



*City of Pleasant Valley Missouri  
Meeting of the Board of Aldermen  
Regular Session  
March 7, 2016*

**Call to Order:** A regular session 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, March 7, 2016 at 7:300 p.m. The City Clerk provided copies of the proposed ordinances and resolutions, for the public, prior to the meeting.

**Roll Call:** Present were: Mayor David Slater, Alderman Daniel Bohn, Alderman John Higgins, Alderman Jesse Jordan, Alderwoman Mary Langner, Alderwoman Ruth Mesimer, Alderman Rick Scarborough and Alderman James Smith. Alderwoman Linda Jacoby was not present for the meeting.

Staff present: Fire Chief Robert Stinson, Interim Police Chief Jared McGinley, Public Works Director Chris Cronk, Court Clerk Kathy Bolek, City Attorney Jerry Brant and City Clerk Georgia Fox.

**Oath of Office and Promotion Ceremony-** City Clerk Georgia Fox administered the oath of office to Fire Captain Craig Farley and Fire Captain Phil Hudson. The promotion ceremony was held. Afterwards, Alderman Smith made a motion to take a brief recess for the reception in the lobby. Alderwoman Langner seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed. 7:35pm

Alderman Scarborough made a motion to call the meeting back to order. Alderman Higgins seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed. 7:45pm

**Consent Agenda:** Alderwoman Mesimer made a motion to approve the consent agenda. Alderman Higgins seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

**City Attorney, Engineer, Architect, and other professional services:**

Jack Hart, Tusa Consulting, was present to address the Board. Mr. Hart presented his recommendation to accept the bid from Commenco, in the amount of \$23,441, to install a microwave tower for emergency services operations. Alderman Higgins made a motion to accept the bid. Alderman Scarborough seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

City Attorney Jerry Brant was also present to discuss a legal issue with the Board.

**Closed Session:** Alderman Higgins made a motion to enter into closed session in order to discuss a legal matter with City Attorney Jerry Brant, and a personnel issue, authorized under RSMo. 610.021, subsections 1 and 3, regarding “(1) 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 and (3) hiring, firing, disciplining or

promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.” Alderwoman Langner seconded the motion. During discussion, Alderwoman Mesimer asked Alderman Bohn why he voted against entering into closed session in the past. Alderman Bohn responded by saying it could be discussed later, he did not want to discuss it now. Alderwoman Mesimer then asked City Attorney Jerry Brant if a board member votes against closed session can they be prevented from attending the closed session? Attorney Brant said no, a board member can vote any way they choose but cannot be excluded from the closed session meeting. Alderman Higgins said “For the record, Alderman Bohn, I am going to ask you a similar question. Considering that the Missouri state statutes were created for the purpose of protecting private individuals and potentially sensitive information, including personnel, as well as individuals and certain entities in matters of legality, which is very critical to be in closed session, so I will ask, the last four times for sure you have voted against going into closed session. I was curious as to why you would put peoples and entities private information in the public forum? I feel the City and the residents of this City have a right to know that.” Alderman Bohn said he did not understand the question. Alderman Higgins said “why are you willing to put peoples and/or entities personal and private information, which the state of Missouri has determined as legal to keep in closed session? Because when you vote no on entering into closed session you are voting to make that information public. My question is why are you willing to make this type of personal information public?” Alderman Bohn responded “my conversations with the Missouri Attorney General’s office is why I vote the way I do.” Alderman Higgins was not satisfied with this answer. Alderman Bohn declined to discuss the matter further. Mayor Slater directed his comments to all board members and reminded them that information discussed in closed session cannot be legally disclosed and is grounds for removal of office. Alderman Smith expressed his concerns about information from closed session not being kept confidential. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed. 8:10pm.

During closed session no motions were made nor votes taken.

**Open Session:** Alderman Smith made a motion to return to open session. Alderman Higgins seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed. 9:15pm.

