

TUESDAY, NOVEMBER 05, 2019
BOARD OF ALDERMEN MINUTES
7:00 P.M.

Mayor Pro-tem Bronson called the regular meeting to order at 7:00 p.m. on November 05, 2019 at 815 East Broadway, Ashland, Missouri.

Mayor Pro-tem Bronson led in the pledge of allegiance.

Mayor Pro-tem Bronson called the roll:

Ward One: Leslie Martin-here, 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, Tony St. Romaine, City Administrator and Jeffrey Kays, City Attorney.

Mayor Rhorer was not in attendance.

Mayor Pro-tem Bronson presented the agenda of November 05, 2019 for consideration. Alderman Clay made motion and seconded by Alderman Lewis to approve the agenda as presented. Mayor Pro-tem Bronson called for the vote. Motion carried.

Mayor Pro-tem Bronson presented the minutes of October 15, 2019 Board meeting for consideration. Alderman Clay made motion and seconded by Alderman Lewis to approve the minutes as presented. Mayor Pro-tem Bronson called for corrections or amendments. Being none, he called for the vote. Motion carried.

Mayor Pro-tem Bronson asked anyone wishing to appear before the Board to come to the podium and state their name and place of residence on any subject.

Ernie Wren of 601 Mustang Drive thanked the Board for considering “No parking” at the entrance of Palomino Ridge Subdivision. He stated that tonight the Board of Aldermen would vote on whether or not approve a design with MoDot that would provide for a round-about at Henry Clay and Broadway. He stated Broadway is MoDot controlled. He stated the use of eminent domain, taking away a person’s property without their consent (but offering a disputable fair value) is being considered. He stated his thoughts are just because it is legal doesn’t make it right. He stated taking private property should only be used when there is an absolute need of safety/urgency, and no other options exist. He stated he did not think there is an absolute need. He stated if MoDot felt this was a safety concern then why was this project initiated by the city at a 50% cost share. He stated that if it is a safety issue we need to fix that. He said MoDot needs to establish a second on/off ramp. Ernie Wren stated he thought there were other possible alternatives. He stated he felt the need for true transparency and good change management practices. He stated we could disagree on things but civility and respect go a long way to getting things done.

Jill Berlin stated she lived in Columbia but she is the daughter of Wayne and Carolyn Selby. She stated she is discussing item #12 of the agenda. She stated she felt her parents are being discriminated against because of their age and they are a small business. She stated the corporate business has attorney’s on staff and they felt that was why they are not locating the roundabout on those properties. She stated if an additional lot were purchased beside their current lot to make one lot for her parents building then the driveway would have to be off of Redbud Lane which is an alley and not a street. She stated this is a residential area. She stated her parents building is the nicest building on Broadway. Jill Berlin stated this was going to cost her

parents a lot more than the \$80,000 the City spent on the design. She stated they would lose their business. She stated she felt there were better options.

Carolyn Selby stated she felt the roundabout should not be in the location they are proposing. She felt it would be out of place.

Peggy Wren questioned the 50-50 split and how the City was going to pay for that.

Mike Collins questioned why the vote had to be tonight. He felt this was a quick decision and was just in order to keep MoDot on track. He questioned if the vote is not taken tonight does that close the window with MoDot.

Ernie Wren stated the felt MoDot should be responsible to determine safety issues and questioned why we are paying 50%. He felt there was not enough study done on who should be fiscally responsible.

Brian Sapp questioned the traffic back up on Hwy 63. He stated he has never seen this. He felt the roundabout would be a short-term fix and we should consider lights that would be less invasive. He stated they could be programmed to deal with the two different times of day the traffic is an issue.

Wayne Selby asked that the roundabout be moved by the temporary bank like five feet and it would be more straight instead of setting it to the north end.

Cecelia Holbrook stated that she goes to this salon and she did not think this was a traffic issue but an inconvenience. She stated she would like to see the research that was done on this intersection. She also questioned the City funds paying for this.

Mike Collins questioned the skew of the proposed roundabout and if anyone had reached out to River Region Credit Union. He stated this would put the Selby's out of business. He asked that they look at and reach out to other property owners in this intersection.

Ben Hilgedick stated he is a sixth generation family from here and stated that the roundabout does not have to round. He stated he has seen some roundabouts oval. He stated this is also going to effect the Breaktime entrance and they may want to consider dividers to keep people from turning across traffic to get to Breaktime. He stated if MoDot is pushing this maybe they should spend the money on Hwy 63.

