

JANUARY 6, 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 Arnette
Alderman Myers
Alderman Bates
Alderman Gass
Alderman Pigg

A quorum was present:

Also present: Attorney Schroeder
Lieutenant Locke
Collector Kelley
Engineer Rahn
City Clerk Barfield

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting- December 16, 2014

Motion by Alderman Myers, seconded by Alderman Arnette to approve the minutes of the regular meeting held December 16, 2014. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

PUBLIC HEARING - none

PUBLIC PARTICIPATION

Pastor David Lange, Ministerial Alliance, Pacific, MO, stated he would like to have a word of prayer for the community. Prayer was given.

Dr. Megan Goss, 311 N. Fourth St., Pacific, MO thanked them for allowing public participation and wanted to explain what she knew about feral cats. She explained the signs of feral cats and the Trap, Neuter and Return Program (TNR) and stated the University of Florida and Disney World supports the TNR Program and wanted to encourage the board to embrace this in our community. Mayor Palmore stated he has a love for animals, but the city has an ordinance and it does not allow the Trap, Neuter and Return program. He still feels there will be a problem with illness, and he wasn't opposed to changing the code. Alderman Bates suggested exploring the surrounding cities to see how this worked for them, and suggested Dr. Goss, and Attorney Schroeder look at.

Jacob Myers, 411 Stone Ridge Dr., Ethan Trokey, 44 Fox Creek Dr., Wesley Curtis, 1715 W. Hawthorne St., Boy Scouts of America, Troop 329, asked to reserve Liberty Field for a camporee on April 24-April 26, 2015. Park Board President Flannery stated this is the second time they will be holding this event at the park. Mayor Palmore asked if a special events permit was needed, Park Board President Flannery stated they have come before the Park Board and the ordinance reads if an event happens in the city park one is not required, unless there is a concern of public safety. Motion made by Alderman Gass, seconded by Alderman Myers to approve the use of Liberty Field to Boy Scouts of America, Troop 329 for a camporee. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Their second request was for restrooms at Liberty Field, as they are expecting 300-500 people. Mayor Palmore stated that request was not necessary, we will provide those, but asked them to go to the Building Department and let them know how many people to expect and they will figure out how many restrooms and washing facilities are needed. Alderman Myers stated they left the park in immaculate condition last time. Their third request was for a bon fire on Saturday on the gravel area, and the Fire Department will be on hand. Mayor Palmore asked them to also notify the Police Department. Alderman Bates stated in the past they allowed guests to be invited and asked if they still did that, and they said guests are welcomed. Their fourth request was a light plant; Alderman Gass stated the city should take one down there. Board members agreed. The theme is "The Future of Scouting" as this is their 100th year anniversary and they have 10 main events in regards to what the future holds to scouting.

MAYORS REPORT

A. Discuss standard hours of operation for city parks and cemeteries

Mayor Palmore stated there is always vandalism in the parks and he has spoken to Mr. Pemberton about this. Mayor Palmore asked if we wanted to consider a gate at the park, or closing earlier and asked the aldermen for suggestions. Alderman Gass stated they have tried a gate before and it don't work well. Mayor Palmore stated the Chief suggested cameras but this is costly. Alderman Pigg thought we already made the motion to update the cameras and add additional ones. Mayor Palmore stated the cameras are costly and currently not in the budget, although the cameras used at Blackburn Park are used a lot. Mayor Palmore asked them to think about this.

(Out of Order)

