



**December 4, 2012 \* RECORD OF PROCEEDINGS**

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

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**T**he 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

A quorum was present:

Also present:  
City Administrator Selby  
Attorney Vogel  
Chief Mansell  
Collector Kelley  
Engineer Rahn  
City Clerk Barfield  
Public Works Commissioner Boedges

The Pledge of Allegiance was given.

**APPROVAL OF MINUTES**

A. Regular Meeting – November 20, 2012

Motion made by Alderman Reed, seconded by Alderman Arnette to approve the minutes of the regular meeting held on November 20, 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

### **PUBLIC PARTICIPATION-SPEAKER CARDS**

*Reverend Harold Harrison, Ministerial Alliance, Pacific, MO* stated he would like to offer prayer this evening. Prayer was given.

*Jeff Palmore, 709 W. Union, Pacific, MO* asked about a deed issued by Mr. Bruns that was also in his name. He stated the city has hired three people to go over the deeds and no progress has been made in the last 5 years. He asked if Mr. May has done anything? Administrator Selby stated he understood that Mr. May has spoken to him, and Alan, and has looked through our records, but haven't heard anything else from him. Mr. Palmore asked if 5 years was long enough. He continued that he requested a chapter 155 meeting, and Administrator Selby and Attorney Vogel denied his request. He stated he followed the procedure, now we are in the appeals court, and asked if they all knew that. Mayor Adams stated that Mr. Palmore mentioned 5 years, and in 5 years we have been through a presidential election, and been in and out of courts with Mr. Palmore in this time period, along with numerous meetings, and the courts did not agree with Mr. Palmore. It was not just the mayor and the board of aldermen, it was the judicial system, and things have not worked out his way, he thought the board should continue to let the court do their job, and reminded the board that we were in the appeals court and to continue to let the lawyers do their job. Mr. Palmore stated he went to small claims court, and the judge was lied to by our attorney. He stated the judge was told there is an agreement between the city and the sexton, and there is no agreement. The courts can't do their job when they are lied to by the attorney. He continued the mayor and board continue to lie about this. Mayor Adams stated for Mr. Palmore to stop calling them liars. Mr. Palmore stated he would not. He stated Kim Barfield and Mayor Adams signed a deed for Dora Kemper, and there is no such person. Mayor Adams stated the Board of Aldermen has been satisfied and not complained about the people we have hired and their progress. We will wait and see what Mr. May brings back. Alderman Gass asked for a report from Mr. May at the next meeting, he stated he wanted to get rid of this problem. Mayor Adams stated the problem is not up here, regardless of how many times Mr. Palmore comes up here. He continued he will not be quieted down.

### **CITY ADMINISTRATOR/CITY ATTORNEY REPORT**

Administrator Selby stated East-West Gateway has approved the Old Gray Summit Road project, Phase 3 along Highway N. This will widen the street to the city limits at Summit Hills, along with sidewalks and curb and gutter. It will be a couple years before you see completion on this.

Thornton Road – there will be an open house on December 18, 2012 for this project.

East Osage Project – there will be an open house on January 15, 2013 for this project.

### **COMMITTEE REPORTS/REPORTS OF CITY OFFICIALS**

*Planning & Zoning* – no report

*Park Board* – Chairman Flannery stated on the agenda this evening are the new forms for the Park Department. These forms were created to stream line the process. Alderman Pigg stated he did not remember in the past the section about the Memorial Tree/Bench . There was discussion about the maintenance of the trees, and the applicant maintains it for two years. Mr. Flannery stated these forms are based on the ordinances in effect now, and that information was put into this format. Alderman Pigg also did not like the portion of the “park board having the right to accept or reject” , Chairman Flannery stated this is also in the ordinance, but reminded everyone that the applicant can always appeal any decision by the park board, by bringing to the board of aldermen. **Motion made by Alderman Eversmeyer, seconded by Alderman Pigg to approve the park board forms as submitted. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.**

*Museum Committee* – no report

*Cemetery Report* –no report

*Tourism report* – Alderman Arnette stated they met yesterday, but he did not make the meeting.

*Chief Mansell* – stated the police department is switching the radio’s over, as this has to be done by January 2013.

