

February 2, 2016 * 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 Johnson
Alderman Gass
Alderman Pigg

A quorum was present.

Also present:

Attorney Todd Hamby
Chief Mansell
Collector Kelley
City Clerk Barfield

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

PRAYER

Pastor Harold Harrison offer prayer this evening.

PUBLIC PARTICIPATION

Mayor Palmore stated that there were several speaker cards this evening so he asked that everyone hold their comments to five minutes.

Jim Nantz, 509 S. Second St., Pacific, MO- stated he was asking the board to waive the minimum water fee on the south side of town. He has been working on his house and it cost \$ 78 to rent a Johnny on the Spot. He just paid a \$ 48 water bill and he has been out of his house since Christmas and he only used 500 gallons. If he turns the water off then the workers don't have any facilities to use.

Alderman Pigg stated he also spoke to Alderman Johnson about this and reminded the Board the sewer average is done with the January, February, March consumption to set the rate for the rest of the year. He continued that during the 2008 flood we didn't waive any of the demo fees or if there was any charge for lifting, but we have to make sure the demolition contractor cleans up when they are done. He thought the resolution passed prior was vague and needed to be more specific on what fees are not charged.

Alderman Johnson stated that Mr. Nantz called him also, and we could waive any fees to turn the water off and on. She continued there are others effected also. Alderman Bates agreed but questioned the mechanics of how this would work. Alderman Myers asked if we could leave it the way it is for now, then figure out if we can take a lower calculation or give them a credit on the water usage.

Mayor Palmore stated by not having the high water use now will save them later in the year. We also needed to think about this effecting 235 residents. He would like to see them get together to come up with something specific.

Alderman Pigg suggested the permits be looked at also, we have different staff working now, and everybody needed to be on board.

Collector Kelley suggested only looking at the houses that are under construction. Her pipes busted and water ran for three days and nobody helped her. It only effects the homes under construction, the rest are at a standstill.

Mayor Palmore asked when the Board was willing to meet. It was decided a meeting would be held Monday, February 8, 2016 at 6:30 for flood related topics, such as the building permits and the water and sewer rate.

Charlie Bullington, Yo-Taxi, Pacific, MO stated he is the owner of Yo-Transportation which used to be called Yo Taxi. In the last three to five years we have an "uber" and they fire up a transportation service, which is why we no longer have Yo Taxi. He has made complaints to the Police Department and he finally had his lawyer send a letter and the Captain finally caught somebody by Pilot. They have been out there for years with no city license, but then you guys gave one to them and that was Millennium Taxi. They robbed his company and put Yo Taxi out of business and they have probably cost our town \$ 80,000. Tonight he is asking for revocation of that license. He continued that the City has been frauded. What he is asking for is legal, and what he has accomplished has been knocked out by this scammer. He asked that the Board nominate him to fix the problem and it can be done in less than an hour with ten pieces of paper. In the transportation business, you either register with City Hall or with the State. He is an expert in the Transportation business. He cautioned everyone not to get in an unmarked car just because they are cheaper. If he has to file a class action suit he will. He stated this is the most important industry in the world, and this is discrimination. Mayor Palmore stated he had gone over the time limit. He would ask Attorney Hamby to look into this. He did not feel this was just a problem in Pacific, but worldwide. Mr. Bullington stated that we had to the end of the week to revoke their business license or he is moving forward with a class action suit.

Sarah Milligan, 214 Bushgate Way, Eureka, MO stated she has worked at the pool for the last six years and at the last meeting she spoke mostly about the business side of things. She is present tonight to defend her character. Things that may or may not be said she was not going to respond to. The pool is not just a job to her and her team. They enjoy it and make it a family event and truly care. They develop relationships with the people that come to the pool every day. There is an elderly gentlemen that comes every day and he needs our help, but in talking to him she found out he is a WW2 Veteran and a Marine. This gentlemen and others are not just guests to them, they are friends. There is a bigger picture here and it is to serve the community and make connections. This gentlemen reminds her of her grandfather. The

life guards are all trained and they are all friends just trying to serve the community.

Chief Mansell stated that he didn't know what was being said, but if there is a problem at the pool he always asks Sarah for her input and thinks she has done a good job. He continued that she should not worry about what people say.

Deborah White, 120 Hammer Av, Pacific, MO stated she was here on behalf of Sarah this evening. She is an awesome young adult and young woman. She shows compassion to everyone down there and knows them all by name. There are many autistic children that come to the pool, and she finds a way to communicate with them. She has been going to the pool for five to six years now and Sarah does everything to caulking, painting, picking up trash, etc. She has great ideas and last year she set up a face book page to keep everyone informed of what was going to at the pool.