**Public Comments:** No one from the public wished to address the Board.

**Mayor’s Comments:** Mayor Slater reported that Alderwoman Langner’s son addressed participants at the 55th annual Greater Kansas City Area Mayors’ Prayer Breakfast on March 1<sup>st</sup> at Bartle Hall. He was there to represent St James Place, a charity organization which was Tuesday’s Prayer Breakfast recipient. 850 people attended the Mayor’s Prayer Breakfast.

Mayor Slater reported that Gary Enfield, a member of the Planning and Zoning Commission, had submitted his written resignation. Alderwoman Mesimer made a motion to accept the resignation. Alderman Scarborough seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – abstained, Smith – aye. Motion passed.

Mayor Slater provided the Board with a list of appointments for the Tax Increment Finance Commission, the Park Board and the Planning and Zoning Commission. Alderman Higgins made a motion to appoint the following people to the Tax Increment Finance Commission:

|                  |  |                    |
|------------------|--|--------------------|
| Anthony Crawford |  | Mark Dumolt        |
| Missy Hendershot |  | Debbie Scarborough |
| Chris Cronk      |  | John Mackey        |

Alderman Smith seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – abstained, Smith – aye. Motion passed.

Alderwoman Mesimer made a motion to appoint Teresa Reed to the Park Board. Alderman Higgins seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Alderwoman Mesimer made a motion to appoint Denne Roe to the Planning and Zoning Commission. Alderman Scarborough seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

**Aldermen Comments:** Alderman Smith informed the Board that, due to staffing issues, the administration office will need to be closed on Wednesday March 9<sup>th</sup>. Human Resource Manager Steve Smith had a death in the family, Assistant City Clerk Deborah Crossley was out of town for training, and City Clerk Georgia Fox received a subpoena to appear in court Wednesday. Alderman Smith made a motion to close the office for the day. Alderwoman Mesimer seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed. The City Clerk will post a sign on the door and on the City’s website.

Alderman Smith also requested that Board consider an ordinance prohibiting and/or requiring permits for drones (unmanned aerial vehicles). After some discussion it was determined that ordinances from other cities regarding drones would be obtained and reviewed to determine how the Board will proceed.

Alderman Higgins requested that the police department provide security for all council meetings and advisory boards. After some discussion, the consensus of the Board agreed that all meetings should have an officer present for security.

#### **Advisory Committees / Department Reports:**

**City Clerk:** City Clerk Georgia Fox provided the Board with the bi-monthly new fire station status report. Alderman Scarborough asked if the station would be completed by the original completion date of April 1<sup>st</sup>. Both the City Clerk and Public Works Director replied that they did not believe the fire station construction would be completed by that date.

The City Clerk requested the Board consider amending the pet licensing period from June 1<sup>st</sup>- May 31<sup>st</sup> to the calendar year (city code section 205.320) so it would be easier for the public to understand and remember. After some discussion, the consensus of the Board was to change the license year to July 1<sup>st</sup> thru June 30<sup>th</sup>, the same as the city’s financial year. The City Clerk will prepare an ordinance for Board consideration to change the license dates.

Mrs. Fox recommended to the Board that the City Clerk’s duties be changed to reflect the state requirements. This matter was taken up later under “Consideration of Ordinances, Contracts and Resolutions”.

Mrs. Fox provided the Board with a copy of the January bank statement for the Road District. The District gave this information to Mrs. Fox in response to her request for a current financial report. This issue was not discussed any further.

**Public Works Department:** Public Works Director Chris Cronk reported that Day in the Park will be held May 7<sup>th</sup>, 11am-1pm.

The annual Stream Team will be April 9<sup>th</sup> from 9am to 12pm. Volunteers are encouraged to join. The area targeted this year is the bridge at Pleasant Valley Road and Brookside, south to the bridge on High Street, between Brookside and River.

Director Cronk also reported upcoming changes to the I-35 / Pleasant Valley Road interchange project.

**Fire Department:** Fire Chief Robert Stinson reported that he is checking into purchasing tables and chairs for the new fire station from North Kansas City's surplus property program. There is a possibility that these may come at no or very little cost to Pleasant Valley.

Chief Stinson also reported that the result of the ISO inspection was an improvement of Pleasant Valley's score from 4 to 3. The ISO rating is a factor when determining insurance rates for residents and businesses in the City.