Jean Selby stated yesterday they saw this new option and the change takes more of their property. She questioned the honesty, integrity of the City. She stated they heard the new option was because Mike Collins property was going to be too expensive. She stated her family has been in business for 41 years and helped build this town and has paid taxes. She questioned what would happen after this administration is gone and the next administration might not follow through with what is being proposed. She stated they could square up the intersection and install street lights. She stated if this was happening to them how would they respond. She asked them to use common sense when they vote and see how you are impacting businesses.

Ben Hilgedick stated they need to get another entrance into Ashland.

Carolyn Selby stated their business is not just a Mom and Pop business. They have a large amount of clientele that come from surroundings city's. She stated she has been told by many people they are sorry this is happening. She stated if they do get a new building back they won't have any place to park. She stated they were going to add to their building to put new tanning beds. She stated they have a great business and hate to see their business go.

Jill Berlin asked them to reconsider and move the roundabout to the southeast.

Ernie Wren stated just because it is legal doesn't mean that it is right. He stated the issue is congestion which is mainly a inconvenience issue. He stated taking away peoples property is not right. He stated it is okay to walk away from this project.

Mayor Pro-tem asked if anyone else wished to speak. No one came forth.

Mayor Pro-tem Bronson presented Council Bill No. 2019-045 for consideration. Alderman Clay made motion and seconded by Alderman Lewis to take up Council Bill No. 2019-045, an ordinance authorizing the acceptance of an easement for utility purposes from C-S Properties LLC; and authorizing the City Clerk to record the easement. First reading by title only. Mayor Pro-tem Bronson called for questions or comments. Being none he called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented Ordinance No. 1272 for consideration. Alderman Clay made motion and seconded by Alderman Sullivan to take up Ordinance No. 1272, an ordinance authorizing the Mayor to enter into a Boone County Road and Bridge Sign Shop Cooperative Agreement. Mayor Pro-tem Bronson called for questions or comments. Tony St. Romaine, City Administrator reported James Creel has asked that we enter into this agreement with Boone County to make and purchase our street signs instead of a private vendor. He stated this should save costs and time. Mayor Pro-tem Bronson called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented Ordinance No. 1273 for consideration. Alderman Sullivan made motion and seconded by Alderman Clay to take up Ordinance No. 1273, an ordinance authorizing the Mayor to enter into a youth development, healthy living, recreational and civic services contract with the Jefferson City Area YMCA. Mayor Pro-tem Bronson called for questions or comments. Alderman Lewis stated this is to enter into a contract for services, which is beneficial to the community. Mayor Pro-tem Bronson called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented Ordinance No. 1274 for consideration. Alderman Clay made motion and seconded by Alderman Sapp to take up Ordinance No. 1274, an ordinance amending Chapter 6 of the City Code to establish a Tax Increment Financing Commission and to adopt procedures and policies for requests for redevelopment proposals and fixing the time when this ordinance shall become effective. Mayor Pro-tem Bronson called for questions or comments. Tony St. Romaine, City Administrator explained they have been having discussions with the property owners of Cartwright Business and Technology Park and they have expressed an interest in a Tax Increment Financing Commission. He stated this ordinance is the second step of three in establishing a T.I.F. He explained the Commission would serve as an advisory board to the Board of Aldermen as it relates to the consideration of tax increment financing proposals submitted. He explained the use of incentives to attract new business to the community is a vital part of economic development strategy. He stated this is a tool, such as Community Improvement Districts, Transportation Development Districts and Chapter 100 policy that are routinely used by most communities to fill a financing gap to help a proposed project move forward. He stated he recommends approval of this legislation establishing the Tax Increment Financing Commission. He stated there are three amendments to this. In section titled "Procedure for bids and proposals" the following amendments are proposed: In paragraph one, change to read as follows: The Board of Aldermen (or the City Administrator on its behalf) In paragraph two, change the last sentence to read as follows: to read "Each request for proposal's shall provide at least 30 to 14 days for the submission of a proposal." In the third paragraph, change second sentence to read as follows, "The Board of Aldermen or the City Administrator may establish such

additional criteria as it deems appropriate for the selection of bids and proposal's." Alderman Clay withdrew his motion and Alderman Sapp withdrew his second. Alderman Clay made motion and seconded by Alderman Sapp to approve Ordinance No. 1274 with the amendment presented by Tony St. Romaine, City Administrator. Mayor Pro-tem Bronson called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented Ordinance No. 1275 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Ordinance No. 1275, an ordinance amending Chapter 20, Traffic Code, Schedule III. Parking restrictions of the Code of the City of Ashland. Mayor Pro-tem Bronson called for questions or comments. Lyn Woolford, Police Chief reported this is for the entrance of Palomino Ridge Subdivision. Mayor Pro-tem Bronson called for the vote. Alderman Lewis-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented Ordinance No. 1276 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Ordinance No. 1276, an ordinance authorizing the appropriation of funds to certain accounts within the fiscal year 2020 Budget. Mayor Pro-tem Bronson called for questions or comments. Lyn Woolford, Police Chief reported this is the second reading. He explained the amendments to his budget. Mayor Pro-tem Bronson called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented a Resolution entering into a land-listing contract for the sale of real estate with South County Realty. Alderman Clay made motion and seconded by Alderman Sapp to take up for consideration a resolution entering into a land-listing contract for the sale for the sale of real estate with South County Realty. Mayor Pro-tem Bronson called for questions or comments. Alderman Lewis asked if this was for the surplus property, the City has. Tony St. Romaine, City Administrator reported it was. Mayor Pro-tem Bronson called for the vote. Alderman Clay-aye, Alderman Lewis-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented a Resolution authorizing the Mayor to enter into an agreement for professional engineering services with Allstate Consultants for a preliminary engineering report for the Sarah Drive Bridge Replacement. Alderman Clay made motion and seconded by Alderman Lewis to take up a Resolution authorizing the Mayor to enter into an agreement for professional engineering services with Allstate Consultants for a preliminary engineering report for the Sarah Drive Bridge Replacement. Mayor Pro-tem Bronson called for questions or comments. Tony St. Romaine, City Administrator reported that James Creel has requested this due to the bridge needing maintenance. He stated it is safe for vehicle traffic but we might need to put a weight limit restriction on it after it is repaired. He stated we need an engineer to look at the extent of damage and present a solution to repair or replace the bridge. Mayor Pro-tem Bronson called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-aye. Motion carried.

Mayor Pro-tem Bronson presented a resolution approving the design of the Route M (Broadway) and Henry Clay Roundabout for consideration. Alderman Sullivan made motion and seconded by Alderman Clay to take up a resolution approving the design of Route M (Broadway) and Henry Clay Roundabout. Mayor Pro-tem Bronson called for questions or comments. Tony St. Romaine, City Administrator gave his comments on what had transpired between the last meeting and now. He stated he felt the message was clear by the Board that they were uncomfortable with the right of way process that would take place between the property owners and MoDot, and no real assurances that they would be fairly compensated for their property. He stated the Mayor had discussions with the Selby's about the possibility of relocating their

building or rebuilding on the northern portion of their parcel, perhaps being combined with a portion of the vacant lot to the east. He stated that was only an idea, but it seemed to resonate with the Selby's. He discussed the progress that was made to ensure that all property owners would be treated and compensated fairly. He gave an overview of discussions with MoDot officials, Representative Walsh and Senator Rowden and the Selby's. He stated that it is frustrating to not be able to solve problems, overcome challenges, and reach consensus. He stated he thought they had until this morning. He stated he felt the City should still keep our commitment to doing what we said we would do to ensure that they would not be harmed financially. He stated he felt we acted in good faith and will continue to do so if you vote to approve the plans. He stated at the last Board meeting they heard from Mike Collins. He stated there were two plans in front of you this evening. The one that he marked option was prepared by our engineer to see if there were any possibility of further limiting the impact to the Collins property. He stated the change would minimize the impact considerably, even though the prior impact was still fairly minimal, but it would create an impact for the Credit Union by taking the area which currently is in use for their roadway sign. It would also create some additional challenges for utility relocations. He stated we hired an engineer and we have to trust that the \$80,000.00 plus the city has spent to evaluate all of the options which also included further review by MoDot engineers has produced a solution which is in the best interest of the community while attempting to minimize the impacts to be felt by the adjacent property owners and that the property owners who will be impacted will be treated fairly and the City will participate financially if needed to make sure that the owners are compensated in line with reasonable market values. He stated he felt his project was too important to the community to fail. While it may not solve all the traffic issues that a growing city will face in the years to come, it is the first step that we must take as part of a journey that we will be undertaking to address Ashland's future transportation need and he encouraged the Board to support this project with an affirmative vote. Todd Kempker from Bartlett and West discussed their traffic study and options in great depth. Mayor Pro-tem Bronson allowed citizen input at this time. Peggy Wren stated that traffic also backs up on Route Y due to the roundabouts not allowing traffic to flow at the peak times. Christine Sapp stated she felt stop signs should be installed and not a roundabout. She felt they were a safety hazard. Wayne Selby stated the traffic from 7:15 to 7:45 is the busy time in the morning. Jill Berlin questioned if the City would lose funds from MoDot. Ben Hilgedick asked the money be spent somewhere else. The citizens questioned were answered by Todd Kempker of Bartlett and West and Tony St. Romaine, City Administrator. Alderman Sullivan stated he liked the new Option better. He stated he knew there were a lot of emotions in this room and everyone would not agree. He stated they are trying to do their best and felt there was a lot of research done on this project. Cecilia Holbrook questioned why they are focused on this intersection and asked why the City would spend this money on this project. Carolyn Selby invited anyone to come to her salon and look at the traffic. Mayor Pro-tem Bronson closed the public speaking. The Board discussed this at great length. The Board stated this would allow MoDot right of way department to start negotiations with the property owners. Mayor Pro-tem Bronson called for the vote to approve the design marked Option. Alderman Bronson-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye. Motion carried.

