



**City of Ashland, Missouri
Meeting Agenda
Board of Aldermen
101 West Broadway
Ashland, Mo. 65010
7:00 p.m. Tuesday, December 05, 2023**

There will be a work session at 6:00 p.m. to discuss wastewater treatment improvements

I. INTRODUCTORY ITEMS

- Pledge of Allegiance
- Roll Call
- Approval of November 21, 2023 meeting minutes
- Approval of the Agenda

II. SPECIAL ITEMS

- a. None

III. APPOINTMENTS TO BOARD AND COMMISSIONS

- a. None

IV. SCHEDULED PUBLIC COMMENT

- a. Premier Development –present proposed development plan

(Written request must be received by the City Clerk by Wednesday before the meeting date)

V. PUBLIC HEARING

- a. None

VI. INTRODUCTION AND FIRST READING

- a. None

VII. OLD BUSINESS

- a. None

VIII. NEW BUSINESS

- a. A resolution approving an agreement with the Ashland Optimist Club; Re. swimming pool

I. REPORTS

- a. Mayor's report
- b. City Administrator's report
- c. City Attorney's report
- d. Interim Police Chief's monthly report
- e. Board of Aldermen report

II. GENERAL COMMENTS BY PUBLIC, ALDERMEN AND STAFF

III. VOTE TO GO INTO CLOSED SESSION PURSUANT TO RSMO. CHAPTER 610.21 (3) hiring, firing, disciplining or promoting of particular employees (1) legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorney.

IV. Reserved for action resulting from closed session

V. ADJOURNMENT

Members of the public may attend any open meeting. For requests for accommodations related to disability, Please call 573-657-2091 or email cityclerk@ashlandmo.us

In order to assist staff in making the appropriate arrangements for your accommodation, please make sure your request as far in advance of the posted meeting date as possible.

Posted: 11 -30-2023 @ _____

Draft agenda subject to change up to 24 hours prior to the time of the meeting.

NOVEMBER 21, 2023
BOARD OF ALDERMEN MINUTES
7:00 P.M.

DRAFT MINUTES NOT APPROVED BY THE BOARD

Mayor Slinker called the regular meeting to order at 7:00 p.m. on November 21, 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, Nathan Nickolaus, City Attorney, James Creel, Public Works Director, Shelley Martin, Treasurer and Scott Young, Interim Police Chief .

Mayor Slinker presented the minutes of the November 07, 2023 meeting for consideration. Alderman Wilson made motion to approve the minutes as presented. Alderwoman Bell seconded the motion. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker presented the agenda for adjustment or approval. Alderwoman Old made motion and seconded by Alderman Lewis to approve the agenda. Mayor Slinker called for the vote. Motion carried.

Mayor Slinker reported under appearances is John Martin, District 44 State Representative Candidate. John Martin introduced himself to the Board and gave his background, priorities and involvement in the community.

Mayor Slinker presented Ordinance No. 1459, an ordinance calling a bond election in the City of Ashland, Missouri. Mayor Slinker called for the staff report. Kyle Michel, City Administrator stated this is the second reading and no changes to the staff report. He stated we are looking at a 40 million dollar bond issue on the February 6 ballot for the purpose of funding waste water treatment. He stated we would have a meeting on December 5 at 6:00 p.m. with the engineer to go over the steps. Alderwoman Bell stated this requires a simple majority vote and she felt that February ballot was the right time. Mayor Slinker called for a motion. Alderman Wilson made motion and seconded by Alderwoman Old to approve Ordinance No. 1459, an ordinance calling a bond election in the City of Ashland, Missouri. 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 appropriation of funds to certain accounts within the fiscal year 2024 budget. Mayor Slinker called for the staff report. Shelley Martin, Treasurer informed the Board the 6-month financial statement has been completed; and we are now entering into the second half of our fiscal year. The amendments reflect keeping the budget current with anticipated revenues and expense for the remaining of the fiscal year. Most notably is the decrease in revenue from the County of Boone in regards to road replacement tax. We have seen this revenue source increase yearly until this year. The amount received was less than fiscal year 23 and much less than anticipated in 2024. She gave an overview of the minor adjustments in revenue and expenses in general administration, court fund, streets and water and sewer. She recommended to pass the resolution. Mayor Slinker called for a motion. Alderman Lewis made motion and seconded by Alderwoman Bell to approve the resolution authorizing the appropriation of funds to certain accounts within the fiscal year 2024 budget. 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 change order #2 to M and M Landscaping and Construction, LLC for the Perry Avenue Extension Project. Mayor Slinker called for the staff report. James Creel presented Change Order Number 2 allowing the dowels and baskets to be modified. He stated the change order is for an underrun/deduct of \$4,711.50 with a savings for MoDot and the City of Ashland a total of \$2,355.75 each. He stated the contractor for the project had requested that the dowel rods and baskets specified in the project plans be changed from 1.25" to 0.75 diameter. The reason for this change is the 1.25" diameter dowels and baskets are larger than what is commonly needed for an 8-inch road deck. He stated the contractor expressed concerns that this may lead to premature surface spalling, as the steel materials would be closer to the surface than they need to be. MoDot official and Great Rivers Engineering staff have no objection to this change order. 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 approve the resolution authorizing change order #2 to M and 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 gave an update of upcoming luncheons and meetings; Chamber on the 29th, Boone County on the 30th at Hallsville and December 1 the Christmas parade. He reported that Ms. Brenda from the old Skyline Café is having a Thanksgiving Dinner for donation only to go towards Welcome Home in Columbia. Mayor Slinker questioned if Salter Lawn Care had any means of disposal of leafs other than bagging them up? Kyle Michel stated not that he is aware of but would check on this.