Chief Stinson asked the Board for permission to drive his personal vehicle to JFK Airport in New York City to pick up a 911 artifact from the twin towers, recently awarded to the fire department. This artifact will be used in a memorial area at the new fire station. Alderwoman Mesimer made a motion to approve the trip. Alderman Higgins seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – nay, Smith – aye. Motion passed.

**Police Department:** Interim Police Chief Jared McGinley reported that parts for the new dispatch console have and are continuing to arrive. They are being stored at the police station until Commenco installs the unit.

Chief McGinley also reported that he had given the primary seat belt ordinance and our current code to City Prosecutor Shawn Blair for his review and to make recommendations of possible changes.

**Municipal Court:** Court Clerk Kathy Bolek had nothing to report at this time.

**Personnel Committee:** Alderman Bohn, Personnel Chairman, made a motion to approve an annual rate adjustment for Ira Fogg, Police Officer, to step 7, \$17.31 per hour, effective 3/13/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Alderman Bohn made a motion to approve an annual rate adjustment for Steven Wilson, Police Officer, to step 4, \$15.84 per hour, effective 3/13/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Alderman Bohn mentioned City Clerk Georgia Fox's annual appointment and salary will be discussed under "Consideration of Ordinances, Resolutions and Contracts".

**Finance Committee:** Alderman Higgins, Finance Chairman, reported that all department heads had reviewed their budgets and provided explanations for any line items that exceeded the 66% expended for the financial year. This exercise was intended to focus the department heads attention on their individual budgets.

**Old Business:** Mayor Slater asked if the Board wanted to wait until budget preparation for 2016/17 (in May/June 2016) to discuss the purchase of a new fire truck or if they wanted to address the issue now. After much discussion, it was determined that Alderwoman Mesimer would review the minutes from the last several months and report back to the Board about what had already been discussed and agreed to by the Board.

**New Business:** No new business was discussed.

At 10:20pm, Alderwoman Mesimer made a motion to extend the meeting to 11:00pm. Alderman Higgins seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

**Consideration of Ordinances, Contracts and Resolutions:**

Council Bill 3202, an Ordinance appointing and establishing the salary of the City Clerk/TIF Manager, was read by title only. Alderwoman Mesimer made a motion to approve Council Bill 3202 and place it on second reading. Alderman Smith seconded the motion. During discussion it was agreed that the annual rate of salary will be stricken from the ordinance, leaving on the hourly rate of \$26.26 per hour. All Board members agreed. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Council Bill 3202, an Ordinance appointing and establishing the salary of the City Clerk/TIF Manager, was read by title only. Alderwoman Mesimer made a motion to approve Council Bill 3202 as Ordinance 3201. Alderman Smith seconded the motion. The vote was as follows: Bohn – nay, Higgins – aye, Jacoby – aye, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Alderwoman Mesimer made a motion to approve the change in the City Clerk’s position from exempt under FLSA to non-exempt. Alderman Smith seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Council Bill 3203, an Ordinance repealing and replacing Title I, Article V, Chapter 110, Section 110.310, Subsection 12, concerning the City Clerk’s duties, was read by title only. Alderwoman Mesimer made a motion to approve Council Bill 3202 and place it on second reading. Alderman Smith seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

Council Bill 3203, an Ordinance repealing and replacing Title I, Article V, Chapter 110, Section 110.310, Subsection 12, concerning the City Clerk’s duties, was read by title only. Alderwoman Mesimer made a motion to approve Council Bill 3203 as Ordinance 3202. Alderman Smith seconded the motion. The vote was as follows: Bohn – nay, Higgins – aye, Jacoby – aye, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed.

**Adjournment:** There being no further business, Alderwoman Mesimer made a motion to adjourn. Alderman Scarborough seconded the motion. The vote was as follows: Bohn – aye, Higgins – aye, Jacoby – absent, Jordan – aye, Langner – aye, Mesimer – aye, Scarborough – aye, Smith – aye. Motion passed. 10:45pm

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Mayor David Slater

ATTEST:

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Georgia Fox, City Clerk