Rebecca Fielder, 405 Cypress, Pacific, MO stated she was here on behalf of Sarah also. When they moved here Sarah helped her kids through the adjustment and taught them things. Her team is there six days a week, they work hard, and she does not want to see this disappear.

Leah Duncan, 403 S. 5th St., Pacific, MO stated she was also here on Sarah's behalf and she teaches elementary school with her. By far Sarah is one of the kindest, most patient person she knows. She works with difficult children at times, and their worlds are better because Sarah is in their life. She fully believes Sarah can do great things in whatever she chooses.

Isabel Lopez, 45 Fairview Parkway, stated she is a lifeguard at the pool and she started last year. Her experience has been amazing. On her first day Sarah got hives and had to leave, so she came in early, but Sarah came back with her hives to make sure I was ok. After closing we talked for two hours getting to know each other and asking me about my future, she truly cares and the people at the pool are a family.

Mayor Palmore stated there is one more speaker card on this topic, but they have asked to speak after the Operations Committee report.

Dawn Metzger, 705 N. First Street, Pacific, MO stated she went to the Operations meeting about the chicken ordinance. She stated there has been no opposition or complaints and accidents in the last ten years when it came to chickens. She reviewed what the committee discussed and thought that everyone needed to be educated on what the good of chickens do and these are God's creatures.

MAYOR'S REPORT

Flood – Mayor Palmore stated that contact was made through Dr. Craig Schmidt of an organization coming to town with a load of building materials. They are going to help rebuild a few of resident's homes who don't have access to other funds. They will be here in a few weeks, and hope to help five to six families.

Gary Jenk, FEMA and Tom Hardy, an Intergovernmental Liaison, are present and here. They have assured him that they will give us aid in submitting claims to FEMA for our expenses. He has been in contact with the City of Eureka and they have chosen to use a firm to help with their process, with an amount not to exceed of \$ 200,000. Gary Jenk stated that is exactly what they are here for and will help with. In the morning he is meeting with people about our infrastructure. He did not think we needed to pay another company to do this work. He also stated the debris clean-up is also complete.

A. Public Works Commissioner

Mayor Palmore stated he would like to nominate Robert Brueggemann as the Public Works Commissioner. Motion made by Alderman Gass, seconded by Alderman Myers to approve Robert Brueggemann as Public Works Commissioner. Mayor Palmore asked for any discussion. Alderman Pigg stated there was no pay scale change with this. City Clerk Barfield stated that position was no longer in the budget. Mayor Palmore thought that was an error and we can make an offer at the next meeting. 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.

B. City Attorney

Mayor Palmore stated he would like to appoint Capes, Sokel Law Firm, Todd Hamby as the City Attorney. Motion made by Alderman Gass, seconded by Alderman Bates to approve Capes, Sokel Law Firm, Todd Hamby as the City Attorney. Mayor Palmore asked for any discussion. Alderman Filley stated she had concerns about his experience with Fourth Class cities and his pay rate. She has also forwarded to the Mayor the name of another candidate for City Attorney and thought we should at least entertain the idea for discussion.

Attorney Hamby stated he does have Fourth Class City experience.

A roll call vote was taken with the following results: Ayes: Alderman Bates, Alderman Gass. Nays: Alderman Myers, Alderman Johnson, Alderman Pigg, Alderman Filley. Whereupon, Mayor Palmore declared the motion failed 4-2.

Mayor Palmore stated he would be appointing Capes, Sokol Law Firm, Todd Hamby as the Interim City Attorney for the next two weeks.

C. City Administrator

Mayor Palmore stated he has done some research on the candidate that was brought forward. Regrettably he is going to deny the candidate and suggested they bring forth another one as soon as possible.

APPROVAL OF MINUTES

A. Regular meeting on January 19, 2016

Motion made by Alderman Gass, seconded by Alderman Filley to approve the minutes of the regular meeting on January 19, 2016. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Executive meeting on January 19, 2016.

