

Public Notice posted in accordance
RSMO. 610 as amended

Date/Time Posted: Thursday, July 2, 2020
5:00 p.m.

By: Kimberly Barfield
City Clerk

**CITY OF PACIFIC
300 HOVEN
BOARD OF ALDERMEN AGENDA
REGULAR MEETING**

**TUESDAY, JULY 7, 2020
7:00 P.M.**

**THIS MEETING WILL BE HELD AT CITY HALL. THE MEETING IS PLANNED TO ALSO BE BROADCAST
VIA FACEBOOK LIVE AT THE FOLLOWING:**

<https://www.facebook.com/cityofpacificmunicipalgovernment>

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Prayer
5. Approve Agenda
6. Approve the Minutes from the Regular Meeting on June 16, 2020
7. Public Hearing
 - a. City of Pacific will conduct a public hearing regarding the removal of certain property identified below by the address from the Osage Commercial Area Community Improvement District. Properties to be removed from the District: 301 Hoven Drive, 305 Hoven Drive, 2165 W. Osage, 333 Chamber Drive, 1901 W. Osage, 1806 W. Osage, Pacific, MO.
8. Public Participation
9. Mayor Report
 - a. Proclamation for former Alderman Mike Pigg
 - b. Appoint Joanne McHugh to the Beautification Committee.
 - c. Appoint Lisa Troglia to the Meramec Valley Historical Museum & Genealogy Society.
 - d. Appoint Jeff Titter to the Meramec Valley Historical Museum & Genealogy Society.
 - e. Appoint to Standing Committees per Section 110.110 of City Code
 - Operations: Alderman Johnson, Alderman Frick, Alderman Rahn
 - Administrative: Alderman Adams, Alderman Stotler, Alderman Nemeth

- f. Appoint Committee liaisons:
 - Park Board: Alderman Frick
 - Meramec Valley Historical Museum & Genealogy Society: Alderman Johnson
 - Planning & Zoning: Alderman Rahn
 - Beautification Committee: Alderman Stotler
 - Tourism Committee: Alderman Adams
- g. Increase occupancy limitation, Municipal Pool
- h. AED purchase, Municipal Pool
- i. Draft bill, Marshal qualifications

10. New Bills

- a. Bill No. 5021 An Ordinance removing certain property from the Osage Commercial Improvement District. (1st reading)

- b. Bill No. 5022 An Ordinance approving a Zoning Change (Map Amendment) from C-2 Arterial Commercial to M-1 Light Industrial for property known as Lot 1 Eastridge Place, Franklin County Parcel ID 19-2-10.0-0-036-015.000. (1st reading)

11. Consideration of Bills Previously Introduced

- a. Amended Bill No. 5014 An Ordinance regulating the operation of Utility Vehicles and Golf Carts in the City of Pacific. (2nd reading tabled on 6-2-20)

- b. Bill No. 5019 An Ordinance providing for the Approval of a Final Plat of Riverbend Heights Subdivision Plat 2, a tract of land zoned "R-1B" Single-Family District located at or about 2050 Highway N (Congress Street) Franklin County Parcel ID # 19-6-14.0-0-099-034.000 in the City of Pacific (2nd reading)

- c. Bill No. 5020 An Ordinance prohibiting the extension of utility services outside the corporate limits of the City of Pacific and grandfathering certain existing customers. (2nd reading)

12. New Business

- a. Resolution 2020-32 A Resolution authorizing the transfer of funds from the Water & Sewer Fund to the Leasehold Revenue Bond for the Administrative Fee for the Municipal Assistance Bonds Series 2012.

- b. Resolution No. 2020-33 A Resolution to authorize a Transfer of Funds from the City's Subdivision Escrow Account (Lisa Lane) to the Transportation Fund for the purposes of paying certain expenses related to the Lisa Lane Improvement Project.

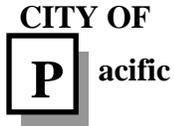
- c. Resolution No. 2020-34 A Resolution to authorize a Contract Award for Construction of Wastewater Collection System Lift Station 5 Improvements in the City of Pacific.

- d. Resolution No 2020-35 A Resolution authorizing and directing the Mayor to execute a Contract Agreement for resurfacing of certain streets as identified in the City's Preventive Pavement Maintenance Plan.

13. Unfinished Business

14. City Administrator Report
 - a. Preliminary Plans, Denton Road bridge replacement
 - b. Budget report
15. Director of Community Development Report
16. Public Works Commissioner Report
17. City Attorney Report
18. Acting Police Chief report
19. Miscellaneous
 - a. Approve Pay App # 3 for Lisa Lane Project in the amount of \$ 58,941.99.
 - b. Approve Pay App # 2 and Pay App # 3 for BIGFOOT in the amounts of \$ 52,942.57 and \$ 7,284.25 from Tourism Funds.
 - c. Approve payment to "Common Ground" for Sunset on the Rails in the amount of \$ 500.00.
 - d. Approve payment of \$ 224,318.75 from City Hall NID for Principal & Interest Payment to BNY Mellon.
20. Reports of City officials
 - a. Alderman Nemeth
 - b. Alderman Adams
 - c. Alderman Rahn
 - d. Alderman Frick
 - e. Alderman Johnson
 - f. Alderman Stotler
 - g. Chief Mansell
 - h. Collector Kelley
21. Adjourn

The Board of Aldermen will consider and act upon the matters listed above and such others as may be presented at the Meeting and determined to be appropriate for discussion at that time. The City of Pacific is working to comply with the Americans with Disabilities Act mandates. Individuals who require an accommodation to attend a meeting should contact City Hall (271-0500) at least twenty-four hours in advance.



June 16, 2020 * RECORD OF PROCEEDINGS

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

**This meeting was held via Zoom videoconferencing and in person.
[https://zoom.us./j/us02web.zoom.us/j/81885206770](https://zoom.us/j/us02web.zoom.us/j/81885206770)**

The meeting was called to order at 7:00 p.m. by Mayor Myers.

Mayor Myers stated the social distancing requirements are lifted but asked that everyone act responsibility as the virus is real.

A roll call was taken with the following results:

Present at Roll Call:

Alderman Nemeth
Alderman Adams
Alderman Rahn
Alderman Gass
Alderman Johnson
Alderman Stotler

A quorum was present. All Aldermen were present.

Also present: Administrator Roth
Attorney Jones
Chief Mansell
PW Commissioner Brueggemann
Director Kopp
Collector Kelley
City Clerk Barfield

Pledge of Allegiance

The Pledge of Allegiance is given.

