

Village of Ferrelview

205 NW Heady Avenue
Ferrelview, Missouri 64163
Phone (816) 464-5010 Fax (816) 464-2383

Minutes of the Meeting

Special Session held on September 24th, 2020

In attendance were:

Board Members: Phil Gilliam, Deidre Carr, Frank Baumann & James Meyer
James Meyer attended via electronic communications

Village Staff: City Clerk April Baxter, Chief of Police Richard Pacheco

Audience Members: Daniel Clayton

Meeting was called to order at 4:34 PM

New Business: Gilliam asked if Clayton had brought the AT&T Hotspot back to City Hall. Clayton confirmed it was with him. Gilliam asked Clayton if he had the shotgun. Clayton responded that he would return it to City Hall next week. The city clerk asked Clayton for the keys to the 2015 Ford Taurus and added that the vehicle needed to be inspected to complete the titling process.

Gilliam stated that the Village is receiving invoices from Galls. Clayton responded "There should be one, that's mine personally, not the cities, some of the things I've purchased for the Police Department, have to be invoiced to the city but it's my own personal purchase, for the benefit of the department, so the city hasn't paid any money out for covering for those outstanding invoices." Carr asked Clayton if it was the invoice for the pants. Clayton responded that the invoice should have been paid months ago. Clayton asked Carr if she remembered giving each department one hundred and fifty dollars (\$150) per month to spend if needed, when she was on the Board previously. Carr acknowledged that she did. The City Clerk responded that she asked Carr about the uniform purchases and Carr told her that only one uniform was to be purchased per officer per year. Carr responded that every officer, if they have been with the Village a year and are full time would qualify for one uniform purchase annually. Clayton responded that he has never used any of those funds. Carr stated that each month the balance does not carry over. Clayton acknowledged that he understood that. Clayton added that he had not used any of those funds in over a year or longer. The City Clerk responded that Clayton had just requested and received a new filing cabinet. Clayton replied that was separate. Carr stated again it was one uniform per year. Clayton stated again it was one fifty per month, "So we can use that one fifty in whatever we would like to use the one fifty for." The City Clerk responded that if it is one uniform per year you can't use the one hundred and fifty to purchase uniforms if only one uniform purchase is allowed. Clayton responded that one uniform a year

Village of Ferrelview

205 NW Heady Avenue

Ferrelview, Missouri 64163

Phone (816) 464-5010 Fax (816) 464-2383

"Didn't sound right, and that's not how it's been." Clayton added that every department has one fifty a month, and the Police Department can use that money for anything they need including office equipment, uniforms, etc. Carr stated again it has always been one uniform per year. Clayton responded that it was the first he has heard of that. Carr acknowledged that each department does have one hundred and fifty dollars per month. Gilliam asked if anyone knew when that motion was made for research purposes. Carr responded it was when she was on the Board previously. Clayton and the Board had a discussion regarding the uniform purchase policy and the one hundred fifty dollar per department. The City Clerk asked for clarification. Clayton responded that one fifty was always separate from uniform. The City Clerk responded "So if you are entitled to one set of uniforms then, in my opinion, that the only payment we should make is for one pair of the cargo pants, because you just said the one fifty and the uniforms have always been separate." Gilliam stated that if you are talking a full uniform, shirt, pants, etc. and he's only getting part of, would that be looked at differently? Carr stated that we would have to go back and look to be specific. The City Clerk stated that any board member is welcome to look in the records office while she is here to research anything.

Gilliam stated that the other invoice is more concerning because this one has been sent to collections and they are threatening the Village's credit. Clayton asked "Was that the vest?" Gilliam responded that it was and that \$1,565.00 was still due as of 09/11/2020. Clayton responded "If I can get a copy of it I will take care of it."

