CITY OF
Pacific

AUGUST 19, 2014 * 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 Palmore.

A roll call was taken with the following results:

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
Captain Cook
Collector Kelley
City Clerk Barfield

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting- August 5, 2014

Motion by Alderman Arnette, seconded by Alderman Myers to approve the minutes of the regular meeting held August 5, 2014. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

PUBLIC HEARING

None

PUBLIC PARTICIPATION - SPEAKER CARDS

Reverend Michael Gardner, 516 Coventry Farms Trail, Villa Ridge, MO stated he wanted to offer prayer this evening.

Gary McCanna, 209 Candlewick, Pacific MO, stated he wanted to ask about the status of Candlewick and the repairs. He asked if the grant is done will trucks be able to turn in off the street, Mayor Palmore stated he did not know. Mr. McCanna also asked if the businesses have been notified yet with letters in regards to directing their people to the truck route, Mayor Palmore stated this was being worked on. Mr. McCanna continued he was dressed up this evening because their home is one of their biggest investments, and wanted the road to also be in good condition.

Bill Devine, 317 N. First St., Pacific, MO stated he had nothing at this time.

Girl Scout Troop 796, 3233 W. Osage St., Pacific, MO stated they are working on their Girl Scout Bronze Award, and wanted to present the idea of beautifying Blackburn Park. They would like to plant Missouri Native Wildflowers in the center of Blackburn Park and they will volunteer once a month to care for the bed. The estimate the cost of the plants to be $ 500 and they will do fundraisers to raise the money. Mayor Palmore asked Alderman Myers for comments as he is the Park Liaison. Alderman Myers loved the idea and thought they could work together with the Parks Department; he continued that he and St. Louis Window Tinting have also volunteered to re-vitalize that area and recommended attending the next Park Board Meeting. He continued the Missouri Wildflowers is what was planted in there before and it became an unsightly area, but thought they could come up with something to have color all year. The Girl Scout Project has to be completed by May 2015. Mayor Palmore stated he did not want to jump over steps, she continued that she called the Parks Department and they recommended they come to this meeting. The next Park Board meeting is September 8, 2014. Mayor Palmore thanked them for their idea.

BJ Lawrence, 1207 W. Congress, Pacific, MO stated she read the article in the Missourian about Alderman Pigg and continued this was not his first abuse of power, just the first that has been made public. These kinds of things cannot go on being a secret and asked why the aldermen would allow bullying, when it is not tolerated in the schools. Alderman Pigg says that all of you say he has done no wrong. She wanted to hear from each alderman as to why they thought this was not wrong. Mayor Palmore asked her to address her comments to the chair, as they are trying to follow Roberts Rules of Order; this dictates you address the chair. She thinks the call to Karen Dozier was a bribe, and shows intimidation. He is not entitled to special privileges. Ms. Lawrence continued that Aldermen Pigg is not entitled to offer employees anything; she continued the aldermen needed to work with the new mayor, he is smart and honest and we needed to get back to city business and not monkey business. She continued she is circulating a petition to have Alderman Pigg resign or impeach him.

MAYOR'S REPORT

A. Discussion on procedure for Tourism Expenditures

Mayor Palmore asked for guidance on the tourism expenditures and the process. It seems when expenditures come before the Tourism there is a lot of ambiguity about how it is funded. Everything is billed to the city, but what is the order, he would like to see a step by step procedure established. Alderman Arnette thought that was why City Attorney Schroeder

attended the last Tourism meeting, and he thought they made good headway. Attorney Schroder stated at the Tourism meeting there was a suggestion if an entity wanted to contract with the city to spend the money, and what items would be included in that event, they would report back to the board the outcome. The aldermen would approve a contract instead of every invoice for the event. Mayor Palmore stated he would like to see a flow chart, and thought maybe this procedure would go to the Operations Committee. Alderman Johnson stated an example is the fireworks, the city signs a contract with the vendor and anything extra comes from the city. She has also found out that parades are covered if the city puts funds toward the event. Alderman Arnette stated they are trying to not fund an event more than 50% and thought Tourism should work on the process. City Attorney Schroeder stated he was also asked to contact the Attorney General's Office regarding an opinion on coordinating the interpretation of "city/county", but we cannot get an opinion as it takes an elected state wide official to obtain an opinion. Alderman Bates thought the wording was taken out of the statue. Mayor Palmore stated that was the problem it is not. The intent is if the city or county establishes the tourism the city is in. There is no language like that in the statute. Mayor Palmore stated his concern is we have this tourism money, but if it is spent wrong then it would have to be repaid from general fund. There was discussion on if we have people that meet the tourism requirements; Mayor Palmore stated if we didn't then we shouldn't have the tax, although he felt we had people to fill these.

