

August 6, 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 Bates
Alderman Gass
Alderman Johnson
Alderman Pigg

A quorum was present:

Also present: City Administrator Selby
Attorney Vogel
Chief Mansell
Collector Kelley
Public Works Commissioner Boedges
City Clerk Barfield

Mayor Adams stated Alderman Myers was out on personal business.

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting- July 16, 2013

Motion by Alderman Arnette, seconded by Alderman Bates to approve the minutes of the regular meeting held July 16, 2013. A voice vote was taken with an affirmative result and Mayor Adams declared the motion approved 5-0.

PUBLIC HEARING

P.Z. 2013-005 A Public Hearing to consider a New Subdivision and Rezoning from Non-Urban "NU" District to Single Family Residential "R-1" District on a 1.0 acre tract located at 1828 Smith Lane, Parcel number 19-6-14.-0-099-003-000. Douglas Brinker, applicant.

Mayor Adams opened the Public Hearing for comment. There being no comments from the public, he asked for any comments from the board. Alderman Bates stated this received an unanimous vote from Planning & Zoning for

approval, but he did notice the language of “waiver” should be changed to “postpone” regarding the improvements. Engineer Rahn stated this is an existing lot that will be split for two single families.

There being no further comments, Mayor Adams closed the Public Hearing.

PUBLIC PARTICIPATION-SPEAKER CARDS

Mayor Adams stated if anyone wished to address the board, there were Speaker Cards on the table, to be filled out and passed to the Clerk and they would be called upon. At the bottom of the card in red, reads you are given five minutes to address the board.

Allen Calkins, Ministerial Alliance, stated he was the new pastor for the First Baptist Church of Gray Summit, and offered prayer this evening.

MAYOR’S REPORT

A. Recognize Captain Larry Cook

Chief Mansell stated on June 6, 2013 Administrator Selby and Captain Cook answered a 911 call for a person slipping into a coma. Captain Cook stated this was a child and they obtained a full recovery. The mom and the baby were present this evening, and the mom gave him the life-saving award.

B. IESI Recycling Check

Al Hinnemann, IESI stated that the City of Pacific has lead the way for a revenue sharing program. Since 2010 the city has shared over \$ 19,000 as a result of recycling. This evening they have an \$ 866 check to present to the City for the second quarter. Mayor Adams stated this originated with the Tri-County Senior Center, and this just shows the importance of the donation of \$ 1.00 on the water bill. Our community is an aging community and this just shows the importance of the center.

CITY ADMINISTRATOR/CITY ATTORNEY REPORT

COMMITTEE REPORTS/REPORTS OF CITY OFFICIALS

Alderman Bates stated that regarding 1828 Smith Lane, on the bottom of the report summary the wording reads “waiving” and it should be “postponing”. Engineer Rahn stated there was a note on the plat itself regarding all the necessary improvements. Attorney Vogel stated the plat reads “private” with that there is no ability to delay the improvements, this subdivision doesn’t control the rest of the road. Technically this is a waiver, but this will be a private road unless the entire road goes public. Alderman Bates stated in the past he thought the census was not to waive improvements. The petitioner has agreed to add width to the road if this ever did become public, but the intent of Planning and Zoning was that after the house is built and there is another one then the improvements go forward. The petitioner has expressly stated this was not the desire. Attorney Vogel stated this would be triggered if the subdivision was divided again. Engineer Rahn stated that after the two are built, if there was others to be built the entire road frontage would be required to be improved.

Tourism Committee – Alderman Arnette stated they met yesterday and the state fair is coming up. The Franklin County Tourism Commission has asked cities for a donation, the Tourism Committee would like to do a \$ 200 basket, and Chairman Baker is going to ask the business to help with this. For example, if the Tourism could sponsor a dinner, and the restaurant would actually supply two dinners. Motion made by Alderman Gass, seconded by Alderman Pigg to approve the Tourism Commission to spend \$ 200 for a basket promoting Pacific to be given away at the State Fair. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

Chief Mansell – stated the Police Department has been very busy and he is very proud of everyone. They are also working towards scanning documents to free up a server.

