

July 3, 2012 \* RECORD OF PROCEEDINGS

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CITY OF PACIFIC  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
300 HOVEN  
PACIFIC, MISSOURI 63069

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The meeting was called to order at 7:00 p.m. by Mayor Adams. The meeting is held at Tri-County Senior Center at 800 W. Union St., Pacific, MO.

A roll call was taken with the following results:

Present at Roll Call: Mayor Adams  
Alderman Arnette  
Alderman Eversmeyer  
Alderman Bates  
Alderman Gass  
Alderman Pigg

A quorum was present:

Also present:

City Administrator Selby  
Attorney Vogel  
Chief Mansell  
Collector Kelley  
Engineer Rahn  
City Clerk Barfield  
Public Works Commissioner Boedges

The Pledge of Allegiance was given.

**APPROVAL OF MINUTES**

A. Regular Meeting – June 5, 2012

Motion made by Alderman Arnette, seconded by Alderman Gass to approve the minutes of the regular meeting held on June 5, 2012 with a correction on page 7 referring to the flag installed at Adams Garden, as this has not been done. City Clerk Barfield stated this has been corrected. A

voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

B. Special meeting – June 19, 2012

Motion made by Alderman Pigg, seconded by Alderman Gass to approve the minutes of the Special meeting held on June 19, 2012. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

**NEW BUSINESS**

None

**PUBLIC HEARING**

None

**MAYORS REPORT**

A. Certificate of Recognition – Justin Lawrence

Mayor Adams recognized Justin Lawrence for all his hard work and success with in the Ultimate Fighting Championship. City Administrator Selby read the certificate of recognition.

Mayor Adams announced that Alderman Reed was on vacation.

**PUBLIC PARTICIPATION-SPEAKER CARDS**

*Tom Wilkins, Lighthouse Pentecostal Church*, stated he would like to offer prayer this evening.

*Alderman Arnette*, stated Carol Johnson, Chairman of Fireworks, wanted to remind everyone that the Fireworks display has been rescheduled for July 14, 2012.

**CITY ADMINISTRATOR/CITY ATTORNEY REPORT**

**COMMITTEE REPORTS/REPORTS OF CITY OFFICIALS**

*Alderman Pigg*, asked about the crosswalk signals on Osage. Administrator Selby stated they met with the contractor and MoDot and MoDot is going to fix the signals and put at the correct level.

**INTRODUCTION OF NEW BILLS**

**BILL NO. 2858**

**AN ORDINANCE AUTHORIZING THE MAYOR  
AND CITY ADMINISTRATOR OF THE CITY OF  
PACIFIC TO ENTER INTO AND EXECUTE AN STP**

**PROGRAM AGREEMENT WITH THE MISSOURI  
HIGHWAYS AND TRANSPORTATION  
COMMISSION FOR EAST OSAGE ST.  
IMPROVEMENTS FROM 7<sup>TH</sup> ST. TO CLEAR  
CREEK ROAD. (*1<sup>st</sup> reading*)**

Motion made by Alderman Bates, seconded by Alderman Gass to approve the first reading of Bill No. 2858. A voice vote was taken with an affirmative result, whereupon, Mayor Adams declared the motion approved 5-0. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2858 by title only for the first reading. There being no objections or corrections, Mayor Adams declared the bill will continue to the second reading this evening.

**CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED**

**BILL NO. 2858**

**AN ORDINANCE AUTHORIZING THE MAYOR  
AND CITY ADMINISTRATOR OF THE CITY OF  
PACIFIC TO ENTER INTO AND EXECUTE AN STP  
PROGRAM AGREEMENT WITH THE MISSOURI  
HIGHWAYS AND TRANSPORTATION  
COMMISSION FOR EAST OSAGE ST.  
IMPROVEMENTS FROM 7<sup>TH</sup> ST. TO CLEAR  
CREEK ROAD. (*2<sup>nd</sup> reading*)**

Motion made by Alderman Bates, seconded by Alderman Gass for the second reading of Bill No. 2858. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

As posted pursuant to the Ordinance, City Clerk Barfield read Bill No. 2858 by title only for the second reading. There being no objections or corrections, Mayor Adams called for a roll call vote with the following results: Ayes: Alderman Eversmeyer, Alderman Bates, Alderman Gass, Alderman Pigg, Alderman Arnette. Absent: Alderman Reed. Whereupon, Mayor Adams declared Bill No. 2858 passed, 5-0, approved it and it became Ordinance No. 2838.