Mayor Palmore stated the next thing under his report was a personnel issue, but did not relate to a certain employee. He continued that later on the agenda is the ordinance to correct the salary structure and with this created a myraid of problems for the employees and it takes time to correct these things. Some people came to the treasurer's office who does payroll, there was discussion, and some got loud in the hallways and in their office, and the "F" bomb was dropped. He asked how we handle profanity that can be heard in the hallway. Alderman Johnson suggested this go to the Administration Committee. Mayor Palmore stated he was talking about policy, Attorney Schroeder asked if this was in the handbook, Mayor Palmore stated he could not find it, Alderman Myers stated if it wasn't in the handbook then it should be, and what goes for employees goes for elected officials as well. Mayor Palmore stated there is such a thing called "shop talk" that is tolerated but certain words and phrases are still not acceptable. Mayor Palmore stated he would like to see this go to the Administration meeting and a policy established.

Mayor Palmore stated he would like to discuss the article in the August 13th article in the Missourian regarding Alderman Piggs telephone conversation with an employee, and he was going to address the issues in the article point by point. The article reads "angered members of the board" Mayor Palmore stated that Mr. Pigg had not authority to offer a raise and aldermen may not act alone, the president of the board has only the same authority as the mayor when a meeting is in session and the mayor is absent, section 110. Alderman Pigg stated he had a conversation with the city clerk, the aldermen have no authority to offer raises, and neither the aldermen nor the city clerk can give or negotiate a raise. The city clerk would not be involved in the process and it is not in her duties Chapter 79. Alderman Pig stated "he had it on his paperwork to turn in, and Kim handed it back to me and said to talk to her" he is unaware of any paperwork turned into the city clerk from an aldermen, the administrator does the budget and after speaking with the city clerk she stated she has never received paperwork from aldermen. Alderman Pigg stated "he could bump it up $ 3,000, but she has to do two things, keep your

mouth shut and play dumb" Mayor Palmore stated this behavior has to stop, it is his opinion that the employee was offered money for silence and this is a where the crime was committed, a quid pro quo. He suggested Alderman Pigg resign from Ward 3 or the board initiate the impeachment proceedings and remove him from office.

City Attorney Schroeder called "point of order" there is no evidence of any of this and this is just your opinion.

COMMITTEE REPORTS

Park Board Committee – President Flannery stated the next meeting is September 8, 2014 and he appreciated the Mayor directing people to the Park Board, any project that can be done they would like to hear about.

Cemetery Committee - No report.

Industrial Development Committee – Bob Masson stated there was no meeting scheduled.

Museum Committee – Alderman Johnson stated the next meeting for August 20, 2014 at 6:00 p.m. at city hall.

Tourism Committee – Alderman Arnette stated the next meeting is Monday, September 8, 2014 at 1:00 p.m.

Building Advisory Committee – No Report.

Planning & Zoning Committee- No Report.

Genealogy Committee – Alderman Arnette asked about the computers. Mayor Palmore stated this is being worked on.

Operations Committee – Alderman Bates stated the committee recommends the following:

A. Committee recommends letters be sent to businesses in the Industrial Court asking them to send letters to their vendors advising them of the truck route. Discussion followed on who should sign the letter. Motion made by Alderman Myers, seconded by Alderman Bates for the Mayor and Police Chief or Captain to sign. A voice vote was taken with an affirmative result, and the motion passed.
B. Committee recommends an additional sign be placed before Riverbend School approaching Candlewick heading south another "Truck Route" sign with the fine of $ 500 maximum. Discussion followed regarding this concept and deliveries to Riverbend School. Motion made by Alderman Arnette, seconded by Alderman Myers to install two additional signs. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.
C. Committee recommends a larger sign placed at Fourth St. Motion made by Alderman Myers, seconded by Alderman Gass to approve a larger sign at Fourth St.

A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

D. Committee recommends at the I-44 exit ramp cross bar "truck route" signs be installed an arrow to the left, and arrows on the pavement for the left hand to be trucks. Alderman Gass suggested a traffic engineer be contacted to see where these signs should be placed, Alderman Bates agreed. Motion made by Alderman Arnette, seconded by Alderman Myers to install the truck route signs and the arrows in the left lane. After more discussion, Alderman Arnette withdrew his motion and Alderman Myers withdrew his second so that Alderman Gass and Mayor Palmore could meet with a traffic engineer. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

