

NOVEMBER 4, 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
Chief Mansell
Collector Kelley
City Clerk Barfield

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting- October 21, 2014

Motion by Alderman Myers, seconded by Alderman Johnson to approve the minutes of the regular meeting held October 21, 2014. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

PUBLIC PARTICIPATION - SPEAKER CARDS

Pastor Harold Harrison, Pacific Assembly of God, Ministerial Alliance, Pacific, MO stated today was a special day as it was Voting Day. We all have a voice and he appreciates the council letting pastors offer prayer. He continued they do this every morning also, as this is a great responsibility and weighs heavily. He appreciated everyone and offered prayer. Alderman Johnson stated every week we see the same faces that we represent in the audience while we

make critical decisions and every morning she thinks “Gods got this”, but they never turn and look at the people in the room and she felt like no matter what we do up here, when we walk out of the room we are still friends. She hoped next time they would turn to the audience also and pray for everyone in the room.

Steve Flannery, Pacific Partnership, P.O. Box 267, Pacific, MO stated Monster Fest was held downtown for Halloween and there was a good turnout. He thanked the Mayor and the city for all their help. On December 13, 2014 they will be hosting Christmas on the Plaza with a Parade of Lights, the Action Riders have partnered with them for this event. A special events permit was submitted and he asked the status of the approval. Mayor Palmore will check on this.

Andrew Bruns, 311 N. Fourth St., Pacific, MO 63069 asked why he was able to purchase a grave with someone already in it. He asked the Board of Aldermen to investigate this.

MAYOR’S REPORT/CITY ADMINISTRATOR

A. Brush Pick Up Policy

Mayor Palmore wanted to discuss the brush pick up policy and reviewed what was passed out previously. He asked for discussion on how the board wanted to handle leave pickup. Discussion followed in regards to a chipper bed, and the kind of bags the leaves should be in. Alderman Gass stated we should be picking up the leaves and it shouldn’t matter what kind of bag they are in. Mayor Palmore continued with the mulch he would like to fill the void below Blackburn Park and stock pile it there. After further discussion, Mayor Palmore will discuss this more with Public Works and bring back to the board.

B. Roof on Hoven house

Mayor Palmore stated he received a call from an insurance inquiry about this roof. He has looked at it and the insurance will not pay for asbestos removal but will pay for the roof, but he does not see a need to replace the roof. Alderman Pigg thought the bad spot was over the porch. Mayor Palmore agreed the porch and garage are in need of repair. Alderman Bates thought the roof was slate, but Mayor Palmore stated it was not. He will look into the roof over the porch and the garage.

C. Vacation Policy

Mayor Palmore stated we have employees asking to be paid for their vacation time and work. He reminded the board if we pay a person for vacation you would actually be paying them for more than 52 weeks and this can add up. The current vacation policy was reviewed. He asked the board for discussion, as we all know it is good for people to take a break. Chief Mansell stated he has had employees ask to continue their vacation before they lose the time and his department has done that. Mayor Palmore asked if the board would entertain the idea of 50% of their time they could ask to be paid for instead of taking the time off. Alderman Pigg asked if we needed input from Pat Lynch and the Chief, but Mayor Palmore stated the police have a different manual and this change would go into the Personnel Manual. Alderman Johnson stated she

knew of many places where they sell back their time. Mayor Palmore proposed to allow the employees outside of the Police Department to be able to buy back 50% of their vacation they have accrued. For roll over time he suggested before the anniversary date the employee file with the supervisor a request for a six month extension. Board members agreed and asked Attorney Schroeder to draw up an ordinance. Mayor Palmore continued he has an employee who has asked to be paid for some of their earned time and asked if the board was willing to approve that employee obtaining 50% of their pay tonight. Motion made by Alderman Bates, seconded by Alderman Myers to approve the current request for up to 50% of the time earned. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