Motion made by Alderman Gass, seconded by Alderman Myers to approve the minutes of executive session on January 19, 2016. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

INTRODUCTION OF NEW BILLS

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

UNFINISHED BUSINESS

BILL NO. 2952

**AN ORDINANCE ADOPTING THE 2015 CITY OF PACIFIC
COMPREHENSIVE PLAN UPDATE AND REPEALING ALL
PREVIOUS ORDINANCES CONFLICTING THEREWITH. (1st
reading)**

**RESOLUTION NO. 2015-49 A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE A CONTRACT WITH HACH COMPANY FOR
REFRIGERATED COMPOSITE SAMPLES**

NEW BUSINESS

MISCELLANEOUS

A. Approve Scenic Regional Library for the Book Fair on April 20, 2016 through April 23, 2016.

Motion made by Alderman Gass, seconded by Alderman Pigg to approve Scenic Regional Library for the Book Fair on April 20, 2016 through April 23, 2016 for use of the counsel room. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

B. Smoking Policy

Mayor Palmore stated there were discussion and complaints about smoking in city vehicles. We have a policy for city buildings. There is a MIRMA suggestion in the packets tonight, which he read aloud. Attorney Hamby stated this is not an uncommon policy. Alderman Filley suggested this go back to the Administration Committee and this be looked at while they look at revising the Personnel Manual. Mayor Palmore sated the Memorandum of Understanding also needed to be looked at, as there are conflict with it and the Personnel Manual. Attorney Hamby stated that his firm has drafted handbooks that deal with today's issues and he would be happy to share those with us. Alderman Bates agreed and also said job descriptions needed to be updated. Mayor Palmore stated that Robert Brueggemann has made an effort in creating some for Public Works and he would like him to participate.

COMMITTEE REPORTS

Park Board Committee – Alderman Filley stated the Park Board met on Saturday, although Mayor Palmore was sick and he is the only one with the key to Jensen's Point and that is where the meeting was. Robert Brueggemann stated everybody in Public Works has a key. Alderman Pigg stated that nobody in the Police Department has a key to the lock, and Chief Mansell agreed. Alderman Filley continued they would like to see an amendment made to the ordinance to include Jensen's Point and the hours of the park be the same as Blackburn Park and that is 6:00 am to 30 minutes prior to sunset. They would also like to add a restrictions and that was "no tampering with the security devices and cameras and as far as rental they would like to be able to rent this out in four hour blocks. The charge would be \$ 175.00 for resident/organization and \$ 225 for non-resident/organization.

There is list of things that need to be done immediately at Jensen's Point. The first one was the handicap parking spots need to be marked, the barbed wire at the top of the fence be removed, and in the parking lot there is a cutout, if this could be marked "no parking" with a walkway from there to the gate. Discussion followed. Alderman Filley continued they would also like a port-a-potty at the top and bottom, and since there is no signage, a banner put up. Mayor Palmore stated signage was part of the grant, but he would like to see the Park Board come up with a sign plan. We also have a number of

contributors and plaques that need to be up for these contributors. There was also discussion regarding if the Sterling Price Marker was in a good location. Mayor Palmore suggested a port-a-potty in a spot about half way up and kind of back out of the way.

Mayor Palmore stated all the improvements must be complete by February 28, 2016. Alderman Myers thought all the grants requirements were in. Mayor Palmore stated we can request reimbursement when it is open and we agree to keep it open for ten years. Alderman Myers stated it was his understanding when all the requirements are met we can apply for the money. If there's other additional things that need done before the park opens. Then we send a request for additional time for those things. Alderman Myers stated he knew we still needed hand rails and additional signage. Mayor Palmore stated this park was originally opened on Memorial Day in 1977. There was discussion about how to open the park. Mayor Palmore continued to keep the hillside from eroding he suggested bringing in some sod around the parking lot. Alderman Pigg stated he thought Gina Pingleton knew someone who might be willing to help with sod. Alderman Myers stated that Zil Schroeder Farms has donated before. He also reminded everyone the graphite needed removed. Alderman Myers continued that the Ozark Trail Association will be there February 27, 2016 to fulfill their obligation. Mayor Palmore asked about the stumps. Alderman Myers stated they are supposed to rot away. Mayor Palmore stated the code has a definition and he thought it had to be below grade. Alderman Pigg stated a sign was needed for what the fine will be. It was further discussed at some point making this a registered historical site.

Cemetery Committee – No Report.

Industrial Development Committee – No Report

Tourism Committee – No Report

Building Advisory Committee – No Report

Planning & Zoning Committee – Alderman Bates stated there has been no activity.

Genealogy Committee – Alderman Johnson stated they met on January 21, 2016.

Operations Committee – Alderman Johnson stated they met on January 27, 2016 and discussed the pool and its operation with the YMCA, Midwest Pool and Sarah Milligan all giving a presentation. They are collecting information on the pool and no vote was taken. In regards to the chicken ordinance, she thinks people were under the impression they weren't going to discuss it. She commended Dawn and her efforts. She is still collecting information and researching the chickens, and another meeting will be scheduled.

