing the Mayor to enter into a contractual agreement with a police officer candidate. 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 presented a resolution authorizing the Board of Aldermen of Ashland, Missouri, authorizing the Mayor to execute the contract documents with M & M Landscaping and Construction, LLC. for the Perry Avenue Extension Project. Mayor Slinker called for the staff report. James Creel, Public Works Supervisor, stated this is a resolution authorizing the contract award to MMLC for the Perry Avenue Road extension project. He stated we issued the notice of award on June 06, 2023. He stated we had to wait for the concurrence of award from MoDot before the actual contract could be awarded. He stated they received concurrence on July 12, 2023. He stated the contract is for \$596,740.40 for a 32 foot wide roadway that will connect Perry Ave to Industrial Drive, installation of 8" diameter water line along roadside and construction of a 5' sidewalk along roadside. He stated once this is signed it has to go back to MoDot for final approval then we would issue a notice to proceed. Mayor Slinker called for questions or comments from the Board. Mayor Slinker called for a motion. Alderman Plank made motion and seconded by Alderman Wilson to take up for consideration a resolution authorizing the Board of Aldermen of Ashland, Missouri, authorizing the Mayor to execute the contract documents with M & M Landscaping and Construction, LLC. for the Perry Avenue Extension Project. Mayor Slinker called for the vote. Alderman Volkart-aye, Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye. Motion carried,

Mayor's Report:

Mayor Slinker reported the pride fest in the park went very well. He stated the softball games on Sunday night are going great and they are getting spectators. He thanked the park board for the improvements to the park.

City Administrators Report:

Kyle Michel updated the Board on two variances requests the Board of Adjustment's had. He stated one was a height variance for Lakeside for a zip line was approved. He stated the other was sign regulation variances for 63 Storage/Sentinel. He stated they denied that request, as it was a three-part variance request.

He stated they scheduled another meeting for August 24 at 7:00 for a future meeting date. He informed the Board they are back in having weekly meetings on the code revisions.

City Attorney's report:

Todd Smith reported the police bill he referenced they were watching was vetoed by the Governor. He stated his report would be in closed session.

Public Works Director monthly report:

James Creel asked the Board if they had any questions from his report. He informed the Board that South Main Street project would begin on Monday and they will be sending out notices. He stated the goal was to have it completed by the end of August.

Community Development Director monthly report:

Darin Ratermann stated his report was in the packet and asked if the Board had any questions.

Board of Aldermen report:

The Board had no reports.

Mayor Slinker called for comments by the public, aldermen or staff.

Kristine Colbert expressed concerns of the Pride Fest held at the park and felt it was against the City Code on Chapter 26-Adult Entertainment. Ms. Colbert stated she supports people's rights to celebrate in their own manner, but she was taken back when she saw pictures and videos posted on social media which featured drag queens dressed in minimal clothing, dancing inappropriately on top of picnic tables, taking money from adults and children. She referenced a "stripper pole" that was brought to the park for the event. She stated that this type of behavior is not what the community wants. She asked that City Code be enforced and stated it was not fair to community.

Jeff Owens 4944 Loyalist Lane stated he is trying to understand Planning and Zoning. He stated he understands that Liberty Landing is going to gain a sidewalk out of the subdivision. Kyle Michel, City Administrator stated there is an approved transportation grant to fund that project is underway. He stated it will be from Liberty Landing South to the school. Mr. Owen questioned if the neighbors could cost that. Alderwoman Old explained the grant is for more than sidewalk project. Mr. Owens second concern was not being able to safely get out of the subdivision. He also suggested basketball goals be added to the city park.

Mayor Slinker called for a motion to adjourn into closed session pursuant to Chapter 610.021 (3) hiring, firing, disciplining or promoting of particular employees at 8:05 p.m. Alderman Lewis made motion and seconded by Alderman Wilson to adjourn into closed session pursuant to Chapter 610.021 (3) hiring, firing, disciplining or promoting of particular employees. Mayor Slinker called for the roll call vote. Alderman Volkart-aye, Alderman Plank-aye, Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Wilson-aye. Motion carried.

Alderwoman Bell reminded everyone that what happens in the closed session shall not be disclosed.

Mayor Slinker reported we are back in open session with reportable action taken of/if any.

Mayor Slinker called for a motion to adjourn the meeting. Alderwoman Bell made motion and seconded by Alderman Wilson to adjourn the meeting at 9:22 p.m. Motion carried.

Darla Sapp, City Clerk

Dorise Slinker, Mayor