D. Purple Heart City

Mayor Palmore stated the City Clerk received a letter from the Military Order of the Purple Heart. Apparently all the cities from Joplin to St. Louis on I-44 are already a Purple Heart City or are becoming one. They are asking for a Proclamation at the Board meeting and they present the City with the award. There is no cost to the city unless we decide to purchase signs. Motion made by Alderman Johnson, seconded by Alderman Arnette to move forward with the proclamation and become a Purple Heart City. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

E. Commission Order-Quit Claim Deed regarding Thornton Road (Originally res No. 2014-05)

Mayor Palmore stated he received this Quit Claim Deed regarding Thornton Road; this was originally approved under Resolution No. 2014-05. This is where the improvements are now. Attorney Schroeder stated the legal description has been cleaned up and it made clear, it appears the Mayor already has the authority to sign, but wanted the board to be aware.

F. Pacific Valley Dairy

Mayor Palmore stated we have had numerous conversations regarding the Dairy. He has spoken to Robert Brueggemann about the response letter, but they are of a mind for us to reduce the limits, and we cannot do that. They have a significant issue and have indicated they would take their penalty. He is proposing after he gets their numbers and meets with Robert Brueggemann a penalty with a sliding scale be imposed. Alderman Bates did not have any objection to this, but originally they said it would be a liquid product. Mayor Palmore stated the volume is overwhelming. Alderman Myers suggested the more penalties are imposed the higher the numbers get. Alderman Pigg stated if necessary we could shut them down, but what protects the citizens. Mayor Palmore stated that they have indicated they are looking at different systems, they have 45 jobs here and have spoken to Dan Rahn about a grant for a pre-treatment system, and they would pay the 20% and the city maintain ownership. Engineer Dan Rahn has contacted Barb Bohley to see if there is any type of grant available for this. Alderman Gass suggested giving them one year to obtain pre-treatment with a sliding scale of penalty otherwise cut them off because otherwise our sewer rates will need to go up. Board members agreed there is an urgency here to correct this.

COMMITTEE REPORTS

Park Board Committee – No report.

Cemetery Committee - No report.

Industrial Development Committee – No report.

Museum Committee – Alderman Johnson stated there was a joint event with the Genealogy Committee and their event on Saturday and had a good turnout. Mayor Palmore stated it was a nice presentation although there was technical difficulty. He is hoping to include in one of the open positions someone with skills to be able to update our electronic sign and our website.

Tourism Committee – Alderman Arnette stated the “Welcome to Pacific” sign by the school is sagging a little, and Sign Experts is going to repair it at no charge. Also the Tourism Commission pledged \$ 5,000 for a period of 4 years to the Riverwalk Project, they have been asked by Alderman Myers to put \$ 5,000 towards the purchase of Jensen’s Point for one year instead of the Riverwalk Project. The Tourism Commission has approved this. The other item at the Tourism Commission was the billboard at Viaduct & Hogan Road that is blank, they have approved a cost of \$ 1,200 to have a vinyl wrap installed around it advertising Blackburn Park – this is a onetime cost of \$ 1,200 and the vinyl will last 3 years. It will be covered up one month out of every year for the fireworks display. The next meeting is December 1, 2014.

Mayor Palmore asked if there was a motion to approve \$ 1,200 to be paid from the Tourism Funds for the onetime cost for the vinyl wrap. Motion made by Alderman Pigg, seconded by Alderman Johnson to approve \$ 1,200 to be paid from Tourism Funds for the covering of the billboard at Viaduct & Thornton. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Alderman Myers stated the sign will be produced by Sign Experts.

Building Advisory – No Report.

Planning & Zoning – Alderman Bates stated the next meeting is Tuesday and there was three items on the agenda. It was discovered later in the meeting Tuesday is Veterans’ Day and the Planning & Zoning meeting is Wednesday evening.

Genealogy Committee – Alderman Arnette thanked the city for the computer and the printer and the website for genealogy. He also thanked everyone who helped out Saturday including Alderman Johnson and Mayor Palmore.

