



May 5, 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 Myers
Alderman Bates
Alderman Gass
Alderman Johnson
Alderman Pigg

Absent: Alderman Filley

A quorum was present.

Also present:
Attorney Schroeder
Chief Mansell
City Clerk Barfield
Deputy City Clerk Hayden

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

PRAYER

Pastor Harrison offered prayer.

APPROVAL OF MINUTES

A. Regular meeting on April 21, 2015

Motion made by Alderman Pigg, seconded by Alderman Myers to approve the minutes of the regular meeting on April 21, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Executive Session meeting on April 21, 2015

Motion made by Alderman Gass, seconded by Alderman Johnson to approve the minutes of the executive session meeting held on April 21, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

C. Special meeting on April 27, 2015

Motion made by Alderman Pigg, seconded by Alderman Gass to approve the minutes of the Special meeting held on April 27, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MAYORS REPORT

A. Discussion of grass cutting

Mayor Palmore stated he wanted to clarify what he read in the paper that said we would use two vendors for grass cutting; he did not say that, he asked if using both of them was an option. He has spoken to both contractors and the bids that were sent out in the past were brief. We need to decide what to do about cutting grass on property we don't own. With the help of Dave Myers and Debbie Kelley he has drawings and maps of several of the properties. He feels like the city needs to re-bid the project and specifically state what the contractor is required to do. He thinks the scope of work should be defined. There is also a piece of property the city owns on Elm Street, and suggested we consider the value and market it. He has spoken to the current contractor, and asked him to mow one more time, but we also have severe budget restrictions. He continued he has been working with Kim and moved money around, but he also met with Cochran Engineering about overlaying and we need to decide what can be spent there also. He continued the two bids are non-applicable and we asked them to bid too many properties. Alderman Gass suggested extending his contract; Alderman Pigg suggested extending the current contract and having this corrected for next summer. Mayor Palmore stated with the way we let the bids out, they are not fair. Alderman Johnson liked the idea of re-bidding the project, and she also followed up with what Kim did with the Career Center and suggested using the summer help to help cut grass. Mayor Palmore agreed but stated there was a significant difference on what was bid verses what was done. Alderman Gass asked if the two lots of the cities at the end of Lamar Parkway were included. **Motion made by Alderman Gass, seconded by Alderman Bates to authorize the Mayor to draw up specifications and send out bids while we continue with the current grass cutter.** Alderman Johnson asked about the right-of-way for Hwy N, Mayor Palmore stated that would be cut. Mr. Devillez (audience) stated he quit taking on new clients and after April most grass cutters have their summer schedule set. If the city extends his out and then he could lose it, why should he even bother with it. He continued he was the lowest last time it was bid and he has not raised his prices in three years. Alderman Pigg stated this was his point before. Mayor Palmore stated that we put out a lousy bid and he does not want to hurt either business man, but his first obligation is to the city. Alderman Bates stated for clarification both parties will stick to their bid, Mayor Palmore agreed. Alderman Bates stated he has always been a critique of city forces cutting grass when we have streets that need worked on, and drainage problems. Mayor Palmore stated that both contractors suggested not cutting some of the properties as frequently. **A roll call vote was taken with the following results: Ayes: Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: None. Absent: Alderman Filley. Whereupon, Mayor Palmore declared the motion carried.** Mayor Palmore stated he would bid this out right away.

PUBLIC PARTICIPATION-SPEAKER CARDS

Gerald Pemberton, 205 Candlewick, Pacific, MO stated he thought we were going to work on Candlewick when weather permits, Mayor Palmore stated we would.

Dave Monroe, 506 S. First St., Pacific, MO would like to have the fishing derby on May 23, 2015. He is asking the city to purchase the trophies like they have in the past and help with the flyers. Motion made by Alderman Bates, seconded by Alderman Myers to approve the fishing derby on May 23, 2015 and purchase the trophies and have flyers made with an amount not to exceed \$ 300.00. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

BJ Lawrence, withdrew at this time.