**BILL NO. 2848**

**AN ORDINANCE PROVIDING THAT A SPECIAL  
ELECTION BE HELD ON TUESDAY, NOVEMBER  
6, 2012 , IN THE CITY OF PACIFIC, COUNTIES OF  
FRANKLIN AND ST. LOUIS, IN THE STATE OF  
MISSOURI, FOR THE PURPOSE OF ELECTING A  
MUNICIPAL JUDGE TO FILL THE REMAINING  
TERM RESULTING FROM A VACANCY. (*2<sup>nd</sup>  
reading*)**

Motion made by Alderman Bates, seconded by Alderman Arnette for the second reading of Bill No. 2848. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

As posted pursuant to the Ordinance, City Clerk Barfield read Bill No. 2848 by title only for the second reading. There being no objections or corrections, Mayor Adams called for a roll call vote with the following results: Ayes: Alderman Eversmeyer, Alderman Bates, Alderman Gass, Alderman Pigg, Alderman Arnette. Absent: Alderman Reed. Whereupon, Mayor Adams declared Bill No. 2848 passed 5-0, approved it and it became Ordinance No. 2828.

### MISCELLANEOUS

A. Approve the list of bills.

Motion made by Alderman Eversmeyer, seconded by Alderman Pigg to approve the list of bills. A voice vote was taken, with an affirmative result, and Mayor Adams declared the motion approved 5-0.

B. Approve Change Order # 4 from J.E. Foster in the amount of \$ 82,983.43 to be paid from the Project Fund – Ord. 2804.

Motion made by Alderman Arnette, seconded by Alderman Eversmeyer to approve Change Order # 4 from J. E. Foster in the amount of \$ 82,983.43. City Clerk Barfield stated the item for the fire pump would be paid from water and sewer, Administrator Selby stated the portion for AT & T would be billed to them. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

### UNFINISHED BUSINESS

**BILL NO. 2817**

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF PACIFIC, FRANKLIN COUNTY, MISSOURI, AS HEREIN PROVIDED BY ANNEXING SPECIFIED UNINCORPORATED TERRITORY CONTIGUOUS AND ADJACENT TO THE EXISTING CORPORATE LIMITS OF THE CITY.**

### NEW BUSINESS

**RESOLUTION NO. 2012-37**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE CAPITAL IMPROVEMENTS SALES TAX FUND TO THE LEASEHOLD REVENUE BOND FOR THE BOND PAYMENT.**

As posted pursuant to the Ordinance, City Clerk Barfield read Resolution No. 2012-37 by title only. Motion made by Alderman Gass, seconded by Alderman Bates to approve Resolution No. 2012-37. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

RESOLUTION NO. 2012-38

A RESOLUTION AUTHORIZING THE MAYOR  
TO EXECUTE A CONTRACT BETWEEN THE  
CITY OF PACIFIC AND GOLD STAR PAVING  
FOR THE HERITAGE FARMS-MEADOW.

As posted pursuant to the Ordinance, City Clerk Barfield read Resolution No. 2012-38 by title only. Motion made by Alderman Eversmeyer, seconded by Alderman Gass to approve Resolution No. 2012-38. Discussion followed regarding the difference of the bids. Alderman Bates stated he was concerned about setting precedence, and thought a successor developer agreement was the better way to go. Mayor Adams stated the difference between this and Westlake is Westlake residents came here with expectations, and this board made a commitment to them. Alderman Eversmeyer thought that one of the differences is that there are lots that are individually owned also. Alderman Bates stated his objection is to not set a precedence for future developments. Mayor Adams stated every deal sits on its own merit. Attorney Vogel stated the policy of the city has been the successor developer, but we never received a proposal from the bank, we did just receive an informal one from one of the owners this week, but they only want part of the liability. We may not ever get to the point of a successor developer because all the lots are sold. Alderman Bates stated he was just worried about this coming up again, further down the road. Engineer Rahn stated Mike Gallagher informally submitted a successor developer agreement, and could not be present this evening. One problem is there is not enough money to cover everything, the lots are owned by 7 – 8 different people. Attorney Vogel stated this is a tough situation and in the future the city needs revised estimates that reflect the increase costs. This one in particular has defaulted twice and there is inflation over 10 years. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 4-1. Nays: Alderman Bates. Alderman Arnette suggested obtaining an estimate on Westlake.

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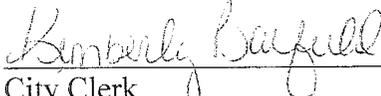
ADJOURNMENT

There being no further business, motion made by Alderman Gass, seconded by Alderman Bates to adjourn. A voice vote was taken with an affirmative result and Mayor Adams declared the motion approved 5-0

The meeting adjourned at 7:35 p.m.

  
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Herbert C. Adams, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk