

SEPTEMBER 21, 2021
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Sullivan called the regular meeting to order at 7:00 p.m. on September 21, 2021 via zoom.

Mayor Sullivan gave the invocation.

Mayor Sullivan led in the pledge of allegiance.

Mayor Sullivan called the roll:

Ward One: Jean Selby-here, Nathan Volkart-here
Ward Two: Melissa Old-here, Stephanie Bell-here
Ward Three: Rick Lewis-here, Dorise Slinker-here

Staff Present: Nathan Nickolaus, City Attorney, Lelande Rehard, Assistant City Administrator, Tony St. Romaine, City Administrator, Gabe Edwards, Police Chief, Dan Vande Voorde, Building Inspector and Jon Sanders, Treasurer

Mayor Sullivan presented the minutes of the September 7, 2021 Board meeting for consideration. Alderman Slinker made motion to approve the minutes as presented. Alderman Volkart seconded the motion. Mayor Sullivan called for the vote. Motion carried.

Mayor Sullivan presented the agenda for adjustments. Being none, he called for the motion to approve the agenda. Alderwoman Old made motion and seconded by Alderwoman Selby to approve the agenda as presented. Mayor Sullivan called for the vote. Motion carried.

Mayor Sullivan states that public comments will be limited to three minutes per person and asks for limited redundancy.

Mayor Sullivan presented Council Bill No. 2021-053, an ordinance amending Chapter Nine of the City Code regarding height limits. Alderwoman Old made motion, seconded by Alderman Lewis to take up for consideration Council Bill No. 2021-053, an ordinance amending Chapter Nine of the City Code regarding height limits. Mayor Sullivan called for the staff report. Lelande Rehard, Assistant City Administrator, states that the amendment adds an exception to the building height limit specifically for stages and screens. Lelande states that the proposed exception would be seventy-five feet for stages and screens for outdoor amphitheaters and theaters. Lelande gave an outline of discussion at the planning and zoning meeting. He states there was plenty of discussion and amendments on what the height limit should be set to. Lelande states Planning and Zoning Commission settled on seventy-five feet however, it was not recommended by the Planning and Zoning Commission. Lelande states consulting team is working on updating planning and zoning and building codes to fit modern day building within the city. States exemptions would be the cleanest way forward which was also the legal opinion of Nathan Nickolaus. Nathan Nickolaus, City Attorney, states little changes as needed while code is being revised. Also states this code does not apply to buildings because this is a separate issue. Mayor Sullivan asked for public comment.

Keith Birkes, 5400 E Hayes Rd, states that it is obvious what the city is trying to do. States that City approved a variance through the Board of Alderman and rescinded it once it was pointed out that it was unlawful. States that the approval of the Lakeside Ashland project was careless and reckless unless there is a real road in to the property. States there is no evidence that anybody is preparing such a road. States that it would be outrageous to ask for such an ordinance change.

John Lemberger, 4909 E. Woodson Harris Rd., states amendment was made to change the code to seventy five-feet. John Lemberger also asked if amendment failed at Planning and Zoning Commission. States that he is confused as to why the city is moving forward when the amendment failed at Planning and Zoning. Tony St. Romaine, City Administrator, reminds caller that Planning and Zoning is only a recommending board. Lorie Wallace, 4445 E Log Providence, states that it seems imprudent and unlawful to approve screen height above the fire code. Mayor Sullivan calls for comments from the board. Alderwoman Old, states she did watch the Planning and Zoning meeting. Also stated that board should take up codes that meet the need of the community. Alderman Slinker asks how this plays in with the airport as far as height? Mayor asks Tony to speak to the question posed. Tony states that all the property on the west side of the highway is far enough from the airport that there are not height restrictions. States there is a cell tower behind the proposed development. Mayor Sullivan called for the vote. Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderman Slinker-No, Alderwoman Selby-aye. Motion carried.