Operations Committee – Alderman Bates stated the committee will meet next Monday at 6:00 p.m. He thought that adding Andrew Bruns question about the cemetery should be added to the agenda and discussed at that committee. Mayor Palmore stated he will bring information that evening to the meeting. He suggested we include Emma Moore in the meeting.

Administrative Committee – Alderman Johnson stated she wanted to get with Kim to set up for November sometime to look at the applications. Mayor Palmore stated he wanted to go thru them with Kim and Debbie and look at their opinions of what we need, there are several but it is very time consuming. She asked that the applications be sent to the Administrative Committee, but Mayor Palmore stated he was not sending them to the Administrative Committee. Alderman Johnson questioned why the City Collector would be included on looking over the applications. Mayor Palmore stated he was looking to get Debbie's input. Alderman Johnson disagreed and felt like applications should not be assigned to the collector to review. Mayor Palmore stated he was looking over the application and throwing any away he didn't want considered. Alderman Pigg stated the applications have to be held for a year or two, he couldn't remember. Mayor Palmore stated he has not thrown any away. Mayor Palmore stated he would look over them and decide then turn them over to the Administrative Committee. Alderman Johnson stated at the last meeting she called out the four positions, Administrator, Building Commissioner, Utility Clerk, and Payroll Clerk and she wanted to visit with you on those application. Mayor Palmore stated she would have an opportunity to look at them after him.

REPORTS OF CITY OFFICIALS

Alderman Arnette – No report.

Alderman Johnson – asked why the sidewalk was being reinstalled on Old Gray Summit Road. Mayor Palmore stated he stopped that work, it was not on the drawing and he asked Andy at Cochran if there was a separation between the vehicles and the pedestrian traffic and he said there was not. The work is stopped, it is going to be repaired, it is a mistake, just like the pond that we bought when we could of went out to the pasture. The wall is right on the right-of-way, and this is not good use of tax payer money. He apologized to the citizens. Alderman Johnson stated she was going to revisit her previous question, she was informed Debbie is going to help with looking at the applications, she asked which positions. Mayor Palmore stated he was speaking of the Utility Billing Clerk, and Payroll Clerk position. There was further discussion about Janet and what her responsibilities are. Alderman Johnson understood, and asked the status of the Administrator and Public Works Commissioner. Mayor Palmore stated he spoke with the auditor regarding a separation of duties, and we need to look at that more with the Treasurer and Payroll Clerk. He is trying to cross train employees and bring people on to do things that are not getting done now. Alderman Johnson stated past employees have used the Collectors Office as a training ground, and did not think that would be a problem.

Alderman Bates – Asked about the lights at the tennis court again, as they were still not working. Mayor Palmore will follow up.

Mayor Palmore stated there are ribbons around the light post on Osage. He continued that Nancy Omer heads up the project with the flags on the lights, and all the brackets should be installed from 7th St. to Red Cedar by the end of the week.

Chief Mansell – asked about the route for the Christmas Parade. Park Board President Flannery stated it would be similar to the one last year with one rail crossing. Chief Mansell did not think that would be a problem if it was just one crossing. Chief Mansell stated he would need the

route in writing. Chief Mansell stated he understood the Mayor met with Dian about the Warning Sirens, and questioned why he was paying for this out of his department. Board members thought it was budgeted from the Police Department because Emergency Preparedness was under him, but Chief Mansell stated this was not a police department function. Alderman Arnette stated Eagles View paid for this, and it was supposed to be installed in that area. Mayor Palmore stated he was looking in the general area, along with elevation. He continued there used to be a street named "Molly Drive" by Pilot, but now Pilot owns the road. Alderman Arnette stated Eagles View should get a good benefit for it since they paid for it. Chief Mansell stated he also did not think the Emergency Phone System should be funded from the Police Department. Motion made by Alderman Gass, seconded by Alderman Bates for this to be paid out of general fund.

