



*City of Pleasant Valley Missouri  
Meeting of the Board of Aldermen  
October 3, 2016*

**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 Board President James Smith, on Monday October 3, 2016 at 7:30 p.m. The City Clerk provided copies of the proposed ordinances prior to the meeting for the public.

**Roll Call:** Present were: Alderman John Higgins, Alderwoman Linda Jacoby, Alderwoman Mary Langner, Alderwoman Ruth Mesimer, Alderman Rick Scarborough and Alderman James Smith. Mayor David Slater arrived at 8:40pm. Alderman Jim Menaugh was not present. There is one position in Ward 3 that is vacant.

Staff present: Police Chief Gordon Abraham, Fire Chief Robert Stinson, Public Works Director Chris Cronk, Court Clerk Kathy Bolek, Human Resource Manager Steve Smith and City Clerk Georgia Fox.

**Consent Agenda:** Alderwoman Jacoby moved to approve the consent agenda. Alderwoman Mesimer seconded the motion. The vote to approve the consent agenda was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**City Attorney, Engineer, Architect, and other professional services:** No professional service providers were scheduled or present to address the Board.

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

**Mayor's Comments:** Mayor Slater was not present until later in the meeting. In the Mayor's absence, Board President Smith informed the Board that the Mayor Slater wish to nominate Alderwoman Mary Langner to the Park Board. Alderman Smith moved to approve the nomination. Alderman Scarborough seconded the motion. The vote to approve the motion was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderman Higgins asked if there was a closed session request, as stated on the agenda. The City Clerk requested that the closed session under the Mayor be moved to the end of the meeting. Alderman Smith moved to take the agenda out of order. Alderman Higgins seconded the motion. The vote to approve the motion was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**Aldermen Comments:** There were no aldermen comments.

**Advisory Committees / Department Reports:**

**City Clerk:** City Clerk Georgia Fox reported that she spoke to Joanna Shawver of One80 Development regarding meeting with the Board. Ms. Shawver is not available for the October 3<sup>rd</sup> meeting. The Board instructed the City Clerk to contact One80 to see if they would be available either Oct. 17<sup>th</sup> or Nov. 7<sup>th</sup>.

City Clerk Fox reported the annual audit is scheduled for October 31<sup>st</sup> thru November 4<sup>th</sup>. She anticipates the audit report to be ready in December for Board approval.

Mrs. Fox provided the Board with a sewer rate analysis proposal from Carl Brown. After some discussion, Alderman Higgins moved to approve the proposal. Alderwoman Mesimer second the motion. The vote to approve the proposal was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

The City Clerk reported that the lot split application for 6703 River Road had been cancelled by the applicant. The application fee was refunded to the applicant because there was a misunderstanding between the staff and the applicant about how to proceed with the applicants request to change the address assigned to the property. Once this was clear to administration, the lot split application was cancelled and the new address was assigned. The address 6703 River was deleted and replaced with 6705 River so there is still only one address for the parcel. The owner of the property says he does plan to petition the city to split the lot, in the future, after their new house is built.

City Clerk Fox provided the Board with a comparison of the City's current copier lease/maintenance with Toshiba and the proposal from All Copy Products. All Copy Products proposal will save the City \$84 per month while providing 27 copier/printers instead of only 3. All Copy Products proposal was bid under the NASPO statewide contract of which Pleasant Valley is a member. The proposal will be considered further under Ordinances and Contracts.

The City Clerk reported that KCP&L had completed the site survey for the proposed electric vehicle supply equipment station in the City Hall parking lot. The Clerk reported the contract KCP&L provided requires the City to pay all usage for the next 2 years. She asked if the Board would like to pursue the proposal any further. No Alderman indicated they were in favor of pursuing the matter. The City Clerk will notify KCP&L of the Board's decision.

And finally, the City Clerk reported that the State of Missouri recently revamped their statutes regarding offenses which necessitated municipalities to review their offenses chapter (PV City Code Chapter 210) and make changes in order to be consistent with state law. The changes in state law are scheduled to take affect January 1, 2017. The City Clerk prepared a council bill that makes the necessary changes for the Board's consideration later in the meeting.

**Public Works Department:** Public Works Director Chris Cronk reported that he has contacted several trash service providers and so far has not found one that has agreed to provide the service for the annual bulky item clean up. He is currently waiting on Jim's Disposal to provide a proposal. He expects to receive this information from them this Wednesday. Tentatively he would like to schedule the cleanup for Saturday November 12<sup>th</sup> but that date has not been confirmed yet. Once a company has committed to providing the service, and a date is set, he will advertise it in the Pleasant Valley Civic Organization flyer.

Director Cronk also reported that he had spoken with Ron Kane, of Topaz Sign Works, regarding ordering the letters for the name change on the new fire station.