Mayor Sullivan presented Council Bill No. 2021-055, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2022 budget. Alderman Lewis made motion, seconded by Alderwoman Old to take up for consideration Council Bill No. 2021-055, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2022 budget. Lelande gives short report regarding sale of vehicles and reallocation of funds to purchase traffic counter and spike strips. Gabe give brief report and overview for need of spike strips and traffic counter. States sale of retired police vehicles will cover these pieces of equipment. Mayor Sullivan called for public comments. Mayor Sullivan called for questions or comments from the Board. Mayor Sullivan called for the vote. Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderman Slinker-aye, Alderwoman Selby-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1376, an ordinance to amend Chapter 10, Planning, Zoning, Subdivisions, Building of the City of Ashland Code, Section 10.165 Plat Review mandated. Alderman Volkart made motion and seconded by Alderwoman Old to take up for consideration Ordinance No. 1376, an ordinance to amend Chapter 10, Planning, Zoning, Subdivisions, Building of the City of Ashland Code, Section 10.165 Plat Review mandated. Dan Vande Voorde, City Inspector, states change to chapter 9 and 10 allows city to charge for site plan reviews now that city has civil engineer on staff. Rate is \$80/ Hour. Mayor Sullivan called for public comments. Mayor Sullivan called for questions or comments from the Board. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderwoman Old-aye, Alderman Volkart-aye, Alderman Lewis-aye, Alderwoman Bell-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1377, an ordinance to amend Chapter 9, Planning and Zoning, of the City of Ashland Code, Section 9.106 Review Plans and Documents Submission, Review required. Alderwoman Old made motion and seconded by Alderman Lewis to take up for consideration Ordinance No. 1377, an ordinance to amend Chapter 9, Planning and Zoning, of the City of Ashland Code, Section 9.106 Review Plans and Documents Submission, Review required. Mayor Sullivan called for public comments. Mayor Sullivan called for questions or comments from the Board. Alderman Slinker asks about third party reviews and if the City pays for those. Dan Vande Voorde states we send them to third party engineers and developer will be billed at third party rate. Mayor Sullivan called for the vote. Alderman Slinker-aye, Alderwoman Old-aye, Alderman Volkart-aye, Alderman Lewis-aye, Alderwoman Bell-aye, Alderwoman Selby-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1378, an ordinance amending Chapter Nine of the City Code regarding height limits. Alderman Lewis made motion and seconded by Alderwoman Old to take up for consideration Ordinance No. 1378, an ordinance amending Chapter Nine of the City Code regarding height limits. Mayor Sullivan called for public comments. Mayor Sullivan called for questions or comments from the Board. Mayor Sullivan called for the vote. Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderman Slinker-No, Alderwoman Selby-aye. Motion carried.

Mayor Sullivan presented Ordinance No. 1379, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2022 budget. Alderman Slinker made motion and seconded by Alderwoman Old to take up for consideration Ordinance No. 1379, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2022 budget. Mayor Sullivan called for public comments. Mayor Sullivan called for questions or comments from the Board. Mayor Sullivan called for the vote. Alderwoman Bell-aye, Alderman Lewis-aye, Alderman Volkart-aye, Alderwoman Old-aye, Alderman Slinker-aye, Alderwoman Selby-aye. Motion carried.

Mayors Report: Mayor Sullivan stated the sale of the police department is moving along. States he will be following up with board in next few days. States developer obtained franchise agreement.

City Admin: Lelande gives heads up that Route M roundabout detour may be changed. Next meeting ordinance will be brought forward to cost share Perry Ave extension. All other projects moving along well. Tony states a couple of weeks ago Next Site meeting will be coming soon regarding local business and giving them the opportunity to expand within the City. Tony states he will bring forward a resolution to dissolve the downtown beautification task force. States their job is now done and focus will be moved to executing items that have been put together by the board.

Attorney: No report

PW: James is on vacation, Lelande gave report stated it's in packet. Dorise asks who is responsible for snow around mailboxes. Dan states mailboxes are the property owners responsibility. Mayor asks for follow up from Dan regarding snow removal near mailboxes. Dorise asks for painting of fire curb. Who is responsible. Attorney states public property is City and Private property is property owner.

Alderman Reports: Alderwoman Selby states citizen sent letter about North College turning in to a raceway. Concerns about speeding stated in the letter. Mayor asks for Lelande and Gabe to call and clarify concerns with the letters author.

Alderwoman Old thanks Korey and Logan for being out all day at the fall fest. She states that she received an email about chickens on a small lot that doesn't conform to city code asks for city to take a look. Everybody states they are open to an ordinance change.

Alderwoman Bell- No report

Alderman Slinker states there are no speed limit signs and no kids playing signs in Sunset Meadows subdivision. Mayor Sullivan tagged Lelande to take care of that issue. Alderman Slinker asks for follow up on crossing signs for Allegiance and Liberty Landing South. Lelande states the poles are up and signs should be coming soon.

Alderman Lewis, thanks participants in dunking booth at the fall fest.

Alderman Volkart, shoutout to Jessica Backley an Ashland native. For winning a group Emmy for best commercial.

General Comments:

None

Mayor Sullivan called for the adjournment.

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

Jon Sanders, Deputy City Clerk

Richard Sullivan, Mayor