

TUESDAY, DECEMBER 04, 2018
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on December 04, 2018 at 815 East Broadway, Ashland, Missouri.

Mayor Rhorer led in the pledge of allegiance.

Mayor Rhorer called the roll:

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

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

Mayor Rhorer presented the agenda of December 04, 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 November 20, 2018 Board meeting for consideration. Alderman Bronson made motion and seconded by Alderman Clay to approve the minutes as presented. Mayor Rhorer called for the vote. Motion carried.

Don Jenkins representative from Meco Engineering Company, Inc. gave an update on bids for the Main Street Sidewalk Project. He informed the Board that we received a total of eleven bids. He gave an overview the top three contractors and bid amounts. Mr. Jenkins stated that the top three were within 3% of the engineer estimate. He stated the low bidder was RC Contracting LLC, for \$283,484.34 and they have no work experience with the company. He stated they have been pre-qualified by MoDot. Lyn Woolford, City Administrator stated that with the MoDot grant we have to go with the lowest most responsive bid. Don Jenkins reported at the next Board of Aldermen meeting we will have on the agenda to approve the bid and submit a letter to MoDot asking for their concurrence on acceptance of the bid.

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. 2018-075 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2018-075, an ordinance authorizing the Mayor to enter into an amendment to the right of way transfer agreement with Hummingbird Properties, LLC. First reading by title only. Mayor Rhorer called for questions or comments. Jeff Kays, City Attorney stated the City needs to retain an easement to maintain current roadway then we will terminate the easement at that time Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sapp-aye, Alderman Sullivan-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1226 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1226, an ordinance to amend Chapter 10: 2012 International Residential Building Code Addendums of the Boone County Resource Management; Section 302.2 Townhouses. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator reported that Corey Sapp informed him if we reduce the two hour firewall then anything like a tri-plex or four plex will require a sprinkler system. He stated that a single family or duplex would not be required to

have a sprinkler system in it. Mayor Rhorer stated he is not in favor of changing this requirement. He did not feel the one-hour firewall versus the two-hour firewall would make that much of a cost difference to the contractor. The Board discussed the difference between a one-hour firewall and two-hour firewall requirement versus the cost of a sprinkler system. Lyn Woolford, City Administrator reported that Bruce Bauer brought this to our attention for consideration. Mayor Rhorer called for the vote. Alderman Lewis-nay, Alderman Bronson-nay, Alderman Clay-nay, Alderwoman Martin-nay, Alderman Sapp-nay, Alderman Sullivan-absent. Mayor Rhorer stated the motion failed.

Mayor Rhorer presented Ordinance No. 1228 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1228, an ordinance to change the zoning of a parcel of land from R-S, Single Family (County) to C-G, General Commercial District for Ashland Commons, LLC. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sapp-aye, Alderman Sullivan-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1229 consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1229, an ordinance authorizing the appropriation of funds of certain accounts within the fiscal year 2019 Budget. Mayor Rhorer called for questions or comments. Shelley Martin, Treasurer stated nothing has changed from last reading. Lyn Woolford, City Administrator stated these are line item adjustments. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sullivan-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1230 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1230, an ordinance authorizing the Mayor to execute an agreement with Missouri Highways and Transportation Commission Municipal and Cost apportionment agreement. Mayor Rhorer called for questions or comments. Lyn Woolford, City Administrator explained if the Board approves the \$225,000.00 it will be the only money used on street projects for the fiscal year 2019-2020 Budget year. He explained that we do not have the funds in the street department line item but can use from that general fund. Shelley Martin, Treasurer stated in theory we would be deficit spending. She stated she proposed to have some meetings to talk about the major projects in each fund. She stated we will not recoup the funds until the mid to end of the next fiscal year when the funding sources comes in. Mayor Rhorer gave an overview of the financial list of major projects: force main, sewer plant, Henry Clay/Broadway roundabout, build a new City Hall, downtown parking areas, Main Street sidewalk project and a new water building. The Board discussed at length the improvement to the downtown parking and participating in this with MoDot. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderwoman Martin-aye, Alderman Sullivan-absent. Motion carried.

Mayor Rhorer presented Ordinance No. 1231 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1231, an ordinance authorizing the Mayor to enter into an amendment to the 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, Alderwoman Martin-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Sullivan-absent. Motion carried.