C. Discuss sewer lateral installation request from Chamber of Commerce

Mayor Palmore stated that former Administrator Harold Selby wrote a letter in regards to the city originally agreeing to install a storm drain near the Early Child Care Center on Chamber Dr. The letter reads the work would be done after the ramps were paid for, and the Chamber has since asked that instead of the storm drain that a sewer lateral be installed. The sewer lateral now is running between the Chamber office and under the Early Childcare Center. Mayor Palmore stated the upgrades with the on ramp eliminated their problem, but they are asking to exchange the inlet for the sewer lateral, when really the inlet has been taken care of. His concern is the sanitary lateral now runs on the west side, the southwest corner of Chamber and runs west and turns south under the childhood center. They want to move it west and come down by the bowling alley. The concern is the cost, while there is a 10' wide easement he felt a survey would need to be done, and who would pay for this. Engineer Rahn handed out a description of the tract. Mayor Palmore asked the board if he should continue exploring the city doing the labor. He continued the Chamber has stated they would pay for the materials. Alderman Gass thought they should survey their own property, Mayor Palmore stated we could try to find the pins. Motion was made by Alderman Pigg to continue to pursue working with the Chamber. Mayor Palmore reminded everyone this is not a city project. Alderman Gass stated the sewer laterals are the property owner's responsibilities and did not want to set precedence, he felt all they would need to do is find someone to do the work. Alderman Bates stated the city has a long standing partnership with the Chamber and agreed we should move forward. Alderman Gass stated we could not spend money on private property, Attorney Schroeder agreed. Mayor Palmore stated they we needed to come up with a way to help them get their lateral in. Alderman Gass asked if a tax credit would help in their case since the Chamber is a 501C3, it could be a donation. Dennis Oliver (audience) stated he understood the Community Improvement District (CID) owed the Chamber a storm water drain, they were asking to exchange it for the sewer line. Mayor Palmore stated he did not think the Chamber was in the CID, the Childcare building was, but not the Chamber. He continued the storm sewer was installed and there is no problem with that anymore. Chamber President, Tim Baker stated the inlet was not put in as promised, but Mayor Palmore said he hasn't seen where it was promised and we do not have the drawings. Alderman Gass stated that was a MODOT project. They spoke about trading labor and when they scoped the lateral lines it is clay pipes and they have collapsed under the school building, we cannot fix it unless we tear up the school. This has been going on for about 1 ½ years and is a serious problem for the Chamber as the workers cannot use the facility. Alderman Myers thought since the school was in the CID maybe this could be interpreted that way. Attorney Schroeder stated if there is an easement from the Chamber it could go to the school. President Baker stated this line has been scoped four times and now the problem is in the playground, but we keep finding a continued problem. Alderman Gass stated a whole new line needed to be installed. President Baker stated if the City couldn't do this they they wanted the inlet they were promised. Engineer Rahn stated from the corner of the building to the main is about 275 feet. Dave Myers (audience) stated there was no recorded easement and it was not uncommon for sewer laterals to be under buildings. Alderman Myers stated in the interest of working together it seems there would be no tax dollars exchanged, but an equal swap. Attorney Schroeder stated there needed to be a public purpose. If they have what was promised then there is no trade. Mayor Palmore stated we have Harold Selby's letter, but nothing else. Mayor Palmore stated he thought he was hearing from the board that they were in favor of helping the Chamber and the

only way to do this without using tax payer money is to have an operator and machine donated, so there is no movement on the city other than that. Board Members agreed and Alderman Gass thought locates should be done to see what was in the way. The Chamber would need to call the locates in. Mayor Palmore stated he would help the Chamber call in the locates and we could start there. Alderman Gass suggested asking the contractor on one of the jobs to run over and help pull the pipe.

B. Update from Dan Rahn on Non-Attributable Funds

Mayor Palmore stated the city receives yearly funds from the state and there is a ceiling on our account balance. Engineer Rahn gave an update on Non-Attributable Funds and also a handout stating that these funds come from Modot and there is a ceiling on our account balance, if we dont use it we lose it and September 30, 2015 is our expiration date. He continued this requires a 20% match from the city and we cannot use other federal funds for the match. It has to be on an urban collector, rural major collector, arterial or expressway. We have a minimum of \$ 130,000 and up to \$ 160,000 in non-attributable funds; to use this up we need do to a project around \$ 200,000. We can also use a portion of these funds, which is about \$ 40,000 which is what we stand to lose by September 30, 2015. Alderman Gass stated Denton Road & Jefferson need to be repaired; Alderman Myers stated Candlewick is also eligible. Alderman Pigg thought Candlewick needed to be finished. Mayor Palmore stated we were not looking for a place to spend the money, just the dollar amount and a definition. Alderman Gass stated we needed to do Industrial also, but Alderman Myers thought we should keep the residential area a priority. Alderman Gass suggested the Mayor get bids to correct Candlewick all the way to Industrial. Someone from the audience asked if Western Street could also be repaired. Mayor Palmore assured them we recognize the condition of the street and this was looked at on the Pavement Maintenance Plan and has not gone unnoticed.

COMMITTEE REPORTS

Cemetery Committee – No Report.

IDA Committee – No Report.

Museum Committee – No Report.

Tourism Committee – Alderman Arnette stated there was no quorum so they were unable to have a meeting.

Building Advisory Committee – No Report.

Planning & Zoning – Alderman Bates stated they have not met.

Genealogy Committee – No Report.

Operations Committee – Alderman Bates stated they have not met yet, but will schedule a meeting for this month.

Administration Committee - Alderman Johnson was not present.

Alderman Pigg stated Alderman Johnson had a death in the family and she was out of town on work.

Park Board Committee – Park Board President Flannery stated the bathrooms at Liberty Field are a priority to the Park Board and they had someone do different kinds of designs for bathrooms. They hope to have this project executed in the 2015 calendar, currently there is about \$ 30,000 raised for this project. They feel like the bathrooms could cost about \$ 150,000. He has had several contractors contact him and said they would donate labor and time if the city bought the materials. Mayor Palmore asked that they also bring back a suggested location for the bathrooms. Alderman Pigg thought that was in the original plot of the park, but Alderman Gass did not think so. Park Board President Flannery stated at one time a site plan was developed with a gravity fed system, but the location was not centrally located. They think the best place would be on the blacktop and a few parking spots would need to be sacrificed, as they don't want to take area away from the fields. Alderman Gass suggested two smaller bathrooms, one for each end. Discussion followed regarding a concession stand at the same time, but Mayor Palmore suggested looking at 100% of the facility for bathrooms first, it is easy to add on if that is decided.

REPORT OF CITY OFFICIALS

Alderman Arnette – stated he hoped the sidewalks that are being poured in this cold weather hold up and someone is watching this. Mayor Palmore stated the contractor says it is okay and they have blankets that are being left on for three days and they are responsible for them. Alderman Gass stated they have to abide by the Highway Manual, but his concern is that we can identify a potential problem in the time allowed. Alderman Pigg stated they are still not blanketing the sidewalks on Thornton Road. Alderman Gass suggested the field notes be checked. Heather Filley (audience) stated right now there are already cracks in the sidewalks that were poured 45 days ago and asked if the city was going to have to pay for them a year from now to be fixed. Mayor Palmore stated this is still on his radar. Mrs. Filley stated she did see them blanket the sidewalks today.

Alderman Johnson – Not present.

Alderman Gass – stated he would like to see the engineer get proposals to look at the lift station line that runs to the lagoon, this was installed in 1978 and knows the life of this line is about used up, he suggested a survey for easements and proposals to construct a new line, this line takes 2/3 of the town and is a 12" line. Engineer Rahn stated this was about 2,500 feet. Alderman Bates suggested this go to the Operations Committee for discussion because of the cost, Alderman Gass did not think that was necessary and we needed to get the proposals immediately. Engineer Rahn stated he could put something together for the next meeting. Alderman Gass stated that at Lift Station # 1 the hydrogen sulfide is eating the concrete up, we need to get proposals to have this lift station relined, and this was done about 10-12 years ago. He continued the reservoir on Blackburn Park needs fixed or rebuilt also, one cell is out and needs to go back in service. He

asked if the manholes where Brush Creek is dumping into have been checked, we need to make sure the concrete is not eaten up there. Next he asked about the plans for Congress Street and if those could go the Operations Committee so they could see them. Mayor Palmore stated this is going out to bid on the 12th or the 13th and he has a set of plans he has gone through. Engineer Rahn stated the final plans were approved in August 2014 and this is for Phase 3. Alderman Pigg stated he thought the aldermen should be refreshed on what the project entailed. Alderman Bates stated an Operations meeting be set, board members agreed Monday, January 12, 2015 at 6:00 p.m. Mayor Palmore stated he went through the plans, and he cannot figure out why we leave a section out when we do sidewalks on projects. The sidewalks on the north side of Congress is really a bike trail, the concern is we go up to 100 feet before Brush Creek Bridge. Engineer Rahn stated on the north side it would have to be torn out. Mayor Palmore thought it should tie in somewhere; he has requested an Addendum for this, also for protection of the residents for the water runoff and to increase the size of the storm water pipe from 24" to 30". Alderman Bates stated he was concerned about the lower area of the park by the ball Diamonds as water backs up there. Alderman Gass suggested rip-rap at the end of the pipe by the creek.

