



June 16, 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 Myers
Alderman Bates
Alderman Gass
Alderman Johnson
Alderman Pigg

A quorum was present.

Also present:
Attorney Schroeder
Chief Mansell
City Clerk Barfield

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

PRAYER

Pastor Harold Harrison offered prayer this evening.

APPROVAL OF MINUTES

A. Regular meeting on June 2, 2015

Motion made by Alderman Johnson, seconded by Alderman Gass to approve the minutes of the regular meeting on June 2, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Executive session on June 2, 2015

Motion made by Alderman Myers, seconded by Alderman Pigg to approve the minutes of Executive session on June 2, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

C. Special meeting on June 8, 2015

Motion made by Alderman Filley, seconded by Alderman Pigg to approve the minutes of the Special Meeting on June 8, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MAYORS REPORT

A. Set Special Board of Aldermen meeting on Tuesday, June 30, 2015.

Mayor Palmore stated he would like to set a Special Board meeting for Tuesday, June 30, 2015 for the second reading of the budget. Alderman Pigg asked if we could wait until we had discussion about the budget to see if an additional meeting was needed. Mayor Palmore stated we will also need to approve a Resolution at the Special meeting for an application for Franklin County Transportation Funds. Alderman Johnson stated the resolution is prepared and she would like to introduce it and read it two times in full this evening so we are not waiting until the last minute. Alderman Johnson stated this is a simple oversight, the application is due July 1; Alderman Myers agreed. Mayor Palmore stated there was discussion two meetings ago about the budget and not having enough time to review it. Alderman Pigg stated that they have had the budget for three weeks now and was given time to review. Mayor Palmore did not think the public had enough time to review it. Alderman Johnson thought the resolution for the Franklin County Funds could be read tonight, it was an oversight and it was caught. Mayor Palmore stated he wanted to look into this more and do his due diligence. He thought the resolution could be approved at the June 30th meeting but Alderman Johnson thought that was waiting until the last minute. Alderman Myers stated this was a simple transaction, Alderman Pigg stated this is the committee the Mayor sits on. **Motion made by Alderman Johnson, seconded by Alderman Pigg to read the resolution two times this evening and submit to the county. Attorney Schroeder stated this was a resolution and only needed read once.** Alderman Gass asked who would be taking this to the county; Mayor Palmore stated he would take it. Alderman Myers stated this is what he has been trying to do for months to make sure there was funding for this. Mayor Palmore stated he thought this was done. Alderman Myers stated he offered to be a part of this process. Mayor Palmore stated he needed time to look into this. **Alderman Johnson withdrew her motion to read twice, and only read Resolution No. 2015-39 once in full this evening. Alderman Pigg withdrew his second, and then seconded Alderman Johnsons to read Resolution No. 2015-39 one time in full.** Alderman Gass stated we could pass the resolution this evening and the Mayor still has time to review the project before the deadline. **A roll call vote was taken with the following results: Ayes: Alderman Myers, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: Alderman Filley, Alderman Bates. Whereupon, Mayor Palmore declared the motion carried 4-2.** City Clerk Barfield read Resolution No. 2015-39 in full, **“A RESOLUTION OF SUPPORT BY THE CITY OF PACIFIC TO APPLY FOR GRANT FUNDS FOR THE HIGHWAY N PHASE 2 FROM THE FRANKLIN COUNTY MISSOURI TRANSPORTATION GRANT FUNDING PROGRAM”.** Motion made by Alderman Pigg, seconded by Alderman Johnson to approve Resolution No. 2015-39. Alderman Bates asked if this required matching funds, Mayor Palmore stated this was for Hwy N Phase 2 project and this money is used as part of our matching funds, but it is not in the budget. Alderman Myers stated this went towards our match. **A roll call vote was taken with the following results: Ayes: Alderman Myers, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: Alderman Bates, Alderman Filley. Mayor Palmore declared the motion carried 4-2.**

B. Boundary Adjustment Definition

Mayor Palmore stated he has spoken with Attorney Schroeder as to what he perceives as a discrepancy in the description for Boundary Adjustment. He continued that he believes the definition contradicts the text in the body of the ordinance. He has asked Attorney Schroder to look at this, he hopes this is just an administrative change, but we have a situation now with someone combining two lots and this will trigger things and require them to go through a process. He asked Alderman Bates to look at Section 410.030 and 400 under definitions.