Alderman Myers – asked about the status of the Directional Signs from MoDot that are sitting at Sign Experts. Mayor Palmore stated Engineer Dan Rahn is working on this, and he could follow up with him if he wished. Next he asked for an update on Candlewick and Congress St. projects. Mayor Palmore stated on Candlewick the slabs were being broke out now, and would be ready to pour in the next few days. There was no update on Congress St.

Alderman Pigg – stated in Eagles View Subdivision McBride has water trucks at night doing wash downs and it is making the streets slick with the weather getting colder. He also asked if the city had enough salt for the winter. Mayor Palmore stated we have a contract for salt, but he has asked Public Works to cover two more storage bins so we can double our amount of salt on hand. Alderman Gass stated we also needed a big pile of cinders, as they freeze we have to tunnel in to them. Alderman Pigg asked if we have received any applications since there was a notice in the paper. Mayor Palmore thought we had received about 40 and Kim has them. He continued that he has looked through them and there was none with any significant computer skills. Alderman Pigg expressed his concern as we are six months into the year and nobody has been brought to the board for any of the positions. Mayor Palmore stated his concern was about the position that was vacated, Alderman Pigg stated the minutes read all jobs go to the newspapers, but then something changed. Mayor Palmore stated he understood we were going to advertise for the clerical positions, and that's what we discussed. Alderman Pigg stated that Alderman Johnson brought up all the vacant positions because he had made mention of the idea of using college students. Then he found out when he was in Kim's office that it was just the clerical positions she was supposed to advertise for. Mayor Palmore stated that was correct, it was not all the jobs. The clerical jobs have been posted and we are receiving applications, whatever the intent was is inconsequential. Other applications can still come in and are posted. Alderman Pigg stated the other jobs are going to the PO Box, Mayor Palmore stated that was correct and then he will pass them on. There was a miscommunication and he could listen to the tape. Alderman Pigg stated when they made a motion regarding the chain of custody and the mail it was changed, Mayor Palmore stated he handles the day to day process and he takes care of the mail. Things have been hidden from him, bank statements, and he needs to find out about the mail.

Alderman Gass stepped out.

Mayor Palmore continued that Ed had made the motion for the mail after looking at something with the Missouri Extension Guide and the responsibilities of the clerk for Fourth Class Cities, this is a broad based assumption, and it is not the law. Then you guys changed the law for the qualifications for the administrator. You made a motion about the mail, it was not valid, and he is still going to review it so nothing gets by him. Since then I have learned a merit of issues exist. Alderman Pigg stated that we have full time staff for these duties; you're a part time mayor.

Alderman Gass returned.

Alderman Pigg continued the board makes a motion and second a votes, then finds out it don't mean squat. Mayor Palmore stated we just have a disagreement. He explained to Alderman Gass what was said while he had stepped out, and continued that mail should not be hid from the mayor and he easily puts in 50-60 hours a week for the city. He asked the board why the bills are paid late. Alderman Pigg did not see any bills listed on the agenda for approval. Mayor Palmore explained that every bill is prepared by staff, mail is passed along daily and this is the same process as before unless Kim has changed it, so why do we not pay on time. If you look at every bill, typically there is a penalty, he is not challenging when it gets paid yet, but we pay late fees on Ameren bills. Alderman Pigg stated he did not understand the PO Box as we never had this before, Mayor Palmore stated he was trying to get his hands around things. Alderman Pigg stated he was not upset, and he was the one raising his voice. Alderman Gass stated the Ameren bills should be paid without board approval. Mayor Palmore stated in the past we have been cut off by vendors in town because we pay late. Staff is doing a pretty good job keeping us going, but he wants to know what is going on. Mayor Pigg stated that is why he asked about the PO Box, if staff is hiding stuff why are only the applications going to the PO Box. Mayor Palmore stated he didn't like any of the applications and he can throw them away. Attorney Schroeder stated they are a public record and have to be saved. Mayor Palmore stated nothing has been thrown away, but if it doesn't suit him then he will forward it, he has kept every application. Alderman Johnson reminded him of the Discrimination Laws and Equal Opportunity along with State Laws that we have to be very careful with. Mayor Palmore stated he was consulting with the attorney.

