

August 4, 2015 * RECORD OF PROCEEDINGS

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

The meeting was called to order at 7:00 p.m. by Mayor Palmore.

A roll call was taken with the following results:

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

A quorum was present.

Alderman Myers is absent.

Also present:

Attorney Schroeder
Chief Mansell
Deputy City Clerk Hayden
City Clerk Barfield

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

Prayer was given.

APPROVAL OF MINUTES

A. Regular meeting on July 21, 2015

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

B. Executive Session on July 21, 2015

Motion made by Alderman Johnson, seconded by Alderman Bates to approve the minutes of Executive

Session meeting on July 21, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

PUBLIC HEARING

MAYORS REPORT

A. Jensen's Point Progress Report

Mayor Palmore stated there was very little progress to report, the bid opening on the parking lot is Thursday, and on August 25th is the opening for the masonry work. He felt good about the progress.

B. Discuss Library District's Zoning and PUD approval.

Mayor Palmore stated it seems the Library is exempt from the zoning regulations but may need to go through a PUD process and a boundary adjustment. He does not think this will exempt them from the setbacks though. He has spoken to Dave about which one they needed to do. There was discussion about exactly where they were planning on going, but Mayor Palmore stated he has not seen any plans. He thought it was the lot on the corner behind CVS. They are asking to take one lot and turn it into two.

PUBLIC PARTICIPATION

Jerry Eversmeyer, 248 S. Highway N, Pacific, MO stated he wanted to discuss the liquor license applications that were on the agenda. He handed out paperwork to the board. He continued that a Picnic License is only good for a non-profit organization. These businesses need a Catering License, the license you are issuing tonight is illegal, and a Catering License does not need city approval. Attorney Schroeder stated the State Liquor Control "controls" the license, the Board controls who receive their approval. Mr. Eversmeyer continued that he is tired of the threats with regards to the cemetery issues. He thought the city had an audit every year, and then a special audit and nothing was revealed. If there was a problem with the cemetery, it never showed up. He did not understand how the city could go after the Bruns family for something the city already has, and it appears it would be a conflict of interest for the Mayor. Then Pauline wrote the article about the Union employees who feared for their jobs because they did work in the cemetery, this is a problem. He asked if Bell Funeral Home was charged for the service. He continued that Bell Funeral Home had city employees do interments, did Bell Funeral Home charge them for the service. He continued we just had a "boil water" order issued and not all the Aldermen were notified, this was wrong. These residents call their Aldermen. Mayor Palmore stated Alderman Gass was there when we had the water main break. Mayor Palmore stated they went to every home, if he was supposed to call everyone he apologized for it.

Mayor Palmore stated he wanted to address articles that were in the paper on July 22nd, and read from a script. (Not submitted as part of the record) Alderman Pigg stated he talked to numerous vault companies and they said that 5% of them cannot be set the day of the funeral, but before they would have a city worker do it normal protocol is to go back to the funeral home. Mayor Palmore stated this was not true, it is their job. Alderman Johnson asked if this was legal. Attorney Schroeder stated it was, in these circumstances to set the grave. Mayor Palmore stated there were two burials that week, with two separate grave diggers. Alderman Johnson asked how many cities have Mayors that are in control of the funeral home and can bury and transfer the money. Mayor Palmore stated she needed to read Chapter 135, he don't touch money. Attorney Schroeder stated if a conflict of interest could be proved, or a monetary gain from the positions, then it would be a problem. Mayor Palmore stated there are state and federal laws for items known as "cash advance items" and we can only charge the same amount as billed.

NEW BUSINESS

INTRODUCTION OF NEW BILLS

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

NEW BUSINESS

RESOLUTION NO. 2015-45

**A RESOLUTION APPROVING A BID FROM
QUALITY CHIP N SEAL FOR FY 2015
STREET CHIP AND SEAL STREET
IMPROVEMNTS.**

Motion made by Alderman Gass seconded by Alderman Filley to read Resolution No. 2015-45. Mayor Palmore asked for any discussion. Alderman Pigg asked what streets this included. City Clerk Barfield was excused to obtain the list. Discussion continued as it seems the majority of the streets were in Ward 1. Alderman Johnson thought this should have been taken to the Operations Meeting for the list of streets to be compiled. Alderman Gass stated he looked over the streets also. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2015-45. Motion made by Alderman Gass, seconded by Alderman Filley to approve Resolution No. 2015-45. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

Non-Attributable Funds - Mayor Palmore stated this brings up another topic, the non-attributable money of \$ 160,000. As of September 30, 2015 we will lose part of the money, we have committed improvements to Candlewick and discussed using these funds for this street. Public Works has looked at it and has them marked, so this project can go out to bid also. He did not want to use all the funds, but thought we could get started.

