

TUESDAY, NOVEMBER 06, 2018
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on November 06, 2018 at 815 East Broadway, Ashland, Missouri.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll:

Ward One: Leslie Martin-absent, Danny Clay-here
Ward Two: Jesse Bronson-here, Richard Sullivan-here
Ward Three: Rick Lewis-here, Jeff Sapp-here

Staff Present: Darla Sapp, City Clerk, Lyn Woolford, Police Chief/City Administrator and Jeffrey Kays, City Attorney and Shelley Martin, Treasurer/Deputy City Clerk.

Mayor Rhorer presented the agenda of November 06, 2018 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the agenda as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of October 11, 2018 Board meeting for consideration. Alderman Sapp made motion and seconded by Alderman Clay to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer presented the minutes of October 16, 2018 Board meeting for consideration. Alderman Bronson made motion and seconded by Alderman Sapp to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Mayor Rhorer explained he had a function to go to after the meeting tonight and needed to leave early. He stated he is going to go through the meeting fast, but if anyone had comments or questions to please speak up.

Mayor Rhorer called the public hearing to order on the annexation for the City of Ashland for a portion of Hardwick Lane. He asked the citizens to step up to the podium and state their name and address. No one wished to speak on the annexation of Hardwick Lane. Mayor Rhorer closed the public hearing.

Mayor Rhorer called the public hearing to order on the annexation for Ashland Commons. He asked for anyone wishing to comment to step up to the podium and state their name and address. Brian Harrington of Allstate Consultants stated he is representing Ashland Commons and was available for any questions or comments. Mayor Rhorer closed the public hearing.

Mayor Rhorer asked if anyone wished to appear before the Board to come to the podium and state their name and place of residence on any subject.

Mayor Rhorer presented Council Bill No. 2018-058 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-058, an ordinance extending the corporate limits of the City of Ashland, Missouri, by annexing unincorporated area; Directing the City Clerk to give notice of the annexation. First reading by title only. Mayor Rhorer called for questions or

comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-059 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-059, an ordinance to change the zoning of a parcel of land from (A-1) Agricultural District to (APC) Airport Planned Commercial District. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator explained the Planning and Zoning Commission held a public hearing and recommended approval of this rezoning. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-060 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-060, an ordinance extending the corporate limits of the City of Ashland, Missouri, by annexing unincorporated area on the north side of Liberty Lane; Directing the City Clerk to give notice of the annexation. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-061 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-061, an ordinance authorizing the Mayor to execute a Right of Way Transfer Agreement with Hummingbird Properties, LLC. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-062 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-062, an ordinance approving the final major plat for Cartwright Business and Technology Park, Plat 2. First reading by title only. Mayor Rhorer called for questions or comments. Robert Hollis, Attorney for Cartwright Properties, LLC stated he thought this plat would not be under conveyance due to the need to include language on vacating the right-of-way. The Board discussed this and felt they would proceed with the first reading of the Council Bill. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-063 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-063, an ordinance authorizing the sale of real estate owned by the City of Ashland, Missouri, a municipal corporation, to Daniel and Cynthia Downing. First reading by title only. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-064 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-064, an ordinance to amend Chapter 14 of the Code of the City of Ashland, Missouri. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator explained this is for special cases where the utility bill is unpaid on nursing homes, health, commercial or public funded customer service who is providing services to individuals whose health may be compromised such as skilled nursing care facility, assisted living facilities, hospice care facilities and public schools. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-065 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-065, an ordinance vacating part of a drainage easement for the Renee Drive Drainage Improvement Project; and authorizing the City Clerk to record this ordinance. First reading by title only. Mayor Rhorer called for questions or comments. Alderman Lewis asked for clarification. Lyn Woolford, City Administrator stated this is where an existing easement is no longer needed as it has been relocated. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-066 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-066, an ordinance authorizing the Mayor to enter into a Missouri Transportation Finance Corporation Direct Loan Agreement and Promissory Note for the construction of a roundabout at Route M and Henry Clay Blvd. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator, stated we have received the fifty-fifty cost share with MoDot. This is financing for the city's fifty percent over a ten-year period. Alderman Sullivan questioned the time frame for this. Lyn Woolford, City Administrator stated the design, bid and construction would probably take until 2021. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-067 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-067, an ordinance authorizing the Mayor to enter into the third amendment to lease agreement with Elements Home Energy Solutions, LLC. First reading by title only. Lyn Woolford, City Administrator explained this is the lease that transferred from Mr. Westhoff for 601 E. Broadway. He stated Elements Home Energy Solutions has expressed that they may want to get out of the lease prior to December 31, 2018. He explained that once they are out we would need to do some renovating to the building prior to the police department moving in. He stated the plan is to be in there prior to the end of the year or sooner. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-068 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-068, an ordinance to amend Chapter 10; 2012 International Residential Building Code Addendums of the Boone County Resource Management; Section 302.2 Townhouses. First reading by title only. Mayor Rhorer called for questions or comments. Bruce Bauer, contractor explained the International Building Code requires 1-hour firewall where the Boone County Resource Management made an addendum to that section requiring a 2-hour firewall. The Board discussed this and felt that in the City limits, there are fire hydrants close and response time from the fire department is faster than it would be in the County. Bruce Bauer asked that in the future when we consider changing the code we include a group of the builders to discuss how this affects projects, etc. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-069 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-069, an ordinance authorizing the City of Ashland, Missouri to enter into a lease purchase agreement with Connections Bank, as Lessor, with respect to the construction of a new City Hall Facility; and approving related documents. First reading by title only. Mayor Rhorer called for comments or questions. Jeffrey Kays, City Attorney informed the Board of the last minute changes to the exhibits. Lyn Woolford, City Administrator stated the Board had the revised copies in front of them at the table. He clarified references to the exhibits, extending the base

