

October 20, 2015 * 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 Filley
Alderman Bates
Alderman Myers
Alderman Johnson
Alderman Gass
Alderman Pigg

A quorum was present.

Also present:
Attorney Schroeder
Chief Mansell
Collector Kelley
City Clerk Barfield

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

PRAYER

Pastor Lange was present to offer prayer this evening.

PUBLIC HEARING

PZ2015-11 A Public Hearing to consider a Planned Unit Development Application for construction of a new building located at # 5 Capper Drive for BBC Corporation. Lane Iron Works, applicant.

Mayor Palmore read this Public Hearing into the record. Mayor Palmore asked for any comments from the public. He asked two more times for any comments from the public. There being none, he asked for any comments from the Board. Alderman Bates stated this was approved at Planning & Zoning. There being no further comments, the Public Hearing was closed.

PZ2015-12 A Public Hearing to consider a proposed text amendment to Section 400.090 "R1-A" Single Family District Regulations. Adding a new section:

1. Recreational and athletic fields and facilities, both indoor and outdoor, where alcoholic beverages are served.
2. Any other use deemed appropriate by both the Zoning Officer and City Administrator/Clerk and approved by the Planning and Zoning Commission and Board of Aldermen.

Mayor Palmore read this Public Hearing into the record. Mayor Palmore asked for any comments from the public. He asked two more times for any comments from the public. There being none, he asked for any comments from the Board. Alderman Bates stated this was approved to deny the change for full-time liquor sales. Mayor Palmore stated any applicant would still need a Conditional Use Permit in a R1A District. This allows for this specific location a Conditional Use Permit for this particular use. Alderman Bates stated if they previously held a liquor license; they could apply for this if they chose to. Alderman Myers asked if the position the Mayor just explained was explained to Planning & Zoning before they voted. Mayor Palmore stated he was not sure, if there are still questions when we get to this on the agenda, he would urge them not to make a decision. Alderman Bates stated there was discussion about how it applied to the Pacific Youth Association. Alderman Pigg thought this was brought up before. Mayor Palmore stated this was presented over three years ago, and he can obtain copies of the staff report if the Board wanted. There being no further comments, the Public Hearing was closed.

PUBLIC PARTICIPATION

John Havniear, 105 N. Sixth St., Apt. 102, Pacific, Mo, stated he had a problem with each one of you. His first concern is W. Union St. and the gravel on the road, cars speed up or brake and someone is going to get a broken window. He continued that all this Board does is argue and he is tired of it. If they are not careful someone is going to be taking their jobs, and they don't put any action behind their talk. He asked if anyone has spoken to Jeannie about the generator, or been to the schools to see what we can do to help them. He said that all he hears is that we have no money, but he doesn't see anyone trying to have a fund raiser.

Loyd Harris, 1934 Rose Lane, Pacific, MO stated he was present on behalf of the Partnership with Steve Flannery and Adam Krauss. He continued the rodeo was a success and the weather was beautiful. There was about 1,200-1,500 people on Friday night and 2,500-3,000 on Saturday night. He passed out a printout and said in a four to five week period to pull this together he thought they did pretty good. After all the expenses were paid and if you don't count the money from Tourism, then they raised \$ 19,839.13 towards the bathrooms. If we do count the money from Tourism, then we raised \$ 6,035.13. He thanked everyone who came out and helped. The Partnership raised \$ 5,400 through income from the BBQ and vendors, etc. Tonight they had a check for \$ 1,000 to present to the City towards the building of the bathrooms. He continued that he hoped they could partner with the City next year to make the event even bigger. **Motion made by Alderman Filley to look at moving forward on the bathrooms at Liberty Field and send this out for design.** Mayor Palmore stated the idea at the Park Board Committee is to get the project started, he suggested requesting quotes. The Park Board has put something together already; we could review this at the next meeting. **Motion was seconded by Alderman Myers. A voice vote was taken with an affirmative result and the motion carried. Motion made by Alderman Myers, seconded by Alderman Gass to request to have the Partnership help the City with the rodeo next year. A voice vote was taken with an affirmative result, and the motion carried.**

Ron Sansone, 137 W. St. Louis, St., Pacific, MO., stated he is downsizing and having an auction on

Saturday, November 21, 2015. He is asking permission to shut the block off from St. Louis St. to Union St for this. Chief Mansell suggested he speak to Mr. Voyles and let him know also. Motion made by Alderman Gass, seconded by Alderman Myers to approve closing the block from St. Louis St. to Union St. on Saturday, November 21, 2015. A voice vote was taken with an affirmative result.

Jim Mueller, 1970 Woodhaven Lane, Pacific, MO thanked everyone who listened and supported this. He stated that taking one lot to create a minor subdivision seemed to be against past practices. He asked that the officials vote their conscious and what is right for Pacific.