*Engineer Rahn* – stated an application for the parade was received for this weekend, and they are asking for the fee to be waived. The applicant is the Pacific Soccer Association. Motion made by Alderman Reed, seconded by Alderman Pigg to waive the fee. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. Chief Mansell stated they are going to work hard to ensure the safety of everyone with the tracks, and keeping the parade together.

*Alderman Reed* – stated the street department has been down at Phelan and St. Louis St. cleaning out the ditches, but asked if they could swale it a little better, because is it straight down. If they would swale it a little then somebody can cut the grass. He continued that he has spoken to Alderman Gass also about the cleaning schedule for the storm sewers and the catch basins , at the entrance of the hotel is plugged, and up past that. Engineer Rahn stated they are working on a schedule for the sanitary sewer and storm drains.

*Alderman Gass* – stated there is a problem at the doctor’s office at First St., and Osage, one of the neighbors is picking up trash from them. He asked if staff could look into this.

## **MAYORS REPORT**

### **A. Certificate of Appreciation for Tom White.**

Alderman Bates presented a Certificate of Appreciation to Tom White, for their contribution to the playground equipment so the Kiwanis could pay off the debt.

**Christmas Lunch** – Mayor Adams reminded everyone the date is December 21, 2012 at noon.

Mayor Adams encouraged everyone during this holiday season, to consider shopping local when they can.

## **INTRODUCTION OF NEW BILLS**

**BILL NO. 2870**

**AN ORDINANCE AMENDING CHAPTER 365 AND SCHEDULE IV OF CHAPTER 365 OF THE MUNICIPAL CODE OF THE**

**CITY OF PACIFIC TO ADD NO BALLPARK PARKING AS A RESTRICTION TO SCHEDULE IV. (1<sup>st</sup> reading)**

Motion made by Alderman Gass, seconded by Alderman Bates to approve the first reading of Bill No. 2870. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-1. Nays: Alderman Reed. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2870 by title only for the first reading. There being no objections or corrections, Mayor Adams declared the bill will continue to the second reading. Chief Mansell stated enforcement was going to be hard, and would probably have to be handled by complaint.

**BILL NO. 2871**

**AN ORDINANCE AMENDING SECTIONS 600.020 AND 600.040 OF THE MUNICIPAL CODE OF THE CITY OF PACIFIC TO AMEND THE WINE TASTING PERMIT ORDINANCE TO INCLUDE MALT BEVERAGE AND DISTILLED SPIRIT TASTINGS. (1<sup>st</sup> reading)**

Mayor Adams stated Alderman Pigg would sponsor this. Motion made by Alderman Reed, seconded by Alderman Eversmeyer to approve the first reading of Bill No. 2871. 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. 2871 by title only for the first reading. There being no objections or corrections, Mayor Adams declared the bill will continue to the second reading.

**CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED**

**BILL NO. 2869**

**AN ORDINANCE AMENDING CHAPTER 221 OF THE MUNICIPAL CODE OF THE CITY OF PACIFIC, ENTITLED "REGULATION OF EPHEDRINE AND RELATED PRODUCTS," TO CREATE A NEW SECTION 221.035 EXEMPTING TAMPER-RESISTANT PSEUDOEPHEDRINE. (2<sup>nd</sup> reading)**

Motion made by Alderman Pigg, seconded by Alderman Gass for the second reading of Bill No. 2869. 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. 2869 by title only 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 Bill No. 2869 passed 6-0, approved it and it became **Ordinance No. 2849**.

**MISCELLANEOUS**

**UNFINISHED BUSINESS**

**RESOLUTION NO. 20012-52 A RESOLUTION AUTHORIZING EXECUTION OF A SERVICES AGREEMENT WITH THE PACIFIC FIRE PROTECTION DISTRICT TO PROVIDE THE CITY RESIDENTIAL FIRE AND BUILDING CODE INSPECTION (1<sup>st</sup> reading on 10-16-12)**

**TOURISM EXPENDITURES**

**A. Approve invoice from Redbone Products in the amount of \$ 2,074 to be paid from tourism funds for banners.**

Motion made by Alderman Reed, seconded by Alderman Gass to approve the invoice from Redbone Products in the amount of \$ 2,074 to be paid from the Tourism Funds. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

**RECEIVED AND FILED**

**ADJOURNMENT**

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

The meeting adjourned at 7:45 p.m.

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Herbert C. Adams, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Signed minutes on file with the City Clerk.