



April 16, 2013 * RECORD OF PROCEEDINGS

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

The meeting was called to order at 7:00 p.m. by Mayor Adams.

A roll call was taken with the following results:

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

A quorum was present:

Also present: City Administrator Selby
Attorney Vogel
Chief Mansell
Collector Kelley
Engineer Rahn
Deputy City Clerk Lindemann
City Clerk Barfield

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting- April 2, 2013

Motion by Alderman Pigg, seconded by Alderman Reed, to approve the minutes of the regular meeting held April 2, 2013. A voice vote was taken with an affirmative result and Mayor Adams declared the minutes approved 6-0.

NEW BUSINESS

RESOLUTION NO. 2013-06

**A RESOLUTION ACCEPTING THE CERTIFICATION OF
ELECTION FOR APRIL 2, 2013 FROM THE FRANKLIN
COUNTY VERIFICATION BOARD.**

As posted pursuant to the ordinance, City Clerk Barfield read Resolution NO. 2013-06 by title only. Motion made

by Alderman Pigg, seconded by Alderman Eversmeyer to approve Resolution No. 2013-06. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

ADJOURNAMENT

There being no further business, motion made by Alderman Reed, seconded by Alderman Gass to adjourn.

The meeting adjourned at 7:05 p.m.

Oaths of Office were taken. Plaques were presented to Alderman Reed and Alderman Eversmeyer . Mayor Adams stated each of these gentlemen brought different things to the board. Alderman Eversmeyer is moving to Alaska to be with his grandchildren for a couple years, he has done an excellent job as alderman, and we have had great discussions. He continued that he knew when Alderman Reed became alderman he would bring a different prospective to the board, this morning they discussed his career as alderman, but reminded everyone that it started as a businessman, he has been active in the Chamber as a leader and a hard working member of various organizations. He appreciated both of their views and hard work.

The meeting was called back to order

Present at roll call:

Mayor Adams

Alderman Arnette
Alderman Eversmeyer
Alderman Bates
Alderman Gass
Alderman Johnson
Alderman Pigg

City Administrator Selby
Attorney Vogel
Chief Mansell
Collector Kelley
Engineer Rahn
Deputy City Clerk Lindemann
City Clerk Barfield

Mayor Adams welcomed Alderman Johnson back to the board.

PUBLIC PARTICIPATION-SPEAKER CARDS

Mayor Adams reminded everyone, if they wanted to address the Board of Aldermen to fill out a speaker card, at the bottom of the card in red, it reads everyone is allowed five minutes.

Cecil Boswell, 1969 Hogan Road, Lighthouse United Pentecostal Church, stated he would like to offer prayer this evening.

Larry Mueller, 146 W. St. Louis St, Pacific, MO 63069 requested for the Downtown Merchants Association to shut down St. Louis Street on May 11, 2013 for a flea market from 9:00 a.m. to 6:00 p.m. Motion made by Alderman Gass, seconded by Alderman Arnette to approve the request of the Downtown Merchants Association to shut down St. Louis St on May 11, 2013 for a flea market from 9:00 a.m. to 6:00 p.m. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved.

Matt Vickers, 2318 Silver Lake Estates Drive, Pacific, Mo stated the park board has discussed a no smoking policy within 20’ of the playground equipment. Tonight he is asking as a citizen to support this, he feels this is a safety issue and is one measure to help with it.

Jeff Palmore, 709 W. Union, Pacific, Mo stated a couple months ago he asked for and was granted a meeting but it never happened. The attorney indicated there wasn’t some documentation in our records, but he brought another copy this evening. He is requesting deeds to property he owns. He stated his lots originally were purchased, but it is a bogus deed, then deeds for the same lots were purchased again and the city gave them to him. He submitted the following documents to be entered into the record: An affidavit of Byron Bell dated April 20, 2012, a copy of a letter dated 6-24-96 by Byron Bell from Marcella Moege, a copy on Bell Funeral Home letterhead dated September