RESOLUTION NO. 2015-46

**A RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE A CONTRACT WITH
DIGITAL ALLY FOR BODY CAMERAS AND
ACCESSORIES FOR THE POLICE
DEPARTMENT.**

Motion made by Alderman Filley, seconded by Alderman Gass to read Resolution No. 2015-46. Mayor Palmore asked for any discussion. A voice vote was taken with an affirmative result. As posted pursuant City Clerk Barfield read Resolution No. 2015-46. Motion made by Alderman Filley, seconded by Alderman Gass to approve Resolution No. 2015-46. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

RESOLUTION NO. 2015-47

**A RESOLUTION AUTHORIZING THE
MAYOR TO EXECUTE THE MISSOURI
DEPARTMENT OF REVENUE'
ASSIGNMENT OF SELLER'S RIGHTS FORM
5433, TO ASSIST OSAGE ESTATES 2011,**

**LLC, TO APPLY FOR REFUNDS OF STATE
SALES TAXES UNDER SECTION
144.19014(1).**

Motion made by Alderman Gass, seconded by Alderman Bates to read Resolution No. 2015-47. 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. 2015-47. Motion made by Alderman Pigg, seconded by Alderman Johnson to approve Resolution No. 2015-47. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

OLD BUSINESS

MISCELLANEOUS

a. Approve use of council room for Ridge Meadows Homeowners Association meeting on Wednesday, September 2, 2015 from 6:30 p.m. – 9:00 p.m.

Motion made by Alderman Gass, seconded by Alderman Filley to approve the use of the council Room for Ridge Meadows Homeowners Association meeting on Wednesday, September 2, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

b. Approve James Klingler as a Police Officer.

Motion made by Alderman Pigg, seconded by Alderman Filley to approve James Klingler as a Police Officer. A voice vote was taken with an affirmative result.

c. Approve invoice Zydeco Crawdaddys through the Partnership in the amount of \$ 700.00 to be paid from Tourism Funds from Sunset on the Rail.

Motion made by Alderman Filley, seconded by Alderman Gass to approve the invoice from Zydeco Crawdaddys through the Partnership in the amount of \$ 700.00. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

d. Approve liquor license application to Miguel Escamilla, El Agave, 180 Lamar Parkway, Pacific, MO for the Carnival at 700 W. Congress on August 14, 15, & 16, 2015.

Motion made by Alderman Johnson, seconded by Alderman Pigg to approve the liquor license application to Miguel Escamilla, El Agava, 180 Lamar Parkway, Pacific, MO for the Carnival at 700 W. Congress on August 14, 15, & 16, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved. Abstain: Alderman Filley.

e. Approve petty cash.

Motion made by Alderman Pigg, seconded by Alderman Filley to approve petty cash. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

f. Approve liquor license application to Steve LaFrance, Pacific Brew House, 220 S. First St., Pacific, Mo for the Carnival at 700 W. Congress on August 14, 15, & 16, 2015.

Motion made by Alderman Gass, seconded by Alderman Johnson to approve the liquor license application to Steve LaFrance, Pacific Brew House, 220 S. First St., Pacific, Mo for the Carnival at 700 W. Congress, on August 14, 15, & 16, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion approved.

COMMITTEE REPORTS

Park Board Committee – Mike Vernaci stated he has been working on the Carnival and has numerous entertainers scheduled, 15 vendors and they have already started setting up their equipment. He has spoken with Lt. Locke several times and there will be extra patrol through the park. The cost is \$ 15.00 in advance for unlimited rides for one four hour block of time. He has many sponsors for the event and he is over half way there of covering the costs. The city receives 25% of the ticket sales but only the tickets that are sold in advance. Alderman Bates thanked him for his efforts. Mr. Vernaci stated the Partnership has been a big help.