Palmer Lawson, 1897 Indian Trail Road, Pacific, MO asked if the City wanted to create subdivisions in subdivisions. He continued that just because something is legal don't mean you have to do it. He thinks this is bad practice. He feels like if this is approved it will destroy the subdivision and asked that they vote their heart and conscious.

Frank Kremer, 1935 Indian Trail, Pacific, MO he asked if the improvements that were suggested at Planning and Zoning were going to be put in an escrow account. He distributed pictures of the condition of the street. Alderman Bates stated the developer requested waiving the improvements at Planning & Zoning and Planning & Zoning wants the improvements put in immediately or an escrow account be established with the City. Mr. Kremer stated he thought that if this was approved the streets need to be widened as two cars cannot pass right now; he also thought the street needed to be preserved.

PUBLIC PARTICIPATION

PZ 2015-8 Consideration of the Final Plat of Nottingham Ridge Subdivision located on Indian Trails Road, Nottingham Homes, LLC, applicant.

Ron & Aileen Grubbs, 4 Southridge Dr., St. Louis, MO handed out a presentation regarding the proposed Nottingham Homes development. He stated at the first meeting of Planning & Zoning the City attorney could not be there. At the second meeting of Planning & Zoning he was asked for his legal opinion. He continued that he gave several points of the legal boundaries and it should have passed, yet two people still voted against it. Alderman Bates stated to clarify, there was a 4-2 vote with 1 abstention to approve the subdivision without exempting the street improvements or allow you to put the money in escrow. Mr. Grubbs continued his goal is to have three lots. One lot he will live on and the other two lots will have a proposed 2,300 square foot country style home built and restore the 80 year old barn. Lauren Grubbs (consultant) stated she would be speaking specifically to storm water management. She continued that he would be required to improve the street to the center line according to our own code. There is no existing storm water control. The water hits the road and disperses over the green way. These are functions of a "green way". Only doing a segmented portion of the improvements will create an erosion problem. In this setting the natural features are being preserved. The existing street has no curbs, gutters or sidewalks. Tonight he is proposing the following:

- Once the houses are finished and the heavy equipment is gone, finish the street to the centerline with new blacktop and widen the lower, narrower area of pavement to match the upper area. Escrows will be given to the City when each house is sold and under contract.
- When all three houses are finished, those monies guarantee completion of the new street.

He continued that is a Common-sense plan to complete the project as per our Ordinances, save the beauty of the neighborhood and improve property values, while keeping the rural setting. He continued that the City has approved this same kind of development cases going back to 2013 on three other occasions, and they asked for waivers and they were all granted. Mayor Palmore stated that tonight you are asking for an amendment to allow you not to put in sidewalks, curb and gutter, but you will widen the street. Mr. Grubbs stated "yes he will do that and put up the escrow". Mr. Grubbs continued that he will be living in

Lot 1 and that will be the small farm house, on Lots 2 & 3 he will be building. Alderman Gass stated that if we follow the ordinance it is supposed to be 50' given for the roadway. Mr. Grubbs stated that this depended on the classification of the road. Alderman Gass asked who was going to improve the first part of the road, as there is no base under it. Mr. Grubbs stated he could not answer that. Alderman Johnson stated "she was at the last Planning & Zoning meeting, and no I wasn't happy, I felt like you had representation with yourself, Mayor, and our City Attorney, what you did tonight was wonderful, by walking us through page by page, but nobody else in the room has this packet and that lack of communication is why we are sitting here tonight". Mr. Grubbs stated in the first Planning & Zoning meeting they were told this is the law, but there was one sentence left out, so that was a lie. Whoever wrote the article said that he was yelling at him and he did not respond. All she did was ask the guy who has been against him since day one. He continued that he never saw Attorney Schroeder before that evening. Alderman Johnson stated "she didn't say he was representing you", I was in the room. She continued "I said he represented what he was asked to represent". Mayor Palmore stated "the comment was made that you were represented by Mr. Schroeder and myself." "I want to nip that right now, I represent no one except the City of Pacific, when the law is misquoted it's my job to make sure the proper ordinance or statute is presented". "I operated as staff because we don't have staff, and I presented the information to Planning & Zoning straight from our code". "I looked up definitions and minor subdivision, and I looked up requirements, I represent no one but the citizens of Pacific". "I don't represent Mr. Grubbs, I don't represent anyone else, this is preceded whether you pass out flyers to the neighborhood or 8 x 10 color glossy, it is not a requirement". "The requirement is set forth in our Code of Ordinance and those have been followed; now it's up to the Board to decide if they want to allow this or grant the waivers". "No one is obligated to do more than what's in our code, nothing more or less; I am not taking sides on this". Alderman Johnson stated "I am not inferring that you or the attorney was representing anybody, it was the clear definition of this, they weren't allowed to speak and the Mayor was representing the Planning & Zoning Officer, we have a better interpretation of this". "She did not say that the City Attorney or the Mayor was representing Mr. Grubbs, but they were allowed to speak and no one else was". Alderman Bates stated that was at the 2nd meeting, as it was tabled from the first meeting, which is why no one else participated, also there was two absent from the Planning & Zoning meeting. Jim Smith (audience) stated that there was still a quorum, even though two were absent. Alderman Myers stated that Mr. Grubbs keeps referring to the sidewalks, but its dividing one lot into three lots. He continued that Chapter 410.310; but Mayor Palmore stated this was not a Boundary Adjustment so it is not applicable. Attorney Matt Schroeder agreed this was not a boundary adjustment so you cannot look at that part of the Code. Mr. Grubbs stated he was trying to ^{preserve}perverse the look of the neighborhood, and these would become ½ acre lots. Attorney Schroeder stated that he has a copy of the Memo he gave to Planning & Zoning, and the plat meets the Subdivision Code. Mayor Palmore reminded everyone that we were in "public participation" and this would come up again on the agenda this evening, but we needed to move on.