23, 1996 a letter from Marcella Moege, notarized September 23, 1996, a copy of a document titled "Cemetery Deed" dated August 10, 1945, a copy of a Pacific City Cemetery Deed dated September 6, 1945, a copy of a letter dated February 20, 1995 to Bell Funeral Home from Marcella Moege. At that time he asked these documents be entered into the record. He continued that the city is probably trying to figure out how they are going to do this, and if he needs these lots before the city figures out how to give them to him, his procession better not be blocked. He questioned how the city was going to take these out of August Bruns and put them in his name. Attorney Vogel stated the ordinance for processing wasn't done until last week, there is a \$ 25.00 dollar fee and in the ordinance it states what is required to have a deed transferred. Mr. Palmore stated he submitted the same documentation prior to this ordinance being established, he questioned if the fee was going to be retroactive? Attorney Vogel stated these lots were owned in 1945 and the purpose of the ordinance is to prevent and create a simple process, anybody can go to court and get a quit title. This is just a matter of submitting the chain of ownership paperwork. Attorney Vogel stated the board created a process, he wasn't satisfied because he wanted a deed, this process is for the transfer of a deed. Mr. Palmore stated he can't bring up money to transfer a deed from August Bruns to his name, when Nettie Painter reviewed the cemetery records she left off the Bruns name. He continued that we have problems with the cemetery that need to be fixed. People were buried in the lots before August Bruns bought them. How is the city going to take the deed out of August Bruns and transfer it to him with a counterfeit deed signed by August Bruns. Mayor Adams stated that his questions had been answered, there was a disagreement, he has now been allowed to speak for twenty minutes, and thanked him for his comments. Mayor Adams instructed City Clerk Barfield to create a list for the members of the board what has been submitted, and what is required according to the ordinance.

Franklin County Economic Commission – Mayor Adams stated there was a vacancy and the person to fill it does not have to be a city employee. Tim Baker has expressed interest in this position; he asked if board members had any objections to Tim Baker being the liaison from the Franklin County Economic Commission and the city. Board members had no objections. City Clerk Barfield will contact Mr. Baker.

Partnership – Mayor Adams confirmed that Alderman Gass would continue to be the liaison between the Partnership and the city. Board members had no objects.

Senior Center – Mayor Adams stated he had a check to present for the Senior Center to Pauline Masson for the recyclable collection funds. The check is in the amount of \$1,052.87. He continued that he continues to present this to Mrs. Masson because for years she is the one who stayed on him about the recycling program and donating the funds to help the seniors. He thought the Senior Center was a great asset to the community.

MAYOR'S REPORT

A. Accept the letter of resignation from Alderman Eversmeyer

Mayor Adams stated Mr. Eversmeyers letter is effective at the end of the month. He thanked him for his time served and all his hard work. Motion made by Alderman Pigg, seconded by Alderman Gass to approve the letter of resignation from Alderman Eversmeyer. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

B. Certificate of Recognition – Evan Whitlock

Alderman Bates presented Mr. Whitlock with a Certificate of Recognition for his display of heroism in rescuing a lady that had fallen on her back porch in the recent storm. He heard her yelling for help from a far distance and was able to reach her.

C. Certificate of Appreciation – Freedom of the Road Riders

D. Certificate of Appreciation – Action Riders

Alderman Pigg presented a Certificate of Appreciation to the Freedom of the Road Riders. He stated both of these groups work together for the good of the community and are always willing to help. Alderman Gass presented a Certificate of Appreciation to the Action Riders.

E. Approve the appointment of the following committee's as a standing committee/liaison per Section

110.110.