Cemetery Committee – No Report.

Museum Committee – No Report.

Industrial Development Committee – No Report.

Tourism Committee – Alderman Pigg stated they will be meeting on August 17, 2015.

Building Advisory Committee – No Report.

Planning & Zoning Committee – No Report.

Genealogy Committee – No Report.

Operations Committee – No Report.

Administration Committee – Alderman Gass thought we should move forward with interviewing, Alderman Bates agreed but stated he did not think the votes were there to take any action.

REPORT OF CITY OFFICIALS

Alderman Filley – stated it was nice to see progress on Thornton Road. There are sections of the sidewalks that still concern her. Mayor Palmore stated he has spoken with Cochran about this and also about the problem on Osage. She continued the stripping is not yet complete.

Mayor Palmore stated he needed to sign off on the final acceptance letter for Old Gray Summit Road and asked if the board had concerns. Alderman Pigg stated Mr. McMillian still has concerns and now says the contractor will not take his calls. Alderman Gass stated he needed to give a list of his concerns to the Mayor. Mayor Palmore stated he will hold off on signing this.

Alderman Filley asked about the building behind Straatmann Printing, as there were no permits displayed. Mayor Palmore stated that was his crematory, he did not think they needed to be posted, but the contractor has them in his truck.

Alderman Bates thanked everyone for their weekly reports and thought the Public Works one was the most helpful.

Alderman Johnson was called by Mrs. Miller regarding the mound of dirt and her fence. Mayor Palmore stated he did speak with her and told her it would be resolved. Alderman Johnson asked about when there would be a meeting held to discuss the Comprehensive Plan. Alderman Bates stated the revision was done, the right procedure is that it goes back to Planning & Zoning now, Planning & Zoning thought it should move forward as it was, now changes have been made. Alderman Johnson thought a meeting "workshop" should be scheduled to review this, and Todd Streiler should be here for it also. Discussion followed and it was agreed upon that the Board of Aldermen would hold a special meeting on August 12th, 2015 at 7:00 p.m. to discuss the Comprehensive Plan. An Administration meeting could also be held the same day from 6:00 p.m. – 7:00 p.m. at the request of Pat Lynch, if he could still make it that day. They would also like to see if Alderman Myers was available that evening for these meetings.

Alderman Pigg stated in Sierra Ridge it was reported to him there was a wash out at the manhole on the right side.

Chief Mansell stated two weeks ago one of the newer police cars was involved in an accident with a semi, and the car was totaled. The insurance company is giving us \$ 5,000 for the car; he would also like to buy back the car for \$ 200 for parts. Motion made by Alderman Filley, seconded by Alderman Pigg to buy back the old police car and replace the new car. Chief Mansell stated to purchase a replacement car the costs is \$ 26,000-\$27,000 off the state bid. A voice vote was taken to move forward with buying back the damaged car and purchasing a new car off the state bid. Mayor Palmore declared the motion carried.

EXECUTIVE SESSION

Mayor Palmore stated he would like to go into executive session. Motion made by Alderman Gass, seconded by Alderman Pigg to go into executive session. A roll call vote was taken with the following results: Ayes: Alderman Filley, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: none. Whereupon, Mayor Palmore declared the motion carried.

Attorney Schroeder stated this was under RSMO 610.021 (1). Attorney Schroeder read them 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....

The board went into executive session at 8:43 p.m.

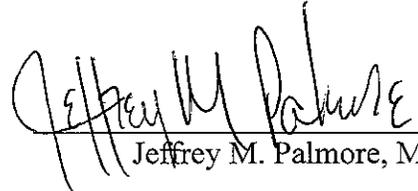
The Board reconvened at 9:55 p.m.

Attorney Schroeder stated the results of closed session under Legal were to revisit the threat of litigation at the next meeting.

ADJOURNMENT

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

The meeting adjourned at 9:56 p.m.



Jeffrey M. Palmore, Mayor

ATTEST: 

City Clerk