

July 1, 2014 * 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 Johnson
Alderman Pigg

A quorum was present:

Also present: Attorney Schroeder
Chief Mansell
Collector Kelley
Engineer Rahn
City Clerk Barfield

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting- June 17, 2014

Motion by Alderman Johnson, seconded by Alderman Pigg to approve the minutes of the regular meeting held June 17, 2014. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

PUBLIC HEARING

PZ2014-04: A Public Hearing to consider a Text Amendment to the City of Pacific Zoning Regulations, Title IV: Section 400.130 "C-2" Arterial Commercial District Regulations.

Mayor Palmore read the public hearing into the record. He opened the public hearing for comments from the public. Todd Streiler, Planner, stated on June 24, 2014 findings and

amendments were presented to Planning & Zoning that allows existing family homes as permitted uses as opposed to non-confirming use. If a home was destroyed more than 50%, it could not be re-built; in 2012 the city did the same thing to C1 District. This was passed at Planning & Zoning unanimously. Mayor Palmore asked for comments from the Board of Aldermen. Alderman Bates expressed that this was the desire of the Board of Aldermen and Planning & Zoning in case of a catastrophe. Mayor Palmore asked for any further comments, there being no further comments the public hearing was closed.

SPEAKER CARDS

Pastor Harold Harrison, 1995 Hwy N, Pacific, MO stated he wanted to offer prayer this evening and read two short verses from Proverbs.

Donna Bay, 116 E. Osage, Pacific, MO stated she owns Bay Tire and was flooded with the most recent rain. She has been told Cochran Engineering was looking into it, but she has damage to equipment and her building. Mayor Palmore stated he was there when Cochran was there and spoke with the inspection manager, the intersection is not complete and some of the problem is the water from First St. They are working on a solution and we are trying to take measures to stop or minimize the flooding.

Danette Hoven, 603 W. Osage, Pacific, MO stated she was back again about the sidewalks on both sides of the street and the retaining wall that was supposed to be in front of her house. She found the letter to her from the city and she believes she is part of the improvement. Engineer Rahn stated from First St. to Neosho St. the sidewalk is on both sides of the street. Discussion followed on the CID District and the scope of the project. Mayor Palmore stated he would be happy to meet with her to discuss this further.

Marty Marler, 124 E. Springfield Dr., Sullivan, MO stated he was present this evening regarding Heritage Farms. Ray Gullet is building homes for him, and four years ago when this started he worked with Harold Selby as the owner of a Land Survey Company. He continued that he staked the street and the owner of the subdivision at that time never paid for it. The city got involved with having the street installed. The problem is they failed to have the sleeves installed for the water services to the lots he owns. As the owner of three lots, he has to bear the cost of the bore, approximately \$ 1,500 each lot. He stated that originally he asked the city when the current developer lost the subdivision when it was built if he could stake the streets, but he wasn't given the opportunity. The city hired a paving contractor, he feels like he is being penalized for a utility connection that should have been made, after he played an active part in getting the street staked, Gold Star Paving was the contractor that did the streets. Alderman Gass stated the city could have the water department do it and make the connection, if needed we could just bill him for the labor. Mayor Palmore stated he would look into this a little further and will get back to him in a day or two. Alderman Bates requested feedback on this issue, so this problem does not get repeated in the future. Mr. Marlen stated he owns Lot 31 & 32 and has permits, Lot 33 is the next one to build out and Lot 30 had water to it. Attorney Schroeder stated we could not get in the development business, but if we can fix it and it is appropriate that would be the question.

Debra Wiersmann, 1947 Kesha Court, Pacific, MO gave the Mayor articles from the newspaper that she cut out of what other cities are doing. She thanked the board for the basketball nets, and asked about the asphalt next to the volley ball area and what this is for. Steve Flannery, Park Board President stated this has been used for roller hockey in the past and some skate boarding, if this is a nuisance he suggested it just be tore up. Mayor Palmore thought this was a good opportunity for these kinds of things to go directly to the park board.

MAYOR'S REPORT

Operations Committee-Dumpsters at the maintenance building

Mayor Palmore stated he would like to see this be discussed at an Operations Meeting. Alderman Gass suggested the Heritage Farms water connections also be discussed at this meeting, Alderman Pigg suggested they also discuss development at the Industrial Park. Board Members agreed to set an Operations Meeting for Tuesday, July 8, 2014 at 7:00 p.m.

COMMITTEE REPORTS

Park Board Committee – President Flannery stated they would be meeting on July 7, 2014 and would be able to present to the board a full report at the next meeting.

Cemetery Committee – No Report

Industrial Development Committee – No Report

Museum Committee – Alderman Johnson stated the chairman of this committee intends to set up a meeting in the future.

Tourism Committee – Alderman Arnette stated they will meet Monday at 1:00 p.m.

Building Advisory Committee – No Report

Planning & Zoning Committee- Alderman Bates stated there was nothing other than what was on the agenda this evening.

Genealogy Committee – Alderman Arnette stated they need volunteers.