C. Spare pump for swimming pool

Mayor Palmore stated the pump for the pool went down, they thought it was the motor then the motor came in and it was also the impeller. A spare pump with the impeller is \$ 3,040 and he asked the Board if they wanted to spend the money to have a spare pump on hand. Alderman Pigg thought this was a good idea. Mayor Palmore stated he did not think this was in our budget now, so this is assuming the funds are there. Motion made by Alderman Pigg, seconded by Alderman Myers to approve \$ 3,040 for a spare pump with the impeller for the swimming pool. Alderman Gass stated the old pump is supposed to be rebuilt every winter, and he didn't think the pump was that old. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved. Nays: Alderman Gass.

PUBLIC HEARING

A. A public hearing to discuss the Fiscal Year Budget beginning July 1, 2015 through June 30, 2016. *(Continued from 6-2-15)*

Mayor Palmore read and opened the Public Hearing into the record. He then asked for any comments from the public. Steve Flannery III, 305 W. Pacific St., Pacific, MO stated he has reviewed the budget, and as a citizen he is worried about the maintenance of the parks and the money designated. He continued we have 169 acres of park ground, Jensen's Point was recently acquired and he felt that at times, acquiring park land was the easy part, it was the improvements and maintenance that was the hard part. He thought reading the budget two times tonight did not give us much time unless any changes were included. Mayor Palmore stated our Capital Improvement Tax is obligated already; we simply do not have any more funds at this point. He continued that he and Mr. Flannery have discussed the 2 mil park tax which would generate a small portion of money to help. He continued that allocating money is difficult and maybe a way around this is a park tax. Mr. Flannery continued that the Swim Team has never come before the Park Board before and they coordinate with Midwest Pool. He believes that Midwest Pool bills the City for any additional time for the Swim Team. Mayor Palmore asked City Clerk Barfield "has the city been billed by Midwest Pool for the use of the pool by the swim team to the best of your knowledge" and she stated, "no, not that I know of". Mayor Palmore continued this was a three year contract we could look further into this for next summer. He continued we have straightened signs, and done a considerable about of repairs while staying within the budget. The pool house looks good this year. Alderman Johnson asked for more discussion on the 2 mil park tax, Mayor Palmore stated this can be done with a vote of the Board, and does not have to be voted on by the residents. Alderman Johnson asked if Mr. Flannery has made a list of what he would like to see fixed or repaired in the parks and then prioritize it. Alderman Myers stated he did not look at this as a burden; we have to pursue the grant funds out there for these types of things. Volunteers are also available, all we have to do is ask. We have to go get the grant the money, it is out there but it is not going to come to us. Mayor Palmore stated there is lots of money in the budget; the problem is a lot of the money is allocated already. Mr. Flannery asked what the city was doing to keep the doors open, Alderman Bates thought there was where the Master Plan comes into play. We have to reinvent ourselves. Mayor Palmore stated we are doing things, CVS is here, Plaze has expanded and a few others things coming down. There being no further comments

