



***City of Pleasant Valley Missouri
Meeting of the Board of Aldermen
Regular Session
July 6, 2015***

Call to Order: A regular meeting of the Pleasant Valley Board of Aldermen was called to order at City Hall, 6500 Royal, Pleasant Valley, Clay County, Missouri, by Mayor David Slater on Monday, July 6, 2015 at 7:45 p.m. (*delayed start due to the public hearing*) The City Clerk provided copies of the proposed ordinances and resolutions, for the public, prior to the meeting.

Mayor Slater asked for a moment of silence before the invocation to remember Alderman Wayne Maroon and Steve Miller. Both passed away during the two weeks since the last meeting. Alderman Maroon served on the Pleasant Valley Board of Aldermen for 12 years. Mr. Miller was Chief Dumolt's brother in law.

Roll Call: Present were: Daniel Bohn, John Higgins, Linda Jacoby, Ruth Mesimer, Rick Scarborough and James Smith. Jesse Jordan and Wayne Maroon were not present.

Staff present: Public Works Director Chris Cronk, Police Chief Mark Dumolt, Court Clerk Kathy Bolek, Assistant EMS Chief Travis Wessel and City Clerk Georgia Fox.

Consent Agenda: Alderwoman Mesimer made a motion to approve the consent agenda. The motion was seconded by Alderwoman Jacoby. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

City Attorney, Engineer, Architect, and other professional services: City Attorney Jerry Brant was available to answer any questions about the ordinances under consideration.

Public Comment: Nick King, Missouri State Representative, was present for the meeting. He did not have any issues to discuss.

Don Heese, of North Elm Street, wanted to discuss sinkhole issues he had in his yard. The Public Works Director will check it out and report back to the Board at the next meeting.

Mayor's Communication: Mayor Slater reported that Jeff and Jayleen Pfaffly were nominated for the civic leadership award from MML. The award ceremony is July 16th.

Aldermen Comments: No aldermen had additional comments to make.

Advisory Committees/Department Reports

City Clerk: City Clerk Georgia Fox provided the Board with a fire station status report. There was no further discussion.

The Clerk reported that she met with the City Engineer and Public Works Director and drove the City in order to determine if the recommendations in the Comprehensive Plan were consistent with the current land use in various areas being considered for rezoning. The next step will be for the Planning and Zoning Commission to hold a public hearing to consider

changes to the zoning language. Once this is completed they will make a recommendation to the Board regarding updating the zoning language. After that the Planning and Zoning Commission can take up the actual rezoning project. This, too, will require notification and public hearings. At this time the public hearing date for the zoning language has not been set.

Mrs. Fox also reported to the Board that it may be necessary to hold a special session meeting in order to approve the closing documents for the municipal lease for the new fire station. The Board agreed to set the special session for July 13th at 2pm, if necessary. The Clerk will contact Board members if the meeting is needed. *(This meeting did not occur. The lease will be considered at the regular session meeting on 7/20)*. In addition, she reported that Council Bill's 3178 and 3179 will not be under consideration at this meeting because the attorneys were not able to work out some of the details regarding those documents.

Public Works: Director Chris Cronk was present at the start of the meeting but had to leave for an emergency tree removal. The tree fell across the street blocking the road. He was not able to return before the end of the meeting.

Fire Department: Fire Chief Robert Stinson was not present for the meeting. Assistant EMS Chief was present in the Chief's absence. The Board had no questions for the fire department.

Police Department: Police Chief Mark Dumolt reported that the police department had received a grant in the amount of \$261.85 from the Division of Highway Safety for reimbursement of overtime hours expended for increased traffic enforcement in the city during the period of May 1st through May 12th.

The Chief also reported that in June two State of Missouri operational audits of the police department were conducted. One was in regard to our usage of the Missouri Uniform Law Enforcement Systems (MULES) and National Crime Information Center (NCIC). The department successfully completed the audit with an overall score of 98%. The previous audit was conducted in 2011 and the department received 91%. The second audit involved the department's reporting of crime statistics to the Missouri Highway Patrol. This is part of the administration of the Uniform Crime Reporting system. The department was found to be in full compliance with the required standards and received a 100% rating. The Chief thanked Manager Gregg and Captain McGinley who provide oversight and management of these two programs.

Municipal Court: Court Clerk Kathy Bolek presented her monthly report to the Board early since she will be on vacation during the next council meeting. No one had any questions for Mrs. Bolek.

Personnel Chair: Alderman Bohn, Personnel Chair, reported to the Board that Police Officer Jacob Baldwin was released to full duty effective 7/6/15.