Public Works Commissioner Boedges, stated he was obtaining quotes for a bed on the dump truck. A new bed from Knapheide was \$ 6,700. Engineer Rahn stated there was an incident last week where the dump truck was filled with salt and sprinkled a few cars. Alderman Gass stated the bed needed to be bought right away, and Kranz was the only ones that could do it. Attorney Vogel stated the ordinance allows the board to waive or instruct staff not to bid if the item is over \$ 5,000 and requires newspaper notice or waived. Motion made by Alderman Gass, seconded by Alderman Pigg to obtain three bids for the new dump bed, but waive the newspaper notice and bring a contract back in two weeks. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

Alderman Gass stated the lights at Dollar General are still a problem. Engineer Rahn stated a summons will be issued. Alderman Gass stated he thought they should be given five days to get it fixed or then write them. Mayor Adams stated he feels a citation should be issued, and it be understood if they can respond in a reasonable time period then we would consider approaching the prosecutor and maybe it would be dismissed upon court costs. Alderman Bates stated we asked for the lights as part of the development plan, and he does not feel they are that bright. The dusk to dawn at the ambulance building is also bright. Alderman Gass stated the code reads the light cannot shine off the property. Mayor Adams stated this began with a citizen complaint. Engineer Rahn stated we have talked to Dollar General twice, and they have made an effort. Attorney Vogel stated the light cannot directly go onto other property, but this is a problem with residential property adjacent from commercial.

Alderman Gass asked about fixing Orleans St., he stated the slabs needed removed and the curb and gutter raised. Engineer Rahn stated the crown of the road is high and the road needs to be re-built. Alderman Gass stated on the south side of the road the curb needed to come up, but the street is only 150' and needs overlaid. Engineer Rahn stated that would be completed this month.

Emgineer Gass stated on Walnut St. between Olive and Elm also needs repaired immediately. Administrator Selby stated this is on the street list to be repaired and is out to bid now.

Alderman Bates thanks Jeannie Bandermand for inviting him to the Downtown Merchants Association meeting, they went to Junk-n-Java and it is really a nice little place. He thought there were a lot of nice little places downtown that are working hard to survive.

Alderman Johnson stated she was still working on getting signs for the downtown businesses. Administrator Selby stated three posts have been completed, but the question is where to put them, he is waiting on MoDot approval.

Alderman Gass asked when the parking lines would be painted. Mayor Adams instructed Ben Boedges to bring back a schedule of the street painting for the next meeting. Alderman Johnson thought the RR Crossing sign on First Street needed to be re-painted before Railroad Days. Alderman Johnson also stated the railroad needed to cut some of the grass that borders the tracks in the right-of-way.

Alderman Pigg stated the street lights on Osage and in the Cedar's Subdivision needed to be fixed, along with the parking signs in the Cedars. He also asked about the fund raiser that Title Max hosted and how much money was raised. Administrator Selby will contact them. He also stated that Sunday was the 11th annual Backpack Program.

Alderman Arnette stated that he went to a BBQ in Forest Glenn and was approached about Charter Cable not going servicing them. Attorney Vogel suggested giving their name and address to Commissioner Greisheimer as he was the sponsor of the bill and put restraints on this and could best explain it. He continued this was the bill that allows using public rights of way, but cannot condition it as a service anymore. He encouraged residents to send a letter to their State Representative.

INTRODUCTION OF NEW BILLS

BILL NO. 2890 AN ORDINANCE AUTHORIZING A CHANGE IN ZONING FROM "NU" NON-URBAN DISTRICT TO "R-1E" SINGLE FAMILY ESTATE DISTRICT AND A MINOR SUBDIVISION PLAT FOR VICTORIA PLACE SUBDIVISION LOCATED OFF SMITH LANE. (1st reading)

Motion made by Alderman Gass, seconded by Alderman Pigg for the first reading of Bill No. 2890. 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. 2890 for the first reading. There being no objections or corrections, Mayor Adams stated the second reading will be this evening.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

BILL NO. 2896 AN ORDINANCE FOR THE COLLECTION OF A \$ 3.00 SURCHARGE FOR THE SHERIFF'S RETIREMENT FUND IN CONFORMANCE WITH RECENT INTERPRETATIONS OF STATE LAW. (2nd reading)

Motion made by Alderman Gass, seconded by Alderman Bates for the second reading of Bill No. 2896. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2896 for the second reading by title only.