from the public, Mayor Palmore asked for comments from the Board. Alderman Myers asked if there was money in the budget to finish the Comprehensive Plan, next he asked for possible funding of security cameras. At that time he submitted information from Bays Et for a monthly lease for all areas of \$ 375 a month with a onetime installation cost of \$ 1,450 with a maintenance agreement at no charge, or a purchase price of \$ 10,880 and \$ 77 for internet access. He recommended we include this for consideration. Mayor Palmore instructed City Clerk Barfield to provide the aldermen with a copy of this tomorrow. Alderman Myers stated we have talked about these lighting issues on Osage, once those are fixed there should be a cost savings there. Mayor Palmore stated we have two separate issues here, but the lights are being worked on. Alderman Myers continued that he has noticed the lights are on at the pavilion during the day and suggested motion sensors. Next, Alderman Myers stated the website has a lot to be desired, the Board & Commissions list is not updated, and the city officials are incorrect and the last update was February 2014. He suggested we fix this and we should be able to manage this ourselves. Discussion followed regarding cost, Mayor Palmore asked if they were asking to add money in the budget for the website, board members agreed not at this time. Chief Mansell stated he contacted a company at the same time we took bids on the computers in the police cars and that company went under so he contacted the next lowest bidder for a sample website. Mayor Palmore suggested that company schedule a presentation to them, Alderman Johnson thought we should open this up to everyone. Chief Mansell stated we obtained bids on this before. Alderman Myers recommended we speak with other companies and if it comes back over \$ 3,000 then we can add to it mid-year. Alderman Bates agreed that the budget looked like a rough year and reviewed the expenses and revenues, he continued this is the worst he has ever seen it. He continued that he voted "no" earlier on the grant money because he doesn't see where we have the money for a new project. There are hard choices coming up but this is the reality. We cannot build bathrooms in Liberty Field right now or look for a new location for the Museum, or purchase police cars, or new trucks. We are trying to give the employees raises because for the most part everyone here deserves them. Alderman Pigg stated the police department is running an officer short, and he recommended this be put back in the budget before school starts, we are just replacing the officer that left. Mayor Palmore stated he would rather see the officers we have now compensated more verses hiring another one. He thought we had plenty of officers and we could be more effective with them. Chief Mansell stated there were two detectives, four sergeants, seventeen patrolman and four shifts. Mayor Palmore thought we were heavy on the top end and we all needed to do more. Alderman Filley stated other cities have this and their sergeants are not out on the street as much as ours because it is not part of the job. Mayor Palmore stated at this point he would like to see a wage comparison, Chief Mansell stated he has that, and Franklin County is about \$ 8,000 more than our starting salary. He continued that they train here and then go next door to another city and double their salary. **Mayor Palmore agreed we will lose officers if they are not compensated, and our officers can handle the work. Motion made by Alderman Pigg, seconded by Alderman Filley to bring back an officer into the budget and if possible hire them before school starts. Chief Mansell stated the starting salary should be \$ 29,500. A roll call vote was taken with the following results: Ayes: Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley, Alderman Myers. Nays: None. Whereupon, Mayor Palmore declared the motion carried.** Alderman Johnson stated she was dis-hearted to hear what Alderman Bates said regarding the budget and stated we have positions that have not been filled and there was a savings of funds. She continued that Jeff Titter asked that she ask the board to think about a home for the museum. Mayor Palmore stated when we sell the Hoven house he would like to see this money put in a contingency or somewhere to hold it for a new museum. He continued this last budget showed that money going back to general fund, Alderman Pigg stated we were just putting the money back. Alderman Gass asked if the money was in the budget for the tractor and the repairs. Mayor Palmore stated the estimate to rebuild the engine was \$ 7,500 and that was not all the repairs. He continued that we did not have \$ 25,000 to put towards this. Alderman Johnson asked how the grass cutting bids came in. City Clerk Barfield stated from memory, she thought one bid was at \$ 27,000 and one was \$ 22,000 approximately. Alderman Johnson suggested we explore hiring seasonal help next summer. Next she suggested we stay with the company we have been using; they have cut the properties

in the past and continued to cut them while we figured all this out. Now we have disrupted this man's livelihood. Mayor Palmore stated we have a bid process that was flawed and now it is fixed. Kenney Devillez, Early Bird Maintenance, stated that the bids were sent out and you said they were wrong and now he has to pay the price for this. Mayor Palmore stated that was fixed and now it was being done right. He continued that Kim sent out the exact one she sent out in the previous years the first time. This time the bid only included the properties that he wanted them to cut, what he cut last year is the same as this year. There being no other comments, the public hearing was closed.