INTRODUCTION OF NEW BILLS

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

UNFINISHED BUSINESS

RESOLUTION NO. 2014-42

**A RESOLUTION APPROVING
GILMORE BELL AS SPECIAL
COUNSEL AND BOND COUNSEL FOR
THE CITY OF PACIFIC.**

NEW BUSINESS

RESOLUTION NO. 2014-51

A RESOLUTION RATIFYING AND APPROVING THE PURCHASE OF WELL SOFTENER AND PUMP MOTOR MODIFICATIONS AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE ORDER AND CONTRACT WITH ELECTRIC CONTROLS COMPANY, INC.

Motion made by Alderman Gass, seconded by Alderman Bates to read Resolution No. 2014-51. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2014-51. Motion made by Alderman Gass, seconded by Alderman Myers to approve Resolution No. 2014-51. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MISCELLANEOUS

A. Approve verbal resignation of Mark Bellamy from the Park Board.

Motion made by Alderman Myers, seconded by Alderman Arnette to approve a verbal resignation of Mark Bellamy from the Park Board. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Accept Michael Vernaci to the Park Board-term to expire May 2015.

Motion made by Alderman Myers, seconded by Alderman Gass to accept Michael Vernaci to the Park Board – term to expire May 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

Park Board President Flannery asked if Mr. Vernaci's oath of office could be taken after the meeting. This will happen after executive session.

Alderman Johnson stated she forgot to mention that this Saturday is the Veterans Day Parade that starts at the middle school and finishes at the Senior Center. Lunch for the veterans is free. She would also ask that a copy of the Purple Heart City Proclamation be available for reading at this event, and invited the Mayor and others to attend.

Mayor Palmore stated years ago we enacted an ordinance for protested funerals, now Manchester has an ordinance that has withstood a challenge, and thought we should consider an ordinance that can be upheld. This information came to the Municipal League; he asked that Kim include it in the next packet for review.

Alderman Bates stated under miscellaneous he should have mentioned that Kim gave him a letter this evening from East Central Missouri Solid Waste Management and on November 10th there is a meeting. He used to be on this, and then Harold started attending them, so he was not sure why he was getting the letter again. Mayor Palmore stated this looks like an issue for him or the city engineer. Motion made by Alderman Bates, seconded by Alderman Arnette to allow the mayor to pick a designee. Alderman Gass didn't think a motion was needed.

TOURISM EXPENDITURES

EXECUTIVE SESSION RSMO. 610.021 (1)

Mayor Palmore stated something unexpected has come up and he would like to go into executive session for legal.

(1) Legal actions, cause of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys...

Motion made by Alderman Gass, seconded by Alderman Myers to go into executive session under RSMO. 610.021 (1). 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 9:04 p.m.

The Board reconvened at 9:25 p.m.

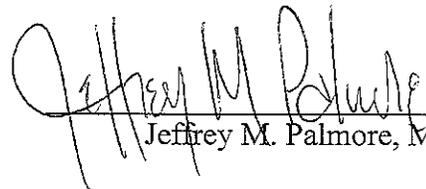
Present at roll call: Alderman Johnson, Alderman Pigg, Alderman Arnette, Alderman Myers, Alderman Bates, Alderman Gass, Mayor Palmore.

Attorney Schroeder stated the results of the closed discussion in regards to Court of Appeals in the Martin Heck vs City of Pacific filed October 28, 2014 was to accept the Court of Appeals decision and this will go back to Board of Adjustment.

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 9:25 p.m.


Jeffrey M. Palmore, Mayor

ATTEST:



City Clerk

