

July 7, 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
Todd Streiler
Deputy City Clerk Hayden
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 16, 2015

Motion made by Alderman Myers, seconded by Alderman Filley to approve the minutes of the regular meeting on June 16, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Special meeting on June 30, 2015

Motion made by Alderman Myers, seconded by Alderman Pigg to approve the minutes of Special meeting on June 30, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

PUBLIC HEARING

INRODUCTION OF NEW BILLS

BILL NO. 2947 **AN ORDINANCE GRANTING APPROVAL OF A
CONDITIONAL USE PERMIT (CUP) FOR VEHICLE SALES
AND SERVICES LOCATED AT 2286 ROSE LANE IN THE CITY
OF PACIFIC, MISSOURI, PURSUANT TO THE
REQUIREMENTS AND AUTHORITY GRANTED BY THE
ZONING REGULATIONS OF THE CITY OF PACIFIC,
MISSOURI. (P.Z. 2015-6 BIG FOOT 4X4 INC.) (1st reading)**

Motion made by Alderman Bates, seconded by Alderman Myers for the first reading of Bill No. 2947. 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. 2947 for the first reading.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

BILL NO. 2947 **AN ORDINANCE GRANTING APPROVAL OF A
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AND SERVICES LOCATED AT 2286 ROSE LANE IN THE CITY
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REQUIREMENTS AND AUTHORITY GRANTED BY THE
ZONING REGULATIONS OF THE CITY OF PACIFIC,
MISSOURI. (P.Z. 2015-6 BIG FOOT 4X4 INC.) (2nd reading)**

Motion made by Alderman Myers, seconded by Alderman Pigg for the second reading of Bill No. 2947. 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. 2947 for the second reading. Motion made by Alderman Bates, seconded by Alderman Johnson to approve Bill No. 2947. Mayor Palmore asked for any discussion. Alderman Myers welcomed Mr. Chandler to the community and thought he would be overwhelmed with support. Alderman Bates stated this went before the Planning & Zoning Commission and was approved unanimously. Other board members also thanked them. Mr. Chandler stated he started this business 40 years ago, he hoped to be an asset to this community. It will be about 4 months before they get all the way moved in. 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 Bill No. 2947 approved 6-0 and became **Ordinance No. 2935**.

MAYORS REPORT

A. Approve Alderman Bates appointment to the Pacific Municipal Assistant Corporation.

Motion made by Alderman Bates, seconded by Alderman Filley to approve Alderman Bates to the Pacific

Municipal Assistant Corporation. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

B. Viaduct Street Roundabout

Mayor Palmore stated as he has spoken before, he asked Cochran Engineering to contact East-West Gateway and MoDot regarding the Viaduct Street Roundabout. MoDot has since sent out the Preliminary Plans package. Mayor Palmore still believes we do not have the funds for this project. He read a proposed letter that has NOT been sent out yet that he would like the board to approve. The letter is to Jason Lange with East-West Gateway requesting that this project be terminated and removed from the TIP. He read the letter in full and is attached as part of the minutes. Alderman Gass suggested we consider delaying the project a year or two. Alderman Bates stated the project was for a roundabout and we have repeatedly said we do not want that. He believed sending this letter was the right thing to do. Mayor Palmore stated he thought if we have more traffic in the future we could do the project then. Alderman Myers felt that we have been slighted as he has never seen any other drawing then what was in the Missourian in the beginning. Mayor Palmore stated he attended a meeting and invited MoDot to an Operations Committee so they could bring the model and they assured him they would do this, but he has yet to hear from them. The roundabout in Rolla is very comparable to what they have for Pacific. Chief Mansell stated the one in Rolla is in front of a truck stop and thought that needed to be taken into consideration. Mayor Palmore stated 74' is the overall length of the tractor trailer according to their model. Chief Mansell stated we still have the problem of trucks getting on the east bound exit and going the wrong way. Alderman Johnson stated that some time ago we voiced concerns about this, and thought there was supposed to be a second option. Alderman Pigg stated the second option was a four way exit ramp. He would like to see the cost analysis of the roundabout verses the four way exit ramp. If we do not do the roundabout he thought there were still improvements that needed to be completed over there. Mayor Palmore stated he thought this was MoDot property and they want us to buy into their plan. Tonight he was asking for a motion to send the letter. Alderman Pigg asked if the request to repair the area could be included in this letter. Mayor Palmore thought that was a separate issue and another letter should be sent for request for repair. **Motion made by Alderman Gass, seconded by Alderman Bates to send the proposed letter to East-West Gateway, Jason Lange. A voice vote was taken with an affirmative result.** Mayor Palmore stated that he has also asked Judy Wagner to look at the erosion problem.