PUBLIC PARTICIPATION-SPEAKER CARDS

Jerry Eversmeyer, 2148 S. Hwy N, Pacific, MO stated he had two topics one was the 4th of July display, the Eagles are donating \$ 1,000 towards the display and he had a check and presented to Alderman Johnson. He also challenged the other organizations. The second item was the Eagles are having their State Conference in Pacific next year, which brings in about 600 people. They may ask for help with tourism funds for additional signage. This will be June 24th – June 26th, 2016.

Jim Nantz, 509 S. Second St., Pacific, MO stated he had pictures of properties with tall grass, he did a sunshine request for any summons for 2015 and he received three, but only one was for 2015. The weeds are waste high in some places and the area by the on ramp looks bad. It seems to him we had money going out on an employee that was not well used. Mayor Palmore stated there was a problem with our process, he has spoken to Attorney Schroeder about the process and has an understanding of it, and drastic measures will be taken.

There was a question from the audience regarding the trimming at Liberty Field and that was not being done. Mayor Palmore stated we were moving things around down there, but would look into this. Alderman Pigg asked about the propane tanks being out, and they said those are now in the shed.

INTRODUCTION OF NEW BILLS

AMENDED BILL NO. 2946

**AN ORDINANCE ADOPTING THE
FISCAL YEAR 2015-2016 BUDGET &
WAGE AND SALARY SCHEDULE
FOR APPOINTED OFFICIALS &
EMPLOYEES OF THE CITY OF
PACIFIC. (1st reading)**

Motion made by Alderman Gass, seconded by Alderman Bates for the first reading of Amended Bill No. 2946. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Mayor Palmore asked for any discussion, there was none. 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. 2946 for the first reading. Mayor Palmore stated any changes would be highlighted.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

NEW BUSINESS

MISCELLANEOUS

- a. Approve the List of Bills.

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

- b. Discuss the conceptual bathroom design for Liberty Field submitted from the Park Board.

Mayor Palmore stated this same concept of a bathroom is on the internet and "Rome Tec" has plans out there for about half the cost. We could buy the building for about \$ 50,000. The Elevation Certificate was his concern, we cannot move forward without a certificate that defines our building and it has to be exact. We have to come up with a design, location and access to the sewer, the certificate has to show the exact size, but the first thing we have to do is figure out the elevation of the sewer lines. Regarding the No Rise Certificate, the paperwork he has seen was a one page certificate, but this is really a book and costs approximately \$ 20,000 – \$ 30,000. We also have to convince the Park Board that we are not that far away from bathrooms if we do this conservatively. Park Board President Flannery stated 21 Design Group performed the work for the No Rise Certificate; maybe there is additional data we need to ask them for. He has spoken with the City of Eureka who recently built bathrooms in two floodplains, and the cost ranged from \$ 80,326 to \$ 334,072. He thought if we could obtain bathrooms at a lower cost that seemed acceptable.

- c. Approve Special Permit, Temporary permit intoxicating liquor for sale by the drink to El Agave, 180 Lamar Parkway, Pacific, MO Miguel Escamilla, on June 27, 2015 for Pacific Car Cruise.

Motion made by Alderman Pigg, seconded by Alderman Gass to approve the Special Permit, Temporary permit intoxicating liquor for sale by the drink to El Agave, 10 Lamar Parkway, Pacific, MO Miguel Escamilla, on June 27, 2015 for Pacific Car Cruise. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion 5-1. Abstain: Alderman Filley.

- D. Approve resignation of Reserve Officer, Charles Doerge.

Motion made by Alderman Gass, seconded by Alderman Filley to approve the resignation of Reserve Officer, Charles Doerge. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

COMMITTEE REPORTS

Park Board Committee – No Report.

Cemetery Committee – No Report.