Fireworks Committee – Alderman Johnson stated the city fireworks was successful and she had a check from the Eagles in the amount of \$ 1,000 towards donations, anything left over will roll over to next year. There was a laser show this year with street performers for fire art and this was just the beginning of what could happen. She would like to be able to have a laser flag next year. She continued that Washington has set the bar at \$ 16,000.

REPORTS OF CITY OFFICIALS

Alderman Arnette – stated he has had complaints regarding Congress St. and the cuts across the

road, the rock has compacted. Engineer Rahn stated the contractor has been trying to fill them and they would be concrete soon.

Alderman Myers – stated the Blue Grass Benefit Bash is scheduled for Saturday, July 26, 2014 from 2:00 p.m. – 10:00 p.m. at the Pacific Brewhaus these funds will be for the future development of the River walk Project. He has also received phone calls about the plantings at Blackburn Park and the flowers had died. Someone also asked him about plantings around the new signs, and at the city park. He knew we used to have a Garden Club and asked what we could do to re-develop this to help with some of these areas. Mayor Palmore suggested asking some of the people that are involved with ADAMS Garden, as that park has set the bar, he also suggested asking for volunteers on the website. Alderman Myers asked about where funding for this could come from, Alderman Gass said it should come out of park maintenance. Todd Streiler, Planner, stated with the comprehensive plan meetings he has heard support for this and suggested an “Adopt a Spot” Program, in exchange for a sign with recognition. Alderman Arnette stated with regards to the Welcome Signs, the plans are to put rock around there, so he asked no plantings be done there yet. Alderman Myers stated he also has been in contact with the pool manager, and passed out recent pictures that have been taken. There are items at the pool that need to be corrected, Alderman Gass stated these were maintenance issues and could be corrected with staff. Discussion followed on this maintenance procedures, and employees. Alderman Myers asked the status of the search for a city administrator, Mayor Palmore stated he has spoken with Missouri Municipal League, and they suggested looking locally. He has received several resumes, and will be bringing a name before you within the week. Alderman Pigg stated he would still like to see a posting so we have a buffet to choose from, and see who is out there. Mayor Palmore stated he has made some minor changes to the ad the city used before and will give this to Kim to put in the Missouri Municipal League magazine and the Missourian and Post-Dispatch. Alderman Myers named five different websites that he thought this should be included on, and thought the costs would be low.

Alderman Bates thought the car show was successful, and thanked all the workers. He then asked for an update on the Comprehensive Plan. Todd Streiler, Planner, stated this has been worked on for a year now and we are on schedule with the budget. He reminded the Board he asked for a longer public engagement process, we have had several work sessions and organizations and volunteer groups have participated. On June 6, 2014 was the last workshop and included business owners and corporations, he hopes to meet with the Mayor tomorrow and have this substantially completed within the next six months. Alderman Bates stated he would like to see this get back on schedule and completed by the end of the year.

Alderman Pigg stated he has had requests for repairs to the sidewalks on Old Gray Summit Road and a couple request for additional street lights, as there are some dark, dead zones. Mayor Palmore asked that he find out exactly where those zones were located. Alderman Pigg continued that ADP works for AT & T and there are three barriers by his place and have been there for six days, they are straight down holes, also in the apron the patch is down 2” and the other side is saw cut and nothing is being completed by this company. He has left three messages for them himself, with no call back. He continued they took the phone box that was on the side of his building and left the door open, then it rained and his line was full of static. There was discussion about permits and the right-of-way. Engineer Rahn will try to contact them.

Alderman Johnson stated that after Danette Hoven spoke last time, she looked at the sidewalks from Dr. Burk's office to Price Apartments and this area needs cleaned up. She suggested we find out if this is MoDot right-of-way and if so if they would clean it up, if not then the city needs to do it.

Alderman Gass asked that Mayor Palmore send a letter and request from McDonalds to the Chinese Restaurant that area be cut that is in the right-of-way. He also thought the bank at Resurrection Hill Cemetery needed cut, and asked that we look at our dump trucks and they need cleaned up and painted.

Alderman Bates asked that Engineer Rahn go to Fourth & Osage as he has received complaints about sight issues with the construction, and the black fence creating shadowing.

INTRODUCTION OF NEW BILLS

**BILL NO. 2920 AN ORDINANCE AMENDING SECTION 400.130 OF
CHAPTER 400 "ZONING REGULATIONS" TO EXPAND
THE PERMITTED USES IN THE C-2 ARTERIAL
COMMERCIAL DISTRICT TO INCLUDE EXISTING
SINGLE-FAMILY DWELLINGS. (1st reading)**

Motion made by Alderman Bates, seconded by Alderman Gass for the first reading of Bill No. 2920. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Motion made by Alderman Pigg, seconded by Alderman Bates for the second reading this evening. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

**BILL NO. 2920 AN ORDINANCE AMENDING SECTION 400.130 OF
CHAPTER 400 "ZONING REGULATIONS" TO EXPAND
THE PERMITTED USES IN THE C-2 ARTERIAL
COMMERCIAL DISTRICT TO INCLUDE EXISTING
SINGLE-FAMILY DWELLINGS(2nd reading)**

Motion made by Alderman Pigg, seconded by Alderman Bates for the second reading of Bill No. 2920. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2920 for the second reading by title only.