- a. PZ2015-9 Consideration of a Planned Unit Development located at 2297 Rose Lane. EZ Move Storage LLC, applicant.

Mayor Palmore read this into the record. He stated this is for a storage complex and appears to meet all the zoning requirements. Alderman Bates stated this was approved 7-0 at Planning & Zoning. There were no further comments.

- b. PZ 2015-10 Consideration of the Final Plat of the Scenic Regional Library Plat 1 Subdivision located at the intersection of Rose Lane and Lamar Parkway.

Mayor Palmore read this into the record. He continued they want to sub-divide and build the library here. Alderman Bates stated this was reviewed two times at Planning & Zoning and this was also part of an

existing subdivision. Planning & Zoning recommended approval.

Adam Krauss, 300 Let It Be, Union, MO, Pacific Partnership, stated he is asking permission for the Board to close the streets during Car Cruise for 2016. Motion made by Alderman Gass, seconded by Alderman Pigg to approve closing the streets for the Car Cruise 2016. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MAYORS REPORT

A. Report from City Administrator on construction notification to City.

Attorney Schroeder stated the Board asked him to work on the notification problem when streets are being closed. He continued this notification procedure is already in our contracts. Alderman Pigg stated that this did not seem to be working because the Aldermen never knew when they were going to be closed and neither did the Ambulance or School District. Discussion followed. Mayor Palmore stated that the Board is asking the Attorney to draft a bill that any contractor that closes a road has to contact the City Clerk to notify the city fathers 48 hours in advance. Alderman Johnson stated that Kim was not the project engineer, and we still need to put staff in place for this. She thought this should fall back on somebody besides Kim. Alderman Filley agreed and thought it should be the City Administrator or in his absence, the City Clerk. Attorney Schroeder stated all other cities have a posting along the block, and the Police or Street Department usually does this. Forty-Eight hours is normal, but the big thing is enforcement. City Clerk Barfield stated right now we have a contract with four engineering firms, and she felt like this was going to fall between the cracks. Mayor Palmore stated the City's engineering firm should be notifying the city administrator. Alderman Gass did not think an ordinance was needed. Mayor Palmore stated this was all covered in a pre-construction meetings and an ordinance was not needed. Alderman Johnson agreed that an ordinance is not needed. Mayor Palmore stated he has been in every pre-construction meeting and this is addressed. Board members agreed that no ordinance was needed.

APPROVAL OF MINUTES

A. Regular meeting on October 6, 2015

Motion made by Alderman Myers, seconded by Alderman Johnson to approve the minutes of the regular meeting on October 6, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Executive session meeting on October 6, 2015

Motion made by Alderman Pigg, seconded by Alderman Filley to approve the minutes of executive session on October 6, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

C. Special meeting on October 5, 2015

Motion made by Alderman Myers, seconded by Alderman Gass to approve the minutes from the special meeting held on October 5, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

INTRODUCTION OF NEW BILLS

BILL NO. 2958**AN ORDINANCE AUTHORIZING THE FINAL SUBDIVISION PLAT FOR THE NOTTINGHAM RIDGE SUBDIVISION, A THREE LOT MINOR SUBDIVISION LOCATED NEAR THE INTERSECTION OF INDIAN TRAIL ROAD AND CLOSE LANE IN THE CITY LIMITS OF PACIFIC, MISSOURI. (1st reading)**