A roll call vote was taken with the following results: Ayes: Alderman Arnette, Alderman Bates, Alderman Gass, Alderman Johnson. Nays: Alderman Pigg. Whereupon, Mayor Adams declared the motion approved 4-1 and Bill No. 2896 became **Ordinance No. 2875**.

BILL NO. 2890 AN ORDINANCE AUTHORIZING A CHANGE IN ZONING FROM "NU" NON-URBAN DISTRICT TO "R1E" SINGLE FAMILY ESTATE DISTRICT AND A MINOR SUBDIVISION PLAT FOR VICTORIA PLACE SUBDIVISION LOCATED OFF SMITH LANE. (2nd reading)

Motion made by Alderman Gass, seconded by Alderman Johnson for the second reading of Bill No. 2890. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2890 for the second reading by title only.

A roll call vote was taken with the following results: Ayes: Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Arnette. Nays: None. Whereupon, Mayor Adams declared the motion approved 5-0 and Bill No. 2890 became **Ordinance No. 2879**.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 2013-21 A RESOLUTION TAKING NOTICE OF AND REAFFIRMING THE PROVISION OF ORDINANCE NO. 1866 ENTITLED "AN ORDINANCE OF THE CITY OF PACIFIC, MISSOURI TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN OFFICIALS.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2013-21 by title only. Motion made by Alderman Arnette, seconded by Alderman Johnson to approve Resolution No. 2013-21. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

RESOLUTION NO. 2013-22 A RESOLUTION REMINDER REGARDING THE TIME CAPSULE TO BE OPENED IN THE YEAR 2018.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2013-22 by title only. Motion made by Alderman Bates, seconded by Alderman Arnette to approve Resolution No. 2013-22. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

MISCELLANEOUS BUSINESS

A. Approve resignation of Tony Lindemann as a Reserve Officer effective July 17, 2013.

Motion made by Alderman Pigg, seconded by Alderman Johnson to approve the resignation of Tony Lindemann as a Reserve Officer effective July 17, 2013. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

B. Approve appointment of Jeannie Bandermann, to the Meramec Valley Historical Museum-term to expire May 2016.

Motion made by Alderman Bates, seconded by Alderman Johnson to approve the appointment of Jeannie Bandermann to the Meramec Valley Historical Museum-term to expire May 2016. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

C. Approve the appointment of Cory Phipps for a Reserve Police Officer.

Motion made by Alderman Arnette, seconded by Alderman Pigg to approve the appointment of Cory Phipps for a Reserve Police Officer. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

TOURISM EXPENSES

A. Approve invoice from J & M Displays in the amount of \$ 8,000 for the fireworks display to be paid from Tourism Funds.

Motion made by Alderman Pigg, seconded by Alderman Arnette to approve the invoice from J & M Displays in the amount of \$ 8,000 for the fireworks display to be paid from Tourism Funds. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

B. Approve invoice from Current News Magazine, LLC for the advertisement of the Car Cruise in the amount of \$ 1,000 to be paid from tourism funds.

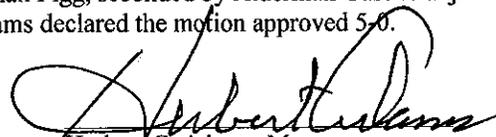
Motion made by Alderman Pigg, seconded by Alderman Gass to approve the invoice from Current News Magazine, LLC for the advertisement of the Car Cruise in the amount of \$ 1,000 to be paid from tourism funds. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0.

RECEIVED AND FILED

ADJOURNMENT

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

The meeting adjourned at 8:06 p.m.


Herbert C. Adams, Mayor

ATTEST:


City Clerk



Board of Aldermen
August 6, 2013