E. Committee recommends in regards to the Preventative Maintenance Plan, each alderman pick the worst street in town, (not necessarily in their ward) and we begin with those for improvements. Committee also recommends doing repairs to Candlewick immediately and replacing some of the 10 x 10 feet sections. Alderman Gass turned in a list with pictures to the Mayor. Mayor Palmore stated Apache was bad, and the improvements have started. Once they get some 2" minus down we will get three bids to pave the spots that are tore out. Motion made by Alderman Arnette seconded by Alderman Myers to begin improvements on Candlewick right away in the residential areas. Alderman Gass suggested we do both Apache and Candlewick at the same time. Mayor Palmore asked the board not to tie his hands, he was trying to get one project done at a time and will schedule the work as soon as he can. Alderman Johnson stated she understood the mayor has to give direction, but we needed to get staff in place to run the day to day operations. Tonight we are quivering about Candlewick and that is why we need to have staff to take care of the infrastructure of this city. She commended the mayor for all he was doing, but suggested the applications for any of these open positions be brought to the Administration Committee. Mayor Palmore stated he would not. Alderman Gass stated we only have a few weeks until we can't do anymore chipping and sealing, but concrete work can wait a little longer. Alderman Johnson stated there was two residents to be recognized, Mayor Palmore stated she was out of order, and we did asphalt patches on Candlewick before, he asked if that was what they wanted. Alderman Arnette and Alderman Myers stated "no". Debbie at 208 Candlewick stated Candlewick has been waiting for over a year to be fixed. Mayor Palmore stated it was his job to make the decision about scheduling work and there was a problem with Apache and school busses. Alderman Gass suggested using Xmix on Apache and having West Paving come out with the paver and do Apache. Board members agreed.

F. Committee recommends including a line item for the Community Garden in the amended 2014-2015 budget. Board members agreed to this idea, Mayor Palmore asked City Clerk Barfield to make a note of this.

Administrative Committee – Alderman Johnson stated a meeting will be set soon.

REPORTS OF CITY OFFICIALS

Alderman Arnette – no report.

Alderman Myers – The Pacific Soccer Association is selling raffle tickets to build bathrooms at Liberty Field. He also asked the status of the dumpsters at the Maintenance Building. Mayor Palmore stated Public Works has been asked to secure a ribbon on the fence and is going down there routinely, but they are actually being used for garbage cans, not recycling. He also noted that when his trash was dumped they dumped both his bins in the same truck. He thought signs needed to be installed that read "cardboard only, aluminum only and plastic only". Alderman Myers asked about the cameras, this will get looked into. Captain Cook thought there may be one more downstairs. Alderman Pigg asked about upgrading the system because new cameras were needed in the park. Mayor Palmore agreed and he has spoken to the Chief, but this is pricey. Alderman Myers asked if he has received any applications for city administrator and if this would be going to the administrative committee. Mayor Palmore stated "no" and he will bring his recommendation to the board. Alderman Gass stated all these applications should be going to the clerk, Mayor Palmore stated he will bring them in and lock them up, he would make his appointment and then the board could advise him. Alderman Myers stated in regards to the Riverwalk Project he would like to start a website and the cost is $ 1,050. This is with Platinum Media Group, they do good work, this would educate the citizens and promote the Riverwalk, he read off of a quote, but stated there was a onetime expense of $ 750 and then $ 766 is the annual fee. There is no cost if there is no activity and this would come out of the Riverwalk money raised. Motion made by Alderman Arnette, seconded by Alderman Bates to fund the website with the line item funds. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved. Attorney Schroeder stated he was concerned about future costs, but Alderman Myers stated this contract would renew once a year.

Alderman Johnson – asked for a status of the fence at the middle school. Mayor Palmore stated the fence at St. Bridget's was an option; there is also an option of a guard rail. He has also spoken to MoDot and they don't have a problem with the hill. If the board is in favor of the guard rail it can be done and the fence will be removed. Alderman Arnette stated a guard rail was needed at the other school. Mayor Palmore stated they won't put a guard rail at the other school. Bill Devine, 317 N. First St., Pacific Mo stated the fence serves as a deterrent to the children. Discussion followed. Mr. Devine continued there is a wash that is sending gravel into their parking lot. Alderman Gass stated the CID needed to consider installing curb and gutter here. Mayor Palmore asked how new ideas are introduced to the CID; Alderman Gass stated the city engineer knows the funding route.