lease term to 50 years from 20 years, moving final payment date from December 1, 2019 to April 30, 2020. He stated they added a provision allowing the bank to complete project if city fails to do so, and adding for jury provision for waiver and losing party paying legal fees. Lyn Woolford, City Administrator stated these changes are to our benefit. He stated this allows us more time for construction. Alderman Sapp stated that the base agreement is for Connections Bank to provide financing then we would lease it back from them. Bill Lloyd, President of Connections Bank stated this is a common for municipalities. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Council Bill No. 2018-070 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-070, an ordinance authorizing the Mayor to enter into a cost share agreement with the Missouri Highways and Transportation Commission. First reading by title only. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator stated this is an agreement for the fifty-fifty cost share on the roundabout at Henry Clay Blvd. and Broadway. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1214 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1214, an ordinance extending the corporate limits of the City of Ashland, Missouri by annexing unincorporated area; Directing the City Clerk to give notice of the annexation. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1215 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1215, an ordinance to change the zoning of a parcel of land from (A-1) Agricultural District to (APC) Airport Planned Commercial District. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1216 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1216, an ordinance authorizing the Mayor to execute a Right of Way Transfer Agreement with Hummingbird Properties, LLC. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer informed the Board we need to table Ordinance No. 1217. Alderman Bronson made motion and seconded by Alderman Clay to table Ordinance No. 1217, an ordinance approving the final major plat for Cartwright Business and Technology Park, Plat 2. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1218 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1218, an ordinance authorizing the Mayor to enter into the third amendment to lease agreement with Elements Home Energy Solutions, LLC. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1219 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1219, an ordinance authorizing the City of Ashland, Missouri to enter into a lease purchase agreement with Connections Bank, as Lessor, with respect to the construction of a new City Hall Facility; and approving related documents. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1220 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1220, an ordinance authorizing the Mayor to enter into a cost share agreement with the Missouri Highways and Transportation Commission. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented a resolution authorizing the Mayor to enter into an agreement for professional planning services for updating the City's Comprehensive Plan with Streiler Planning, LLC. Alderman Bronson made motion and seconded by Alderman Clay to authorize the Mayor to enter into an agreement for professional services for updating the City's Comprehensive Plan with Streiler Planning, LLC. Mayor Rhorer called for questions or comments. Alderman Sapp stated Mr. Streiler was present at the Planning and Zoning meeting and felt he would be a good fit for this position. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor Rhorer presented a resolution authorizing the disposal of surplus property. Alderman Bronson made motion and seconded by Alderman Clay to authorize the disposal of surplus property. Mayor Rhorer called of questions or comments. Lyn Woolford, City Administrator reported they cleaned out the police garage and found unusable property for us. He stated he plans to donate the listed items to the State Surplus property in Jefferson City and disposing of the uniforms by burning them. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-absent. Motion carried.

Mayor's Report:

Mayor Rhorer had no report.

City Administrator/Police Chief Report:

Lyn Woolford, City Administrator reported he looked at two locations for moving the recycle containers to. He reported the largest space would be the new water building. He stated that it is the same size as the current recycling lot. He stated it would be less disruptive to the neighborhood than the Maintenance Building. He stated we would need to install a chain link fence with slats for appearance purposes. He also stated we might need to mount another camera on the building or a pole. He stated the police department would have to lock and unlock the gate at the determined time of operation. Mayor Rhorer agreed this was the best location.

He reported that Watson Concrete has completed the curb work in Palomino Ridge Subdivision and it came in under budget.

Lyn Woolford gave an overview of the utility billing adjustments for October.

City Attorney report:

Jeffrey Kays did not have a report.

Board of Aldermen's Reports:

Alderman Sapp commended the police department on reading to the school. He stated he abstained from the vote on Cartwright Plat because the surveyor is a good friend of his.

Mayor Rhorer commended Lyn Woolford and the staff on their quick implementation of traffic control and shuttling for President Trump's appearance at the Columbia Regional Airport.

Alderman Bronson made motion and seconded by Alderman Clay to adjourn the meeting. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderwoman Martin-absent. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor