



November 6, 2012 * 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 Adams. The meeting is held at the Government Center, 300 Hoven Drive, Pacific, MO.

A roll call was taken with the following results:

Present at Roll Call: Mayor Adams
Alderman Arnette
Alderman Eversmeyer
Alderman Bates
Alderman Gass
Alderman Reed
Alderman Pigg (Mayor Adams stated Alderman Pigg was out of the room, but was present this evening)

A quorum was present:

Also present:
City Administrator Selby
Attorney Vogel
Collector Kelley
City Clerk Barfield
Public Works Commissioner Boedges
Chief Mansell (arrived late)

Mayor Adams stated Engineer Rahn was absent this evening, due to personal reasons.

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

A. Regular Meeting – October 16, 2012

Motion made by Alderman Eversmeyer, seconded by Alderman Reed to approve the minutes of the regular meeting held on October 16, 2012. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

NEW BUSINESS

None

PUBLIC HEARING

None

MAYORS REPORT

A. Welcome Center Presentation

Mayor Adams stated Pauline Masson was going to give a presentation on the welcome center, and he appreciated all the hard work of the committee. Pauline Masson, chairman, stated the committee tried to create a plan that would enhance the city, and make visitors want to stay in Pacific.

Alderman Pigg returned to the meeting.

They tried to create a business plan and the center would be operable and create an attraction. The center would attract 700 visitors a month, and increase guests at the motels. A slideshow presentation was given. They figured the cost to operate the center was \$ 7,522, just for maintenance of the building, the cost of one employee’s wages at \$ 10.00 is \$ 46,497.00. There are ways the welcome center can generate money, one is to have a gift shop and they figured it would take in approximately \$ 12,000 a year, then a conference/meeting room that could be rented out for generating approximately \$ 1,950 and a soda machine generating \$ 9,000 a year. This revenue would help offset the cost to operate the center. The employee would be a city employee. Mayor Adams thought it would be a good idea to share the plan with the Chamber Board and Tourism Committee. Alderman Gass suggested partial funding through the tourism commission. Discussion followed regarding the welcome center in Cuba. A business plan was given to the board.

PUBLIC PARTICIPATION-SPEAKER CARDS

Kirk Presley, 117 W. Sand St., Pacific, stated there was an ordinance on the agenda this evening regarding his property. He would like the ordinance changed and the waiver to include the sidewalks and curb and gutters. Attorney Vogel stated this was brought before the Board at the last meeting, and they agreed to waive the street lights and street trees, but NOT the sidewalks and curb and gutters. This ordinance is wrote how the board instructed staff to do it. Alderman Pigg stated the man has already lost his house, the property has not changed hands, and he should not have to do the improvements. Alderman Bates stated during the flood the board was able to waive requirements. While he thought the ordinances in place were good and working, he thought we needed to help the property owner. Motion made by Alderman Gass, seconded by Alderman Pigg to amend the bill and read it in full tonight and waive the sidewalk. Mr. Presley stated he did not feel he should have to install the curb and gutter either, there was none in place, and the only reason he is in this situation is because his house had to be torn down due to termites. He felt this was a hardship on him and he could not control it, it was an act of god. Motion made by Alderman Gass, seconded by Alderman Pigg to amend the original motion, and waive the requirement of sidewalk and curb and gutter. Mayor Adams stated this would be done at the time of reading. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

Jeannie Bandermann, 1713 Birch, Pacific, stated she was President of the Event Committee with the Tri-County Senior Center. There are two events planned. One is Friday, November 9, which is a chicken and dumpling dinner from 5:00 – 7:00 p.m. The other event is Sunday, November 11, for Veterans Day from noon to 3 p.m. She asked city officials to join them.

Chief Mansell arrived at the meeting.

Austin Myers, 1121 Oak Ridge Road, stated he called city hall last Tuesday regarding the signs at the PYA Park. He is looking for the ordinance approving the no parking signs. A lady he knows received a ticket while she was at the ball park. He spoke with Administrator Selby and he said there was an ordinance, but he has not yet seen a copy of this. He did receive a fax but part of the pages were blank. He also spoke with the officer at the time and the officer said if the plate is run, and the address does not come back to somewhere on that street, they get a ticket. He feels like the administrator handled his request inappropriately, he wants to know why there is a sign there, and if it is even a legal sign. Alderman Bates stated he was unsure how long ago it was, but thought it was more than five years ago, the PYA Board came to the aldermen, along with the neighbors complaining about the parking and safety issue when there are games. There was a concern of the membership of the PYA for the kids safety. When the signs went up, he thought there was even a grace period before the officers would even begin to issue tickets. Alderman Bates stated he was almost 100% sure there was an ordinance for it. Administrator Selby suggested going back to the minutes. Alderman Eversmeyer thought part of the agreement was the PYA was going to enlarge their lot also. Mr. Myers stated if these signs are illegal he thought the city should refund the money for anybody who has been given a ticket. Mayor Adams stated he was speaking from his experience, but many folks plead not guilty to a charge and some asked the prosecutor to produce the ordinance and if he could not the matter was dismissed. When a citation is issued the proper place to ask for the ordinance is from the prosecutor. He continued after this evening city hall would try to find it for you, if we cannot we will agree and admit it. Alderman Reed thought the signs should just say “no parking”. Attorney Vogel stated there could be a reason why there is no ordinance, and just in the minutes, because under Section 300.065 of the city code book, it allows the police chief to put up a sign if he feels it is necessary. Motion made by Alderman Gass, seconded by Alderman Reed to authorize the chief to use his temporary authority and regulating power under section 300.065 to cover the signs until we find out the status of the signs. Attorney Vogel stated this would be for 90 days. Alderman Bates stated he would agree to this only if it was temporary, because this was originally petitioned by the PYA. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved. Mr. Myers asked when he would hear from city hall, and Mayor Adams stated he was not promising any conclusions or a time frame, but gave his cell number for Mr. Myers to contact him.

CITY ADMINISTRATOR/CITY ATTORNEY REPORT

Administrator Selby stated the Pacific Ring would like to use the Government Center on Monday, November 19, 2012 for the documentary to be premiered. Motion made by Alderman Gass, seconded by Alderman Pigg to approve use of the government center on November 19, 2012. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved.

Administrator Selby stated there is a problem with the furnace at the museum. It has not been used since last winter, and we were using \$ 900 a month in heat. He would like authority to obtain bids on the furnace, and use tourism funds to replace it. Otherwise, the museum will have to be shut down for the winter. Alderman Gass suggested installing natural gas, but also obtaining bids for the air conditioner. Alderman Arnette stated some of the funds in the tourism budget was also going to be used for welcome signs. Alderman Bates stated the furnace at the museum is unsafe, and even if we put it on the market, felt it would still need repaired. Alderman Reed stated he would like the city to winterize it,

he had no problem with obtaining bids, but felt the work probably wouldn't be completed until spring anyway. Motion made by Alderman Pigg to shut the museum down. Alderman Arnette stated he would like to get the garage dry walled and insulated and maybe that could be included in the bids. **Alderman Pigg amended his motion to winterize the museum, and obtain bids for the furnace/air conditioner, and the dry walling and insulation of the garage, seconded by Alderman Reed. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved.**

COMMITTEE REPORTS/REPORTS OF CITY OFFICIALS

Tourism Committee – Chairman Baker stated that the committee approved the expenditure of up to \$ 9,000 from the tourism regular budget, which would need to be amended, for the two binoculars and a marker at Blackburn Park. This concept was approved at the last Board of Aldermen meeting. They also have a meeting scheduled with the administrator to work on the details of the welcome signs. Motion made by Alderman Gass, seconded by Alderman Arnette to approve amending the tourism regular budget to include \$ 9,000 for two binoculars and a marker at Blackburn Park. A voice vote was taken with an affirmative result. Alderman Pigg thought that before, a telescope was included. This project would go out to bid, and we could see what all of it would include. Banners were also discussed at the committee meeting, and examples of two of the designs was available tonight. There are five different designs total, but there are also Holiday banners.

Planning & Zoning – no report

Park Board Committee – there will be a meeting next Monday.

IDA Committee – Chairman Bruns stated the deal with Aurora Tech was approved with Subway.

Museum Committee – no report

Pauline Masson stated the dedication of King Adams Monument was held, and it was a great day.

Chief Mansell stated the police department picked up the Hummer from the Department of Public Safety that the city received for free. He felt this was a great asset to the city.

Chief Mansell stated he was late this evening due to the robbery at Dollar General being robbed, but the suspect has been caught.

Alderman Reed stated the street fair this past weekend was successful. The poker run was on Sunday and the proceeds went towards raising money for the Kiwanis to pay off the playground equipment at the city park. They raised \$ 1,800, but still owed \$ 1,700 of the debt. He asked if there was a legal way the city could help dissolve the rest of the debt. Alderman Eversmeyer stated that this came up at the Eagles' meeting last night, and the Eagles has agreed to finish off the debt, and Aurora Tech was throwing in \$ 500 towards the debt to help. Mr. Kirk Presley stated he would contribute \$ 400 to the debt. Mayor Adams stated this was exactly the kind of partnerships he would like to see through the whole town, no one organization can do it all.

Alderman Reed asked about the city's finances. He stated it seemed the city was battling the issue of not paying our bills on time. Mayor Adams stated the city went to one meeting a month and bills received after that meeting that were due by that month, were not approved until the next meeting, so they may already be late by the time they were approved. He continued when he was elected mayor, the practice had changed from when he left, but he has instructed staff to go back to the old ways from when he was mayor in the 90's and if there is a contract and the invoice comes it, then it is to be paid. Along with

going back to two meetings a month, and the approval of bills at the second meeting, along with the change in practice, this should help solve some of the problems. Discussion followed regarding financial statements and the revenues and expenses.

Alderman Pigg stated he was glad to see the Eckelkamp property was complete.

MAYORS REPORT

B. Cancel January 1, 2013 regular meeting

Motion made by Alderman Arnette, seconded by Alderman Reed to cancel the January 1, 2013 meeting. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

INTRODUCTION OF NEW BILLS

BILL NO. 2867 **AN ORDINANCE PROVIDING THAT THE ANNUAL ELECTION BE HELD ON TUESDAY, THE 2ND DAY OF APRIL 2013, IN THE CITY OF PACIFIC, COUNTIES OF FRANKLIN AND ST. LOUIS, IN THE STATE OF MISSOURI, FOR THE PURPOSE OF ELECTING OFFICERS FOR THE SAID CITY OF PACIFIC**
(1st reading)

Motion made by Alderman Reed, seconded by Alderman Gass to approve the first reading of Bill No. 2867. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2867 by title only for the first reading. There being no objections or corrections, Mayor Adams declared the bill will continue to the second reading at the next meeting.

AMENDED
BILL NO. 2868 **AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT PURSUANT TO SECTION 410.030.B OF THE CITY CODE FOR 117 W. SAND AND DIRECTING THAT THE SAME BE RECORDED WITH THE FRANKLIN COUNTY RECORDER OF DEEDS.** *(1st reading)*

Motion made by Alderman Gass, seconded by Alderman Bates to approve the first reading of Amended Bill No. 2868. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. Attorney Vogel stated this bill was amended earlier in the meeting, and was posted prior to reading. As posted pursuant to the ordinance, Attorney Vogel read Amended Bill No. 2868 in full for the first reading. There being no objections or corrections, Mayor Adams declared the bill will continue to the second reading this evening.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

AMENDED
BILL NO. 2868 **AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT PURSUANT TO SECTION 410.030.B OF THE CITY CODE FOR 117 W. SAND AND DIRECTING THAT THE SAME BE RECORDED WITH THE FRANKLIN COUNTY RECORDER OF DEEDS.** *(2nd reading)*

Motion made by Alderman Gass, seconded by Alderman Bates for the second reading of Amended Bill No. 2868. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

As posted pursuant to the Ordinance, Attorney Vogel read Amended Bill No. 2868 in full for the second reading. There being no objections or corrections, Mayor Adams called for a roll call vote with the following results: Ayes: Alderman Arnette, Alderman Eversmeyer, Alderman Bates, Alderman Gass, Alderman Reed, Alderman Pigg. Nays: none. Whereupon, Mayor Adams declared Amended Bill No. 2868 passed 6-0, approved it and it became **Ordinance No. 2848**.

MISCELLANEOUS

A. Approve petty cash in the amount of \$ 77.82.

Motion made by Alderman Arnette, seconded by Alderman Reed to approve petty cash in the amount of \$ 77.82. A voice vote was taken, with an affirmative result, and Mayor Adams declared the motion approved 6-0.

B. Approve use of council room for Education Station Video Premier on November 19, 2012 from 6:00 p.m. to 9:00 p.m.

This was approved earlier in the meeting.

C. Approve Change Order # 7 for City Hall Improvements from J.E. Foster, to be paid under the Project Fund, Ord. 2804.

Motion made by Alderman Arnette, seconded by Alderman Eversmeyer to approve Change Order # 7 for City Hall Improvements, from J. E. Foster to be paid under the Project Fund, Ord. 2804. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-1. Nays: Alderman Reed.

D. Approve appointment of Kevin Conley as a part-time police officer.

Motion made by Alderman Pigg, seconded by Alderman Gass to approve the appointment of Kevin Conley as a part-time police officer. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

E. Approve appointment of Tony Lindeman as a part-time police officer.

Motion made by Alderman Reed, seconded by Alderman Arnette to approve the appointment of Tony Lindeman as a part-time police officer. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

F. Approve appointment of Steven Nagel as a part-time police officer.

Motion made by Alderman Pigg, seconded by Alderman Eversmeyer to approve the appointment of Steven Nagel as a part-time police officer. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

G. Approve Change Order # 1 from Gold Star Paving for the Heritage Farms Project to be

paid from escrow.

Motion made by Alderman Reed, seconded by Alderman Pigg to postpone until Engineer Rahn is present. Alderman reed stated he had questions regarding the change order, and thought some of these items should have been included in the bid specifications. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. This will carry to the next regular board meeting.

H. Approve Pay Application # 1 from Gold Star Paving for the Heritage Farms Project to be paid from escrow.

Motion made by Alderman Gass, seconded by Alderman Reed to postpone until Engineer Rahn is present. Alderman Reed felt this went along with the change order. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. This will carry to the next regular board meeting.

I. Accept the retirement of Cindy Baker.

Motion made by Alderman Pigg, seconded by Alderman Reed to accept the retirement of Cindy Baker. Mayor Adams stated she has been an employee of the city's for many years, and appreciated her dedication. A voice vote was taken, with an affirmative result, and Mayor Adams declared the motion approved 6-0.

UNFINISHED BUSINESS

BILL NO. 2817 AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF PACIFIC, FRANKLIN COUNTY, MISSOURI, AS HEREIN PROVIDED BY ANNEXING SPECIFIED UNINCORPORATED TERRITORY CONTIGUOUS AND ADJACENT TO THE EXISTING CORPORATE LIMITS OF THE CITY.

RESOLUTION NO. 2012-52 A RESOLUTION AUTHORIZING EXECUTION OF A SERVICES AGREEMENT WITH THE PACIFIC FIRE PROTECTION DISTRICT TO PROVIDE THE CITY RESIDENTIAL FIRE AND BUILDING CODE INSPECTION SERVICES.
(Postponed from 10-16-12)

NEW BUSINESS

RESOLUTION NO. 2012-54 A RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH STREILER PLANNING, LLC RELATING TO COMPLETION OF A NEW COMPREHENSIVE PLAN FOR THE CITY.

As posted pursuant to the Ordinance, City Clerk Barfield read Resolution No. 2012-54 by title only. Motion made by Alderman Bates, seconded by Alderman Gass to approve Resolution No. 2012-54. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

RESOLUTION NO. 2012-55 A RESOLUTION AUTHORIZING EXECUTION

**OF A PROFESSIONAL SERVICES CONTRACT
WITH ET SECURITY & FIRE, LLC RELATED TO
PROFESSIONAL SERVICE FOR AUDIO
EQUIPMENT AND SERVICES.**

Alderman Pigg asked if this was just the sound system for city hall. Administrator Selby stated this was just for the city hall, he continued there the video for downstairs and outside, and the projector would be coming to them, hopefully in the next meeting. Alderman Pigg thought the police department should be priority.

As posted pursuant to the Ordinance, City Clerk Barfield read Resolution No. 2012-55 by title only. Motion made by Alderman Eversmeyer, seconded by Alderman Pigg to approve Resolution No. 2012-55. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-1. Nays: Alderman Reed.

TOURISM EXPENDITURES

RECEIVED AND FILED

ADJOURNMENT

There being no further business, motion made by Alderman Bates, seconded by Alderman Pigg to adjourn. A voice vote was taken with an affirmative result and Mayor Adams declared the motion approved 6-0

The meeting adjourned at 9:20 p.m.

Herbert C. Adams, Mayor

ATTEST:

City Clerk

Signed minutes on file with the City Clerk.