Steve Flannery III, 305 W. Pacific St. Pacific, MO stated he had questions regarding Bill # 2943 that was on the agenda this evening. He continued he did not see how this was fixing the problem. Alderman Myers stated no other candidates have been brought forward except for one, the board does not know who has applied and feels we are at a stale mate. Mr. Flannery did not see how this was going to accomplish anything until communication is improved, and questioned how this will impact the future. Alderman Pigg stated the board has not seen any applications, Mayor Palmore stated he was afraid to open his mail. Alderman Johnson stated no board binds another board, we cannot forecast if this will or won't help, but they are hoping this opens up options. Mayor Palmore stated he has made his request clear; he needs someone he can trust and has confidence in. There are many qualified people but his concerns continue, as he could not even be sworn in. Once this appointment is made he cannot be removed without board approval also. Mr. Flannery questioned if there was still a separation of the legislation branch and executive branch. Alderman Myers stated he hoped this would lead to progress. Mayor Palmore stated there was a difference between movement and progress. He wants to move forward but he is not solicited for his opinion on anything unless it is a pet project. When we start working together then we have progress.

INTRODUCTION OF NEW BILLS

BILL NO. 2943 AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF PACIFIC ARTICLE VII, SECTION 115.250 TO PROVIDE FOR THE APPOINTMENT OF A CITY ADMINISTRATOR PURSUANT TO STATE STATUTE SECTION 77.042 RSMO. (1st reading)

Motion made by Alderman Pigg, seconded by Alderman Johnson for the first reading of Bill No. 2943. 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. 2943 for the first reading. Motion made by Alderman Pigg, seconded by Alderman Johnson to approve Bill No. 2943. Mayor Palmore asked for any discussion. Alderman Bates stated this did not need approval this evening, Alderman Pigg rescinded his motion, Alderman Johnson rescinded her second. There being no further discussion this will continue to the second reading at the next regular meeting.

BILL NO. 2944**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF PACIFIC, TITLE II, CHAPTER 205, ANIMALS AND FOWL, SECTIONS 205.140, 205.310, 205.320, 205.360, AND 205.040 AND ADDING A NEW ARTICLE TO "CHAPTER 205-ANIMALS AND FOWL", PROVIDING FOR FERAL CAT TRAP/NEUTER AND RETURN REGULATIONS TO THE CITY CODE. (1st reading)**

Motion made by Alderman Bates, seconded by Alderman Myers for the first reading of Bill No. 2944. 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. 2944 for the first reading. Mayor Palmore asked for any discussion. Alderman Pigg stated on page 3 under Section 205.380 the "chief of police" needs to be changed. Attorney Schroeder stated this could be anyone that can do enforcement so the "code enforcement officer" would be fine. Alderman Bates thought this raised more questions, and who is a sponsor of a feral cat colony. Attorney Schroeder stated if someone takes control of a cat then you become the owner. Alderman Bates asked if trap/neuter and release could just be added as an option, and he did not like "sponsors" of the feral cats. Attorney Schroeder stated the sponsorship idea is to help control the individuals. Another option was the city could have the traps and rent them to the citizens. Alderman Bates stated he was not comfortable with the language and instead of taking out the option to euthanize, he suggested we give the option to trap/neuter and release. Alderman Johnson agreed. BJ Lawrence (audience) stated the sponsor is Open Door; they provide the traps and have people to take care of them, could this language be changed tonight. Mayor Palmore stated this is for the first reading only tonight, and is very significant to the city. They are already trapping the cats, so we are on the path to a solution. Alderman Johnson and Alderman Bates recommended that the legalities be added to the existing language. Alderman Pigg thought we needed more of a response time, because he questioned who was responsible for the damage the animals are doing to private property, such as motorcycle seats. Alderman Myers thought if Open Door was the sponsor, then wouldn't it be on their liability. Attorney Schroeder stated they are the cat care takers, but did not think they assumed the liability. Ms. Lawrence thought another two weeks would deter their efforts, the cats are in season now, they are receiving donations but cannot financially continue what they are doing. Ms. Lawrence agreed but also wants the board to make it so this is not illegal. Alderman Johnson asked if this language included the \$ 1,000 that she recommended at the last meeting. Attorney Schroeder stated it did not, this was just to add the trap/neuter and return regulations. Mayor Palmore stated trapping and neutering is legal, and that is where the funds are going. If the city traps and holds them for five days anybody can have the animal. The "release" part is not legal. Attorney Schroeder stated he needed clarification. Alderman Bates stated he asked for an ordinance to add to ours, rather than repeal anything, but Attorney Schroeder stated that was the problem, we didn't have one at all. Alderman Bates stated then he would rather have this as an "option". He would like to have trap/neuter and return as a policy, however he has an issue with the sponsor and who is responsible. Attorney Schroeder stated that we would just be adding to the existing law then. Alderman Bates agreed and still wanted to be able to find any animal a home. Mayor Palmore stated he has also received negative calls about this, and thought a provision about the damage should be included. There was discussion about sending this to the Operations