Clayton asked what the other one was for. Gilliam responded that he thought he remembered this one, it is for an extra charging base for a body camera to have in the car. Clayton responded that it was in case the board needed to see something, it's an extra one. The City Clerk/Treasurer responded "I don't have a problem paying the invoice, but it's already past due." Clayton responded "That is not for the Village to pay, it is my invoice." Clayton added that it is under the Ferrelview Police Department but the city is not paying a dime for those invoices, that's why this shouldn't be an issue. Gilliam responded "To be fair I can understand why she's saying it, cause then they're contacting us and saying why hasn't this been paid." Clayton responded that they know it's for him and he hasn't been here to check his mail for the WatchGuard one, and that was a recent purchase.

Clayton stated that body cameras were on the agenda and wanted to know more about it why it was on the agenda. The Clerk responded that they wanted to make sure that the body cameras were here at City Hall. Clayton responded to the clerk that they were here. Gilliam added that Carr wanted that on the agenda. Carr replied that she wanted to make sure that they were here. Clayton responded that he has his own WatchGuard body camera. Carr stated that Penrod a Platte County Sherriff told them that the body cameras had to stay at City Hall otherwise any tickets that were wrote and we had to return back to the body cam, they could be thrown out because if the officer is wearing it home, it puts it in risk of somebody tampering with it. Clayton and Carr discussed body cameras. The City Clerk asked "What is the difference between you wearing your own personal (body camera) for patrol as opposed to one of the ones in the office,

Village of Ferrelview

205 NW Heady Avenue

Ferrelview, Missouri 64163

Phone (816) 464-5010 Fax (816) 464-2383

if the Sherriff wants them here.” Clayton responded “Penrod is not my boss.” Carr clarified the personal body camera and why the Village purchased body cameras for the Police Department. Gilliam stated “I have no problem being supportive of any agency but the Village of Ferrelview is a sovereign entity in and of itself, we do not answer to Platte County.” Clayton replied, what is it to the clerk if I have my own body camera or not, if there are more officers here than there are more body cameras for them to utilize. Carr responded that she was the one who has concern with it because she didn’t want something to get thrown out because the body cameras were not being kept here. Clayton responded that anytime he has submitted footage, the prosecutor’s office has filed warrants on it, they have never questioned his integrity. The city clerk responded “If we’re our own entity, then at some point, a formal body camera procedure needs to be put into place.” Clayton responded “We’re working on that, and you don’t need to tell us how to run our department, we know how to run our department, we understand that a policy needs to be set in place.” Chief Pacheco replied that, in general, any officer that is working here and has access to those cameras, and it would never be protocol for an officer to take a camera home in any case and we would want those cameras to stay here, it’s just good practice in general. Pacheco stated that he agreed with the clerk and everything needs to have a written policy. Clayton stated that it’s not like we have ten (10) officers here operating without a camera policy, it’s only been him here. Pacheco agreed that there should be a policy in place and maybe Ferrelview could look to other entities that already have a formal policy in place, so that the Village could mirror a policy off of theirs. Clayton stated that when we have other officers we will get a formal policy to be reviewed by the Board and the city attorney. Clayton added it’s just me right now we don’t need a body camera policy. Gilliam responded that the Village does need a formal body camera policy. Gilliam added that we need one in place so that we can move forward. The city clerk added that “Clayton is not with us right now and that policy need to be set into place to protect what’s in the office.” Baumann stated “One officer or ten officers we need a policy.” Carr added that you (Clayton) may take care of the department, but the Board needs to know what is going on in the department and sometimes we have to voice an option about putting a policy into place but it’s not telling you how to run the department. Clayton stated “I’m not disagreeing with it but April over steps her boundaries sometimes. She opens my mail, she does other things, like that’s how I feel.” Gilliam replied in regards to the mail, more specifically the WatchGuard thing.” Clayton said he not talking about that, but with Platte County, things with the Department of Public Safety, things from the prosecuting attorney, they are addressed to me.” The clerk replied “I always call and ask you.” Clayton stated that there was an email sent the other day. The Clerk responded that Clayton has never told her “no” in regards to opening mail and “there is no one here for the police department, you’re on a leave of absence.” Clayton replied to leave it in his box. The clerk responded that the box is full. Clayton responded that the clerk needed to send him an email letting him know his box was full or send one to Pacheco. Clayton stated that when things are addressed to the Police Department or addressed with his name on it, I think it’s inappropriate for you to open it. The clerk responded “Do I not call you

