



May 29, 2014 \* RECORD OF PROCEEDINGS

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**CITY OF PACIFIC  
SPECIAL 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 Palmore.

Present at Roll Call: Mayor Palmore  
Alderman Arnette  
Alderman Myers  
Alderman Bates  
Alderman Gass  
Alderman Johnson  
Alderman Pigg

A quorum was present:

Also present:

Attorney Schroeder  
Collector Kelley  
City Clerk Barfield

The Pledge of Allegiance was given.

A. Discuss Tourism Commission & Budget

Mayor Palmore encouraged everyone who wanted to have input on this topic to fill out a speaker card. He wanted to go over and review the Tourism Committee and his interpretation of what Tourism is, along with the definition of a committee verses a commission. It is very clear that all expenses must be approved by the Board of Aldermen. Chapter 67 states that this commission is under a political subdivision, in this case would be the city. The members are appointed to the city commission by the governing body of the city. Chapter 67 of the city code states the members shall be

citizens of the City of Pacific, he thought this might be our first problem, as Bill McLaren is not a citizen. He believes this ordinance is incorrect and would need changed. Chapter 057 & 058 of the code need to be clarified. If we look at the by-laws it reads "citizens" but the law reads "residents", so he believes the by-laws needs changed. He stated he has spoken with the city clerk regarding other committees also, and trying to ensure that everybody meets the qualifications as far as taxes and user fees being paid also before appointed to a committee. He thought this should be handled by the chair of the committee and he is working on trying to implement a procedure for this. Chapter 67 of the city code the procedures are pretty clear with a few minor changes. It reads the commission "shall" administer the funds and must have Board approval. Nothing says the Board of Aldermen can have input in this; however it seems reasonable if the Tourism Commission comes to the Board and the Board rejects it, views could be shared and a final decision came to. The problem I see is the detail of the description of every request, and receipts for these. The City Code reads 115.270 that the City Administrator is the purchasing agent. It seems there are multiple requests for the same event, and the Tourism Commission should oversee this, but it also seems some things are left out; for example, if the event would require port-a-potty's, or golf carts, that should also come from Tourism as it is part of the event. Alderman Pigg stated he thought some stuff could not be paid for out of Tourism such as port-a-potty's, which is why general fund always paid for this. Alderman Pigg also stated a contract is entered into, but also when the tax was developed it reached out to the whole Meramec Valley area. Alderman Pigg stated some people serve on multiple committees' because there is a problem filling some of the committees with volunteers. Mayor Palmore stated this was a good point, but nothing in the statute or the ordinance supports the idea of the Meramec Valley area, so tonight boundaries needed to be set.

Dennis Oliver, 905 Sierra Ridge, Pacific, MO - stated he was told a person needs to be a "resident" to be on the Tourism Commission, and so many people in the tourism industry. Bill McLaren is a good example of this, as was John Behrer who was formerly on the commission. Mayor Palmore stated if this is established legally then he does not have a problem with it.

Alderman Johnson stated she thought we were on the right track tonight, and she asked for this meeting, but the end result should be deciding who serves and what can the money be spent on, this has always been a problem. She continued Mary Beth Schmidt has a new event; can the city give help with dumpsters? There was \$ 1,500 put in the budget for advertisement, she thinks this could be spent on music and bands, but can it? We need to define what it can be spent on. Alderman Gass thought we needed the attorney's opinion. Attorney Schroeder stated "public purpose", but this was the first he heard of the residency issue.

Mayor Palmore stated there is a problem with people hearing, he asked everyone speak into the microphone and if someone in the audience couldn't hear then to stand up and sit down, and he would recognize that.

Alderman Myers stated Section 67.1364 reads “there is no statutory definition applicable to these terms, but expenses which reasonably relate to promoting tourism to the City are permissible, and may include, among other things: signage, banners or advertising for public events, business districts or historical areas; administrative expenses relating to the same; public improvements to accommodate or promote such events or otherwise relating to attracting visitors to the City”. Discussion followed regarding this paragraph.