Motion made by Alderman Bates, seconded by Alderman Gass for the first reading of Bill No. 2958. 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. 2958 for the first reading. Mayor Palmore asked for any discussion. Alderman Bates stated there were two different meetings where this was discussed, because the first meeting was continued. He continued the neighbors are defensive because of the history of this property. The City has promised the property owner that it would be maintained at an R1E – which is ½ acre lots, and this is part of the proposal which is in compliance. The proposal tonight is more than what was seen at Planning & Zoning, and he is willing to give them his copy. Jim Smith, (audience) stated he is representing the Rau’s and the Grubbs, but the Rau’s dad could have restricted this but he did not. Alderman Bates stated for the record, Jim Smith is the one who abstained from the Planning & Zoning vote. He continued there were other proposals, and he reminded the board that the last developer asked to waive the improvements and the Board said no and he withdrew. Alderman Pigg asked if instead of curb and gutter and sidewalk could they do a wider street and could that be a trade. Mr. Grubbs stated that he already said he would widen the street and try to save the trees. He wants to continue the natural green way, but cannot do it all the way to the school. Alderman Pigg then realized it was longer than he thought. Mayor Palmore stated that if the Board is going to consider amending this then we need to do it in advance. Right now the way it is presented there are no waivers, but the City and the developer can negotiate. If the developer complies 100% then there are no waivers. What we need to ask is; does the developer want waivers, and is the Board willing to consider waivers. Alderman Gass thought his engineering firm should put a cost estimate together for the improvements, and then we will know what the costs are and what his bonding would be. Alderman Bates stated that at Planning & Zoning he comprised with this wider street. **Mayor Palmore stated that before us is to re-write the bill requesting waivers on the curbs and gutter and sidewalk but still require street improvements from the center line to his property.** Bob Myers was concerned about his property, but Mayor Palmore stated this would not affect his property. **Motion made by Alderman Bates, seconded by Alderman Filley to amend Bill # 2958 to include the waivers on the curbs and gutter and sidewalk but still require the street improvements from the center line to his property as per the Code. A roll call vote was taken with the following results: Ayes: Alderman Filley, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: None. Whereupon, Mayor Palmore declared the motion carried.** It was asked if this needed to go back to Planning and Zoning, and Attorney Schroeder stated it did not.

Mrs. Mueller stated she wanted to clarify something; the first thing was at the Planning & Zoning meetings you cannot hear anything. We were told we would have time to speak but that wasn’t the case. We were also told the Board made subdivisions from major subdivisions before; she asked where this has been done before and what the facts of each case are. Alderman Bates stated this happened across the street from his house. Jim Smith (audience) stated this was the case with the Noonan property and also Lyman Smith’s property. She continued that the Rau’s were the ones who named “Close Lane” in honor of her family.

Mayor Palmore stated that the requirement is 1,300 square foot homes on a 20,000 square foot lot. The law is what has to be followed.

BILL NO. 2959**AN ORDINANCE AUTHORIZING THE FINAL SUBDIVISION PLAT FOR THE SCENIC REGIONAL LIBRARY PLAT 1**

SUBDIVISION, A ONE LOT MINOR SUBDIVISION LOCATED NEAR THE INTERSECTION OF LAMAR PARKWAY AND ROSE LANE IN THE CITY LIMITS OF PACIFIC, MISSOURI.
(1st reading)

Motion made by Alderman Myers, seconded by Alderman Bates for the first reading of Bill No. 2959. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Mayor Palmore asked for any discussion. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2959 for the first reading.

BILL NO. 2960 **AN ORDINANCE CHANGING THE ZONING FROM “M-1” LIGHT INDUSTRIAL DISTRICT TO “PUD-PDM” PLANNED UNIT DISTRICT-PLANNED DISTRICT MANUFACTURING WITH “M-1” – LIGHT INDUSTRIAL DISTRICT AS THE UNDERLYING ZONING FOR THE FOLLOWING DESCRIBED LAND: A TRACT OF LAND LOCATED AT 2297 ROSE LANE, THEREBY ALLOWING THE CONSTRUCTION OF BUILDINGS AND USES FOR A SELF-STORAGE WAREHOUSE.** *(1st reading)*

Motion made by Alderman Filley, seconded by Alderman Pigg for the first reading of Bill No. 2960. 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. 2960 for the first reading.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

BILL NO. 2956 **AN ORDINANCE CHANGING THE ZONING FROM “M-1” – LIGHT INDUSTRIAL DISTRICT TO “PUD-PDM” PLANNED UNIT DISTRICT-PLANNED DISTRICT MANUFACTURING WITH “M-1” – LIGHT INDUSTRIAL DISTRICT AS THE UNDERLYING ZONING FOR THE FOLLOWING DESCRIBED LAND: A 2.16 TRACT OF LAND LOCATED AT 5 CAPPER DRIVE, THEREBY ALLOWING THE CONSTRUCTION OF BUILDINGS AND UES FOR A STORAGE WAREHOUSE.** *(2nd reading)*

Motion made by Alderman Filley, seconded by Alderman Bates for the second reading of Bill No. 2956. Mayor Palmore asked for any discussion. 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. 2956 for the second reading. Motion made by Alderman Pigg, seconded by Alderman Myers to approve Bill No. 2956 A roll call vote was taken with the following results: Ayes: Alderman Filley, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: none. Whereupon, Mayor Palmore declared the motion carried 6-0 and Bill No. 2956 became **Ordinance No. 2944.**

BILL NO. 2957 **AN ORDINANCE AMENDING SECTION 300.090 OF THE MUNICIPAL CODE OF THE CITY OF PACIFIC, “FAILURE TO OBEY TRAFFIC SCHEDULES, TABLE VI-1” SO AS TO ADD A WEIGHT LIMITATION OF LESS THAN 18,000 LBS., ON DENTON ROAD.** *(2nd reading)*

Mayor Palmore stated this Bill has errors on it and will need to be re-submitted.