Alderman Bates	-	Planning & Zoning
To Be Announced	-	Park Board
Alderman Pigg	-	Cemetery Committee
Alderman Gass	-	IDA Committee
Alderman Arnette	-	Tourism Committee
Alderman Johnson	-	Museum Committee
Alderman Arnette	-	Genealogy Committee
Operations Committee	-	Alderman Gass – Chair Alderman Pigg – Vice Chair To be announced
Administrative Committee	-	Alderman Bates – Chair Alderman Arnette – Vice Chair Alderman Johnson

Motion made by Alderman Pigg, seconded by Alderman Arnette to approve the standing committees as presented. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

F. Approve the Acting President of the Board per Section 110.080.

Motion made by Alderman Pigg, seconded by Alderman Gass for Alderman Arnette to hold a second term as president of the board. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. Mayor Adams stated he works well with Alderman Arnette, but they do not always agree on things, but he understands that what he says is what he believes.

E. Approve re-appointment of Bob Kalin to Board of Adjustment – term to expire May 2018.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the appointment of Bob Kalin to the Board of Adjustment – term to expire May 2018. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

F. Approve re-appointment of Gary Koelling to Planning & Zoning – term to expire May 2017.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Gary Koelling to Planning & Zoning - term to expire May 2017.

G. Approve re-appointment of Gary Bay to Planning & Zoning – term to expire May 2017.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Gary Bay to Planning & Zoning – term to expire May 2017. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

H. Approve re-appointment of Rob Arnold to Park Board-term to expire May 2016.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Rob Arnold to the Park Board – term to expire May 2016. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

I. Approve re-appointment of Brett Rossomanno to Park Board – term to expire May 2016.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Brett Rossomanno to Park Board-term to expire May 2016. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

J. Approve re-appointment of Nellie Mueller to Cemetery Committee – term to expire June 2016.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Nellie Mueller to the Cemetery Committee – term to expire June 2016. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

K. Approve re-appointment of Nettie Painter to Cemetery Committee-term to expire June 2016.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Nettie Painter to the Cemetery Committee – term to expire June 2016. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

L. Approve re-appointment of Bob Masson to IDA-term to expire May 2019.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the re-appointment of Bob Masson to IDA-term to expire May 2019. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

CITY ADMINISTRATOR/CITY ATTORNEY REPORT

a. Discuss pool contract

Administrator Selby stated the YMCA managed the pool for the last 7-8 years and each year the cost has increased. This year it would go up about \$ 6,250 alone, over the next three years it would increase \$ 30,000. This is a substantial jump. Midwest Pool used to do ours, and there is a contract in the packet this evening. This would also allow for the city to use a local company to supply the chemicals. If we used the YMCA this year with chemicals the cost is \$ 55,995 – if we go with Midwest Pool the cost is \$ 43,158 plus \$ 4,100 for chemicals. There is also a savings with the employees; we only pay for who is on site. The contract is for three years, but if we are not happy we can change after the first year. He continued the final numbers are actually supposed to be a little lower than those discussed. Alderman Arnette stated with the YMCA there were times they just did not open the pool, Administrator Selby stated that is because of staffing. Mayor Adams reminded the board that in the future we need to be looking at doing something better and moving our thoughts to a recreation center, and trying to budget for it over a few years. Attorney Vogel stated what was posted is what would be voted on, but it includes a standard form professional services contract also.

Alderman Bates stated it was an honor to be back on the board, and he does not take it for granted.

Alderman Johnson stated she was glad to be back.

Alderman Pigg suggested a gravel parking lot, or a chip-n-seal lot be installed near the new dog park and tennis courts. He thought something like this could be looked at with the Master Plan. Mayor Adams suggested Engineer Rahn meet with him and get his ideas, then come up with a number to possibly include in the budget.

Alderman Arnette thanked the board for having the faith in him to be the president for another year.

Tourism Committee Alderman Arnette stated they will be finalizing the budget at the next meeting.

Genealogy Committee Alderman Arnette stated they are waiting on shelves, and the computer is up and running.

Chief Mansell stated he has a contact at Department of Public Safety and recently he obtained lockers from them, and for \$ 40.00 they look brand new. He thought this would be a great benefit to the city. Also the Explorers have a Bar-B-Que scheduled for Saturday from 11:00 – 4:00 p.m. at Piggs Pets. Also there is a dedication at the Adams Garden on Saturday at 10:00 a.m. and CASA has an event at the high school from noon to 3:00 p.m.