Prayer

Pastor Lange, Ministerial Alliance, offered prayer this evening.

Approve Agenda

Board of Aldermen 6-16-2020

Motion made by Alderman Adams, seconded by Alderman Stotler to amend the agenda, and place payment of the Fireworks display in the amount of \$ 12,500 under Miscellaneous business. A voice vote was taken with an affirmative result. **Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the Amended Agenda. A voice vote was taken with an affirmative result.**

Minutes

A. Regular meeting on June 2, 2020.

Motion made by Alderman Gass, seconded by Alderman Stotler to approve the minutes of the regular meeting on June 2, 2020. A voice vote was taken with an affirmative result and Mayor Myers declared the motion carried.

Report of June 2, 2020 Municipal Election results

Mayor Myers stated City Clerk Barfield does not have a microphone, so Attorney Jones will read them into the record. Attorney Jones stated the results of the General Municipal Election held on April 7th were as follows: Pacific Municipal Judge: Dan Leslie 538, Write In 9
Pacific Alderman Ward 1: Butch Frick 97, CJ Ruyle 35, Write In 1
Pacific Alderman Ward 2: Herbert Adams 250, Write In 12
Pacific Alderman Ward 3: Drew Stotler 170, Write In 5
Pacific Prop C: Yes 187, No 519

Oath of Office for newly elected officials

a. Ceremonial matters (Ed Gass)

Mayor Myers stated the first time he met Ed Gass was when he started an Eagle Scout project and Ed helped him. He was thankful for his guidance then and still now. He is a valuable resource for our City and hopes he continues to stay involved. Board members agreed. Mayor Myers read a Plaque. State Representative Bailey read a Proclamation from the House of Representatives and presented it to him.

b. Oath of office – Butch Frick Alderman Ward 1
Herbert Adams Alderman Ward 2
Drew Stotler Alderman Ward 3
Dan Leslie Municipal Judge

Mayor Myers stated Judge Leslie was not present this evening. An Oath of Office was given to the others.

New Board convenes

a. Election of Acting Board President

Mayor Myers opened the floor for nominations of Acting Board President. Alderman Johnson nominated Herbert Adams. There were no other nominations. Board members agreed, Herb Adams for Acting Board President. There being no other nominations, Mayor Myers declared Herbert Adams as Acting Board President.

Public Participation

Mayor Myers stated there were no speaker cards this evening.

Mayor's Report

Social Distancing – Alderman Rahn stated he had an issue of the placement of the chairs this evening. He did not feel that everyone was social distancing and thought we should remove some of the chairs. Mayor Myers stated families were sitting together which followed social distancing rules, and the Officers were here for Chief and stated they work in close quarters every day with one another. Mayor Myers read from the St. Louis County Task Force and as of today the new numbers from COVID-19 are average. There are 10 new admissions for the City and County. It was 70 a day when this started. The Task Force hospitalized 250, St. Louis County wide numbers was 770 at peak, and 21 average hospital discharges. He understood the message of fear, but thought it was unwarranted based off these numbers. Alderman Nemeth stated that testing is causing “finds” but not necessarily raising the numbers of infections. Mayor Myers stated if anyone felt unsafe to spread out accordingly. Alderman Adams stated he understood that the numbers show it has dropped, but he agreed with Alderman Rahn and in 22 states the numbers are spiking again, and Missouri is one of them. We required social distancing at the pool. We have rules at the pool, not to have rules here is not being consistent. Family units can use discretion. Mayor Myers stated this was spoke about at the Staff meeting this morning. The State recommends 10-25% of occupancy, the occupancy of this room is 112 chairs. That would be 28 chairs, he asked if that was what they wanted. Alderman Johnson agreed there were families here, but each one of us have our own limitations. Alderman Adams suggested we do nothing with the chairs tonight but decide what we do in the future. **Motion made by Alderman Adams, seconded by Alderman Nemeth to limit the chairs to 28 for any meeting in the Board room. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Midwest Shingle Recycling – Mayor Myers referred to Attorney Jones. Attorney Jones cautioned the Board on discussion about this. He stated this is for 90 Midwest Drive and they are accepting loads of roofing materials. This is out of the City limits. There are reports of surrounding businesses that there is mud and nails on the street, and they are causing damage. He has sent them a letter with no response. He visited the site this evening prior to the meeting and it is dusty and a mess. Tonight, he is asking for authority to file a nuisance action with Franklin County Circuit Court. **Motion made by Alderman Adams, seconded by Alderman Johnson for Attorney Jones to file a nuisance for 90 Midwest Drive with the Franklin County Circuit Court. A voice vote was taken with an affirmative result.**

Building Department – Mayor Myers stated his wife recently visited Ignite Nutrition and overheard the owner talking about how easy it was to work with the City of Pacific when she moved in and she named out Bryan, Scott and Rae. Mayor Myers thanked them for a good job.

Bigfoot – Mayor Myers stated Saturday at noon is the unveiling of Bigfoot at the Bigfoot Plaza.

a. Proclamation for Retiring Chief Matt Mansell

Mayor Myers stated he has known Chief for a very long time. He is an honorable man and a shining example for us all. He read a Proclamation. Board members and staff agreed and shared stories and agreed Chiefs interaction with the department and community is outstanding and we are all proud of him. Representative Bailey also presented a Proclamation from the State to Chief, and the Police Department presented him with an award.

Captain Locke took Chief Mansell's position as Chief left the meeting.

New Bills

Alderman Adams stated he would sponsor Bill No. 5020

Alderman Nemeth stated he would sponsor Bill No. 5019

Bill No. 5019 An Ordinance providing for the Approval of a Final Plat of Riverbend Heights Subdivision Plat 2, a tract of land zoned "R-1B" Single-Family district located at or about 2050 Highway N (Congress Street) Franklin County Parcel ID # 19-6-14.0-0-099-034.000 in the City of Pacific (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5019 by title only for the first reading.

Bill No. 5020 An Ordinance prohibiting the extension of utility services outside the corporate limits of the City of Pacific and grandfathering certain existing customers. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5020 by title only for the first reading.

Consideration of Bills Previously Introduced

a. Bill No. 5014 An Ordinance regulating the operation of Utility Vehicles and Golf Carts in the City of Pacific (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5014 by title only for the second reading. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Adams to table Bill No. 5014. Alderman Nemeth suggested more discussion and a chance for the new Board member to review it. Alderman Adams agreed and suggested we take our time with this and get it right. A voice vote was taken with an affirmative result.**

b. Bill No. 5015 An Ordinance Approving and Adopting a Budget of anticipated cash revenue and cash disbursements for the operating and capital funds of the City of Pacific, Franklin and St. Louis Counties, Missouri for the Fiscal Year commencing July 1, 2020, and ending June 30, 2021, providing for expenditures in accordance with said budget and make appropriations thereof. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5015 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 5015. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Stotler, Alderman Nemeth. Nays: none. Whereupon, Mayor Myers declared Bill No. 5015 passed and becomes **Ordinance No. 3199.**

c. Bill No. 5016 An Ordinance establishing the Fiscal Year 2020-2021 Wage and Salary Schedule for appointed officials and employees of the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5016 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Frick to approve Bill No. 5016. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon, Mayor Myers declared Bill No. 5016 passed and becomes **Ordinance No. 3200.**

d. Bill No. 5017 An Ordinance prohibiting Ballpark Parking on W. Pacific Street. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5017 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Rahn, seconded by Alderman Nemeth to approve Bill No. 5017. A roll call vote was taken with the following results: Ayes: Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick. Nays: none. Whereupon, Mayor Myers declared Bill No. 5017 passed and becomes **Ordinance No. 3201**.

e. Bill No. 5018 An Ordinance amending the requirements for approval of a Special Event Permit in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5018 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Stotler to approve Bill No. 5018. A roll call vote was taken with the following results: Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Johnson. Nays: none. Whereupon, Mayor Myers declared Bill No. 5018 passed and becomes **Ordinance No. 3202**.

New Business

a. Resolution No. 2020-28 A Resolution authorizing a Grant Application for City of Pacific Preventive Pavement Maintenance Program Phase 1 Improvements, Franklin County Transportation Grant Program.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-28 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Adams to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

b. Amended Resolution No. 2020-29 A Resolution to authorize a Transfer of Funds from the City's Contingency Fund to the FEMA Fund for the purposes of paying certain expenses related to the Voluntary Flood Buyout Program (Hazard Mitigation Grant Program FY18)

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-29 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Adams, seconded by Alderman Rahn to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

c. Resolution No. 2020-30 A Resolution authorizing and directing the Mayor to execute an Agreement with SC Engineering dba Cochran for Professional Services relating to Engineering Design and Construction Inspection of the Route 66 Marketplace Road Connection Project.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-30 by title only. Mayor Myers asked for any discussion. It was discussed that this is the road from B & H to Lamar Parkway. Administrator Roth stated this went before the CID Board. This is conditioned upon verification of the property owner who committed to donating the right-of-way, which he is still working on. Alderman Nemeth asked if there was any consideration to installing a light at the intersection of Rt 66 and the entrance to B&H. Board members agreed a light was needed. Administrator Roth stated he could ask the engineer to include it with this contract but was not sure. **Motion made by Alderman Nemeth, seconded by Alderman Adams to approve. A voice vote was taken with an affirmative result, and**

Mayor Myers declared the motion carried.

d. Resolution No. 2020-31 A Resolution authorizing and directing the Mayor to execute a Service Agreement with Pacific Partnership for the 2020 rodeo event.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-29 by title only. Mayor Myers asked for discussion. Alderman Nemeth stated his wife was President of the Partnership and would exclude himself from voting, although they have no personal gain. Attorney Jones agreed, because the Partnership receives revenue. **Motion made by Alderman Adams, seconded by Alderman Stotler to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

City Administrator Report

Administrator Roth apologized for the technical difficulties this evening. The meeting is on Zoom but is not Facebook live. He is working to come up with a permanent solution.

The PPMP Project which is Lamar Parkway and Payne Street are out for bid, with a bid opening date of June 30, 2020. The BigFoot project is near completion, and the pool is open.

Director of Community Development Report

Director Kopp stated his department has received 19 permit applications. The Landing Hub is having a groundbreaking on Thursday. There have been 87 inspections, 23 occupancy inspections, 20 plan reviews, and 16 violation letters gone out. They are working towards the 2018 Codes and determining what needs to be updated.

Public Works Commissioner Report

a. Well #3 generator proposal

Public Works Commissioner Brueggemann stated there is a proposal for the generator at Well 3/City Garage Three Phase Conversion. This cost is based off time and material for \$ 66,478.00. Discussion followed. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve ECC 's quote in the amount of \$ 66,478.00. A voice vote was taken with an affirmative result.

City Attorney Report

Nothing to report.

Miscellaneous

a. Approve the list of bills.

Motion made by Alderman Nemeth, seconded by Alderman Adams to approve the list of bills. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Approve Pay Application # 1 from KJ Unnerstall for the BigFoot project in the amount of \$ 85,448.28 to be paid from Tourism Funds.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Pay Application # 1 from KJ Unnerstall for the BigFoot project in the amount of \$ 85,448.28 to be paid from Tourism Funds. A voice vote was taken with an affirmative result.

c. Approve payment of \$ 3,400 to “Jeremiah Johnson Band” for the Partnership expenses paid from Tourism Funds.

Motion made by Alderman Adams, seconded by Alderman Stotler to approve payment of \$ 3,400 for the “Jeremiah Johnson Band” to be paid from Tourism Funds, conditioned on receiving all the signed paperwork necessary. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Abstain: Alderman Nemeth.

d. Approve payment of \$ 350.00 to “Out by 9” for Partnership expenses paid from Tourism Funds.

Motion made by Alderman Adams, seconded by Alderman Rahn to approve payment of \$ 350.00 to “Out by 9” for Partnership expenses paid from Tourism Funds. Motion made by Alderman Adams, seconded by Alderman Rahn to approve payment of \$ 350.00 to “Out by 9” to be paid from Tourism Funds, conditioned on receiving all the signed paperwork necessary. A voice vote was taken with an affirmative result. Abstain: Alderman Nemeth.

e. Approve payment in the amount of \$ 500.00 to “Out by 9” for Partnership expenses paid from Tourism Funds.

Motion made by Alderman Adams, seconded by Alderman Rahn to approve payment of \$ 500.00 to “Out by 9” for Partnership expenses paid from Tourism Funds, conditioned on receiving all the signed paperwork necessary. A voice vote was taken with an affirmative result. Abstain: Alderman Nemeth.

Reports of City officials

Alderman Nemeth – stated the Partnership has had an amazing turnout at Sunset on the Rails. The band “Out by 9” are school kids and they do a great job, along with the vendors. He also asked about the plans for the Welcome sign by McDonalds. Mayor Myers stated there is no funding for lights yet, the cost is about \$ 5,000. Mayor Myers asked the Board for permission to paint the letters in “Pacific” white, as he thinks this will help it “pop”. He would donate his time to paint them. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve painting of the letters “Pacific” to white. A voice vote was taken with an affirmative result.**

Alderman Adams – No report.

Alderman Rahn – thought the Electronic Sign looked better after being painted. Mayor Myers stated anytime they see something that needs maintenance to call him, they do not have to wait for a Board meeting.

Alderman Frick – stated he was honored to be a part of the group, and this was new to him. He spent some time today with Mr. Roth going over the budget.

Alderman Johnson – asked about the backside of the letters on the sign at McDonalds and suggested they also be painted, and the hillside needs something done with it. Mayor Myers suggested she contact the

Beautification Committee to see if this was on their radar. She also asked about the status of the 15-minute parking request from the business at Columbus and Union St. Director Kopp stated he wrote an e-mail with his recommendation. Administrator Roth stated if the Board wanted this changed there would need to be an ordinance. Discussion followed. **Motion made by Alderman Adams, seconded by Alderman Nemeth to table this and allow for the Aldermen to visit the area. A voice vote was taken with an affirmative result.**

Alderman Stotler – stated he was also at Ignite Nutrition and heard good things about the Building Department, and from the owner of Vero.

Mayor Myers stated he had a request from the Lumber Company about looking at the truck traffic on W. Watson St. He spoke to the Police Department about this and requested a traffic study and there is no action needed.

Administrator Roth stated the Master Plan meeting for the Parks is June 29, 2020 at 6:00 p.m. The survey questions are going out with the water bill, along with a green slip to discuss paperless billing. He thanked the staff at City Hall for this project.

Elected Officials Training is August 6th and 7th. If you are interested in attending, please sign up. The cost is covered by the City.

Stay Strong Block Party is June 27th with fireworks at 9:30 p.m.

Adjournment

There being no further business, motion by Alderman Nemeth, seconded by Alderman Rahn to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 9:00 p.m.

Steve Myers, Mayor

ATTEST:

City Clerk

Notice of Public Hearing

City of Pacific, Missouri

Notice is hereby given that the Board of Aldermen of the City of Pacific, Missouri will conduct a public hearing regarding the removal of certain property identified below by address from the Osage Commercial Area Community Improvement District (the "District") in accordance with the Community Improvement District Act of the Revised Statutes of Missouri, as amended. A map illustrating the boundaries of the existing District and the real property to be removed is included. The public hearing will be held on July 7, 2020 at 7:00 p.m. at the Pacific City Hall, 300 Hoven Avenue, in Pacific, Missouri. All interested persons shall be given an opportunity to be heard at the public hearing.

Properties to be removed from the District:

301 Hoven Drive, Pacific, Missouri
305 Hoven Drive, Pacific, Missouri
2165 West Osage, Pacific, Missouri
333 Chamber Drive, Pacific, Missouri
1901 West Osage, Pacific, Missouri
1806 West Osage, Pacific, Missouri



Quick Quote 6/26/2020 9:50 AM

Quote Number: 10213263

Remit to: **Stryker Medical**

Version: 1

P.O. Box 93308

Prepared For: CITY OF PACIFIC

Chicago, IL 60673-3308

Attn:

Rep: Christina Elias

Email: christina.elias@stryker.com

Phone Number:

Quote Date: 06/29/2020

Expiration Date: 09/27/2020

Delivery Address

Name: CITY OF PACIFIC

Account #: 1517422

Address: 300 HOVEN DR

PACIFIC

Missouri 63069-1157

End User - Shipping - Billing

Name: CITY OF PACIFIC

Account #: 1517422

Address: 300 HOVEN DR

PACIFIC

Missouri 63069-1157

Bill To Account

Name: CITY OF PACIFIC

Account #: 1517422

Address: 300 HOVEN DR

PACIFIC

Missouri 63069-1157

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	99425-000023	LIFEPAK 1000 Graphical Display w/Carrying Case. Incl at N/C: Battery (11141-000156), Carrying Case Strap (11425-000012) and QUIK-COMBO REDI-PAK Electrodes (2 pair per unit) (11996-000017)	1	\$1,969.85	\$1,969.85
2.0	41425-000034	Ship Kit - Literature, LP1000, W RCHG, English	1	\$0.00	\$0.00
3.0	11101-000016	Infant/Child Reduced Energy Defibrillation Electrode Replacement	1	\$99.02	\$99.02
Equipment Total:					\$2,068.87

ProCare Products:

#	Product	Description	Qty	Start Date	End Date	Sell Price	Total
4.1	78000030	Prevent Plus Batteries (Depot) for LIFEPAK 1000 Graphical Display w/Carrying Case. Incl at N/C: Battery (11141-000156), Carrying Case Strap (11425-000012) and QUIK-COMBO REDI-PAK Electrodes (2 pair per unit) (11996-000017)	1	06/29/2020	06/28/2024	\$1,004.64	\$1,004.64
ProCare Total:							\$1,004.64

Price Totals:

Grand Total: \$3,073.51

Comments:



Quick Quote 6/26/2020 9:50 AM

Quote Number: 10213263

Version: 1
Prepared For: CITY OF PACIFIC
Attn:

Quote Date: 06/29/2020
Expiration Date: 09/27/2020

Remit to: **Stryker Medical**
P.O. Box 93308
Chicago, IL 60673-3308
Rep: Christina Elias
Email: christina.elias@stryker.com
Phone Number:

"This order is placed under GSA Schedule number V797D-30038 under the authority of the GSA Disaster purchasing program. The products and services purchased will be used in preparation or response to disasters or recovery from major disaster declared by the President, or recovery from terrorism or nuclear, biological, chemical, or radiological attack."

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.

AUTHORIZED CUSTOMER SIGNATURE

PENDING APPROVAL

BILL NO. _____

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE REVISING THE REQUIRED QUALIFICATIONS FOR CITY MARSHAL.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1: Article II, Section 200.060 shall be amended, as follows:

Section 200.060 City Marshal, Training Requirements.

A. Any person who is elected as City Marshal shall, within six (6) months of such appointment, cause to be filed with the City Clerk of the City and Director of the Missouri Department of Public Safety proof that he/she has completed the training program formulated pursuant to Sections 590.040 and 590.110 through 590.180, RSMo., or some other comparable training program of not less than one hundred twenty (120) hours instruction approved by the Director of the Department of Public Safety. If the newly elected City Marshal is unable to complete the training program within six (6) months due to the proper course not being available from the Department of Public Safety, an extension may be granted until such a course is made available.