UNFINISHED BUSINESS

BILL NO. 2952 AN ORDINANCE ADOPTING THE 2015 CITY OF PACIFIC COMPREHENSIVE PLAN UPDATE AND REPEALING ALL PREVIOUS ORDINANCES CONFLICTING THEREWITH. (*1st reading*)

RESOLUTION NO. 2015-49 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH HACH COMPANY FOR REFRIGERATED COMPOSITE SAMPLES

BILL NO. 2955 AN ORDINANCE AMENDING SECTION 400.090 "R1-A SINGLE FAMILY DISTRICT REGULATIONS" SO AS TO ADD A SUBSECTION ALLOWING CERTAIN CONDITIONAL USE REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF PACIFIC. (*1st reading*)

NEW BUSINESS

RESOLUTION NO. 2015-62 A RESOLUTION AUTHORIZING THE GRANT OF AN EXCLUSIVE LICENSE FOR RESIDENTIAL SOLID WASTE COLLECTION AND EXECUTION OF A LICENSE AGREEMENT RELATING THERETO TO PROGRESSIVE WASTE SOLUTIONS.

Motion made by Alderman Gass, seconded by Alderman Filley to read Resolution No. 2015-62. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-62. Mayor Palmore explained the difference in cost to the resident for the bulky item pickup. The proposal this evening was for the same service the residents are already receiving. Discussion followed on educating the public on what services Progressive offers. Motion made by Alderman Gass, seconded by Alderman Bates to approve Resolution No. 2015-62 with Option 2. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

RESOLUTION NO. 2015-63 A RESOLUTION AUTHORIZING THE GROUP HEALTH PLAN COVERAGE FOR THE EMPLOYEES OF THE CITY OF PACIFIC TO MIRMA AND AUTHORIZING THE EXECUTION OF DOCUMENTS.

Motion made by Alderman Filley, seconded by Alderman Pigg to read Resolution No. 2015-63. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-63. Motion made by Alderman Myers, seconded by Alderman Gass to approve Resolution No. 2015-63. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

RESOLUTION NO. 2015-64 A RESOLUTION AUTHORIZING AND AFFIRMING THE GROUP HEALTH PLAN COVERAGE FOR THE EMPLOYEES OF THE

**CITY TO UNITED HEALTHCARE-SILVER D23
PLAN AND AUTHORIZING THE EXECUTION
OF DOCUMENTS THERETO.**

Motion made by Alderman Pigg, seconded by Alderman Myers to read Resolution No. 2015-64. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-64. Motion made by Alderman Pigg, seconded by Alderman Myers to **deny** Resolution No. 2015-64. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried that Resolution No. 2015-64 fails.

**RESOLUTION NO. 2015-65 A RESOLUTION AUTHORIZING AND
AFFIRMING THE DENTAL COVERAGE FOR
THE EMPLOYEES OF THE CITY OF PACIFIC
TO ASSURANT AND AUTHORIZING THE
EXECUTION OF DOCUMENTS THERETO.**

Motion made by Alderman Pigg, seconded by Alderman Myers to read Resolution No. 2015-65. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-65. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MISCELLANEOUS

A. Approve invoice from St. Louis Trolley in the amount of \$ 1,305 for Railroad Days to be paid from Tourism Funds (Tabled from October 6, 2015)

Attorney Schroeder stated the City can pay the supplier for this expense. Motion made by Alderman Pigg, seconded by Alderman Myers to approve the invoice from St. Louis Trolley in the amount of \$ 1,305 to be paid from Tourism Funds. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Approve invoice from Redbone Products in the amount of \$ 250 for Rodeo expenses to be paid from Tourism Funds.

Motion made by Alderman Pigg, seconded by Alderman Filley to approve the invoice from Redbone Products for Rodeo expenses in the amount to of \$ 250 to be paid from Tourism Funds. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