C. Discuss Street repairs on E. Osage and Olive St.

Mayor Palmore stated he asked Judy Wagner to look at this location. He would like for Public Works to obtain a permit for the repairs. The city could mill it and take out the asphalt and the smear and fix with about 1 ½ inches of asphalt/concrete. Discussion followed. Motion made by Alderman Gass, seconded by Alderman Myers to give the Mayor the power to get the street repaired. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

D. Jensen's Point Progress Report

Mayor Palmore stated he would be keeping this on the agenda. He has asked Engineer Dan Rahn for a status report every Friday, and he has spoken to Ron Sansone who provided the information for the bidding prior, and the bid package is being worked on to send out. He has stressed the urgency and is keeping records. He is however getting concerned and think the stairs must be done before the parking lot and the parking lot before it gets cold.

E. Landscape walls around Pacific Welcome Signs on each end of town.

Mayor Palmore stated Randy George has contacted him about the welcome signs on each end of town. On the drawing there was landscape and the school has asked that we follow through with the original intent. He asked if we had any drawings, and City Clerk Barfield thought they were in the Tourism file. The school has been maintaining the one on the west end of town, but the east end sign also needs maintained. Alderman Gass suggested contacting US Silica as they may help with this. Mayor Palmore continued there is a bush at the east end sign that he thought should go, board members agreed.

PUBLIC PARTICIPATION-SPEAKER CARDS

*Mike Vernaci, Donna Williams, Park Board, Donna Williams, Vice-Chair of Park Board, stated that Steve Flannery is in class this evening. Pat Smiley updated them on the Liberty Walk project and he hopes to have this project completed in September. The volleyball net at the city park needs replaced and the sand needs tilled, and she asked about the basketball nets. Mr. Vernaci stated he was supposed to obtain prices in the nets. Also the binoculars are gone off of the bluff at Blackburn Park and she asked that we install the extra set that was purchased. Mayor Palmore asked if there was video up there, Chief Mansell stated he thought the binoculars were downstairs. There was a special meeting to discuss a carnival at the city park that was approved unanimously. Mayor Palmore stated he understood the concept was approved by the Park Board and now they are asking for Board of Aldermen approval. Mike Vernaci stated that was correct. Alderman Pigg questioned why it was announced on facebook before aldermen approval. Mr. Vernaci apologized for this; he continued with this carnival company the city will received 25% of the pre -ticket sales. The carnival would be August 14, 15th, and 16th, 2015. There is no cost to the city for the carnival. He is trying to obtain vendors to set up and has Brew Haus, El Agavaand D'Angelos setting up and will also be obtaining liquor license for a special event. From them the city will receive 20% of the profit, and they ask that all these funds be earmarked for the restrooms at Liberty Field. The carnival will be on the parking lot, and music and vendors in the field. Chief Mansell stated he did not have cops for a three day event. Mr. Vernaci stated if needed he would find off duty police officers. His goal was to make this a yearly event and put the fund towards the parks. The hours of the carnival would be Friday, 4:00 p.m. to 11:00 p.m., Saturday 10:00 a.m. to 10:00 p.m. and Sunday 10:00 a.m. to 7:00 p.m. Chief Mansell stated he has eight reserve officers and we are supposed to have eleven and were down regular full-time officers. There was concern of underage drinking discussed. Mr. Vernaci stated he planned on staying at the park for the whole event, and the Mayor also said he would help. **Mayor Palmore asked if the board was in favor of the carnival, and a voice vote was taken with an affirmative result.** Attorney Schroeder stated the contract would need to be approved with a resolution. Mr. Vernaci handed out a copy of the contract, but expressed concern that he would like this approved tonight. Mayor Palmore suggested the Attorney write a resolution when we break for executive session and we could read it when we come back in full this evening. Board members agreed. **Motion made by Alderman Gass, seconded by Alderman Myers for Attorney Schroeder to write a resolution for the carnival and attach the contract to it and they would read it in full this evening. This includes ear marking the funds to go towards the Liberty Field bathrooms. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.** Alderman Myers stated regarding the binoculars, it broke because kids rock it back and forth and suggested pouring a sonotube for the binoculars to be mounted on.*

Matt Gallagher, 429 E. Osage, Pacific, MO stated Meramec Ambulance would like to collect for

muscular dystrophy at the intersection of Payne & Osage and Viaduct and Osage. Discussion followed. Chief Mansell suggested the board approve this, and they contact the Police Department with the dates prior to doing it. Board members agreed. **Motion made by Alderman Gass, seconded by Alderman Myers to approve Meramec Ambulance District to collect for muscular dystrophy at the intersection of Payne & Osage and Viaduct and Osage, with the requirement they report the dates to the police department prior to the date, but within the months of May through September 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.** Mr. Gallagher thanked them; Mayor Palmore reminded him they would need to come back every year for approval.

Jim Nantz, 509 S. Second St., Pacific, MO stated he has contacted both his aldermen about properties with tall grass and the aldermen told me to contact the Mayor. He continued that somebody is not doing their job, and he was told that the Mayor has a stop put on it. Mayor Palmore stated he does not have a stop on it, he has looked at the process and there was improper posting and documentation. He continued that he stopped the abatement process because he felt the procedures were not followed, and a new process needed to be implemented. Mayor Palmore stated the weed violations notices were sent out.

George McNabb & Louann McNabb, 2150 Hwy F, Pacific, MO stated she has seventeen properties in Pacific but has complained about weeds, trash and derelict cars and wants to know the status of these. She felt like she has been ignored and asked if there was a log of her complaints. She has a piece of property for sale and cannot sell it because of the view. Attorney Schroeder stated vehicles are different than grass, and the board has to declare it a nuisance.

NEW BUSINESS

RESOLUTION NO. 2015-38

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE WATER & SEWER FUND TO THE LEASEHOLD REVENUE BOND FOR THE ADMINISTRATIVE FEES.

Motion made by Alderman Gass, seconded by Alderman Myers to read Resolution No. 2015-38. 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. 2015-38. Mayor Palmore asked for a voice vote for approval. A voice vote was taken with an affirmative result.

RESOLUTION NO. 2015-40

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF PACIFIC AND ACCOLA & SONS LAWN CARE FOR THE GRASS CUTTING OF CITY PROPERTIES.

Motion made by Alderman Filley, seconded by Alderman Bates to read Resolution No. 2015-40. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result. As posted pursuant City Clerk Barfield read Resolution No. 2015-40. A roll call vote was taken with the following results: Ayes: Alderman Bates. Nays: Alderman Myers, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley. Whereupon, Mayor Palmore declared the motion failed 5-1. Mayor Palmore asked for discussion. **Motion made by Alderman Gass, second by Alderman Myers to continue and extend the contract with the present contractor. In January bid out the grass cutting and advertise in February and send out invitations to contractors then bring those bids to the last meeting in February for approval.** Mayor Palmore asked what the reason was for rejecting the bids. Alderman Gass stated his opinion was this was the middle of the year and the approach was bad from the beginning. Mayor Palmore asked to extend at what price. Alderman Gass stated last years to the end of the year. Kenny Devillez, Early Bird, (*audience*) agreed to the terms. Alderman Bates stated he did not understand what process we were operating under. We have always had a specific reason before for rejecting a bid. Alderman Myers stated he did not think the bid process was fair from the start. Once the first bids were opened there was no room left for any privacy to re-bid. He asked how this could be fair. Mayor Palmore stated the board rejected sealed bids, and neither party complained about the original bids. He continued that the board brought this on, and now has rejected the low bid both times. Alderman Myers stated, the board just voted it down because we are not comfortable with it. Mayor Palmore stated he was opposed to rejecting the low bidder and don't think the tax payers want me to pay more. We have gone against the bid process. Next year when there are grass cutting bids, he hopes by then there is an election and the voters have their voice. Alderman Johnson stated when this was brought up over a year ago I asked that we reach out to the state for help and you said you would look into this, because we didn't want our workers constantly cutting grass. She assumed this would be all city properties. I would argue for whoever was standing here but instead we have been calling Mr. Devillez back every two weeks to keep cutting and she does not think it is fair to pull it out from him now. Mayor Palmore stated this process stinks, the original bid process was the same description as what had been used in the previous years. In the future he is certain we will take the low bidder or the citizens will rise up. Alderman Filley stated her concerns were there is no proof of insurance or business license yet. If we award this to him how quickly can he obtain these, because we are without until he does? Alderman Pigg stated he asked after the bids were opened the first time if both bidders had the necessary license and Mayor Palmore stated they both did. Mayor Palmore asked City Clerk Barfield if he had a license yet, she stated to her knowledge he did not have one yet. Then he asked her if he had a business in town already, and she stated "no, not that she knew of". Dennis Wolf (*audience*) thought we should be offering the grass cutting to the employees and pay them overtime. **Alderman Gass modified his motion and withdrew the part about invitations. The modified motion was seconded by Alderman Pigg. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved. Opposed: Alderman Bates.**

MISCELLANEOUS

- a. Accept resignation of Angela Walsh as Police Dispatcher.

Motion made by Alderman Pigg, seconded by Alderman Filley to accept the resignation of

Angela Walsh as Police Dispatcher. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

b. Approve invoices from the Current News Magazine for the advertisement of Car Cruise to be paid from Tourism funds in the amount of \$ 1,500 and \$ 150.00.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the invoices from the Current News Magazine for the advertisement of Car Cruise to be paid from the Tourism funds in the amount of \$ 1,500 and \$ 150.00. A voice vote was taken with an affirmative result.

c. Approve invoice from Taz T's & More in the amount of \$ 730.64 to be paid from tourism funds for the Senior Center 5K.

Motion made by Alderman Myers, seconded by Alderman Pigg to approve the invoice from Taz T's & More in the amount of \$ 730.64 to be paid from tourism funds for the Senior Center 5K. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

d. Approve invoices from Straatmann Printing for the advertisement of Car Cruise to be paid from Tourism funds in the amount of \$ 254.00 and \$ 5.00 and \$ 7.50.

Motion made by Alderman Filley, seconded by Alderman Myers to approve the invoices from Straatmann Printing for the advertisement of Car Cruise to be paid from Tourism funds in the amount of \$ 254 and \$ 5.00 and \$ 7.50 A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

e. Approve invoice from Pacific Partnership for the advertisement of Summer on the Rail to be paid from Tourism funds in the amount of \$ 650.00

Motion made by Alderman Gass, seconded by Alderman Filley to approve the invoices from the Pacific Partnership for the advertisement of Summer on the Rail to be paid from Tourism funds in the amount of \$ 650.00. 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.

Museum Committee – No Report.

Tourism Committee – No report.

Building Advisory Committee – No Report.

Planning & Zoning – No Report.

Genealogy Committee – No Report.

Operations Committee – No Report.

Administration Committee – Alderman Myers stated we met, and Alderman Bates was unable to attend due to illness. In executive session they reviewed the applications and have narrowed it down to four applications.

REPORTS OF CITY OFFICIALS

Alderman Filley – thanked the Mayor for getting the painting done in the parks as she reported. She has about thirty pictures of sewer lids along Thornton Road that will need fixed before we sign off on the project. She will send the pictures to him. The Relay for Life raised \$ 23,000 and was a success.

Alderman Myers – asked about the trail around Hawthorne. Mayor Palmore stated the fabric was in, and to call him when he is ready. Next he asked about Jensen's Point, he understands he is tasking Dan Rahn as is being updated every Friday. Mayor Palmore stated he has asked him for specific tasks, the parking lot and stone repairs. Alderman Myers stated that US Silica has offered to help us with the stones. He has been trying to keep a focused effort so we can be completed by February. He does not think Dan Rahn is the source of the delay and believes it is you (*the mayor*). Mayor Palmore stated we cannot use volunteers for designing, pouring concrete or stone work, because it is dangerous. The parking lot and stone repairs need contractors, after that we can explore our options. Alderman Myers stated the work should have started immediately after the closing. Mayor Palmore stated then he will find someone else to work on this project, he did not get a response from Mr. Rahn so he will change. Alderman Myers stated that Mr. Sansone is an expert, which is why they consulted him from the beginning; it wasn't just a "guess estimate". Mayor Palmore stated it was a very vague report on the stone work. Alderman Gass stated the bid package was needed. Alderman Myers asked if Dan Rahn could be present at the next meeting to speak on his defense.

Alderman Bates – Congratulated Alderman Johnson for the fireworks display, and the car show was well attended. He thanked everyone for their hard work. Planning & Zoning had discussion about the Comprehensive Plan, there have been some edits done. Once the board has a general agreement it will go back to Planning & Zoning for approval, and then back to the Aldermen. Todd Streiler, stated this was on the agenda on June 23 and he was directed by Planning & Zoning that the plan was ready for the Aldermen meeting. The Comprehensive Plan becomes a stronger document with the comments. If there are any other changes he would need to be notified, but Planning & Zoning has sent this to them. Mayor Palmore stated he did not direct for the Comprehensive Plan to be ready for this meeting, nor did he authorize it. Mr. Streiler stated he was present this evening at our pleasure and he has not billed the city for it yet.

Mayor Palmore asked that he be notified in the future if he plans to attend. Alderman Bates stated Linda sets the agenda for Planning & Zoning, and they met on the 23rd. Alderman Johnson stated that she attended all but one meeting where the Comprehensive Plan was discussed, she got her questions to Todd and they came to a conclusion. She was glad he was present this evening, although she did not invite him. Mayor Palmore suggested a two week period for reviewing the plan and seeing if any other changes were needed. Alderman Pigg stated he had questions for Todd, but once he explained that this was meant to be read in different sections, then it made sense.

Alderman Pigg – On Thornton Road the rock under the guard rails has washed some, it looks like something else is going to need done there. He continued the street has gravel all over it and suggested a street sweeper. Alderman Filley agreed and stated she thought the creek was more of a retention creek. He then asked why the electronic sign was not working, Mayor Palmore asked Kim to work on this or call the sign company.

EXECUTIVE SESSION 610.021 (1)(2)(3)

Mayor Palmore stated he would like to go into executive session under RSMO 610.021 (1)(2)(3).

Attorney Schroeder read these into the record.

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.....

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....

Motion made by Alderman Pigg, seconded by Alderman Gass 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 6-0.

The Board went into Executive Session at 9:30 p.m.
The Board reconvened at 11:45 p.m.

Present at roll call: Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley.

Attorney Schroeder stated the results of closed session are as follows:

There was one real estate item with action taken. There were two legal items discussed with no action. There were four personnel items discussed with one action taken. The results of executive session will be posted in the allotted time.

NEW BUSINESS

RESOLUTION NO. 2015-41

A RESOLUTION APPROVING AN AGREEMENT WITH ROBY'S CARNIVAL INCORPORATED TO CONDUCT A CARNIVAL ON CITY PARK PROPERTY FROM AUGUST 14TH – AUGUST 16TH 2015 INCLUSIVE AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT.

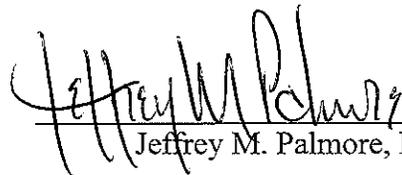
Motion made by Alderman Gass, seconded by Alderman Myers to read Resolution No. 2015-41 in full. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-41 in full. Mayor Palmore asked for any discussion.

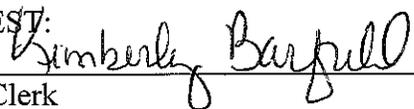
Motion made by Alderman Gass, seconded by Alderman Filley to approve Resolution No. 2015-41. A roll call vote was taken with the following results: Ayes: Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Filley, Alderman Myers, Alderman Bates. Nays: none. Whereupon, Mayor Palmore declared the motion carried 6-0.

ADJOURNMENT

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

The meeting adjourned at 11:50 p.m.


Jeffrey M. Palmore, Mayor

ATTEST:

City Clerk