B. Whether any person elected to his/her first (1st) term as City Marshal attends such a training program prior to or after assuming the duties of his/her office shall be left to the discretion of the Board of Aldermen. During the time that a Marshal is enrolled in such a training program, he/she shall be hired as a City employee and receive as full compensation from the City, compensation at a rate equal to that of City Marshal.

C. The elected Marshal shall serve as Chief of Police. In order to be eligible for election as City Marshal/Chief of Police, a candidate:

1. Must hold a Missouri Class "A" P.O.S.T. Certificate.
2. Must be at least thirty (30) years of age.
3. Must have at least two (2) years of college except that five (5) years' experience in the law enforcement field can be substituted for one (1) year of college. Ten (10) years' experience would be rated the same as two (2) years of college.
4. Must have a valid driver's license.
5. Must be able to demonstrate through references a history of ethical behavior in previous positions.
6. Must not have been convicted of any felony.

7. Must have at least five (5) years' experience working as a Law Enforcement Officer to include at least two (2) years as a supervisor or commander of other Police Officers.
8. Should have demonstrated ability in providing or implementing strategies to improve public safety.
9. Should have demonstrated ability to develop and/or implement the budget of the Police Department.
10. Must be certified by a physician to be in good enough physical condition to perform all the duties of a Police Officer.

Section 2: This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

MEMORANDUM

Steve Roth
City Administrator

636-271-0500 ext. 213
sroth@pacificmissouri.com

July 2, 2020

TO: Mayor and Board of Aldermen
RE: City Administrator report, 7-7-20 Board of Aldermen meeting

Hello everyone,

Please note the following with respect to agenda items and other information for the June 1 meeting.

1. Public Hearing, W. Osage CID property removal. This public hearing concerns the removal of six distinct business locations (five parcels) from the CID. We have received petitions from each owner requesting removal from the district. This action of course is tied to the April, 2019 voter approval of Prop S and Prop P. Removal from the district is at the discretion of each individual property owner, subject to approval by ordinance of the Board. Erick Creach, Gilmore Bell, prepared the public hearing notice as well as the bill subject to a first reading later in the meeting.

2. AED purchase, Municipal Pool and City Hall. This is an agenda item under the Mayor's report. The Mayor has proposed purchase of an AED unit for the Municipal Pool, to be used at City Hall when it is not pool season. The total cost is \$3,073.51, which include a four-year service plan. A copy of the vendor quotation is in the Board packet. We have been advised that the purchase may be subject to reimbursement from Franklin County through CARES Act funding. We are preparing a reimbursement request in an effort to get "pre-approved" through this program. The Mayor can provide further details at the meeting.

3. Draft bill, Marshal qualifications. The City Attorney drafted this bill at the direction of the Mayor, who intends to bring it up for discussion at the meeting. The draft is included in the packet and would require further action of the Board before being posted for a first reading. The bill was drafted based on a review of Marshal qualifications from other cities; the City Attorney can speak to this in more detail at the meeting if desired.

4. Bill 5021 W. Osage CID property removal. As discussed earlier, this bill provides for the removal of six business locations in the W. Osage CID as shown in Exhibit A, which includes five distinct parcels. Properties be removed are as follows:

Property No.	Parcel ID	Property Owner	Site Address
5	19-1-11.0-2-004-009.100	Osage 66 properties	301/305 Hoven Drive
7	19-1-11.0-2-003-011.000	Gared LLC	2165 W. Osage
12	19-1-11.0-2-009-015.100	Elite Massage	333 Chamber Drive
14	19-1-11.0-2-099-018-000	Fuller Properties LLC (now Osage St. Properties)	1901 W. Osage

5. Bill 5022, Rezoning Lot 1 Eastridge Place. This bill gives approval to rezoning of an approximate 8-acre parcel on Hogan Road, east of Eastridge place. The property was annexed in 2011 and was initially zoned C-2. The applicant, Iron Bear Customs LLC, is proposing M-1 Light Industrial zoning to allow for construction of an approximate 9,000 square foot facility for sales and manufacture of the company's custom Jeep bumpers, lift kits and other parts. The Planning and Zoning Commission conducted a hearing June 23 on this proposal and was unanimous in recommending approval. A copy of the application, P-Z staff report and other materials is included in the report.

As noted in the staff report, the property currently is undeveloped and all wooded. An approximate 4-acre parcel to the immediate north was also annexed in 2011 but was zoned R-2 and is not subject to this action. The proposed Iron Bear Customs location is immediately adjacent to the T. Hill Construction site, an excavating contractor, which occupies an approximate 8,000 sf facility.

In staff's judgment the light manufacturing use proposed here is less intensive than uses allowed under C-2 zoning, and further is in harmony with other nearby uses along the Hogan Road frontage. We would also note that the 4-acre parcel to the north provides a further buffer against the nearby residential uses.

6. Amended Bill No. 5014, UTVs and Golf Carts. This bill remains on the table following discussion at recent Board meetings. The bill essentially allows for operation of UTVs and golf carts on City streets.

7. Bill 5019, Riverbend Heights Subdivision Plat 2. This bill provides for approval of the final plat for this subdivision, a four-lot large lot subdivision located off West Congress, near Riverbend School. The plat approval is conditioned upon the subdivision improvement plans receiving conditional approval from the Public Works Commissioner, and upon owner providing a performance guarantee in a form acceptable to the City. The Public Works Commissioner has given his approval to the improvement plans, which is limited to the extension of sanitary sewer to serve each lot. The Performance Guarantee has not been posted as of this writing; however it is my understanding the owner intends to file this prior to the meeting July 7. Assuming this is completed we would find all requirements of the City's ordinance to have been met and would recommend approval.

8. Bill 5020, Utility Extensions outside City limits. This bill was given a first reading June 16 and is scheduled for a final reading here. The bill essentially prohibits water and sewer service extensions outside of the City limits, except as may be directed by the Board of Aldermen. Extensions in place as of the ordinance effective date of course may continue. I have not heard any public comment on this bill since it was first read.

9. Resolution 2020-32, Fund Transfer, Water and Sewer to Leasehold Revenue Bond fund. The City Clerk drafted this Resolution based on previous resolutions for this purpose. The debt service payment was budgeted but this fee was not due to an oversight on my part. The fees are set forth in the bond documents but any transfers are subject to Board approval. This is routine and we would respectfully request approval.