Industrial Development Committee – No Report.

Tourism Committee – No report.

Building Advisory Committee – No Report.

Planning & Zoning – Alderman Bates stated they did not meet as scheduled due to lack of quorum; this has been rescheduled for Tuesday at 7:00 p.m.

Genealogy Committee – No Report.

Alderman Gass asked that an Administration Committee meeting be scheduled to review the applicants for city administrator. Alderman Filley stated the committee was going to go through them and report back to the full board. Committee members decided to schedule a meeting on Tuesday, June 30th, immediately following the special board meeting at 7:30 p.m.

Motion made by Alderman Filley for the Administration Committee to work in conjunction with Mr. Engelhart's committee on the Jensen's Point project. She thought since this was not a city park yet, this would be a good compromise. Mayor Palmore stated we have an obligation for improvements before anybody goes in there. The grass on the property needs cut and we have the parking lot to do. We first have to accomplish what the requirements are of the grant by February. Alderman Filley agreed and thought those improvements could be spear headed by both committees' working together. Mayor Palmore stated that committees are formed by the Mayor and we are not doing that, this is acting outside the scope of their authority. He continued that Alderman Myers is trying to control this project, Alderman Myers stated there is a group of citizens ready to help along with organizations and you are not allowing them to be involved until the improvements are made. Mayor Palmore stated the steps are not safe they are deteriorated and Engineer Rahn is working on the parking lot plan. Alderman Myers stated this could be an Administrative Committee working with and advising to come up with answers to these questions.

REPORTS OF CITY OFFICIALS

Alderman Filley – stated a Monroe Woods resident contacted her regarding the status of the sidewalks being installed from Thornton Road to Monroe Woods. Mayor Palmore stated he has not reviewed this project, but understands this to be accomplished in two phases. Next she asked about weed abatement on Lamar Parkway and Old Gray Summit Road, along with Rose Lane. She asked if the graphite on the slide and picnic tables had been cleaned up, and if we could remove the banners along Osage that are torn. Mayor Palmore asked that she submit something in writing so he could keep track of the request. Next she asked about 417 N. First St., a resident called her because there is a sign in the yard that reads there was a variance meeting on

May 27, and then she heard the meeting was going to be tomorrow night. She asked why this is going before Board of Adjustment and not Planning & Zoning. Mayor Palmore stated the zoning is R1A, one family; it was existing non-conforming and the code reads if this is abandoned then it reverts back to its zoning. He has asked the city attorney to look into this. Attorney Schroeder stated this variance should have gone to Planning & Zoning initially. City Clerk Barfield did not know of any meeting tomorrow night for Board of Adjustment. Attorney Schroeder stated all variances would require hearing notice. Alderman Bates stated the ordinance reads this should go to Planning & Zoning, if this is denied then they could apply for an appeal through the Board of Adjustment, or if the Board of Aldermen denies a request, they could go to the Board of Adjustment.

