

TUESDAY, JULY 02, 2019  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.

Mayor Rhorer called the regular meeting to order at 7:00 p.m. on July02, 2019 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-here  
Ward Three: Rick Lewis-here, Jeff Sapp-here

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

Mayor Rhorer presented the agenda of July 02, 2019 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 June 18, 2019 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.

Mayor Rhorer asked anyone wishing to appear before the Board to come to the podium and state their name and place of residence on any subject. He stated this is the only public speaking portion of the meeting.

Dan Vandevoorde resident of 401 Billy Joe Sapp Drive came before the Board and asked for a fireworks permit. Mayor Rhorer stated this has normally been for private organizations such as the nursing homes and residential care facilities. Mr. Kays read the ordinance and said that it says it is at the Mayor's approval on the fireworks permit. Mayor Rhorer stated he did not have an issue with this as long as there is a water hose and fire extinguisher and Mr. Vandevoorde let the fire department know. Mr. Vandevoorde stated he would be discharging them tonight from 9:00 to 9:30 p.m.

Mr. Vandevoorde discussed a storm water issue he has at his residence at 401 Billy Joe Sapp Drive. He stated this has been an ongoing issue for several years and he gave the Board an overview of his issue. Mayor Rhorer reported that we will have a new street supervisor starting on Monday and he would have him get in touch with Mr. Vandevoorde to discuss this issue.

Linda Jones disputed the late fees on a utility bill of \$81.76 and asked for a waiver for a vacant building at 105 Eastside Drive to the Board. She said this is part of her father's estate and on an account that got activated without their knowledge. Shelley Martin, Treasurer stated that account has always been there but this is the first time it had usage. Jeff Kays, City Attorney reported he felt this needed to be investigated and placed on the agenda for consideration. Mayor Rhorer stated he would review the paperwork on this matter.

Russell Gerling, Alliance Water Resource gave year in review update to the Board on the wastewater system operation report. He stated the first second is the highlights at the lagoon, the second section is wastewater collection and the third section is the plant flows, pumping and treatment costs as well as the plant effluent quality averages. He asked the Board if they had any questions or concerns. Mayor Rhorer stated they have continued to keep our effluent numbers in check while our mechanical plant is being constructed. Russell Gerling stated we are operating in compliance but there is not much cushion for mistakes.

Mayor Rhorer presented Council Bill No. 2019-026 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2019-026, an ordinance authorizing the Mayor to enter into a Missouri Highways and Transportation Commission Municipal and cost apportionment first supplemental agreement. First reading by title only. Mayor Rhorer called for questions or comments. Jeff Kays this ordinance is to get the \$225,000.00 the City paid for the overlay on Broadway that the State has decided to postpone since the bids came in too high. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye. Motion carried.

Mayor Rhorer presented Council Bill No. 2019-027 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2019-027, an ordinance to amend Chapter 20, Article XV and Schedule III. Parking Restrictions of the code of the City of Ashland. First reading by title only. Mayor Rhorer called for questions or comments. Jeff Kays, City Attorney reported this sets the time limit on two parking spots on the east end of the angle parking on Broadway in front of the post office. It also states that no person shall park a vehicle on Ashley Drive except of the south side of the street and on Perry Avenue except on the east side of street. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented Ordinance No. 1257 for consideration. Alderman Sapp made motion and seconded by Alderman Clay to take up Ordinance No. 1257, an ordinance authorizing the Mayor to enter into an animal control enforcement agreement. Mayor Rhorer called for questions or comments. Lyn Woolford, Police Chief stated animal control is not coming down since we did not have an agreement in place. Jeff Kays stated he understood they would continue to provide service. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Clay-aye, Alderman Lewis-aye, Alderman Bronson-nay. Motion carried.

Mayor Rhorer presented Ordinance No. 1258 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Council Bill No. 2019-025, an ordinance to amend Chapter 11, Subdivision Regulations. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Clay-aye, Alderman Bronson-aye, Alderman Lewis-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Jeff Kays, City Attorney reported this allows us to collect in advance of expenses for proposed developments.

