

June 2, 2015 \* RECORD OF PROCEEDINGS

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**CITY OF PACIFIC  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
300 HOVEN  
PACIFIC, MISSOURI 63069**

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**T**he 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 Wilkens, Ministerial Alliance, offered prayer this evening.

**APPROVAL OF MINUTES**

A. Regular meeting on May 19, 2015

Motion made by Alderman Pigg, seconded by Alderman Filley to approve the minutes of the regular meeting on May 19, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

**MAYORS REPORT**

A. Jensen's Point

Mayor Palmore stated the City closed on the property last week. The engineering for the parking lot is almost complete. He has spoken to Engineer Dan Rahn and Alderman Myers about the improvements needed. The steps leading up the property are difficult to navigate. Discussion followed.

#### B. Lights on Osage St.

There have been lots of comments regarding the street lights on Osage. The trees need to be trimmed at St. Bridget's as they are influencing the cell, which is signaling the lights to come on when they really don't need to be. These have an adjustable photo cell.

#### C. Step at Lamar Parkway and Old Gray Summit Road.

Mayor Palmore stated he has spoken with Cochran Engineering regarding the lip at Lamar Parkway and Old Gray Summit Road. They indicated this was there prior to construction. They claim they met our requirements, and MoDot is also satisfied. He doesn't believe there is anything else we can do at this point about it.

#### D. Roundabout and Viaduct CID.

Mayor Palmore stated he was confused about this and asked the attorney to help him. He understands that Viaduct Street is not in the Viaduct CID, his concern is this is budget time and he does not see that we have the funds available to us for our portion of the improvements for the roundabout. The question is if this is not in the CID how we pay for them. Alderman Myers suggested contacting Vogel's office since they worked on the CID. Alderman Gass stated if this was not in the CID we need to see how to add it to the CID. Attorney Schroeder stated that is what he also suggested. Mayor Palmore read an email from Cochran Engineering regarding 51% of the engineering for Thornton Road could be included in the CID.

Alderman Pigg asked since we were discussing the budget, if we could have a Special Meeting on Monday, June 8 for the first reading of the budget, this will allow them ample time to review it before the 2<sup>nd</sup> reading. He continued last year they only had a day or two to review the budget before passing. Mayor Palmore stated he intended to have it complete by now. On June 8<sup>th</sup> there is a 6:00 Administration Meeting. Alderman Pigg asked for a Special Meeting right after that. A "working session" for the board to review the budget was recommended and board members agreed. Alderman Bates thought the Administration Meeting would be over within an hour or so, board members agreed for the Special Board Meeting to begin at 7:30 p.m.

### **PUBLIC HEARING**

Mayor Palmore stated the Public Hearing for the Fiscal Year Budget beginning July 1, 2015 through June 30, 2016 would be continued.

### **PUBLIC PARTICIPATION-SPEAKER CARDS**

Phil Hardcastle, Pacific Soccer Association, stated this was their 8<sup>th</sup> season. Their seasons run July to November and they have about 350 kids participating. In 2009 they started tournaments at Liberty Field and there have been several events over the years at Liberty Field. They are currently talking with two professional teams to come coach the kids to help this. This park is without a bathroom, and they are still asking when the opportunity arises to please help with the bathrooms at Liberty Field.

Tina Tucker, 111 Steinhagen, Drive, Warrenton, MO stated she is with MORIDES. This is a

new transportation referral program that is grant funded. They serve five counties and are working towards state funding. Their goal is to get people rides to work. Currently their program is funded through 2019 and they wanted to raise awareness in our area.

Harry Engelhart, 2940 W. Osage, Pacific, MO stated he was happy to report that work is progressing on Plaze, despite the weather. He congratulated the city on the closing of Jensen's Point. He wants to see the improvements done right and speedy; beyond what the Park Board and the Tourism Committee can do. He has started a committee with himself, Shaw's, and various contractors to be involved with improvements, he asked for Mayor Palmore and Alderman Myers to join their committee. This committee was formed because this project goes beyond the city limits and we need to explore. Working with the Shaw's nature and Purina will encourage people to get off at Allenton exit, go to Jensen's Point, then Blackburn Park, then head to Shaw's and Purina, but only if things are done right. He hoped the Mayor and Aldermen would join his committee and their efforts to help with this.