**Alderman Bates stated he thought the ordinance should agree with the state statute. Motion made by Alderman Bates, seconded by Alderman Gass to draft a new ordinance for the tourism budget removing the May 1<sup>st</sup> date, and amending the current deadline.**

Mayor Palmore stated he is trying to learn Roberts Rules of Order; however he did not call for a motion.

Dennis Oliver stated this was submitted before May 1, 2014 as the law requires. Mayor Palmore stated he understood it was not detailed enough and sent back for more detail. Dennis Oliver continued this budget has been done the same for a number of years. Alderman Arnette stated they usually receive more detail, and there are things not included on the budget, like the maintenance of the sign, and billboards and banners. Tim Baker stated he needed clarification on this, the statute reads the detail goes to the tourism commission, and then we make a recommendation to the board. Alderman Gass suggested the city clerk make a worksheet and the committee work from the worksheet. Mayor Palmore thought the commission should be responsible for that.

Bill McLaren, 654 Phelan Road, Pacific, MO - stated that it sounds like they needed his resignation, as he does not live in the city. He thought we needed to identify what “administer” means, and as he reads the statute it’s a commission not a committee and the budget should be submitted to the board for approval and administered by the commission. He continued that 605.057 reads “member of city or county in which the city’s located”, was the code loosened? Mayor Palmore stated yes, and we can only tighten the code.

Alderman Pigg stepped out.

Bill McLaren also asked what “administer” funds means, and does a commission member have a higher standard of oath? He also referred to what Alderman Pigg was speaking of and the Chamber, Partnership and City all worked together to get this tourism tax passed. Mayor Palmore stated over the course of the years a precedence has been set for what tourism does and does not pay for. Mr. McLaren stated he does not think any one event should be funded 100% by tourism, if tourism can buy ads in bulk for all the events and negotiate a better deal then he thinks that would be beneficial. Maybe the Deputy City Clerk could devote some hours to this

Alderman Pigg returned.

Mayor Palmore stated it is very clear, the Tourism Commission is responsible for administering the funds, but there must be a check and balance, the Board of Aldermen is charged with making sure the funds are spent properly.

Bill McLaren stated the city could negotiate the price. Alderman Johnson stated not all the request for funds were given money, Dennis Oliver stated the commission reached out to the board to go over the plan, but only Alderman Gass met with them. Alderman Johnson had a printout regarding parades being part of tourism. Dennis Oliver stated he cannot guess what events might still come before them requesting money, so they did the best they could.

Mayor Palmore stated there is still a motion on the floor. He stated this is a clean slate; the ordinance needs to reflect the state statute. Alderman Gass asked for Attorney Schroeder's advice. Mayor Palmore stated the city attorney has come up with some things I haven't agreed with. I have taken exception to things because I interpret it differently, the attorney may not always have the best opinion and we are not going to blindly take his advice. Alderman Johnson stated we have to know if what we are doing is legal, and we need to take the attorney's advice.

Mary Beth Schmidt,# 1 HeHo Wiesen, Pacific, MO - stated the plan for her event is not being sponsored by the board anymore; the Partnership is taking it over. Bill McLaren stated her event is in June, the Partnership is sponsoring the first event, her other two events is what the budget includes, Mary Beth stated she wanted the money for the bands though, not for advertisement.

Discussion followed regarding if the city ordinance trump's the state statute and Attorney Schroeder stated no, the statues allows for more specific terms. Mayor Palmore stated he did not want to discourage involvement, that was not the intent, but we are bounded by guidelines. There are several flaws he has found, and we will need to look at all of them and agree on something.