City Administrators Report:

Kyle Michel reported the MML Legislative Conference is scheduled for February 24. He informed the board the newly elected officials conference is June 6th and 7th and the MML Annual conference is September 15 thru the 18th in Branson.

City Attorney's report:

Nathan Nickolaus stated he had no report.

Public Works Director Monthly report:

James Creel reported the Perry Avenue concrete pour for curb was completed this morning. He stated the contractor goal is to have the concrete road deck poured at the end of next week. He stated the South Main Street project is completed. He stated the design work for Angel Lane culvert has been completed and they are waiting on bid documents. He stated they are working on the TAP grant preliminary designs. James informed the Board he is working with the park board to determine what improvements to complete from the Master Plan. Mayor Slinker questioned the status of the striping on South Main Street. He stated they have not had any luck on finding anyone for this.

Alderwoman Bell questioned the rumblings she has heard about water pressure issues in downtown. Kyle Michel stated that himself, Mayor Slinker, Alderman Lewis and Curtis Bennett has checked on these issues and they were found to be plumbing issues in the buildings.

Board of Aldermen report:

Alderwoman Bell stated she understands there is confusion and frustration on how the Board of Aldermen meetings work. She stated if someone has issues or complaints they should reach out to the Board members. She stated their e-mails and phone numbers are on the website.

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

Mayor Slinker called for a motion to go into closed session pursuant to RSMo. Chapter 610.021 (3) hiring, firing, disciplining or promoting of particular employees (1) legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorney. Alderman Wilson made motion and seconded by Alderman Lewis at 7:21 p.m. Alderman Volkart-aye, Alderman Plank-Alderwoman Old-aye, Alderwoman Bell-aye, Alderman Wilson-aye, Alderman Lewis-aye, Motion carried.

Mayor Slinker called the meeting back to order at 7:56 p.m.

Mayor Slinker reported there would be a Public Hearing on December 7, 2023 at 1:00 p.m. for the termination of Gabe Edwards.

Mayor Slinker called for a motion to adjourn the meeting. Alderman Volkart made motion and seconded by Alderman Wilson to adjourn the meeting at 8:01 p.m. Motion carried.

Darla Sapp, City Clerk

Dorise Slinker, Mayor



City of Ashland

101 West Broadway, Ashland, Missouri 65010

Department Source: City Administrator

To: Board of Alderpersons

From: Kyle Michel, City Administrator

Board Meeting Date: 5 December 2023

Re: Ashland Optimist Pool Agreement Renewal

EXECUTIVE SUMMARY:

The Resolution before you is to renew the agreement between the City and the Optimist Club as it relates to the operation of the Optimist Pool.

DISCUSSION:

The term of the current agreement with the Ashland Optimist Club is set to expire at the end of the calendar year. City staff has been in communication with the Ashland Optimist Club regarding renewal for the last few months. Slight changes have been made to the agreement. Specifically to require that an operating report be presented to the Board in October of each year. The reason for this change is that October is when staff begins to work on the following fiscal year budget. By reviewing operations and meeting with the Optimist Club in October, staff will be positioned to ensure any budget considerations are accounted for annually during the actual budget planning process.

In review of the agreement, the Optimist Club found that the current \$6,000 annual commitment (equally split between operational costs and capital costs) was sufficient and appreciated. Staff recommends renewing the agreement at this same amount.

FISCAL IMPACT:

Short Term: \$6,000 for FY25

Long Term: \$18,000 for the total three year agreement which will expire at the end of calendar year 2026.

SUGGESTED BOARD ACTION:

It is recommended that the Board approve the Resolution and agreement as presented and continue the City's support of the Optimist pool.

12-05-2023

A RESOLUTION APPROVING THE ASHLAND OPTIMIST CLUB POOL AGREEMENT
RENEWAL

THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ASHLAND,
MISSOURI AS FOLLOWS:

The Board of Aldermen entered into a Community Pool Agreement with the Ashland Optimist Club on April 06, 2021 for a three-year period and wishes to renew the agreement to expire in December 31, 2026.

Furthermore, the Board of Aldermen as per the agreement has reviewed the financial statements and invoices and authorizes the payment of \$3,000.00 to support the operating expenditures of the pool and \$3,000.00 annually to support the capital needs to the pool to the Ashland Optimist Club for the Ashland Community Pool. The financial statements and invoices are hereby attached as Exhibit "A".