Alderman Myers – Stated the Relay for Life is Friday. He continued that Pauline Masson asked if she could trim the low limbs on Osage. Motion made by Alderman Gass, seconded by Alderman Bates to approve the trimming of the low limbs along Osage. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Next he asked about the grass cutting at Old Gray Summit Road & Lamar Parkway, he thought this was becoming a safety issue. Also a citizen told him that he cut the edge of Lamar Parkway because he couldn't take the grass being so high anymore, but how do we get the whole property cut. Next the MoDot exit ramp area, this was cut recently but the weeds were cut and the erosion is terrible. There is no reason why MoDot has to ignore that area. Next he asked about the status of the City cleaning the ditch that runs by Aurora, Continental Products and Wallis Oil. They were willing to participate in a cooperative effort because of the heavy rains on April 7, 2015. Mayor Palmore stated they wanted us to clean their property, Alderman Myers stated they only spoke to him about the city property. Mayor Palmore stated this was on his list to address. The problem is that it is very flat there and the flow is impeded by the size of the pipe under Industrial Drive. He continued that Public Works will be cleaning the north side of the ditch, but Attorney Schroeder agrees we cannot clean what is on their property. Alderman Myers hoped we addressed this soon, so they do not think we are being negligent. Next he asked about the status of Hawthorne Trail, we missed our opportunity and now it is raining, he needs the material to schedule the workers. Mayor Palmore asked where he wanted the material, and Alderman Myers stated he could pick it up at the shed, and we could do the gravel when it dries out more. Next was his biggest worry and that was the grant money from St. Louis County that we are now responsible for. If we mess this up it ruins our chances for future grants and I will not allow this to happen. He stated that two weeks ago the Mayor said he was going to meet with Mr. Rahn and himself and this has not happened. He stated he was completely out of any communication, this is an historical place right now and we needed to be good stewards of the money. Mayor Palmore stated this was a park. The stone wall needs repaired and the stairs, the parking lot needs completed, these two things cannot be done by volunteers. He has asked the city clerk to keep a time line of when decisions are made. Engineer Rahn is working on the parking lot and MoDot approval and bids for the stonework.

Board's Attorney – Next, Alderman Myers passed out an ordinance and stated this allows us to hire Armstrong Teasdale Law Firm that was needed at the last meeting; this mirrors the contract that was passed for the current city attorney. In the ordinance that was originally passed the language read “aldermen the authority to authorize” and allows the President of the Board to sign it. Motion made by Alderman Myers to authorize Alderman Pigg as President of the Board to sign this and forward to Armstrong, Teasdale. Mayor Palmore stated that Alderman Pigg is the

“acting” Mayor and his powers are limited by state statute. He does not have the authority to sign this, Attorney Schroeder agreed. Mayor Palmore stated he would not sign it and if Alderman Pigg does then he is acting outside his authority and breaking the law. He continued if you want me to sign it then go to a judge and force me to do it with a Write of Mandamus, when the judge tells me to do it then I will.

Alderman Johnson – Wanted to publically thank everyone for the money raised to go towards the fireworks display. She asked the board if the city could purchase the “thank you ad” for promoting the event. Motion made by Alderman Pigg, seconded by Alderman Myers to purchase two thank you ads with an amount up to \$ 400. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Alderman Johnson stated the city would be listed as an event sponsor. Next she asked for tree trimming at Fifth St., and W. St. Louis St., there is no visibility at that corner. This is the same on Payne St. by the Methodist Church. Alderman Pigg stated the stop sign at Cedar Ridge and Cedar Drive is covered in vegetation. Alderman Johnson stated this morning she spoke with Mr. Greisheimer and he told her that tomorrow at 9:30 a.m. they are having a meeting about the \$ 155,000 that is due to be spent on improvements for Brush Creek. Anyone that is available to go to the meeting is welcome. Also the new County Commissioner is Jeff Maunte.

Alderman Myers asked if we could cut the grass at the bottom of Jensen’s Point, Mr. Winchester called him about this.

Alderman Johnson asked if we could cut the right-of-way on Osage for Father’s Day coming up. Mayor Palmore wasn’t sure how much grass cutting would happen with the continued rain.

Chief Mansell stated the intersection at Lamar and Old Gray Summit Road is very dangerous and thought this was urgent.

Collector Kelley asked for approval of petty cash in the amount of \$ 74.56. Motion made by Alderman Gass, seconded by Alderman Pigg to approve petty cash. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

Alderman Johnson asked about the lip at every drive way along Congress St. and then the entrance to the Eagles is very rough. Mayor Palmore stated the drawing calls for this cut out for water flow; every design company does these things differently. Mayor Palmore stated there is a swale at Olive and Osage that he needs to have MoDot look at because it was milled and asphalt laid and in terrible condition.

ADJOURNMENT

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

The meeting adjourned at 10:50 p.m.

ATTEST:

Kimberly Barzull
City Clerk

Jeffrey M. Palmore
Jeffrey M. Palmore, Mayor