Alderman Bohn made a motion to approve an annual rate adjustment for Reserve Police Sergeant Scott Hamby, to step 6, \$16.23 per hour, effective 7/19/15. Alderman Scarborough seconded the motion. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

Alderman Bohn made a motion to approve an annual rate adjustment for Assistant Public Works Director Rodni Travelute, to step 4, \$15.79 per hour, effective 7/5/15. Alderwoman Jacoby seconded the motion. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

Finance Chair: Alderman Higgins, Finance Committee Chair, reported that the sewer CD at First Bank of Missouri, which reached its maturity date on 6/25/16, had previous Board members as signers on it therefore the bank would not talk to Alderman Higgins about the account. Alderman Higgins made a motion to remove the previous signers and appoint Board President James Smith, Mayor David Slater and Finance Chairman John Higgins as new signers for the CD per Pleasant Valley City Code Section 125.025, subsection B. Alderwoman Jacoby seconded the motion. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

Old Business: No old business was discussed.

New Business: No new business was discussed.

Consideration of Ordinances, Contracts and Resolutions:

Council bill 3174, approving the regulation of adult entertainment businesses, was read by title only. Alderwoman Mesimer made a motion to approve the bill and place the bill on second reading. Alderman Higgins seconded the motion. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- nay. Motion passed.

Council bill 3174, approving the regulation of adult entertainment businesses, was read by title only. Alderwoman Mesimer made a motion to approve the bill as Ordinance 3173. Alderwoman Jacoby seconded the motion. During discussion Alderman Bohn made a motion to amend the bill on page 8, section 640.090, subsection 2, by changing the age restriction from 21 to 18. The Mayor called for a second. There was no second. Alderman Bohn then made a motion to amend the bill on page 2, section 640.010, subsection 2d, by removing “male or female impersonators, go-go dancers, or live performances”. City Attorney Jerry Brant responded stating the description is written and used in the ordinance in context to adult entertainment establishments only and should not be construed to prohibit these activities in other types of businesses or venues that are not sexually oriented by definition. Alderman Higgins seconded the motion to amend. The vote on the motion to amend was as follows: Bohn- aye, Higgins- aye, Jacoby- nay, Jordan- absent, Maroon- absent, Mesimer- nay, Scarborough- nay and Smith- aye. Motion failed. Then a vote was taken on Council Bill 3174, to pass on second reading as Ordinance 3173, in its written form as introduced. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

Council bill 3175, amending Pleasant Valley City Code Chapter 405 Flood Plain Management, was read by title only. Alderwoman Mesimer made a motion to approve the bill and place the bill on second reading. Alderwoman Jacoby seconded the motion. The vote was as follows: Bohn- aye, Higgins- nay, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

Council bill 3175, amending Pleasant Valley City Code Chapter 405 Flood Plain Management, was read by title only. Alderwoman Mesimer made a motion to approve the bill as Ordinance 3174. Alderwoman Jacoby seconded the motion. The vote was as follows: Bohn- aye, Higgins- nay, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

Council bill 3176, amending Ordinance 3171 approving the FY 2015 Budget, was read by title only. Alderwoman Mesimer made a motion to approve the bill and place the bill on second reading. Alderwoman Jacoby seconded the motion. The vote was as follows: Bohn-

aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- nay, Scarborough- aye and Smith- aye. Motion passed.

Council bill 3176, amending Ordinance 3171 approving the FY 2015 Budget, was read by title only. Alderwoman Mesimer made a motion to approve the bill as Ordinance 3175. Alderman Higgins seconded the motion. During discussion Alderman Bohn made a motion to strike the words “replacement only in case of breakdown”, regarding the dispatch console, from page 7 of the budget message. There was no second of the motion. After a suggestion from Chief Dumolt during further discussion, Alderman Bohn made a motion to replace the words with “as may be needed”. Alderman Higgins seconded the motion to amend the message to “as may be needed”. The vote to approve the amendment to the bill was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- nay and Smith- aye. Motion passed. The vote to approve council bill 3176, as amended, was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- nay, Scarborough- aye and Smith- aye. Motion passed.

Council bill 3177, approving ballot language for a use tax, was read by title only. Alderwoman Mesimer made a motion to approve the bill and place it on second reading. Alderwoman Jacoby seconded the motion. During discussion the City Clerk reported that she had obtained the use tax ordinance from Missouri Municipal League last week but no one was available to speak to her at that time. When she was able to speak to an MML representative on Monday they said that the use tax will not cover out of state motor vehicle sales tax, as it was originally designed to do, due to recent court case decisions. They recommended another ordinance for this but the Clerk was unable to get it prepared prior to tonight’s meeting. Alderwoman Mesimer and Alderwoman Jacoby withdrew their motions. The City Clerk, with the help of the City Attorney, will prepare another ordinance to be introduced at a later date.

Council bill 3178 and 3179, related to the fire station lease and tax exempt finance compliance were not considered as final versions of these bills have not been approved by the attorneys.

Adjournment: There being no further business, Alderman Scarborough made a motion to adjourn. Alderman Higgins seconded the motion. The vote was as follows: Bohn- aye, Higgins- aye, Jacoby- aye, Jordan- absent, Maroon- absent, Mesimer- aye, Scarborough- aye and Smith- aye. Motion passed.

9:15pm adjourned.

Mayor David Slater

ATTEST:

Georgia Fox, City Clerk