Director Cronk also said he has found a vendor for the thermal plastic material needed to renovate the crosswalk on Sobbie in front of the school. He ordered the material and it is scheduled to be delivered on Wednesday.

Director Cronk reported that he had spoken with Miles Construction who has excess dirt from the interchange project. They agreed to bring the dirt to the City's property on Sobbie. They will haul the dirt to the property, dump it and grade the whole property. There was some discussion regarding removing the concrete foundation. The Director will obtain more information regarding the cost involved in removing the foundation and report back to the Board.

The storm water control at the intersection of Pleasant Valley Road and Sobbie Road was also discussed.

**Fire Department:** Fire Chief Robert Stinson provided a monthly report to the Board.

Chief Stinson reported that the mechanic had been out to repair multiple mechanical issues on the pumper. Chief Stinson said the pump was tested on Saturday but he has not received the results yet. He will contact him this week for that information. A new siren will need to be ordered to replace the current siren that is not functioning. The Chief anticipates that they will send the pumper out for the tires to be replaced next week.

Chief Stinson requested permission to travel to the International Association of Fire Chiefs, Volunteer and Combination Section of IAFC, training in Clearwater Beach, Florida, November 10-13, 2016. Alderman Smith asked if he was asking for funds to be expended. The Chief replied that he was not because the cost is within the approved budget. Chief Stinson said a lot of beneficial information comes from this annual conference. For example, he learned about TwoToneDetect, a free application for sending fire pages via text message or email, which has benefited both the Fire and Dispatch Departments. He said the conference usually sells out by this time so he paid for the registration already. Board President Smith asked for a motion to approve the travel. Alderwoman Mesimer moved to approve the travel. Alderwoman Jacoby seconded the motion. Discussion continued. Alderman Scarborough asked Chief Stinson what he would learn at this conference that he has not in the last six years he has attended. Chief Stinson replied that every year they bring new material and speakers. This year one of the scheduled speakers served in the Navy for 24 years and was assigned to the nuclear-powered submarine USS Santa Fe. At that time it was ranked last in retention and operational standing. They “turned that ship around” by developing a new model of leadership that built leaders at every level. The speaker will discuss this management technique in detail. Alderman Scarborough asked him if the dates of the conference would conflict with the Fire Department moving into the new station. Chief Stinson said he did not know since no date of acceptance has been provided by the contractor or architect. Director Cronk said he estimates the station to be completed in 2-3 weeks. Alderwoman Mesimer said 3 weeks would be October 24<sup>th</sup>. Alderwoman Langner asked if the training is part of ISO requirements. Chief Stinson responded that ISO does require that officers receive continuous training in the areas of leadership and management. Alderwoman Mesimer noted that the City pays for training for all employees of other departments. Board President Smith called for the vote. The vote to approve the motion was as follows: Higgins – nay, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – nay, Smith – aye, vacant – n/a. Alderwoman Mesimer asked the City Clerk for the vote. The City Clerk responded that the vote was 4 in favor, 2 opposed, 2 absent. Alderwoman Mesimer asked if the motion passed. Board President Smith responded saying 5 votes in favor are required for the motion to pass, so it failed. *(Note: The City Clerk contacted Missouri Municipal League the next morning to see if a majority of the membership or a majority of those present is required for such a vote. MML said it only required the majority of those present to pass. So the motion to approve travel was approved.)*

**Police Department:** Police Chief Gordon Abraham discussed the conditions and circumstances of the property located at 8218 Pence in regard to code violations. Alderwoman Jacoby moved to have Public Works mow the property for which the cost shall be charged to the owner. Alderman Higgins seconded the motion. The vote to approve the motion was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a.

Mayor Slater arrived. Board President Smith turned presiding over the meeting to the Mayor.

Chief Abraham continued. Chief Abraham reported that two more incidents of police officers being assaulted had occurred since the last meeting. Once, while assisting KCPD in serving a warrant here in Pleasant Valley. The other incident was a traffic stop at 69 Hwy and Liberty Drive. The driver failed to pull over. While fleeing, the occupants of the car threw tire rims and other objects at the pursuing police vehicle. In both cases the officers were not injured nor was there any damage to the police vehicles. The suspects are in custody.

Chief Abraham also reported that our insurance company considers PVPD vehicle #701 a total loss. They have arrived at the amount of \$25,339.80 minus the \$500 deductible. This amount represents \$15,675 for the vehicle and \$9,664.80 for the damaged equipment. Alderman Scarborough moved to submit the settlement offer to the City Attorney for review. Alderman Smith seconded the motion. The vote to approve the motion was as follows: Higgins – nay, Jacoby – nay, Langner – nay, Menaugh – absent, Mesimer – nay, Scarborough – aye, Smith – aye, vacant – n/a. Motion failed. Alderwoman Mesimer moved to accept the settlement offer. Alderwoman Jacoby seconded the motion. The vote to approve the motion was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – nay, Smith – aye, vacant – n/a. Motion passed.