Liz Rutter, 5543 Dry Ranch Road, St. Clair, MO wanted to speak on the TNR Issue. She runs "Operation Spot", which is an organization that is a mobile clinic and does the spay and neuter in a Winnebago and then the animals go back to their colonies after an overnight stay. Their funding comes from grants, and the charge is \$ 30.00 a cat. They do not offer a spot for the overnight stay, there would need to be an arrangement for that. This building has to be climate controlled and they park outside that building usually. She wanted to offer her services to Pacific.

Stacy Kienzie, 1112 Reese Lane, Pevely, MO stated she working with Open Door and has been working on cleaning up communities. "Kitty Moon Catchers" was very productive in California and using the TNR stops the population. She felt like the program would be beneficial to this town.

Tracy Quackenbush, Open Door, 7850 Evergreen Drive, Cedar Hill, Mo apologized that it took her so long to get her paperwork to the city after the last meeting. She did fill everything out yesterday, Monday, June 1, 2015. She continued in a five block radius they have collected 60 kittens. They have a missing piece to the puzzle, and that is where the cats stay after they have been spayed or neutered. She knows this is not the city's problem, but asked if they had any ideas for them for a facility. The building had to be climate controlled. Since this began they have secured a few grants to help with Pacific, one being from Purina and Carol House. Mayor Palmore stated the ordinance requested certain criteria for a nuisance animal. The City implemented the TNR Policy and allowed an organization to implement a TNR Policy for feral cats, but the organization is responsible for their care and custody. The city is not an active participant. The ordinance was passed quickly, and housing the animals is important, but is a function of the sponsoring agent, but would be willing to help them find a location. Tracy stated they have a bank of cages for the cats to go into while recovering, but they still need somewhere to put the cages.

Drew Hayne, St. Louis Animal Control, 10521 Bauer Blvd, Olivette, MO sated he was here this evening just to offer his assistance. He appreciates the TNR Program and has a vested interest. Their feral cat program has been successful, and he gave statistics on how this has helped the St.

Louis area. Alderman Pigg asked how they deal with the “release” of the cats because residents don’t want them released back. Mr. Hayne stated it is normally the feral kittens that cause a nuisance, but through TNR after a few years you will see the reduction of the kittens. Animal Control still has to control and remove any nuisance animal though.

**INTRODUCTION OF NEW BILLS**

**CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED**

**NEW BUSINESS**

**RESOLUTION NO. 2015-34**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FINAL PAY APPLICATION WITH SPENCER CONTRACTING COMPANY FOR THE 2013 STREET IMPROVEMENT PROJECT.**

Motion made by Alderman Gass, seconded by Alderman Filley to read Resolution No. 2015-34. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-34. Mayor Palmore asked for discussion. Alderman Pigg asked if Brundick Lane was better, Mr. Short (audience) stated it was better. Motion made by Alderman Gass, seconded by Alderman Pigg to approve Resolution No. 2015-34. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

**RESOLUTION NO. 2015-35**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF PACIFIC AND J&M DISPLAYS INC. FOR THE FIREWORKS DISPLAY IN THE CITY OF PACIFIC.**

Motion made by Alderman Pigg, seconded by Alderman Myers to read Resolution No. 2015-35. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-35. Mayor Palmore asked for discussion. Alderman Johnson stated this was for the annual fireworks display that she has been doing for the last 15 years. J & M submitted a three year and a one year contract, but this approves the one year contract. She continued \$ 5,000 comes from tourism and \$ 5,000 comes from donations. This company is going to give us an extra \$ 3,000 worth of a display at no extra cost to the city. Motion made by Alderman Myers, seconded by Alderman Pigg to approve Resolution No. 2015-35. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. The Board thanked Carol for all her work with this every year.