Passed and adopted this _____ day of _____, 2023.

Dorise Slinker, Mayor

Attest:

Darla Sapp, City Clerk

COMMUNITY POOL AGREEMENT

THIS AGREEMENT, made and entered into this 1st day of January, 2024 to the 31st day of December, 2026 by and between **THE ASHLAND OPTIMIST CLUB**, herein called “**Optimists**”, and the **CITY OF ASHLAND**, herein called “**City**”.

WITNESSETH:

WHEREAS, **City** is presently served by the public community swimming pool owned and operated by **Optimists**; and

WHEREAS, the **City** did not have the financial wherewithal to construct a community swimming pool in 1989. The **City** approached the **Optimists** to own, operate and maintain a community swimming pool on their behalf. At the time, the SOUTHERN BOONE COUNTY R-1 SCHOOL DISTRICT was also restricted from donating property to a civic organization and therefore donated property to the **City** with a requirement that the **City** to sell the same property to the **Optimists** for \$1.00 to own and operate as a community swimming pool. The property transfer further required that if the property ceased to operate as a community swimming pool, the property ownership would revert to SOUTHERN BOONE COUNTY R-1 SCHOOL DISTRICT; and

WHEREAS, the day to day operations of the swimming pool have been underwritten and provided by **Optimists** since that time; and

WHEREAS, the operating, maintenance and capital improvement costs for said swimming pool have risen substantially and continually since its inception; and

WHEREAS, the Board of Alderman deem that it is in the best interest of the community that the citizens of Ashland have a community swimming pool and wish to continue the **City’s** support of the **Optimists** pool; and

WHEREAS, the **Optimists** continue to allow access thereto to citizens at a reduced cost and provide community support for indigent and underprivileged residents of the **City**.

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, the parties agree as follows:

1. **Optimists** will assume all liability with regards to its use of said facility. Further, **Optimists** agrees to indemnify, hold harmless and defend **City**, its governing Board of Alderman, officers, employees and agents from and against every claim, demand, liability, loss, damage or expense, including the cost of defending or prosecuting any such claim, which it may suffer, may be held liable for, or which may be made by any person, firm or corporations, or any other entity arising from or caused by any act or omission of **Optimists** in the performance of this Agreement. **Optimists** shall sign a Hold Harmless Agreement requested by the **City’s** insurance provider.
2. **Optimists** will, at its sole expense, procure and keep in force during the entire term of this Agreement, liability insurance.
3. The **Optimist** shall, at the first regularly scheduled October business meeting of the Board of Aldermen, submit and present an annual operations report to include a summary of revenues, expenses, and completed capital projects for the prior pool season to the Board of Aldermen. Said

report shall include a priority based capital needs plan. Said report shall be submitted annually for the term of the agreement.

4. **City** agrees to waive any and all utility expenses incurred for the use of and preparation of the community swimming pool including water, sewer, and trash for the term of the Agreement.
5. **City** shall annually, no later than May 31st, remit payment to the **Optimists** for the purpose of supporting operating expenditures and capital needs of the pool in the following amounts:
 - a. \$3,000 annually to support the operating expenditures of the pool.
 - b. \$3,000 annually to support the capital needs of the pool.

The **Optimists** are responsible for ensuring funds are disbursed for the purposes defined as part of this agreement.

6. **Optimists** shall continue to provide access to the swimming pool for underprivileged and indigent users who are residents of the **City**, and agree to work with **City** in obtaining the names and addresses of individuals who require or would benefit from said services.
7. **City** and **Optimists** agree that **Optimists** may charge appropriate and reasonable entrance and usage fees for activities and community events and it shall be at the sole discretion of the **Optimists** to adjust these fees as necessary to support pool operations.
8. This Agreement inures to the benefit of and shall be binding upon the successors and assigns of the parties hereto.
9. In the event that any portion of this Agreement is deemed to be unenforceable or against public policy, the remaining terms hereof shall apply in full force and effect, as if said term does not exist.
10. The terms hereof can be amended or modified by either party only upon the written acquiescence of both parties hereto in writing.
11. Notices related to this agreement shall be addressed to the following:

City of Ashland, MO
ATTN: Kyle Michel, City Administrator
101 W Broadway, PO BOX 135
Ashland, MO 65010
573-657-2091
kmichel@ashlandmo.us

Ashland Optimist Club
ATTN: President
511 Optimist Drive, PO BOX 201
Ashland, MO 65010
573-657-2684
info@ashlandoptimist.org

IN WITNESS WHEREOF, the parties hereto have caused the Agreement to be executed by their properly authorized officers on the date first written above.

OPTIMIST CLUB OF ASHLAND, MISSOURI

Leigh Kottwitz, President

Attest: _____
Barrett Glascock, Secretary

CITY OF ASHLAND, MISSOURI

Dorise Slinker, Mayor

Attest: _____
Darla Sapp, City Clerk