Alderman Clay made motion and seconded by Alderman Lewis to have a ten-minute recess. Mayor Pro-Tem Bronson called for the vote. Motion Carried.

Mayor Pro-tem Bronson called the meeting back to order.

Mayor's Report:

Mayor Rhorer was absent.

City Administrator's Report:

Tony St. Romaine reported that Allstate Consultants did a preliminary engineering report on the stormwater issue for 401 Billy Joe Sapp Drive. He presented the report to the Board and asked the Board to review it. He stated no action is required tonight because we have insufficient funds to do any work on it. He updated

the Board on the Comprehensive Plan and stated that Todd Streiler would be at the November 12, 2019 Planning and Zoning Commission Meeting at 6:00 p.m. at Central Bank meeting room Tony St. Romaine discussed possibly getting 1 ½ to 2 acres donated for a new City Hall and Police Department. He stated we will be forming a non for profit in order to obtain USDA financing. He stated this resolution would be on the next agenda.

Police Chief's Monthly Report:

Lyn Woolford, Police Chief gave an overview of the monthly stats. He presented the Board with his six-month budget. He stated if he is eligible to being nominated for the America's Best Crossing Guard he would be again. He stated he received complaints on speeding on Oak Street. Lyn Woolford reported he met with Walk in Faith Church on helping citizens with needs. He reported on a FedEx delivery of contraband. He discussed Officer's scheduling. Lyn Woolford updated the Board on the Countywide police records management system.

City Attorney's Report:

Jeff Kays, City Attorney stated he had no report.

Board of Aldermen's Reports:

Alderman Lewis stated he received a call from a constituent suggesting extending deceleration lane from Liberty Lane. He stated he has seen the severe flooding on Billy Joe Sapp several years ago.

Alderman Clay discussed the extension of Perry Avenue.

Alderman Sullivan brought up the website being redone since it is not user friendly. Tony St. Romaine stated he is looking at prices on this and should be discussed at budget time. Alderman Sullivan suggested we purchase iPad or tablets for the Board of Aldermen. He stated he is having trouble with the e-mail as well and would like to see something different there.

Alderman Sapp thanked Tony and Sarah for the information this evening. He stated he would use his time for Don Jenkins of Meco Engineering to give an update on the Main Street Sidewalk project. Don Jenkins reported this project is almost complete with the exception of some minor things.

Alderman Sullivan reported he received a complaint of the drain on Henry Clay not working properly. Tony St. Romaine stated they decided this would be fixed with the Main Street overlay.

Alderman Bronson reported he completed an ultra marathon, running and walking for 60 miles. He reported the park board meeting is Monday at 6:00 p.m. at the Library and they would be discussing the Holiday Tree Lighting Plans. Alderman Sullivan stated he is going to be providing train rides and wanted to know about his legal liability for doing this. Alderman Lewis stated the Lions Club could sponsor this.

Alderman Clay made motion and seconded by Alderman Sapp to adjourn the meeting. Mayor Pro-tem Bronson called for the vote. Motion carried.

Darla Sapp, City Clerk

Jesse Bronson, Mayor Pro-tem