Chief Abraham reported that a new police car through the Mid-America Regional Council price agreement would cost \$30,075 plus equipment. Alderman Higgins moved to approve up to \$40,000 to replace the vehicle and equipment. Alderman Smith seconded the motion. The vote to approve the motion was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a.

**Municipal Court:** Court Clerk Kathy Bolek had nothing to report at this time. The Board did not have any questions for her.

**Personnel Committee:** Alderwoman Jacoby, Personnel Chair, moved to accept the resignation of Bryan Pace, Fire Fighter / EMT, effective 10/3/2016. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Leslie Deichler, Communications Training Officer, to step 7, \$15.82 per hour, effective 10/9/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Richelle Scarborough, Reserve Communications Officer, to step 10, \$13.05 per hour, effective 10/9/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – abstain, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Colin Chang, Fire Fighter/Medic, to step 6, \$14.49 per hour, effective 9/25/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Chase Hudson, Fire Fighter/EMT, to step 2, \$10.82 per hour, effective 9/25/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Xavier Panimboza, Fire Fighter/EMT, to step 6, \$12.17 per hour, effective 9/25/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Mark Wachter, Captain EMT, to step 12, \$17.30 per hour, effective 9/25/16. Alderwoman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderwoman Jacoby moved to approve an annual rate adjustment for Jeremy Monaco, Police Officer, to step 5, \$16.32 per hour, effective 10/9/16. Alderwoman Mesimer seconded the motion.

The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

Alderman Jacoby moved to approve an annual rate adjustment for Prescott Stoner, Reserve Police Officer, to step 10, \$13.70 per hour, effective 10/9/16. Alderman Mesimer seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**Finance Committee:** Alderman Higgins, Finance Chairman, said he wanted to bring to the attention of the Board that on the balance sheet the General Fund balance is now at \$505,276, after making transfers to the Capital Improvements and Capital Purchases Funds, as approved by the budget, in order to purchase the new fire truck and other equipment as planned. Alderman Higgins said that a few years ago the Board agreed to always keep a minimum balance of \$500,000 in the General Fund. The General Fund is now at that minimum balance.

**Old Business:** No old business was discussed.

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

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

**Council Bill 3233**, open burning restrictions, was not ready for consideration by the Board.

**Council Bill 3235**, “An Ordinance adopting and enacting a new Chapter 210, Offenses, of the Code of Ordinances of the City of Pleasant Valley, County of Clay, State of Missouri; and providing for the repeal of existing code Chapter 210; and providing when this Ordinance shall become effective.”, was read by title only by the City Clerk. Alderman Mesimer moved to approve the bill and place it on second reading. Alderman Jacoby seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**Council Bill 3235**, “An Ordinance adopting and enacting a new Chapter 210, Offenses, of the Code of Ordinances of the City of Pleasant Valley, County of Clay, State of Missouri; and providing for the repeal of existing code Chapter 210; and providing when this Ordinance shall become effective.”, was read by title only by the City Clerk. Alderman Mesimer moved to approve the bill as Ordinance 3234. Alderman Smith seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**Council Bill 3236**, “An Ordinance approving an agreement between the City of Pleasant Valley, Missouri, and All Copy Products LLC, and authorizing the Mayor to execute the documents on behalf of the City.” was read by title only by the City Clerk. Alderman Mesimer moved to approve the bill and place it on second reading. Alderman Jacoby seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**Council Bill 3236**, “An Ordinance approving an agreement between the City of Pleasant Valley, Missouri, and All Copy Products LLC, and authorizing the Mayor to execute the documents on behalf of the City.” was read by title only by the City Clerk. Alderman Mesimer moved to approve the bill as Ordinance 3235. Alderman Jacoby seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed.

**Closed Session:** Alderwoman Mesimer moved to enter into closed session, authorized by 610.021, subsections 1 and 3, RSMo.;

*610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:*

*(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.*

*(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;*

Alderman Higgins seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed. 9:10pm

During closed session, a personnel matter was discussed in addition to legal matters. (*Please refer to the attached document for a personnel issue vote held in closed session which became public information after 72 hours.*)

**Return to open session:** Alderwoman Mesimer moved to return to open session.

Alderwoman Jacoby seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed. 9:45pm

**Adjournment:** There being no further business, Alderman Smith moved to adjourn.

Alderwoman Jacoby seconded the motion. The vote was as follows: Higgins – aye, Jacoby – aye, Langner – aye, Menaugh – absent, Mesimer – aye, Scarborough – aye, Smith – aye, vacant – n/a. Motion passed. 9:46pm.

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Mayor David Slater

ATTEST:

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Georgia Fox, City Clerk