10. Resolution 2020-33, Lisa Lane transfer. This Resolution provides for the transfer of \$69,016.76 from the Subdivision Escrow account to the Transportation Fund for the Lisa Lane project. The funds have been held in escrow since the City executed on a performance guarantee securing the Lisa Lane improvements several years ago. The total construction contract cost was \$131,466, so the City actual cash outlay for the project will be \$62,449, not including engineering. The Lisa Lane escrows cannot be used for any other purpose, so we would respectfully request approval.

11. Resolution 2020-34, Lift Station 5 contract. This Resolution awards a contract to Kelpé Contracting, the apparent low bidder, for the Lift Station 5 replacement project. Kelpé was one of six bidders for the project, at a total base bid of \$275,260. Other bids are as tabulated below. The tabulation and recommendation of award from the project engineer is in the Board packet.

The apparent low bid from Kelpé was basically right at the engineer’s estimate of \$276,000. We budgeted \$250,000 for the project, but that budget was based on the station replacement only, and did not include a new force main from the station to the treatment plant. The new force main is recommended by the Public Works Commissioner and project engineer, and adds approximately \$50,000 to the project cost. The engineer has evaluated the Kelpé bid and has recommended award, and we would concur.

Lift Station 5 replacement

Gersehnsen Construction	\$291,425.00
Rich Gullet & Sons	\$434,429.49
Kelpé Contracting	\$275,260.00
Lamke Trenching & Excavating	\$509,290.00
Persons & Son, Inc.	\$348,750.00
RV Wagner	\$328,565.00

12. Resolution 2020-35, Preventive Pavement Maintenance Program (PPMP) 2020. This Resolution awards a contract for the Lamar Parkway and Payne Street resurfacing project, the two streets identified for improvement in the 2020 PPMP. We had nine bids for the project, which is excellent, with most coming in below the \$231K engineer estimate. Dura Seal Paving is the apparent low bidder at \$189,163.63, which includes the base bid plus the alternate, which is resurfacing of the section of Payne and Congress south of the Union Pacific RR. A preliminary bid tabulation is below; we are awaiting the final bid tab from the project engineer (Cochran) to present at the July 7 meeting. Budget for this project will come from Transportation Tax funds, along with W. Osage CID funding and E. Osage CID funding. We have also applied for \$50,000 in Franklin County Transportation grant funding for this project.

Preventive Pavement Maintenance 2020

Lamar Parkway and Payne Street

*preliminary; pending engineer bid tabulation

	<u>Base bid</u>	<u>Base plus alternate</u>
Krupp Construction	\$234,924.12	\$263,932.12
Byrne & Jones Construction	\$198,474.68	\$220,792.72
Dura Seal Paving	\$171,039.52	\$189,163.63
NB West Contracting	\$182,103.50	\$198,399.20
Leritz / Busy Bee	\$252,587.95	\$280,211.86
Gershenson Construction	\$209,821.45	\$230,420.70
E. Meier Contracting	\$211,878.00	\$234,276.00
Jokerst Paving	\$184,060.17	\$207,734.35
Ford Asphalt Co.	\$185,000.00	\$206,000.00

13. Preliminary Plans, Denton Road bridge project. This is an agenda item to approve the Preliminary Plans for this project and authorize submittal to MoDOT for review. A site plan and other plan details are in the packet. The main project features are as summarized below:

- Replacement of the existing Denton Rd bridge with new single span structure
- Realignment of the roadway to “smooth” the curve approaching 4th Street and the lumber yard
- Two 12-ft driving lanes (standard)
- Pedestrian walkway on bridge (6-ft)
- Relocation of water main under Brush Creek
- Roadway will be shutdown during construction (approximately 4-5 months).

The project is in substantially the same form as was originally proposed in the original Surface Transportation Program (STP) grant application. The project requires acquisition of right-of-way to provide for the roadway realignment; the engineer has had preliminary conversations with the property owner where the realigned roadway is proposed. Please note that actual right-of-way acquisition cannot begin until the City receives approval from MoDOT.

One point of discussion with the engineer has been the pavement width. The current proposal is for two 12-ft driving lanes, 24-ft in total. The bridge itself is 28-ft, so the project could continue that width throughout the project. If we went with the 28-ft width, we would stripe the 12-ft driving lanes and maintain a 2-ft shoulder. We feel this approach is better if possible; however we do have concern about the project staying in budget. The total project budget is \$1.39 million, with federal funds paying \$1.11 million. The City match (\$278,299) will be paid through Transportation and Capital Improvements Sales Tax funding.

This project is tentatively scheduled for bidding in October, 2021, with construction over the winter into spring, 2022. We would hope to get authority to acquire right-of-way by later summer or fall, 2020. We would respectfully request Board authority to move forward with the preliminary plan submittal, subject to discussion on the points outlined here.

14. Budget report. We’ve made this an agenda item to provide for a budget update to the Board. In general our finances remain solid but we are very concerned about the coming weeks and months. We do not find any support for new spending in our current numbers. The June sales tax payments were generally fine, but the recent Ameren gross receipts payments in particular have not been good. The July sales tax payments (due early the week of July 6) will be very interesting. I remain cautiously optimistic about sales tax, but it is very unpredictable and July will be the best indication yet of how the local economy is faring. Hopefully we will have the July numbers to report to the Board July 7. The enterprise funds (Water and Sewer) remain in good shape and we really don’t have any particular concern there. Sales tax and gross receipts revenues remain our primary concern and in particular the impact to the General Fund. I plan to present a more thorough report to the Board at the meeting.

15. Acting Police Chief report. I’ve asked Capt. Don Locke to make a report to the Board on the status of the Police Department, following the June 26 retirement of Chief Mansell. Capt. Locke and I have been in regular contact and I believe the Department is in good hands. I would note that we are now down two officers from the budgeted staffing level, given the Chief vacancy and the earlier hiring freeze (one officer position) implemented by the Board. Capt. Locke has assured me that we can maintain operations with the current staffing level, though can provide further information to the Board if desired.

16. Surplus property sales. We have put four surplus vehicles out for auction, along with a 61-inch zero turn mower and other surplus Public Works items. The auctions can be found at www.govdeals.com. A copy of a notice to run in the Weekend Missourian is also included in the report. Anyone can bid on the items, including City employees, provided that they not bid during work hours. The auctions are scheduled to close July 16.