C. Approve list of bills.

Motion made by Alderman Filley, seconded by Alderman Bates to approve the list of bills. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Alderman Johnson stated that Alderman Gass stepped out but he had a question about the chip-n-seal bid. Alderman Gass returned, and Mayor Palmore stated they asked for a progress payment. Alderman Pigg stated he didn't know if he would give them that much, maybe a quarter of that, there's a lot that needs to be done on the road. Palmore stated they are still working. Alderman Pigg stated a street sweeper generally has a vacuum attached to suck the stuff up. They sweep to the middle and the guy on the bobcat is scraping the road. Mayor Palmore stated that we should have said what we wanted in the contact, but Alderman Pigg thought we did. Mayor Palmore stated that we sweep with the same type of appliance, but Alderman Pigg disagreed, as they are scraping the asphalt. Alderman Pigg stated "they've done such a wonderful job on the quality of the street, they promise you a fishing trip or something". Alderman Palmore stated "do me

a favor; do not make inferences to my creditability or integrity". "If we are going to talk about inferences I'll take that argument on, you don't want to go there with me, okay". "I don't send stuff in the mail, I don't threaten people". Alderman Pigg stated "neither do I". Mayor Palmore stated "don't go there". Alderman Pigg stated "no, but you work out deals before the deal is made". Mayor Palmore stated "what deal". Alderman Pigg stated "with the contractor". Mayor Palmore stated "I never met the man". Alderman Pigg stated "you talked to him on the phone about letting him use our truck and our equipment" Mayor Palmore stated "that is not true, who told you that". Alderman Pigg stated "contractor himself". Mayor Palmore stated "that is not true". Alderman Pigg stated "he absolutely did and in another conversation he told the same thing to Pauline Masson". Mayor Palmore stated "let me tell you what actually transpired, when he bid on the contract and he was the low bid he asked me where we were going to put the rock, he asked me where he could store the rock, he has to have a place to put it, I had talked to Robert about it and he said city shed, that was our first discussion the contractor said to me is there a loader there and I said, yes, that was the only discussion that took place, it was later moved to Liberty Field, I had no knowledge of anyone loading equipment no one came to him. Now if you can prove that someone did, or you have someone that saw me there or talked to him or you have a recording let me know but until then you are wrong". "The discussion was exactly what I said, I have no knowledge what went on at Liberty Field". Alderman Pigg stated "so everything he said is lying". Mayor Palmore stated "I don't know what he said, just like you don't know what I said, I have no idea what he said, I told exactly what happened". Alderman Pigg stated "I have a recording and I had it transcribed". Mayor Palmore stated "ok, I want to hear it, of my conversation". Alderman Pigg stated "no, of the contractor's conversation with another alderman, myself and a city worker". Mayor Palmore stated "I want to hear it". Alderman Pigg stated "anytime". Mayor Palmore stated "right now would be great". Alderman Pigg stated "want to do it in executive session or right here". Alderman Johnson stated we are off subject. Alderman Gass stated "is this their first payment". Mayor Palmore stated "yes". Alderman Gass stated that he thought there was plenty held back then.

Mayor Palmore stated we will move onto Committee Report.

COMMITTEE REPORTS

Park Board Committee – No Report
Cemetery Committee – Is scheduled to meet Thursday.
Industrial Development Committee – No Report
Museum Committee – No Report
Tourism Committee – No Report.
Building Advisory Committee – No Report
Planning & Zoning Committee – No Report
Genealogy Committee – No Report
Operations Committee – No Report
Administrative Committee – Has a meeting on Thursday and the following Tuesday.

REPORT OF CITY OFFICIALS

Alderman Pigg – stated he was still unhappy with the contractor that did the chip-n-seal. In front of Dave Young's house the gravel is very deep and going right into the storm drain. He thought they were going to sweep the street as per the contract. He asked if this was another deal that he made with the contractor like the deal he made before the project was bid. Mayor Palmore stated that was NOT true and for him not to make inferences to him making a deal. When this contractor bid he asked me where we were going to store the rock, Robert is the one that said the city shed, he then asked if there was a loader down there, and I said yes...he has no knowledge of anything else. Alderman Pigg stated he had a recording and the transcription of the contractor admitting to this. Mayor Palmore stated he wanted to hear it right now.

Alderman Pigg stated he would hear it when he was ready.

Alderman Gass – No Report.

Alderman Filley – thanked the Board for the use of the council room for the Homeowner’s Association. She also thought Jensen’s Point was looking good. Next she asked for an update on the location of the siren. She also suggested the stop bars at Viaduct and Thornton need to be painted. Mayor Palmore stated they were working on painting, but wasn’t sure about Viaduct since this is MoDot’s. Alderman Pigg thought the siren was going to be installed by the cemetery and that was taken care of already, we talked about this four months ago. Mayor Palmore stated that Diane was looking into this.

Alderman Myers – stated on the request to subdivide the existing subdivision, he asked that we all be careful and think about what precedence we were setting.

Alderman Myers – stated the window of opportunity closes October 31, 2015 in regards to the Park Grant. Mayor Palmore stated he did not want to submit for another grant this year, and this was the second time he approached him about this. Alderman Myers stated the ADA Accessibility around back might qualify for this type of grant. Mayor Palmore stated that he has spoken to St. Louis County and they told him the chances of us getting another grant for a second year in a row is slim, he also is not ready to take on another project. Alderman Myers stated that we were only applying, the money is not available until next year, and people are willing to give in-kind contributions.