Flood – Alderman Johnson continued that a lot of our infrastructure was affected, she went to the lagoon and Dog Pound today with Alderman Pigg. In January she got a call from an organization from Louisiana. She called the Mayor and asked him to listen to the group on that Wednesday and discuss the damage to our parks, dog pound, lagoon, the bridge on Denton Road. That group is called Plexos and they work with FEMA and SEMA to see how to fix our community. Eureka has hired them and she would like for them to come to an Operation Meetings to review our damage. If our lagoon goes over and takes out Graphic Packaging. They will be contaminated. Tonight she is looking for permission to take this to an Operations Meeting. Mayor Palmore stated this is the group that Eureka hired and the charge is \$ 200,000 and they didn't have near the damage we did. Mayor Palmore stated he met with Mayor Coffey and then went back to our FEMA representative and they said we did not need to hire anyone else that is why they are here. Alderman Johnson stated these people with Plexos would like to talk to the full Board. Alderman Gass didn't think they were needed. Mayor Palmore stated our people have been gathering data and doing assessments from the beginning. Alderman Johnson stated she wanted to go on record that she is concerned about our infrastructure. Mayor Palmore stated he had no objections to them, but the people here are doing this. Alderman Pigg stated he thought Alderman Johnson was looking for a report from the Mayor to keep them updated, but Alderman Johnson stated that is not what she is talking about.

Angela Virtudazo, 2207 Wild Horse Lane, Pacific, MO stated she was present for the Pacific Swim Team and they are grateful to the City for all they do with the pool. She stated Chief Mansell started the swim team in 1995 with twelve swimmers, and now they have 169 swimmers and they love their life guards. They do have some major concerns and understand the City has a contract with Midwest Pool. There were days when the chemicals were off and the kids were burnt by the chlorine. There has been chlorine poured directly into the pool while the kids were in the pool. There are strangers at the pool during their closed practices. There has been inappropriate language used at times. They have talked to Midwest Pool about these problems also, but whoever manages the pool needs to be supervised. Mayor Palmore stated any problems with the pool needed to come to the City. The Pool Management Company is a subcontract by the City so in the future address the City with any problems. She continued she would like to know when the next meeting will be that it will be discussed.

Mayor Palmore stated that all postings will be on the website and asked the City Clerk to make sure of this.

Administrative Committee – Alderman Bates stated several things needed to be discussed, the smoking policy, update the Personnel Manual, and the Memorandum of Understanding. A meeting was set for Wednesday, February 17, 2016 at 6:30 pm.

Alderman Johnson stated she would like to set an Operations meeting for February 15, 2016 at 6:30 for the chicken ordinance. This meeting was changed to Thursday, February 25, 2016.

REPORT OF CITY OFFICIALS

Alderman Filley – asked about when Thornton Road would be complete. She noticed the speed limit signs still need put up and the no passing zones are unmarked. Mayor Palmore stated the no passing zones we will do once they are done, and he thought the signs were put back according to the drawing. He also thought the caps were on the fences, but they could meet one day to look at. She also reminded everyone that on February 20, there is Trivia Night at St. Bridget's. On February 27th there is a BBQ at the Eagles, and on March 5th there is music at the Eagles and Trivia Night at Big Foot.

Alderman Myers – stated that he thought it was a tragedy that there is no administrator working towards flood relief for this City. There was a good candidate brought forward and he is shocked that he is turned down. Public Assets need to be protected and we need to be pro-active in going after it. He wants to go full force to bring a City Administrator on staff without tying it to anything else.

Motion made by Alderman Myers, seconded by Alderman Pigg to repost for the job opening of City Administrator in the same places that were advertised before and instruct the City Clerk to do this. Mayor Palmore asked for any more discussion. There being none, a voice vote was taken with an affirmative result.

Alderman Myers stated on February 27, 2016 the Ozark Trail will be at Jensen's Point. If you go to their website and want to volunteer you can sign up online. There was further discussion of when the park was originally opened and who might have pictures of it.

Alderman Bates – stated at the height of the flood when we crested on December 30, 2015 and then on January 4, 2016, FEMA was required by Governor Nixon and the response was on January 21, 2016. He thought the response time of 17 days was not acceptable. We had a record flooding event and we are just as important as others who were flooded. When he thinks back to Katrina it seems like an army was moved in. It appalls him the media is not here asking us where FEMA is and thinks the people could do better. Alderman Johnson stated that we have to take the lead, which is why she brought this group

forward. Alderman Bates stated it seems like we had more help in 2008, and that is because Administrator Selby knew who to call and now the response is almost non-existent. We need help from the top. Alderman Myers stated that last time Mayor Adams had an interview in St. Louis and expressed his disappointment with the lack of assistance that we were getting, then we started to see things move.