17. Midwest Shingle Recycling action. Following Board direction at the June 16, the City filed an action in Franklin County Circuit court seeking a Temporary Restraining Order against Midwest Shingle Recycling, 90 Midwest Drive. Copies of the filings are included in the Board packet. The matter was heard before Associate Circuit Judge Joseph Purschke on Friday, June 26. The judge denied the City's motion for the TRO, as well as the Midwest Single Recycling motion to dismiss, and the matter has now been set for trial Sept. 28. The Judge will consider the city's request for preliminary injunction and permanent injunction at the same time, so there will be no separate preliminary injunction hearing. Live testimony and exhibits will be needed at trial, and we are working on gathering this currently. The City Attorney can speak to the details of the matter further if desired.

I would note that the City has taken repeated complaints from businesses and property owners throughout Dailey Industrial Park, including not only Midwest Drive but Industrial Drive. The primary complaint is flat tires caused by roofing nails dropped on the road, though we have also received other complaints. As we have noted to the complainants, the Midwest Shingle site is outside the City limits and as such is not subject to direct City jurisdiction. However we do believe the operation is a clear nuisance and are hopeful to ultimately prevail in our action.

18. Information items.

- **Live streaming of meetings.** We have purchased an inexpensive camera and tripod (total cost less than \$200) in an effort to better provide for livestreaming of our Board of Aldermen meetings, and other public meetings. We will do a test run at some point prior to the July 7 meeting. The intent is to broadcast the meetings via Facebook live. The meetings that we have broadcasted previously have had live viewership ranging from 10-15 on up to 50 or more. More impressive in my opinion is the total viewership, which according to the Facebook analytics generally has exceeded 1,000 for any posted meeting, and has exceeded 2,000 for some. As the Board knows, I am a strong advocate for open government in any form and I believe the Facebook livestreaming has opened a very positive window on our operations. I am not sure that Facebook live is the permanent solution, but feel it is an inexpensive and workable option to make our meetings more accessible for the time being.
- **Board of Adjustment hearing, June 24.** The Board denied an application relating to sidewalk construction at 115 Winter Wheat Trail, and refused to hear an application relating to parking lot construction at 720 W. Osage. A record of the 115 Winter Wheat Trail decision is included in the packet. It is my understanding that the property owner at 720 W. Osage has dropped his appeal and intends to construct the parking lot to City specifications. The project requires a permit; the Director of Community Development can provide further information on this if desired.
- **Parks Master Plan forum, June 29.** We conducted a Public Forum on this project June 29. We had two Park Board members and one media representative at City Hall, but total Facebook live

views of more than 1,000. A new survey has been posted on the City website, and we are seeing good results so far. https://www.surveymonkey.com/r/Pacific_Parks_Ideas

- **Storm water surveys.** We have received more than 300 responses to our Storm Water survey, which was excellent. These have been forwarded to the consultant, HR Green, for further review. A copy of the survey has also been posted online: https://docs.google.com/forms/d/e/1FAIpQLSeFMeyagogdkVBFOz9IZfw_MSm3e35ATC8zJfa1clyuOfUH0w/viewform

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steve Roth".

Steve Roth
City Administrator

BILL NO. 5021

ORDINANCE NO. _____

SPONSOR: _____

**AN ORDINANCE REMOVING CERTAIN
PROPERTY FROM THE OSAGE COMMERCIAL
AREA COMMUNITY IMPROVEMENT DISTRICT.**

WHEREAS, the City received the written request of the owners of certain real property to remove their respective properties, a list of such properties is included on **Exhibit A** hereto, from the Osage Commercial Area Community Improvement District (the "Community Improvement District") pursuant to Section 67.1441.1 of the Revised Statutes of Missouri, as amended; and

WHEREAS, the Board of Directors of the Community Improvement District has consented to the removal of such property and determined that the Community Improvement District can meet its obligations without the revenues generated by the property proposed to be removed; and

WHEREAS, a public hearing on the removal of such property from the Community Improvement District, notice of which was given as required by Section 67.1441.1(3) of the Revised Statutes of Missouri, as amended, was held and all interested parties were given an opportunity to be heard; and

WHEREAS, the Board of Aldermen desires to remove certain property from the Community Improvement District; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

SECTION 1. The real property listed in the written requests of the owners thereof attached hereto as **Exhibit A** shall be removed from the Community Improvement District.

SECTION 2. This Ordinance shall take effect upon its passage. The employees of the City or its representatives are hereby authorized to take such actions as may be necessary to inform the Missouri Department of Revenue or such other agency of the State of Missouri regarding the removal of the property from the Community Improvement District and to take such further action as may be required to remove such property from the Community Improvement District in accordance with Section 67.144.1 of the Revised Statutes of Missouri, as amended.

PASSED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

EXHIBIT A

Property No.	Parcel ID	Property Owner	Site Address
5	19-1-11.0-2-004-009.100	Osage 66 properties	301/305 Hoven Drive
7	19-1-11.0-2-003-011.000	Gared LLC	2165 W. Osage
12	19-1-11.0-2-009-015.100	Elite Massage Fuller Properties LLC (now	333 Chamber Drive
14	19-1-11.0-2-099-018-000	Osage St. Properties)	1901 W. Osage
16	19-1-11.0-1-009-052.100	Dale & Belinda Essmyer	1806 W. Osage

BILL NO. 5022

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE APPROVING A ZONING CHANGE (MAP AMENDMENT) FROM C-2 ARTERIAL COMMERCIAL TO M-1 LIGHT INDUSTRIAL FOR PROPERTY KNOWN AS LOT 1 EASTRIDGE PLACE, FRANKLIN COUNTY PARCEL ID 19-2-10.0-0-036-015.000.

WHEREAS, David and Angela Wieda and Barb Wieda Culp, dba Iron Bear Customs LLC, has made application for a zoning change from C-2 Arterial Commercial to M-1 Light Industrial for property located at Lot 1 Eastridge Place, Franklin County Parcel ID 19-2-10.0-0-036-015.000; and

WHEREAS, the application was duly referred to the Planning and Zoning Commission for its consideration and recommendation; and

WHEREAS, a duly advertised and posted public hearing was conducted before the Planning and Zoning Commission on June 23, 2020; and

WHEREAS, the Planning and Zoning Commission has submitted its report to the Board of Aldermen and has recommended that a zoning change from C-2 Arterial Commercial to M-1 Light Industrial for the aforesaid property be approved in accordance with the application;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1. A zoning change and map amendment from C-2 Arterial Commercial to M-1 Light Industrial is hereby approved for the property at Lot 1 Eastridge Place, known and identified as Franklin County Parcel ID 19-2-10.0-0-036-015.000. The City zoning map shall be updated accordingly in due course.