A roll call vote was taken with the following results: Ayes: Alderman Arnette, Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg. Nays: None. Whereupon, Mayor Palmore declared motion carried. City Clerk Barfield stated Bill No. 2920 becomes Ordinance No. 2908.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 2014-36

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF PACIFIC AND SPENCER CONTRACTING, FOR THE THORNTON ROAD & VIADUCT STREET IMPROVEMETNS PROJECT (STP-5419-604).

Motion made by Alderman Gass, seconded by Alderman Myers for this resolution to continue to the next meeting, leaving the city engineer time to verify this is the right company for us. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried. Alderman Gass stated he would also like to discuss this further with Engineer Rahn.

RESOLUTION NO. 2014-37

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PACIFIC TO EXECUTE A REVISION OF THE CITY ENGINEER EMPLOYMENT CONTRACT.

Mayor Palmore stated the City Engineer has been re-appointed, so thought this was a moot point. Attorney Schroeder stated there was an employment contract by resolution back in 2011 and in that contract was a provision of re-appointment by the Mayor by June 30 which the mayor did do. He also thought this resolution was mute and he was employed under the original contract. Alderman Gass asked if we can change the contract to remove the "30 day notice and allow for a 2 week notice" like the rest of the employees if they wanted to leave. Attorney Schroeder stated that change would need to come back before the board and would be a revision to the contract. Alderman Gass asked Mayor Palmore to instruct the City Attorney to draft that change, Mayor Palmore stated he could, but wanted to get everyone satisfied, and if anyone had any input to this they could call him. Alderman Pigg stated he was caught off guard with this being on the agenda at the last minute. Attorney Schroeder stated his contract was what the resolution was for. Engineer Rahn stated he was confused with the appointment because in the last meeting he had issues with him and made it clear there was no intention of re-appointment, he attempted to re-negotiate his contract and was looking for a commitment from the Mayor to move forward. Mayor Palmore stated based on the motion by the Board, and with the continued urging of them, he made the re-appointment. Engineer Rahn stated he was still confused, and stated that Mayor Palmore told him he was not going to be re-appointed. Mayor Palmore stated he did exactly what the board wanted him to do. Engineer Rahn stated it was hard to come to work with you telling me you don't want me but the board does, it has the potential to create an environment that is uncomfortable. Mayor Palmore stated he made his opinion public, but the Board over rode him, he did what they wanted and fulfilled the boards wishes. There was discussion if this needed to be continued in executive session.

RESOLUTION NO. 2014-38

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF PACIFIC AND BARTLETT & WEST, INC. FOR THE MASTER PLANNING FOR THE WASTEWATER TREATMENT AND COLLECTION SYSTEM OF THE CITY OF PACIFIC, MISSOURI.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2014-38 by title only. Motion made by Alderman Gass, seconded by Alderman Pigg to approve Resolution No. 2014-38. Alderman Gass asked if this cost the city. Engineer Rahn stated the Grant from DNR is \$ 50,000 and the contract was for \$ 62,500, the city is responsible for the balance of \$ 12,500. This still needs to go to Department of Natural Resources to sign off on. Alderman Bates asked what the scope of the project was. Engineer Rahn stated we incorporate Brush Creek in this, but they are doing one of their own. We are in the middle of renewing the discharge permit for new limits, this looks out 5, 10, 20 years with projects and a financial plan. Alderman Pigg thought this was good as it goes along with the Master Plan. A voice vote was taken with an affirmative result, and Mayor Palmore declared the motion carried.

MISCELLANEOUS

None

TOURISM EXPENSES

None

EXECUTIVE SESSION RSMO. 610.021 (1)& Personnel

Mayor Palmore stated we would be going into Executive Session. Attorney Schroeder stated it would be under RSMO. 610.021 (1 & Personnel)

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.

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

Motion made by Alderman Pigg, seconded by Alderman Gass to go into executive session under RSMO. 610.021 (1 & Personnel). A roll call vote was taken with the following results: Aye: Alderman Myers, Alderman Bates, Alderman Gass, Alderman Johnson, Alderman Pigg, Alderman Arnette. Nays: none. Whereupon, Mayor Palmore declared the motion carried.

The Board went into executive session at 8:50 p.m.

The Board reconvened at 9:40 p.m.

There was a complaint from the audience about hearing, Mayor Palmore stated everyone needed to talk into the microphones.

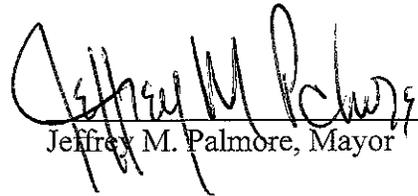
Chief Mansell stated he and the Collector were not on the agenda, but they had nothing to report.

RECEIVED AND FILED

ADJOURNMENT

There being no further business, motion made by Alderman Arnette, 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 9:40 p.m.


Jeffrey M. Palmore, Mayor

ATTEST:


City Clerk