Mayor Palmore stated he needed to coordinate a meeting with Pacific Valley Dairy for their proposal of equipment, City Attorney Schroeder stated he was available January 27th or the 28th, Engineer Rahn stated he was available the 28th in the afternoon.

Alderman Gass asked if the sewer lines were being replaced, as the condition of those lines is terrible and we don't want to cut the streets afterward, he also thought the parallel lines needed replaced and we needed to get proposals for this work at the same time. Mayor Palmore stated this has been ongoing for a year or two and he is frustrated. He wants this to be a good project and he felt like the board should have looked at all this before, he is just now seeing the plans. Now he hears that the census of the board is concern for the sewers and it is right before the project goes to bid, they have had time to address this. Alderman Gass stated that stuff like this would of needed to be included in the scope of the project. Whatever the city wants done in a project we would tell them at the beginning. He continued that Mr. Mueller lives on the south side and the sewer runs a couple feet from his house, that needs replaced there. He also suggested talking to Barb Bohley about surveying for a Low to Moderate Income (LMI) Grant availability to replace the sewer from the park to the lift stations.

Engineer Rahn stated that DNR gave the go ahead for the sewer study grant and the lift stations are a part of that.

Alderman Bates – asked who was taking care of the electronic sign, as the time was wrong. Engineer Rahn stated he could fix that before he leaves, for some reason it loses time.

Alderman Pigg – stated he would like to make a motion to instruct the city attorney for an ordinance that the aldermen get an update at every board meeting from the street department, water department, building department and administrator about what has been going on since the prior meeting in an effort to help keep them in the loop more. This would include anything the attorney has worked on for the city. Some kind of report like the police department does would be sufficient. He continued at the last meeting they were told the Hwy N project wasn't out to bid yet, and here it is bidding, and then with not knowing the status of Brush Creek he was

thinking this would help. Mayor Palmore stated he had Kim go back four months in the minutes and it was asked about twice, he has not intended to keep anything from anybody, and to help with communication he had mail bins installed. He is concerned the legal branch is documenting so much and there must be a separation. Alderman Pigg agreed this would have to be judicious and that is why he asked if the attorney could write something up. At the last meeting Carol asked about Congress Street and concern of the water run of and now it's going to bid. Then he talked to Mr. Greisheimer and he said the Brush Creek report was made available to the public in October and they still haven't seen it. Mayor Palmore stated when he got it this came thru Kim and it went to Matt & Dan Rahn. Mayor Palmore stated this kind of documentation is going to take away from what we are already doing, he could not spoon feed them and he spends 40-50 hours a week working on things. Alderman Pigg stated an administrator need to be hired, Mayor Palmore stated that a Public Works Commissioner, Building Commissioner Administrator and Deputy City Clerk positions were needed also. The City Clerk was off in the midst of election filing and how do we handle sun shine request when she is not here. City Clerk Barfield stated a Treasurer was also needed. Alderman Myers asked when he was going to start filling the vacated positions as there is a full time person out there somewhere waiting to help you and be the administrator. Mayor Palmore stated he has spoken with Attorney Schroeder and Attorney Downward about appointments and he has asked for a meeting to help him understand what he could do. He has made some temporary changes to the Public Works Department, he is not having much luck though, he was happy to give the board whatever they wanted but he asked them not to inundate him with paperwork and reports. Alderman Pigg stated a report once a month would be sufficient. Alderman Myers agreed that the Police Department Report was great, but Mayor Palmore reminded them how many levels of management is down there, they have the Chief, Captain, Lieutenant, four Sergeants and a Communications Supervisor. Alderman Myer stated when the positions are filled it would be nice to have these updates. Alderman Pigg withdrew his motion and made a motion for a schedule of project updates and make it a policy and see if this helps.

Alderman Pigg stated he took a picture of cracks in the sidewalks and sent them to the Mayor and he also handed out information tonight about concrete.

Collector Kelley – had nothing to report.

Lieutenant Locke – had nothing to report.