Bob Masson, 120 N. Payne St., Pacific, MO - reviewed the current budget of the tourism and thought a good definition for the criteria of what tourism is needed to be decided by this body, and who administers the funds. He questioned if fireworks should be paid from tourism funds, and the next high school rodeo is not in this budget. Alderman Bates stated we have spent thousands on billboards, but it has always been argued the real effect of it. Alderman Johnson stated to take the fireworks out of the budget; she would raise the funds herself, but put that money towards sponsoring the parades. She felt like she could at least raise \$ 5,000 to go off the bluff. Tim Baker stated two years ago he came to the board and suggested pulling back some of the money from the civic organizations to find ways to actually promote the city, but there were questions. Then the previous mayor asked the chamber to help with advertising the city, two events did not submit request for funds so he included them with the money for advertisement for the chamber. He continued when Shelia (Steelman) was here we put out brochures and maps to promote, but we do not do that now. He felt maps were very important. The reason they did billboards was because the hotels ask for this. So the chamber came up

with a proposal, and he also asked if vendors requesting funds need to have their taxes paid. He also stated this city needed a visitor center and it is still not off the ground, but originally they had it figured out that 1/3 of the funds from tourism could be used to support the idea of a welcome center.

Steve Flannery III., 305 W. Pacific St., Pacific, MO - thought this was a good meeting, with a lot of debate, and he has heard several different ideas. Chapter 67.683 reads about the duties and responsibilities, it does not mention a municipality, only a county and the ability to hire a staff member. The 501C3 mentioned on the request for funds is a good idea on the surface, but the Lions Club is a 501C4, which he thinks would not entitle them to these funds, and asked the board consider this. The only organization he knows of in town with a 501C3 is the City, Chamber, Downtown Merchants, and the Partnership.

Alderman Pigg stepped out.

Steve Flannery continued the Partnership makes the request for three events, the largest being the car show. They applied for \$ 10,000 but were only granted \$ 8,000, and this is used for advertisement, but felt like the town fills up at fireworks time. They have also been asked to help with the rodeo. Discussion followed on how tracking the benefits of these events to the town could be done, and parades and where people come from.

Alderman Pigg returned.

Attorney Schroeder stated he felt like Tourism was in compliance and did submit a budget to the board by May 1<sup>st</sup>, 2014 and feels it would be legal to proceed.

**Alderman Bates rescinded his motion, and Alderman Gass rescinded his second.**

Dennis Oliver still thought the Tourism Commission needed definition and direction. Mayor Palmore stated he does not feel the board should provide him with this, and thought that was the task of the commissioners. Alderman Pigg stated if we are not on the same page we are always going to debate, and thought they should at least agree on a perimeter, and asked that they sit down together. Mr. Oliver suggested a round table discussion. Mayor Palmore asked if the board wanted to put this to a standing committee. Pauline Masson stated in other places a "work session" is done, it is public and posted but it's where ideas are discussed. Attorney Schroeder stated this could be done in this room. Mayor Palmore stated once the standing committees are established at the next regular meeting then a meeting/work session could be scheduled.

Larry Mueller, 146 W. St. Louis St., Pacific, MO - stated the board was the elected officials and they run the city not anyone else, I came to you to approve or dis-approve of an event. In the past I got 30-60 days to submit for an event, we submitted for Veterans Day, and didn't do St. Patrick's Day or Monsterfest. He has worked with the city for 10 years and since I'm not in the "click" I get no courtesy. Mayor Palmore stated all he

wanted was the fund administered fairly and according to the law. Mr. Mueller stated there were emergencies that come up.

Jim Brune thanked Alderman Johnson for all her work with the fireworks. He thought this needed to be continued and she shouldn't throw in the towel yet. He also thought Highway 66 needed to be promoted more, and thought the Chamber should help in this. Nobody knows how much revenue is generated by the chamber or where it goes. Tim Baker stated this was not for public knowledge, but it does go back to the community. In most of the other cities, the chamber can help more because they have a contract with the city to receive funds for advertising, or they collect it themselves. Dennis Oliver stated there has been nothing done illegal, the budget was submitted before the May 1, 2014 deadline.

Alderman Gass stated he had a "Bill" that he presented to the clerk to be put on the next regular agenda. Mayor Palmore stated that did not pertain to this meeting.

Alderman Myers thanked everyone for their participation, and the "welcome sign" on the east end is complete.

#### **Adjournment**

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

The meeting adjourned at 9:50 p.m.



ATTEST:

*Kimberly Barfield*  
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City Clerk

*Jeffrey M. Palmore*  
\_\_\_\_\_  
Jeffrey M. Palmore, Mayor