Engineer Rahn, stated Alderman Arnette asked a few weeks ago for a crosswalk on Osage across from Queens. The

city has obtained \$ 125,000 in non-attributable funds from MoDot, so he came up with a project to complete the sidewalks and add two more crosswalks. The sidewalks from Lamar to Hoven will be extended and from New China around the turn will get sidewalks. The city portion of this project is \$ 50,000. This will include two additional crosswalks. He continued that he is looking into Candlewick to see if it can be reclassified as an arterial road and make it eligible for funding.

IDA- Keith Bruns stated there was no report, but commended the police department, as his gator was stolen in December and it has been recovered.

Museum Committee - Jeannie Banderma, 1713 Birch, Pacific, Mo stated the museum is working on the calendars for next year. The theme is veterans and they are collecting money for sponsors. She thanked Alderman Bates for his hard work with the museum and welcomed Alderman Johnson.

Park Board Committee – Steve Flannery, president, stated two meetings ago the topic was brought up regarding limiting smoking around the play structures at the city parks. This was passed at the Park Board level, it would only prohibit smoking within 20’ of the playground equipment. We hoped the city would also provide ash trays next to all the structures in the park. There have been a lot of trash found in the mulch from smokers, and children put everything in their mouth. He is hoping the board will approve this and consider the health of the children. He continued we are not trying to ban smoking in the park, but prohibit it specifically right at the equipment. **Motion made by Alderman Gass to install signs at the playground equipment for no smoking within 20’ of the playground structures.** Alderman Johnson stated she was a member of the Park Board, and this was brought up two meetings ago after we already adjourned. Then in April on the original agenda there was nothing on it about this topic, then she received an amended agenda with it on there. To make a quorum at the meeting the president had to vote. She voted “no” at the Park Board, but thought it needed more discussion with the full board. President Flannery stated that Mr. Vickers brought this topic up in the regular course of the meeting, the agenda went out and he forgot to put it on there, he contacted the City Clerk to see if it could be amended, so the agenda was amended and the topic added. He continued it has been a very long time that a full park board has been present at any meeting, but they did have a quorum and the meeting was posted so nothing was done wrong. Alderman Pigg thought that before we jump into putting up more signs up we needed to think about this, parents also have to be more responsible for their children. Alderman Arnette stated the school also has a smoking ban, but they do it all the time anyways. Alderman Bates suggested this be put on the agenda as a line item and have a discussion for the public. **Mayor Adams stated there was a motion on the floor by Alderman Gass, the motion was repeated. Mayor Adams asked twice for a second. Motion died for lack of a second. Motion made by Alderman Bates, seconded by Alderman Arnette to put on the agenda for discussion at a public meeting. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-1. Nays: Alderman Pigg.** President Flannery asked about the butt cans to be installed at the park. Mayor Adams suggested he bring costs back to the administrator. Alderman Pigg stated they needed to be something that could be secured as these are a high theft item. President Flannery stated the park board has also discussed additional parking along the tennis courts and dog park, and suggested maybe diagonal parking along the row of trees. Dillon Patton is also working on a ceremony at the dog park with a tentative date of May 4, 2013. President Flannery continued that he would like to request \$ 100,000 being budgeted in 2013-2014 towards capital improvement in the park. Mayor Adams stated a few meetings ago everybody heard you ask for \$ 200,000, but the reality is the money is not there. Revenue projections have been flat for the last few years. Alderman Eversmeyer suggested taking the same approach to the park as we did the comprehensive plan and set aside money for improvements every year. Mayor Adams reminded everyone that just because something is budgeted does not mean we are ready to spend it. We all have to be realistic. Alderman Johnson stated President Flannery has worked hard for the park, and pushed to achieve every goal he has set. Alderman Pigg thought we should look at moving water closer to the dog park, and would like to see a pavilion go up. President Flannery stated there are other scouts coming forward for projects, and one idea was a small pavilion, so we are trying to stay connected to the youth.