Village of Ferrelview

205 NW Heady Avenue

Ferrelview, Missouri 64163

Phone (816) 464-5010 Fax (816) 464-2383

every time and ask you whether or not to open it?" Clayton responded that he does not see why the clerk needs to open the mail. The clerk responded "Some of it is time sensitive!" Baumann stated "The bottom line is we don't have a Police Department here right now." Clayton responded that Pacheco is here. Baumann stated that he hasn't seen anyone here in over three weeks, the mailbox is full, and it's time sensitive, and there is no one here to deal with it and nothing is getting done. Pacheco added that he is neutral and that his city clerk sometimes opens his mail and it is not a big deal and it's not unusual he would say. Baumann added that the clerk does a lot of work for this city. Pacheco added that he has taken a few calls through Platte County and does have a couple of officers that are willing to help. Pacheco stated the he submits all reports to the state so that the Village remains eligible for grants. The city clerk stated that she just submitted that juvenile holding survey to DPS on behalf of the Police Department with Clayton's approval. She has been a key in getting the DUNS number and Sam's registration active again and has never been told that she is overstepping her boundaries. Gilliam replied "I get the Police Department runs the Police Department, I understand that, but at the same time, the Board is responsible for the actions of the Police Department, so we gotta work together, it's not a matter of, I don't think it's a matter of overstepping, I think, and I gotta be honest, we were in an absolutely horrible place two years ago, we were still in recovery, we're getting better now, but a lot of the turnaround has been because of the work April has been doing." If there needs to be a policy in place about how often the mail gets checked, and how much is there before it is opened, then so be it. Carr added that she was at City Hall and heard the clerk ask Clayton on the phone to open the mail and he gave her permission. Baumann stated "We may run this town but she makes sure it gets run." Carr added that there has to be more communication between the departments and the Board.

Pacheco said that he has officers that are willing to work and wanted to know what authority he has to bring in new officers. Gilliam stated that while Clayton is out on leave, that we still have the budget to pay an officer to patrol a couple of days per week. Carr stated she would like to see more than a couple of patrols a week. Pacheco added that the Village could split the time between officers needing post hours and paying an officer. Pacheco stated that the Village gets more calls than he expected. Carr asked if Platte County knows that the Village does not have anyone right now. Pacheco responded that he believes that they do. Carr stated that she believes that lack of a police force is a concern to public safety.

Gilliam stated that the Village received a letter from the State of Missouri that MHCA's (MOFE Ferrelwoods MHP) sales tax license had been revoked for non-payment of taxes due and that the State is requesting that the Village of Ferrelview also revoke their license to operate within our boundaries. The attorney for MOFE Ferrelwoods asked for two days to look into the situation on 9/17/2020. Gilliam stated that is it now Thursday and they are now saying they want another ten (10) days. Gilliam stated that he believes that the State of Missouri would have notified them (MOFE Ferrelwoods/MHCA Homes) if there was a discrepancy. Gilliam added that they have