Alderman Pigg – asked about the start time on new builds in Silver Lakes and if it depended on what day of the week it was. Mayor Palmore stated he thought the ordinance read 7:00 a.m. and the day of the week does not matter. He felt this was a police matter under peace disturbance if anyone received any calls. Alderman Pigg stated a Ryan Steele stated he filed a complaint with the city, who do complaints go to? Mayor Palmore stated he was going to refer him to the police department. Alderman Pigg suggested a reminder of the start time be placed on the building permits. Mayor Palmore thought this was an isolated incident

Alderman Bates - asked for an update at Bay's Tire, Mayor Palmore stated part of this problem

has already been completed. Alderman Bates also asked about the low spot east of the Silica plant, Mayor Palmore stated he has spoken to Engineer Rahn about this.

Alderman Gass – asked who was designated as the weed/grass person. Mayor Palmore stated this has been an ongoing discussion over the last several days. We are mowing grass for citizens in the right-of-way. There was discussion on the procedure for weed cutting, residents being notified and the appointment of the mayor or his designee if a hearing is needed. Alderman Gass stated in the pictures he has submitted there is a zoning violation at the end of N. Monroe St. Alderman Gass stated we all received a letter about the CID Districts and who does the work. Mayor Palmore stated he has spoken to Kim and the attorney and things are in flex right now, but he does not want the city to get into a bad situation.

Captain Cook – no report

Collector Kelley – no report

INTRODUCTION OF NEW BILLS

BILL NO. 2922 **AN ORDINANCE AMENDING ORDINANCE 2902 OF THE MUNICIPAL CODE OF THE CITY OF PACIFIC BY REPLACING THE SALARY SCHEDULE CONTAINED IN THE PREVIOUS ORDINANCE WITH AN UPDATED SALARY SCHEDULE FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF PACIFIC AND TO ESTABLISH AN EFFECTIVE DATE THEREOF.** *(1st reading)*

Alderman Gass asked if the ordinance was really needed, when errors occurred before Attorney Stierberger from this firm told them how to do the corrections. Mayor Palmore stated it was two separate ordinances back then. Attorney Schroeder stated that was correct, but this would of changed the bottom line. Motion made by Alderman Gass, seconded by Alderman Bates for the first reading. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2921 for the first reading.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

BILL NO. 2922 **AN ORDINANCE AMENDING ORDINANCE 2902 OF THE MUNICIPAL CODE OF THE CITY OF PACIFIC BY REPLACING THE SALARY SCHEDULE CONTAINED IN THE PREVIOUS ORDINANCE WITH AN UPDATED SALARY SCHEDULE FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF PACIFIC AND TO ESTABLISH AN EFFECTIVE DATE THEREOF.** *(2nd reading)*

Motion made by Alderman Gass, seconded by Alderman Bates for the second reading of Bill No. 2922. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2922 for the second reading by title only. Mayor Palmore asked for any discussion. There being no more discussion Mayor Palmore asked for approval of Bill No. 2922. Motion made by Alderman Gass, seconded by Alderman Pigg A roll call vote was taken with the following results: Ayes: Alderman Arnette, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg Nays: none. **Whereupon, Mayor Palmore declared Bill No. 2922 passed 6-0, and it became Ordinance No. 2910.**

UNFINISHED BUSINESS

none

NEW BUSINESS

RESOLUTION NO. 2014-42 **A RESOLUTION APPROVING GILMORE BELL AS SPECIAL COUNSEL AND BOND COUNSEL FOR THE CITY OF PACIFIC.**

Alderman Gass asked for this to be tabled and asked for a price from the previous city attorney, this was to see competitive pricing. Motion made by Alderman Gass, seconded by Alderman Pigg to table this resolution and for the city clerk to obtain pricing from the previous attorney. Mayor Palmore asked if the city attorney should do this this. Attorney Schroeder stated he could put together a Request for Proposals for this. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MISCELLANEOUS

A. Approve the List of Bills.

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

TOURISM EXPENSES

None

EXECUTIVE SESSION

Executive Session RSMO 610.021 (1)(2)

Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a pubic governmental body or its representatives and its attorneys…

Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration thereof…

Motion made by Alderman Gass, seconded by Alderman Myers to go into executive session under RSMO 610.021 (1)(2). A roll call vote was taken with the following results: Ayes: Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Arnette. Nays: None. Whereupon, Mayor Palmore declared the motion carried.

The Board went into executive session at 9:10 p.m.

The Board reconvened at 9:57 p.m.

Present at roll call: Alderman Johnson, Alderman Pigg, Alderman Arnette, Alderman Myers, Alderman Bates, Alderman Gass.

RECEIVED AND FILED

ADJOURNMENT

There being no further business, motion made by Alderman Gass, seconded by Alderman Myers to adjourn. A voice vote was taken with an affirmative result and Mayor Palmore declared the motion carried.

The meeting adjourned at 9:57 p.m.

Jeffrey M. Palmore, Mayor

ATTEST:

Kimberley Barfield
City Clerk