Alderman Bates – stated in regards to the subdivision, the R1-E is as big as it gets in regards to size. Alderman Myers stated his fear is what is the incentive that we are giving people to want to come here and the lots are made smaller.

Alderman Johnson – stated there are trees on Osage going east on the left from Buds down to the Car Wash that are dead. They are in the easement and thinks they should be removed, she thought there was about 12 of them. Alderman Myers stated that Pauline asked him for help doing this; Pauline stated she was going to ask the Board first. Mayor Palmore stated the City can take care of this. Next, Alderman Johnson asked about the stripping on Lamar Parkway, the centerline is almost invisible. She continued that she still has concerns about the drains at 1202, 1206 and 1208 Congress. Mayor Palmore asked her to send this to him in writing so he can address it. Alderman Gass stated it is right across from the Eagles.

Veterans Parade – Alderman Johnson stated that there is no Veterans Parade, but they are having a Veteran’s Celebration at Liberty Field on November 7, 2015. They will be releasing balloons at 10:30 am. Alderman Myers stated they will still be having the flag retirement ceremony at 4:00 this day.

Alderman Pigg – asked about the Yard Sale signs. They are everywhere. Alderman Myer stated there is an ordinance against this, but it is not being complied with.

Chief Mansell – stated the “no parking” signs on Lamar Parkway also needed to be replaced. He has also been to Jefferson City and received \$ 21,000 of storage bins for free.

EXECUTIVE SESSION-RSMO 610.021 (1)(3)

Legal actions, causes 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....

Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded...

Attorney Schroeder read into the record RSMO 610.021 (1)(3)

Motion made by Alderman Gass, seconded by Alderman Filley to go into executive session under RSMO. 610.021 (1)(3). A roll call vote was taken with the following results: Ayes: Alderman Filley, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: None. Whereupon, Mayor Palmore declared the motion approved 6-0.

The Board went into executive session at 8:51 p.m.

The Board reconvened at 11:35 p.m.

Present at roll call: Mayor Palmore, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Pigg, Alderman Johnson, Alderman Filley, Attorney Schroeder.

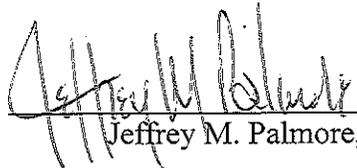
Attorney Schroeder stated there was one personnel item discussed with no resolution. There was one legal item discussed and the vote will be posted in accordance with state statute.

Mayor Palmore stated that Alderman Pigg brought up a transcript and recording and he wants this handed over now. Alderman Pigg stated "no" he would get them when he was ready. Mayor Palmore stated he wanted this added to the minutes.

ADJOURNMENT

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

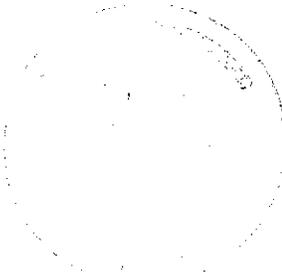
The meeting adjourned at 11:40 p.m.

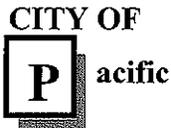


Jeffrey M. Palmore, Mayor

ATTEST:


City Clerk





OCTOBER 27, 2015 * RECORD OF PROCEEDINGS

CITY OF PACIFIC
SPECIAL MEETING OF THE BOARD OF ALDERMEN
300 HOVEN DRIVE
PACIFIC, MISSOURI 63069

The meeting was called to order at 6:30 p.m. by Mayor Palmore.

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

A quorum was present:

Also present: Collector Kelley
Engineer Rahn
Attorney Schroeder
City Clerk Barfield

Pledge

The Pledge of Allegiance was taken.

Mayor Palmore stated tonight we are looking at approving the matching funds from the grant that was in the amount of \$ 350,000 from St. Louis County and \$ 20,000 from Tourism Funds. The \$ 16,550 of the city's share was approved in the contract, but was not included in the budget. After further information was obtained though, he would like to ask for \$ 22,000 to be included in the amended budget instead of the \$ 16,550. So far we have done \$ 47,000 worth of repair to the steps, and this is going faster than anticipated. In order to complete the safety features it will take about another \$ 22,000. Tonight he is asking for the \$ 22,000 to be included in this amended budget, with the

understanding that any funds received as donations goes back to General Fund to repay the costs or go to the Contingency Fund.

So he is asking for approval of an Amended Bill # 2961 from \$ 16,500 to \$ 22,000. Alderman Bates stated he was concerned about the funds, and there are not a lot of areas where the additional funds can come from. Mayor Palmore suggested taking this from Contingency Fund, which means we must budget it and pay it back, Alderman Bates stated he would agree to this. Alderman Myers suggested we borrow from Contingency Fund for now, but go back to the Tourism Commission and ask them for the additional funds. Mayor Palmore stated either way, the intent is to pay this back to Contingency Fund.