**RESOLUTION NO. 2015-36**

**A RESOLUTION OF THE CITY OF PACIFIC APPROVING THE MAYOR’S 2015 SLATE OF DIRECTORS FOR THE VIADUCT**

**COMMERCIAL AREA COMMUNITY  
IMPROVEMENT DISTRICT.**

Motion made by Alderman Pigg, seconded by Alderman Filley to approve Resolution No. 2015-36. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-36. Mayor Palmore asked for discussion. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

**RESOLUTION NO. 2015-37**

**A RESOLUTION OF THE CITY OF PACIFIC  
APPROVING THE MAYOR'S SLATE OF  
DIRECTORS FOR THE W. OSAGE  
COMMERCIAL AREA COMMUNITY  
IMPROVEMENT DISTRICT.**

Motion made by Alderman Bates, seconded by Alderman Myers to approve Resolution No. 2015-37. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-37. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

**MISCELLANEOUS**

a. Approve Liquor License application for Special Events, temporary permit-intoxicating liquor for sale by the drink to Bruce Johnson, 1521 Country Woods, Robertsville, MO 63072, representing Knights of Columbus, 206 W. Union St., Pacific, MO 63069 for the Pacific Car Cruise on June 27, 2015.

Motion made by Alderman Gass, seconded by Alderman Filley to approve a temporary permit-intoxicating liquor for sale by the drink to Bruce Johnson, 1521 Country Woods, Robertsville, MO 63072, representing Knights of Columbus, 206 W. Union St., Pacific, MO 63069 for the Pacific Car Cruise on June 27, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

b. Approve use of Council Room to the Scenic Regional Library on Wednesday, September 23, 2015 through Monday, September 28, 2015 for the use of a fall book sale.

A nomination was made by Alderman Pigg, seconded by Alderman Myers for Alderman Pigg for the use of the council room to the Scenic Regional Library on Wednesday, September 23, 2015 through Monday, September 28, 2015 for the use of a fall book sale. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

c. Approve purchase order to C. B. Smith Company for the annual ECO Probiotics for the Lagoon and Lift station in the amount of \$ 18,510.00

Motion made by Alderman Gass, second by Alderman Bates to approve the purchase order to C.B. Smith Company for the annual ECO Probiotics for the Lagoon and Lift station in the amount of \$ 18,510.00. A voice vote was taken with an affirmative result, and Mayor Palmore

declared the motion carried.

d. Discuss sale of Elm St. Lot.

Mayor Palmore stated this is 1 ½ area lot with no restrictions on what we can or cannot do on it. He asked if the board would consider selling this. Motion made by Alderman Bates, seconded by Alderman Filley to explore putting this lot up for sale. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

e. Approve purchase order to Wedeco for Computer for U.V. System in the amount of \$ 4,663.00

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the purchase order to Wedeco for a Computer for the U.V. System in the amount of \$ 4,663. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

### **COMMITTEE REPORTS**

Administration Committee – Meets Monday at 6:00 p.m.

Operations Committee – Has not met yet.

Genealogy Committee – No report.

Planning & Zoning – Alderman Bates stated they will meet June 9<sup>th</sup> on the Comprehensive Plan.

Building Advisory – No report.

Tourism Committee – No report.

Museum Committee – No report.

Industrial Development Committee – No report.

Cemetery Committee – Mayor Palmore stated they met informally because there was no quorum.

Alderman Johnson stated the fireworks display is scheduled for June 27, 2015 at 9:30 p.m.

Park Board Committee – Park Board President Flannery stated the Girl Scouts would like to permanently adopt Blackburn Park and every 2<sup>nd</sup> Sunday of the month clean it up. They would like to reach out to other Girl Scout Troops in the area and encourage them to help. They feel like this will encourage them to take ownership in their community.

Walk for the Poor – will be held at Liberty Field on September 26, 2015.

Story Walk – the Library has asked to have a Story Walk at the Rulon pavilion at the city park and every couple weeks they change the story.

Pacific Youth Association is donating the fencing for the ball diamond. This is at the southeast corner and is 20' of fence starting at each dug out. He asked if they needed a fence permit. Mayor Palmore asked the board for comments, motion made by Alderman Pigg, seconded by Alderman Gass to approve the fence at the ball diamonds. Alderman Pigg reminded him there was no fee. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved. Mayor Palmore stated two loads of dirt were brought in for the northwest diamonds and mulch is also on the way.

Bathrooms – Park Board President Flannery stated the Park Board has approved a conceptual design for the bathrooms at Liberty Field, this is option 6 and he submitted this to the board. He asked this be on the next agenda for discussion and feedback.

## **REPORTS OF CITY OFFICIALS**

Alderman Filley – stated Relay for Life is June 19<sup>th</sup> & 20<sup>th</sup> at the High School. There is still time to sign up. She also asked about the stripping for Thornton Road, Mayor Palmore stated he did not know when they were going to strip, but if she put her questions in writing he would find out. Alderman Filley stated she was also concerned about the rock along the creek area already being washed out and if the Corp. of Engineers had been contacted, but she would e-mail her questions to him.