Committee but Alderman Myers did not want to continue to delay this and thought the options could be added. Attorney Schroeder stated he could add the options and define the sponsors and be ready for the second reading at the next regular meeting. Board members agreed.

**BILL NO. 2945 AN ORDINANCE ADOPTING THE AMENDED
FISCAL YEAR 2014-2015 BUDGET SCHEDULE
FOR APPOINTED OFFICIALS AND EMPLOYEES
OF THE CITY OF PACIFIC. (1st reading)**

Motion made by Alderman Pigg, seconded by Alderman Gass for the first reading of Bill No. 2945. 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. 2945 for the first reading. Mayor Palmore asked for any discussion. There being no discussion, this will continue to the second reading at the next regular meeting.

NEW BUSINESS

**RESOLUTION NO. 2015-27 A RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE A CONTRACT WITH
LIQUID ENGINEERING FOR THE
CLEANING AND INSPECTING OF THREE
WATER STORAGE TANKS OF THE CITY
OF PACIFIC.**

Motion made by Alderman Pigg, seconded by Alderman Myers to read Resolution No. 2015-27. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-27. Mayor Palmore asked for discussion. Alderman Gass stated he thought this had been done three years ago, and five years is the normal. Alderman Bates asked if this was recommended by Public Works Commission Myers, and Mayor Palmore stated that it was. Alderman Gass asked if there was damage to the tanks. Mayor Palmore stated he could talk with Public Works Commissioner Brueggemann for clarification. Motion made by Alderman Pigg, seconded by Alderman Bates to table Resolution No. 2015-27 until the next regular meeting for clarification. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

**RESOLUTION NO. 2015-28 A RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE A CONTRACT WITH
MCINTIRE MANAGEMENT GROUP FOR A
“PIPE PATCH KIT WITH START UP
PRODUCTS” FOR THE SEWER
DEPARTMENT.**

Motion made by Alderman Pigg, seconded by Alderman Johnson to read Resolution No. 2015-28. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-28. Mayor Palmore asked for discussion. Alderman Gass asked what this will do, and Mayor Palmore stated this allows us to go inside the pipe to the joints with a camera and the material will expand, mix and harden with a balloon holding it in place while it cures. Motion made by

Alderman Pigg, seconded by Alderman Gass to approve Resolution No. 2015-28. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

RESOLUTION NO. 2015-29 A RESOLUTION APPROVING A PROPOSAL WITH HOCHSCHILD, BLOOM & COMPANY LLP FOR AUDIT SERVICES FOR THE CITY OF PACIFIC AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT.

Motion made by Alderman Bates, seconded by Alderman Myers to read Resolution No. 2015-29. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-29. Mayor Palmore asked for discussion. Motion made by Alderman Myers, seconded by Alderman Gass to approve Resolution No. 2015-29. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

RESOLUTION NO. 2015-30 A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE FUND TO THE GENERAL FUND FOR THE PURCHASE OF CERTAIN REAL PROPERTY; KNOWN AS JENSEN'S POINT PROPERTY TO THE CITY.