Alderman Myers – stated he had several drains that are blocked with debris that needed cleaned up. He also asked about the water fountain at the dog park and when that would be installed. The street light is out at 115 E. Walnut St., and there are new lights that are out at Osage and Sanker, the Firehouse, Lumpkins, ADAMS Garden and Taco Bell. Mayor Palmore stated he was working on this. On that note he has looked into electrical training for city employees and we can send four employees for \$ 1,000 or they can come here and training everyone for \$ 1,000. It is for basic electric and gears it towards the new water system. Alderman Gass suggested sending someone to Rankin. Alderman Myers stated there is still the Payne Street bump at the tracks. Alderman Gass stated he could send a letter to the rail president. Mayor Palmore stated he has spoken to the Railroad and they said to send them a picture and they will look into getting this fixed. Alderman Myers stated the East-West Gateway Deadline for grant submittal is

February 19, 2015 by 4:00 p.m. A pool of money will be disbursed among those that apply. Discussion followed regarding maintenance of Candlewick, but Mayor Palmore stated we did not have the money to tear out a street that wasn't bad. The residents are happy with the progress, and Cochran agrees with the philosophy that some concrete streets can be overlaid and we can do this. Candlewick just needs maintenance. Non-Attributable funds could be used to do repairs to Candlewick. Alderman Myers stated the match for the non-attributable is 20% and that could come from the Franklin County Transportation Committee which we have no representation on that board since Harold left. We need to make this appointment as a board and the seat filled. Alderman Gass thought that person should be the engineer. Mayor Palmore stated this is the mayors' appointed with board approval. Alderman Myers stated the East-West Gateway money has to be used by 2017 and we could finish Hwy N sidewalks, but the application is due by February 19, 2015, but we have to apply. There was discussion about Hwy N Phase 2; Alderman Gass suggested this going to the Operations Committee. **Motion made by Alderman Gass, seconded by Alderman Pigg to submit Hwy N Phase 2 Project to East-West Gateway with the 20% coming from Franklin County Transportation Funds in the 2016 round which is due by July 1, 2015. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.** Alderman Gass thought we should also submit for improvements from Fourth St to Seventh St on Osage. Mayor Palmore stated we also needed to do First St. to Seventh St. Alderman Myers asked for an update on the HAM Radios. Mayor Palmore stated he is lacking at looking at both contracts. Engineer Rahn put together a cost estimate of about \$ 15,000 for this project, and was not finished with it. Alderman Myers stated his concerns were he was told Bays ET was willing to do the work and trade for a space on the tower for internet signal. Mayor Palmore stated that is a \$ 700 a month tower position, and he had concerns about this. This is an ongoing investigation and once he has the information together it will come back to the board. This also requires a structural engineer. Bob Masson stated he has copies of both contracts, it is a public service and he has shared everything with the Mayor and the contract states that we share it. He continued he gave all the aldermen a copy of the contracts, Mayor Palmore asked why he didn't give him a copy of the contracts, Mr. Masson stated he did, Mayor Palmore called "order" and stated he was not going to argue with him.

INTRODUCTION OF NEW BILLS

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

UNFINISHED BUSINESS

NEW BUSINESS

MISCELLANEOUS

A. Report of the Fiscal Year 2014 Audit Report

Motion made by Alderman Gass, seconded by Alderman Myers to approve the Fiscal year 2014 Audit Report. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Approve petty Cash.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve the petty cash in the amount of \$ 55.00. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

TOURISM EXPENDITURES

EXECUTIVE SESSION 610.021 (1) (2)

Mayor Palmore stated the board needed to go into executive session.

Attorney Schroeder stated under RSMO 610.021 (1)(2) and read them into the record.

Legal actions, causes of action or litigation involving 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....

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

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

The Board reconvened at 11:01 p.m.

Present at roll call: Mayor Palmore, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Pigg, Alderman Arnette.

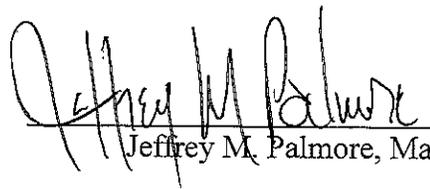
Attorney Schroeder stated the results of the closed discussion in regards to Legal was discussion on the Brush Creek Litigation and continue forward with the improvement settlement and in regards to Real Estate to move forward with the acquisition of a piece of real estate.

Mayor Palmore stated the newspaper recently reported that the filing was opening soon and for the record the Code; Section 110 states that one must be a resident of the city for 1 year preceding election and a resident of the ward when signing up, this was his interpretation of the code.

ADJOURNMENT

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

The meeting adjourned at 11:02 p.m.



Jeffrey M. Palmore, Mayor

ATTEST:


City Clerk