Mayor Rhorer presented Ordinance No. 1259 for consideration. Alderman Bronson made motion and seconded by Alderman Clay to take up Ordinance No. 1259, an ordinance authorizing the Mayor to enter into a Missouri Highways and Transportation Commission Municipal and cost apportionment first supplemental agreement. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye, Alderman Lewis-aye, Alderman Bronson-nay, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented a request for a fireworks permit for Ashland Healthcare for July 3, 2019. Alderman Bronson made motion and seconded by Alderman Sapp to approve the fireworks permit as presented. Mayor Rhorer called for questions or comments. Mayor Rhorer called for the vote. Alderman Bronson-aye, Alderman Lewis-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer presented a request for fireworks permit for Blue Grass Terrace. He stated they did not submit anything officially so we do not have a date and time. Alderman Bronson made motion and seconded by Alderman Sullivan to approve a fireworks permit for Blue Grass Terrace. 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 Sullivan-aye, Alderman Sapp-aye, Motion carried.

Mayor Rhorer presented for Board consideration authorization to distribute to the New Haven Police, excess police garments in trade for an in car video system. Alderman Bronson made motion and seconded by Alderman Sapp to authorize the trade of excess police garments for an in car video system. Mayor Rhorer called for questions or comments. Lyn Woolford, Police Chief reported he needed to reduce uniform inventory and New Haven Police Department had in car camera identical to the ones we use they wanted to dispose of. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor Rhorer presented for Board consideration authorization to distribute to the Southern Boone Fire District, a light bar in trade for forcible entry tools. Alderman Bronson made motion and seconded by Alderman Sapp to authorize the trade of a light bar for forcible entry tools. Chief Woolford reported the light bar came off an older car and we no longer need it. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer reported the next item on the agenda was discussion of repairing or replacing the mower used for mowing parks and right of ways. Shelley Martin, Treasurer stated we had issue with the engine on the mower and they received bids to have the motor repaired plus to purchase a new mower. She reported the original mower was bought in May of 2016 and now has 818 hours on it. She stated the normal trade in is 1500 hours. The low bid to have mower repaired was from Lauf for \$3,060.00. The price for a new mower from the lower bidder, Farm Power and Leisure, with the governmental discount and trade in is \$8,219.00. Mayor Rhorer asked the Board if they would like to see the mower engine repaired or to purchase a new mower. The Board discussed this plus the lack of maintenance on the mowers.

Alderman Sapp made motion and seconded by Alderman Sullivan to purchase the new mower. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderman Sullivan-aye, Alderman Clay-nay, Alderman Bronson-abstained, Alderman Lewis-nay. Mayor Rhorer stated this is a tie vote. Mayor Rhorer voted aye and broke the tie. Motion carried.

Mayor Rhorer presented a recommendation from the Parks and Recreation Board to purchase a bench for the dog park. Alderman Bronson made motion and seconded by Alderman Clay to table this item until we could look over the budget. Mayor Rhorer called for the vote. Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye, Alderwoman Martin-aye, Alderman Sullivan-aye, Alderman Sapp-aye. Motion carried.

Mayor Rhorer reported the next item on the agenda is a proposal to combine Broadway overlay with the round-a-bout project on Henry Clay Blvd. and Route M. He asked that this be tabled due to lack of information to proceed. Alderman Clay made motion and seconded by Alderman Sullivan to table this item.

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

Mayor Rhorer presented the posting of a “No Outlet” sign at Perry Avenue and Ashley Drive. Alderman Sapp made motion and seconded by Alderman Bronson to place a “No Outlet” sign at Perry Avenue and Ashley Drive. Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martin-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

Mayor’s Report:

Mayor Rhorer reported the 4<sup>th</sup> of July parade at 9:00 a.m. with line up starting at 8:00 a.m.

Police Chief Report:

Lyn Woolford presented some handouts on trends of courts decisions siting limiting parking time and sign code regulations as being unconstitutional.

City Attorney report:

Jeff Kays, City Attorney had no report.

Board of Aldermen’s Reports:

Alderman

Alderman Clay made motion and seconded by Alderman Sapp to go out of open session into executive session pursuant to Chapter 610.021 (1) legal actions, causes of action or litigation (2) leasing, purchasing or sale of real estate (3) hiring, firing, disciplining employee with a ten-minute recess Mayor Rhorer called for the vote. Alderman Sapp-aye, Alderman Sullivan-aye, Alderwoman Martina-aye, Alderman Lewis-aye, Alderman Bronson-aye, Alderman Clay-aye. Motion carried.

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

Alderman Bronson made motion and seconded by Alderman Clay to adjourn the meeting. Mayor Rhorer called for the vote. Motion carried.

Darla Sapp, City Clerk

Gene Rhorer, Mayor