Alderman Myers asked for an update on the gravel trail around Hawthorne Park. Mayor Palmore stated he found some fabric that is 6' wide to put down, and asked if there were any volunteers. Alderman Myers stated the volunteers were ready, just to let him know. Then he asked if a couple of wheel barrels of rock could be added to the other trail, as there has been a little wash out. Next he asked if the city could borrow cones to place along the 5K run the Senior Center was having, he could pick them up and bring them back. Motion made by Alderman Gass, seconded by Alderman Pigg to approve the Senior Center using cones to mark the route. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved. Chief Mansell stated nobody has contacted him regarding police. Mayor Palmore thought this was all worked out.

Alderman Bates asked if there was an update on CVS. There was none. He then asked if there was any progress on Vicki Leah's drain. Mayor Palmore stated she indicated her engineer was going to contact him but hasn't.

Alderman Gass – No report.

Alderman Johnson – stated Donna Bay was gone, but she still has questions about her runoff. She asked if the mayor would visit her. Mayor Palmore stated there have been two significant events in the last few months and he went down there and she had no water problem,

which ran past the swale or berm to the garage, but water did go down the alley and pooled on Union St. When the rain started they had just taken a fire hose down there and there was still no problem. Alderman Johnson stated that foot traffic has also been a problem for them because the swale is in the center of the property. Next, with the heavy construction on Congress St. from Fourth St. to Payne St., the foot traffic has increased. She suggested more caution tape and warning out as she has had two complaints about people walking out in the street during and in the construction zone. Lastly she asked about the property on Congress St., that is owned by the elderly couple and we cut the ditch, Mayor Palmore stated it is on the list to do.

Alderman Pigg – stated at night there is still a street light problem on W. Osage and he thought the lights from I-44 were hitting the sensors. Mayor Palmore stated he thought they needed wired to the central photo cell. Next he asked to pass out the engagement letter from the Board of Aldermen’s attorney, Mayor Palmore stated we needed the contract with it. He needs to sign the contract, although he is not a party to this and been advised this is illegal. Alderman Myers asked if the city clerk could do that. Attorney Schroeder stated this still creates a conflict of interest. Motion made by Alderman Pigg, seconded by Alderman Myers to have the city clerk send him a contract. City Clerk Barfield stated she did send him one, and he returned this engagement letter. Alderman Bates asked if there was a problem asking the clerk to do this after we have been advised it is illegal. Attorney Schroeder stated the problem is who is signing the resolution and how are they going to get paid. He continued he still did not see a reason for this as he has not asked for a special council. Mayor Palmore stated have your attorney file a Writ of Mandamus, this forces someone to do their duty, that would force me to sign it, but you are represented as a board with your city attorney so he is not sure how they are talking to anyone right now.

Chief Mansell stated three weeks ago he received a call from the Department of Public Safety about another Humvee being available at no cost. This is another working edition at no cost that will enable them to work closely with the Fire Department.

#### **EXECUTIVE SESSION RSMO. 610.021 (1)(2)(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 representative and its attorneys....**

**Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.....**

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

Mayor Palmore stated he needed to go into executive session. Attorney Schroeder stated this would be under RSMO. 610.021 (1)(2)(3) and read them into the record.

Motion made by Alderman Gass, seconded by Alderman Myers to go into executive session under RSMO. 610.021 (1)(2)(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 carried.

The Board went into executive session at 9:10 p.m.

The Board reconvened at 10:25 p.m.

The meeting was called back to order. A roll call vote was taken: Present was Alderman Myers, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley.

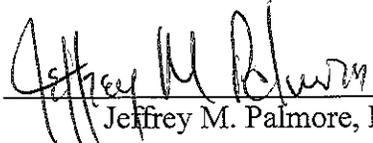
Absent: Alderman Bates (went home sick)

Attorney Schroeder stated there were three real estate items discussed with no action taken, and two personnel items discussed with no action.

**ADJOURNMENT**

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

The meeting adjourned at 10:25 p.m.

  
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Jeffrey M. Palmore, Mayor

ATTEST:  
  
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City Clerk