Motion made by Alderman Myers, seconded by Alderman Pigg to read Resolution No. 2015-30. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-30. Mayor Palmore asked for any discussion. Motion made by Alderman Myers, seconded by Alderman Pigg to approve Resolution No. 2015-30. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

RESOLUTION NO. 2015-31 A RESOLUTION AUTHORIZING 21 DESIGN GROUP TO DEVELOP A FINAL BID PACKAGE FOR THE PARKING LOT AT JENSEN'S POINT WITH A TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE FUND TO THE GENERAL FUND FOR THIS IMPROVEMENT.

Motion made by Alderman Pigg, seconded by Alderman Myers to read Resolution No. 2015-31. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-31. Mayor Palmore asked for any discussion. Motion made by Alderman Bates, seconded by Alderman Gass to approve Resolution No. 2015-31. Mayor Palmore stated we would be going out to bid for the actual improvement. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MISCELLANEOUS

- a. Approve change order from N. B. West for Highway N Phase 3 in the amount of

\$ 15,400 to replace sanitary sewer line at the intersection of Payne and Congress St.

Motion made by Alderman Gass, seconded by Alderman Bates to approve the change order from N. B. West for Highway N Phase 3 in the amount of \$ 15,400 to replace the sanitary sewer line at the intersection of Payne and Congress St. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

b. Selection of Acting President of the Board per Section 110.080.

A nomination was made by Alderman Johnson, seconded by Alderman Bates for Alderman Pigg to serve as the Acting President of the Board per Section 110.080. Mayor Palmore asked for any other nominations; seeing none, a voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

c. Approve standing committee's per Section 110.110 & election of chair & vice chair within the committee.

Mayor Palmore stated "approve" was not necessary of the standing committees. Alderman Bates suggested we approve these tonight and let the committee's elect their chair and vice chair when they meet. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Attorney Schroeder asked about the other committees. Mayor Palmore stated he was looking at the May appointments, and was not sure about the Cemetery Committee, Alderman Johnson stated since she was the liaison for the Cemetery and these were being combined, she would be the liaison for genealogy also. Alderman Pigg suggested combining the museum with these two committees, so the members could all help each other. Alderman Johnson agreed. Mayor Palmore stated he has spoken to Bill Devine, Benton Kelley, Becky Butler, Scott Wolf, Jim Smith, Steve Flannery, and Mike Vernaci. He questioned the dates on Donna Williams and Joe Gildehaus and asked for Kim to check those. He still needs to verify with Ricky for Tourism.

d. Approve the selection to the Planning & Zoning commission per Section 405.010.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the selection to the Planning & Zoning commission per Section 405.010. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

e. Approve committee, Commission and Board appointments.

Motion made by Alderman Gass, seconded by Alderman Bates to approve the committee, commission and board appointments. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

f. Discuss Request for Proposals for special counsel.

Motion made by Alderman Pigg, seconded by Alderman Myers to approve Armstrong & Teasdale, and asked City Clerk Barfield to notify them. Alderman Pigg stated there was a

\$ 5.00 difference in them and felt comfortable with Armstrong & Teasdale. They asked Attorney Schroeder to write an ordinance approving them for the next meeting, but Attorney Schroeder stated that would be a conflict of interest. Alderman Myers asked City Clerk Barfield to write a resolution approving them along with a contract and asked if that was a conflict. Attorney Schroeder did not think that was a conflict. Alderman Bates asked for the record that we were not replacing Attorney Schroeder. Board members agreed that Armstrong, Teasdale would only be used when Attorney Schroeder expressed a conflict of interest. City Clerk Barfield asked for authority to send the Resolution and Contract to Armstrong, Teasdale prior to the meeting for review, and board members agreed. Mayor Palmore stated this is an additional attorney. A roll call vote was taken with the following results: Ayes: Alderman Myers, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: Alderman Bates. Absent: Alderman Filley. Whereupon, Mayor Palmore declared the motion carried 4-1 with one absent. Mayor Palmore stated in the future he would like to have the full board present. He thought it was unfair that Alderman Filley was not able to participate in this.