Mayor Palmore suspended the meeting for a moment. (City Clerk Barfield left the room) Mayor Palmore continued the meeting.

Alderman Johnson stated she supported Alderman Myers idea.

Attorney Schroeder stated that we needed to read the Bill first, and then amend it.

Introduction of New Bills

BILL NO. 2961 AN ORDINANCE ADOPTING THE AMENDED FISCAL YEAR 2015-2016 BUDGET OF THE CITY OF PACIFIC BY AMENDING THE CITY'S SHARE OF THE AMOUNTS OWED TO IMPROVE THE JENSEN POINT PARK IMPROVEMENTS BY AN ADDITIONAL SIXTEEN THOUSAND FIVE HUNDRED DOLLARS (\$16,500), TO CONFORM THE AMOUNTS ALOTTED IN THE CONTRACT WITH THE ST. LOUIS COUNTY MUNICIPAL PARK GRANT COMMISSION CONCERNING THE PROJECT. (1st reading)

Motion made by Alderman Pigg, seconded by Alderman Myers to read Bill No. 2961. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2961 for the first reading.

Motion made by Alderman Gass, seconded by Alderman Johnson to amend Bill No. 2961 and change the amount from \$ 16,500 to \$ 22,000 and that this is paid from the Contingency Fund and reimbursed to the Contingency Fund.

Alderman Myers asked if now was the time to bring up the recent tampering of the Cannon. Someone removed the brackets and left the cannon very accessible to being stolen very quickly. The exposure of those assets is about \$ 48,000. He would like to see a camera installed that has the capability of recording and has a high resolution. He would also like to see cameras installed at Jensen's Point. Mayor Palmore stated he would like to see more improvements at Jensen's Point also and suggested this be done through grant money in the future. He continued the next round is in December, but was

not ready to move forward with that grant opportunity. Alderman Myers stated that MIRMA also has a grant process that we could apply for and asked if the City clerk would look into when the next round is available. Alderman Pigg stated he would also like to see camera's at the lagoon.

A roll call vote was taken to amend the bill with the following results: Ayes: Alderman Filley, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: None. As posted pursuant to the ordinance, City Clerk Barfield read Amended Bill No. 2961 in full. Whereupon, Mayor Palmore declared the motion passed and would continue to the second reading.

Introduction of Bills Previously Introduced

AMENDED

BILL NO. 2961 AN ORDINANCE ADOPTING THE AMENDED FISCAL YEAR 2015-2016 BUDGET OF THE CITY OF PACIFIC BY AMENDING THE CITY'S SHARE OF THE AMOUNTS OWED TO IMPROVE THE JENSEN POINT PARK IMPROVEMENTS BY AN ADDITIONAL SIXTEEN THOUSAND FIVE HUNDRED DOLLARS (\$16,500), TO CONFORM THE AMOUNTS ALOTTED IN THE CONTRACT WITH THE ST. LOUIS COUNTY MUNICIPAL PARK GRANT COMMISSION CONCERNING THE PROJECT. (2nd reading)

Motion made by Alderman Pigg, seconded by Alderman Gass for the 2nd reading of Amended Bill No. 2961. 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 Amended Bill No. 2961 in full.

Motion made by Alderman Bates, seconded by Alderman Pigg to approve Amended Bill No. 2961. A roll call vote was taken with the following results: Ayes: Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley. Nays: none. Whereupon, Mayor Palmore declared Amended Bill No. 2961 became Ordinance No. 2949.

Mayor Palmore stated the safety portion of the masonry repairs needed to be completed. Now, he would like permission from the board to talk with the contractor about the additional repairs being completed. **Motion made by Alderman Pigg, seconded by Alderman Myers for Mayor Palmore to discuss with the contractor the additional repairs to be completed. Mayor Palmore asked for any further discussion. A roll call vote was taken with the following results: Aye: Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley, Alderman Myers. Nays: none. Whereupon, Mayor Palmore declared the motion carried.**

Alderman Filley asked for an update of their progress at Tuesday's meeting.

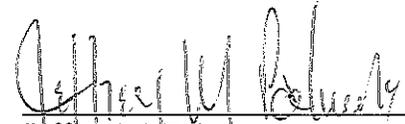
Alderman Myers stated that on November 14, 2015 the Ozark Trail Association would be at Jensen's Point to begin the removal of the invasive honey suckle and take out dead dying trees. There are six – ten sawyers scheduled to volunteer and they could use up to twenty. Alderman Pigg asked if any of the logs cut be cut up into sections so the public could pick them up for firewood, just like we do the mulch.

Alderman Johnson asked City Clerk Barfield if we can please get meetings posted to the website as soon as possible. City Clerk Barfield stated she tries, but has noticed at times there is a delay with the provider.

Adjournment

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

The meeting adjourned at 7:08 p.m.


Jeffrey M. Palmore, Mayor

ATTEST:


City Clerk