Mayor Palmore stated he understands the Declaration is on the President's desk.

Dave Myers (audience) stated that he urged the Board to be cautious about buyouts, we lose taxes and the City takes on the property. Mayor Palmore stated he was not a proponent of buyouts, and his idea is to keep the residents here.

Alderman Gass – asked about the status of the Grass Cutting bids and thought they were supposed to go out by the first of the year, it was in the minutes. Next he asked about the Non-Attributable Funds at the Highway Department for \$ 192,000 and thought that should be used to repair Candlewick and Industrial Drive. The slabs are marked and Dan Rahn's firm had the best price. Motion made by Alderman Gass, seconded by Alderman Johnson to approve 21 Design to move forward with the Program Data Sheet. Mayor Palmore stated he thought the engineering was about \$ 12,000 and the inspection was about \$ 8,000 and wanted to keep the inspection cost down. Alderman Gass recommended training Robert Vancil to do inspections for this property. He also wanted to project for the middle of April for a construction date.

Alderman Myers asked about the status of Highway N sidewalk project. Mayor Palmore thought the drawings just needed to be updated.

Alderman Johnson – stated the annual St. Patrick's Day Parade is coming up. She has spoken to the Chief about the parade route. Chief Mansell stated that Larry had a couple ideas and he thought the best one was from the Middle School to the East End Plaza. The Christmas Parade was a mess and stopped in the middle of town, and did not work out well.

Alderman Johnson asked about the status of the sign in Jim Miller's yard, and the drainage issue in a few of the yards. Mayor Palmore thought the sign was where it needed to be, but he would meet her out there if she wanted. Public Works Commissioner Brueggemann will also look into this.

Alderman Pigg – stated that people are complaining about Thornton Road from Eagles View to Highway 100. Could we ask the County to do a traffic study to see if guard rails would be warranted? Next he stated in the packets are the reports from the employees about what they are working on, but the dog pound is still unacceptable. There is debris in the fence and mud all over, and it is not disinfected. The place needs power washed. The report says this was done, but he did not think it was satisfactory. Mayor Palmore stated he would look into this. He is also getting calls about the mounds of dirt at the cemetery and dirt being on head stones and flowers damaged. He thought we needed to correct this. Mayor Palmore stated this is how it is supposed to be, we do not tamp it down it has to be left for a time to settle. That area had five burials and it is the lowest area of the cemetery and very wet. Mayor Palmore stated if he received any other calls to get their name and phone number and he will call them. Alderman Pigg then asked about Forest Glen snow plowing. He had a complaint that we missed someone's street and then he gets a call that we are not snow plowing at all. Mayor Palmore stated we have no obligation to plow and Public Works was directed incorrectly. We do need a City Administrator that knows the law and follows rules.

Chief Mansell stated he agreed with Alderman Bates about us not getting the attention from FEMA quick enough. He also spent the day with Lisa Hart and that interview will air Friday night on Channel 2. He will also be interviewing this week starting with an oral board, then a psychological, medical and then

background checks.

Officer Yukie – Chief Mansell stated Canine Officer Yukie has recovered \$ 3 to \$ 4 million dollars in drugs, and has earned her stay here. With her health situation, Dr. Jones has recommended she retire. Chief Mansell stated he agreed with Dr. Jones and feels like she has earned it. Chief Mansell also asked that Officer Yukie be allowed to stay with Officer Whitman Motion made by Alderman Filley seconded by Alderman Pigg to retire Canine Officer Yukie and allow him to stay with Officer Whitman.

Mayor Palmore we have to check on the legal way to allow Officer Whitman to keep him, and he may have to purchase him for \$ 1.00.

Chief Mansell stated that someone has offered to purchase a replacement dog for us, and he will look into this.

Collector Kelley stated that she was contacted by Franklin County Collectors Office, showing concern for the south side. They are asking us to keep in contact with them if there are any demolitions.

ADJOURNMENT

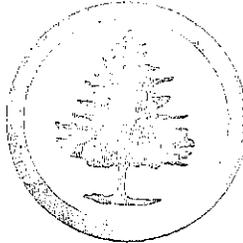
There being no further business, motion made by Alderman Gass, seconded by Alderman Pigg to adjourn. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

The meeting adjourned at 10:15 pm.

ATTEST:

City Clerk

Kimberly Barfield



Jeffrey M. Palmore
Jeffrey M. Palmore, Mayor