g. Approve contract with Franklin County for the Limited License Agreement for the GIS database of Franklin County, MO.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the contract with Franklin County for the Limited License Agreement for the GIS database of Franklin County, MO. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

h. Approve promotion of Tori Nichols as Sergeant.

Motion made by Alderman Pigg, seconded by Alderman Gass to approve the promotion of Tori Nichols as Sergeant. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

i. Approve hiring of Reserve Officer of Anthony Henson.

Motion made by Alderman Pigg, seconded by Alderman Myers for the hiring of Reserve Officer Anthony Henson. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

COMMITTEE REPORTS

Park Board Committee – Park Board President Flannery stated they met last night. They did their nominations and he is the president again, and Donna Williams is the vice-president, with Brett Rossomanno as the secretary. They are working on the design of the bathrooms and close to having a concept ready for presentation. There was discussion about the location of the bathrooms and if it included concessions. President Flannery stated that currently it did include concessions, and if they change the location of the bathrooms he does not think it will change the no rise certificate, but thinks it will affect the sewer. They also discussed cameras for the park system and asked who the point of contact was for the upcoming budget. Mayor Palmore stated he wanted the participation of the whole board for the budget. Alderman Gass suggested the

park board puts their wish list together and submits this to the city clerk. President Flannery asked about the status of the trail behind the city park. Mayor Palmore stated that was planned for this summer. President Flannery then asked about the water station for the dog parks, discussion followed.

Cemetery Committee – No report.

Industrial Development Committee – No report.

Museum Committee – No report.

Tourism Committee – Mayor Palmore stated he spoke with Chairman Oliver today and discussed the proposal of the sign faces. These signs are not MoDot compliant and he has no idea where we are going to place them because they do not have the proper base. The new locations proposed are also in the MoDot right-of-way.

Planning & Zoning – Alderman Bates thought there would be a workshop for the master plan soon, but he has not heard.

Genealogy Committee – Pauline Masson stated the Genealogy and Museum Committees are putting together a program with exhibits on the past Mayors of Pacific. This is the 3rd Thursday of May at 6:00 p.m. at the Senior Center.

Operations Committee – Alderman Bates stated they have not met, and the committees have now changed. Alderman Gass asked about the status of the meeting with the bonding company, City Clerk Barfield stated they were only available a couple dates in May so that is still being coordinated. Mayor Palmore stated before he agreed to anything, he would want to know exactly what the bonding company would be charging the city.

Administration Committee – No Report.

REPORTS OF CITY OFFICIALS

Alderman Myers – stated that Thornton Road & Old Gray Summit Road was looking good. He asked if Brundick Lane was going to be milled the full distance or just spot milling. Mayor Palmore understood it be to spot milling with overlay. Discussion followed regarding the bad spots, and if an overlay was going to build the road up to much. Bob Short (audience) was concerned if this could still be cut with a lawn mower. Alderman Johnson stated if not, this would be the same problem we have in Hogan Subdivision. Mayor Palmore stated in Hogan Subdivision he was there each time there was discussion and the job was done properly. Mayor Palmore shared pictures from his phone with Alderman Gass. Bob Short (audience) asked Alderman Gass to look at the pipe in his back yard; Alderman Gass thought the pipe probably needed maintenance. Alderman Myers continued and said the Phase 2 Sidewalk Project on Hwy N will receive approval in July. He asked if we were represented on the Franklin County Transportation Committee, and Mayor Palmore stated he is representing the city and did verify that he has done all he needs to do.

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 10:08 p.m.


Jeffrey M. Palmore, Mayor

ATTEST: 
City Clerk