Village of Ferrelview

205 NW Heady Avenue
Ferrelview, Missouri 64163
Phone (816) 464-5010 Fax (816) 464-2383

had ample time and that the clerk spoke with the Missouri Department of Revenue and was told that once they pay the taxes due or schedule a payment plan their license would be reinstated immediately. Gilliam added that the Village was sent payment receipts from MOFE Ferrelwoods indicating that they may have paid the taxes due however the State of Missouri still showed a revoked license on 9/24/2020. Gilliam added that the Village has not received notice from the State of Missouri stating that the license for MHCA Homes was reinstated and he feels that the Village needs confirmation from the State, not the attorney for MOFE Ferrelwoods, which states that all taxes are paid and they have been reinstated. Carr and Baumann agreed. Gilliam has concerns that they (MOFE Ferrelwoods) has been running that LLC out of their business and it has never been licensed. Baumann stated that every sale they have done since they have been here, has been illegal. The city clerk asked for clarification on whether or not MHCA Homes is a separate entity in and of itself or is it an umbrella corporation for Impact Communities DBA MOFE Ferrelwoods MHP. Gilliam responded that he believes it is a separate entity, and added that he doesn't think that they can sell any more homes. The city clerk added that they have already been told that the Village will not issue any building or occupancy permits until the matter is resolved. Gilliam stated that the State has asked for their license to be revoked and it is out of the Village's hands and it's not really our decision to make.

A motion was made by Phil Gilliam to revoke the license of MOFE Ferrelwoods, to also include MHCA Homes, until such time as we are notified by the State of Missouri that they are good to be reinstated. Motion was seconded by Frank Baumann.

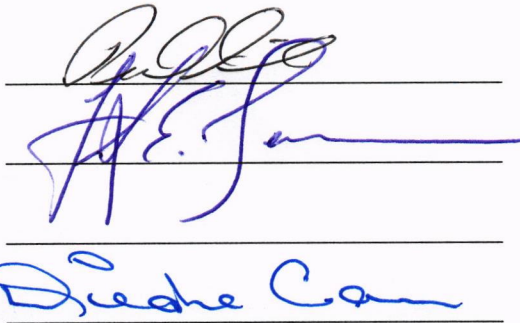
Roll Call Vote:

Phil Gilliam-aye

Frank Baumann-aye

James Meyer-aye

Deidre Carr-aye



Three handwritten signatures in blue ink are shown, each on a horizontal line. The first signature is 'Phil Gilliam', the second is 'Frank Baumann', and the third is 'Deidre Carr'.

Motion carries 4-0-0-0

A motion was made by Phil Gilliam to close the open session and open a closed session. Motion was seconded by Deidre Carr.

Roll Call Vote:

Phil Gilliam-aye

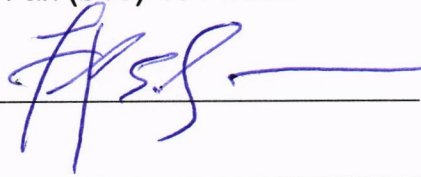


A handwritten signature in blue ink is shown on a horizontal line. The signature is 'Phil Gilliam'.


Village of Ferrelview

205 NW Heady Avenue
Ferrelview, Missouri 64163
Phone (816) 464-5010 Fax (816) 464-2383

Frank Baumann-aye



James Meyer-aye



Deidre Carr-aye

Motion carries 4-0-0-0

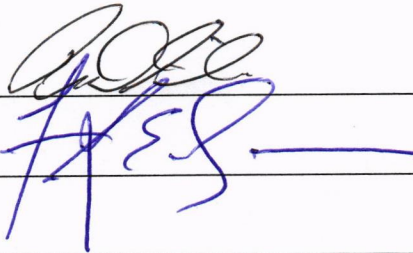
The open session was closed at 5:26 PM

The open session was re-opened at 5:42 PM

A motion was made by Phil Gilliam to adjourn the open session. Motion was seconded by Deidre Carr.

Roll Call Vote:

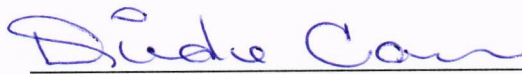
Phil Gilliam-aye



Frank Baumann-aye

James Meyer-aye

Deidre Carr-aye



Motion carries 4-0-0-0

The session was adjourned at 5:42 PM

The minutes of the meeting were approved by the Board of Trustees on the 3rd
day of October, 2020.



Chairman of the Board

Village of Ferrelview

205 NW Heady Avenue

Ferrelview, Missouri 64163

Phone (816) 464-5010 Fax (816) 464-2383

Attest:

C. Baxter
City Clerk