Mayor Rhorer reported we could skip the sewer billing adjustment for Cartwright Technologies it is taken care of.

Mayor Rhorer stated at the last meeting there was discussion on establishing a three-minute time limit under appearance that Alderman Bronson suggested. Alderman Bronson stated we do not have any rules on the

time limit under appearances and felt we need to have. Mayor Rhorer stated if we have a time limit, we would need a clock for everyone to see. He suggested a 5-minute time limit. Alderman Lewis was not in agreement with setting a time limit and stated he liked the informal atmosphere of our meetings. He stated he has not seen any abuse of speakers and he commended the Mayor on keeping people on track when speaking and moving it on. He stated if we make a time limit he suggested 15-minute time limit. He was against sacrificing our openness. Mayor Rhorer stated he sees both sides of establishing a time limit. Alderman Lewis suggested having an informal six-month count on speakers and see if there is a need for a time limit to be established. The Board discussed this at length. Mayor Rhorer took a count from the Board of Aldermen if they wished to pursue this. Alderwoman Martin and Alderman Lewis did not wish to pursue this. Alderman Sapp, Alderman Bronson and Alderman Clay did wish to pursue this. Mayor Rhorer asked that this be placed on the next agenda for consideration.

Mayor's Report:

Mayor Rhorer stated we need to be mindful of the city budget. He also commended Chief Woolford for being voted America's Favorite Crossing Guard by the community. Lyn Woolford stated he won the most votes but needs to go through a judging process.

City Administrator/Police Chief Report:

Lyn Woolford, City Administrator gave an overview of the utility adjustments for the month.

He updated the Board on the Main Street Sidewalk project might be done before the end of the school year. Don Jenkins of Mecco Engineering stated it would be 150 days from the start date of the project. Alderman Lewis questioned the construction of the sidewalk and the YMCA on Main Street. The Board discussed this and Don Jenkins stated a change order for the reduction if the YMCA driveway comes off the sidewalk plans. Lyn Woolford stated he is not aware if their plans are to come off Main Street or off East Liberty Lane.

He informed the Board the Water Department Building construction has been completed with the exception of Meyer Electric changing a G.F.I. plug.

Lyn Woolford discussed the slick streets this morning. He reported the gear box went out of the one of the trucks and no salt was being distributed. He stated he directed traffic at the school and had two additional officers doing traffic control to help alleviate the traffic off of Broadway. He stated they had no vehicle crashes reported.

Lyn Woolford gave an update on the sewer plant construction. Lyn Woolford reported we are having some issues with the Lakeview pump. Russell Gerling with Alliance Water Resources was present and he explained that JCI is going to pull the pump and see if they can find the issue.

He gave an overview of the quarterly animal control billing.

Lyn Woolford stated we have put request for qualifications for Architect firms for the design of the new City Hall. He reported some of the staff rated them and there is a tie. He asked if the any of the Board members wished to be involved. Alderman Lewis and Alderman Sapp volunteered to review the request for qualifications.

He informed the Board that Golden Windmill Mobile Home Park has new owners. He stated the new owners would like to discuss infrastructure in the mobile home park. He stated the City does not provide infrastructure for any developer. Mayor Rhorer stated it is the developer's responsibility to build and they turn it over to the city if it meets our standards.

Lyn Woolford reminded the Board of Aldermen of the Christmas tree lighting and parade on Friday night. He stated the City would have a trailer for the City Officials to ride on. Mayor Rhorer invited each Board member to attend. Lyn Woolford stated the lineup would be at the south campus of the school at 6:00 p.m. He reminded them the tree lighting is at the park.

City Attorney report:

Jeffrey Kays did not have a report.

Board of Aldermen's Reports:

Alderman Sapp commended the Police Department for monitoring the speed limit around the schools.

Alderman Bronson made motion and seconded by Alderman Clay to go into executive session pursuant to chapter 610.021 (3) personnel matters with a 10 minute recess. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sapp-aye, Alderman Sullivan-absent. Motion carried.

Mayor Rhorer reported we are in open session with no reportable action taken.

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

Darla Sapp, City Clerk

Gene Rhorer, Mayor