City Clerk Barfield stated the Franklin County Municipal League meeting has been cancelled for this Wednesday due to inclement weather, and rescheduled for next Wednesday, April 24, 2013.

Mayor Adams reminded everyone to contact city hall staff regarding day to day issues.

INTRODUCTION OF NEW BILLS

BILL NO. 2886 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FRANKLIN COUNTY FOR THE COLLECTION OF TAXES FOR THAT PORTION OF THE CITY OF PACIFIC LOCATED IN FRANKLIN COUNTY. (1st reading)

Motion made by Alderman Gass, seconded by Alderman Eversmeyer to approve the first reading of Bill No. 2886. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2886 for the first reading. There being no objections or corrections, Mayor Adams stated the second reading would be this evening.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

BILL NO. 2886 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FRANKLIN COUNTY FOR THE COLLECTION OF TAXES FOR THAT PORTION OF THE CITY OF PACIFIC LOCATED IN FRANKLIN COUNTY. (2nd reading)

Motion made by Alderman Johnson, seconded by Alderman Gass to approve the second reading of Bill No. 2886. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2886 for the second reading by title only.

A roll call vote was taken with the following results: Ayes: Alderman Arnette, Alderman Eversmeyer, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: none. Whereupon, Mayor Adams declared the motion approved 6-0 and Bill No. 2882 became **Ordinance No. 2866**.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 2013-05 A RESOLUTION CONFIRMING THE STATE OF MISSOURI AND THE CITY OF PACIFIC, MISSOURI THAT FAIR HOUSING IS THE LAW OF THE LAND AND ONE OF THE MOST BASIC RIGHTS OF ALL CITIZENS.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2013-05 by title only. Motion made by Alderman Gass, seconded by Alderman Arnette to approve Resolution No. 2013-05. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

RESOLUTION NO. 2013-07 A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MIDWEST POOL MANAGEMENT OF AMERICA, LTD TO MANAGE THE OPERATIONS OF THE POOL.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2013-07 by title only. Motion made by Alderman Gass, seconded by Alderman Johnson to approve Resolution No. 2013-07. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

MISCELLANEOUS BUSINESS

A. Approve the list of bills.

Motion made by Alderman Pigg, seconded by Alderman Bates to approve the list of bills. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

B. Approval bulky trash pick-up for the weeks of May 13, & May 20, 2013.

Motion made by Alderman Bates, seconded by Alderman Gass, to approve the bulky trash pick-up for the weeks of May 13, & May 20, 2013. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0

TOURISM EXPENSES

- A. Approve invoice from Tom Wolf Hardware in the amount of \$ 400.00 to be paid from the tourism fund for the flags.

Motion made by Alderman Arnette, seconded by Alderman Pigg to approve the invoice from Tom Wolf Hardware in the amount of \$ 400 to be paid from the tourism funds. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

- B. Approve invoice from Napa Auto Parts in the amount of \$ 205.00 to be paid from the tourism funds for flags.

Motion made by Alderman Johnson, seconded by Alderman Gass to approve the invoice from Napa Auto Parts in the amount of \$ 205 to be paid from the tourism funds. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

Administrator Selby stated on the flags, we saved several hundred dollars ordering local, opposed to ordering them as one with the flag.

Administrator Selby reminded everyone of the 5k Walk/Run on Saturday at 8:00 a.m.

Collector Kelley stated she has been working with Franklin County regarding the flood buyout properties, and that should be resolved by May 1, 2013.

Alderman Pigg asked that when we put the notice out for bulky trash the description of what part of town is picked up when be worded differently so the residents can understand it better.

RECEIVED AND FILED

ADJOURNMENT

There being no further business, motion made by Alderman Arnette, seconded by Alderman Pigg to adjourn. A voice vote was taken with an affirmative result and Mayor Adams declared the motion approved 6-0

The meeting adjourned at 8:40 p.m.

APPROVED

Herbert C. Adams, Mayor

ATTEST:

City Clerk