Section 2. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____ 2020. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____ 2020. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

BILL NO. _____

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE REGULATING THE OPERATION OF UTILITY VEHICLES AND GOLF CARTS IN THE CITY OF PACIFIC

WHEREAS, the Board of Aldermen has determined that regulations should be adopted for the safe operation of utility vehicles and golf carts on city streets, roads and alleyways.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1: The Code of Ordinances of the City of Pacific shall be amended by adding a new Chapter 386 thereto, as follows:

CHAPTER 386– UTILITY VEHICLES, GOLF CARTS

Section 386.010. Utility Vehicles.

A. Definition: Any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of 1,850 pounds or less, traveling on four or six wheels.

B. Requirements for operating a utility vehicle on public roads and sidewalks within the City:

1. Any individual operating a utility vehicle shall have a valid operator's or chauffeur's license, but is not required to pass an examination for the operation of a motorcycle;
2. Any individual operating a utility vehicle shall wear a properly fastened seat belt if the utility vehicle has a seat belt designed and provided by the manufacturer;
3. The utility vehicle shall be operated at a speed of less than 20 miles per hour (RSMo. Sec. 304.034); and shall obey speed zones that may be less than 20 miles per hour;
4. The utility vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle; the flag shall be day-glow colored and shall be triangular shaped, with an area not less than 30 square inches;
5. The utility vehicle shall be properly insured and such proof of insurance shall be kept with the vehicle at all times. Such insurance shall specifically list the utility vehicle as referenced by the serial number and year of model;

6. Notwithstanding other provisions of this ordinance, utility vehicles operated on city streets must comply with safety standards as outlined in 49 C.F.R. 571.500.
7. Utility vehicles may be operated only on improved streets and alleys. Utility vehicles are prohibited on First Street, Route 66 and Interstate Highway 44.

C. No individual operating a utility vehicle shall:

1. Operate the utility vehicle in any careless or imprudent manner so as to endanger any person or property of any person;
2. Operate the utility vehicle while under the influence of alcohol or controlled substance;
3. Operate a utility vehicle between the hours of official sunset and sunrise unless the utility vehicle is properly equipped with headlights, tail lights, brake lights and turn signals;

Section 386.020 – Golf carts

A. Definition - a golf cart which may be operated on the streets, roads and alleyways of the City shall be classified as a low-speed vehicle (LSV).

1. The following must appear on the manufactured statement of origin (MSO):
 - 1) The body type must be specified as a low speed vehicle.
 - 2) There must be a statement indicating that the LSV meets or exceeds the minimal federal safety requirements.
2. All golf carts classified as low-speed vehicles shall be manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles. Golf carts operated on city streets shall conform to safety standards as outlined in 49 C.F.R. 571.500

B. Requirements for operating golf carts on city streets, roads or alleyways within the City:

1. The golf cart shall be currently registered and licensed pursuant to city ordinances (if any);
2. Any individual operating a golf cart shall have a valid operator's or chauffeur's license, but is not required to pass an examination for the operation of a motorcycle;
3. The golf cart shall be properly insured and such proof of insurance shall specifically list the vehicle as referenced by the serial number and year of model
6. Any individual operating a golf cart shall wear a properly fastened seat belt if the golf cart has a seat belt designed and provided by the manufacturer;

7. The golf cart shall be operated at a speed of less than 20 miles per hour (RSMo 304.034).
8. The golf cart shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle; the flag shall be day-glow colored and shall be triangular shaped, with an area not less than 30 square inches.

C. No individual operating a golf cart shall:

1. Operate the golf cart in any careless or imprudent manner so as to endanger any person or property of any person;
2. Operate the golf cart while under the influence of alcohol or controlled substance;
3. Operate the golf cart between the hours of official sunset and sunrise, unless the golf cart is properly equipped with headlights, tail lights, brake lights and turn signals;
4. Operate the golf cart on any federal, state or county highways, except to cross.
5. No golf cart shall cross any federal or state highway at an intersection where the highway being crossed has a posted speed limit of more than forty-five miles per hour.

Section 2: Section 230.020 (15) shall be amended as follows:

15. Operate any unlicensed motor vehicle, except that utility vehicles and LSV's may be operated on the paved streets and paths within the City's parks.

Section 3: Any and all ordinances or parts thereof in conflict herewith are hereby repealed.

Section 4: This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2020. _____

Steve Myers, MAYOR

APPROVED this _____ day of _____, 2020. _____

Steve Myers, MAYOR

ATTEST:

City Clerk

BILL NO. 5019

ORDINANCE NO. _____

SPONSOR _____

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A FINAL PLAT OF RIVERBEND HEIGHTS SUBDIVISION PLAT 2, A TRACT OF LAND ZONED “R-1B” SINGLE-FAMILY DISTRICT LOCATED AT OR ABOUT 2050 HIGHWAY N (CONGRESS STREET) FRANKLIN COUNTY PARCEL ID# 19-6-14.0-0-099-034.000 IN THE CITY OF PACIFIC

WHEREAS, Boo Investments LLC has submitted for review and approval a Final Plat of the Riverbend Heights Subdivision Plat 2, accompanied by certain plans for public improvements to serve the Subdivision; and

WHEREAS, following a duly advertised Public Hearing, the Planning & Zoning Commission has reviewed the same and has recommended approval thereof; and

WHEREAS, the City has reviewed the Final Plat in accordance with the Subdivision Ordinance of the City of Pacific and has found it to be in substantial compliance with all applicable requirements and has forwarded said Final Plat to the Board of Aldermen; and the Public Works Commissioner further has given conditional approval to the Improvement Plans for the subdivision; and,

WHEREAS, the Board of Aldermen of the City of Pacific having considered the request, desires to take action on said Final Plat.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1. The Final Plat for Riverbend Heights Plat 2, a 4-lot subdivision of land located at or about 2050 Highway N (Congress), in the form attached hereto and the accompanying Performance Guarantee, are hereby accepted and approved; provided, however, that nothing in this ordinance shall be construed or interpreted as an acceptance of the public utilities which are dedicated on the Final Plat. This acceptance is further conditioned upon the following:

- a. Construction of hard-surface driveways to serve each lot shall be required from and after completion of the planned improvement of Highway N (Congress) adjacent to the subdivision.

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the said Final Plat by affixing their signatures and the official seal of the City of Pacific as required on the said document.

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

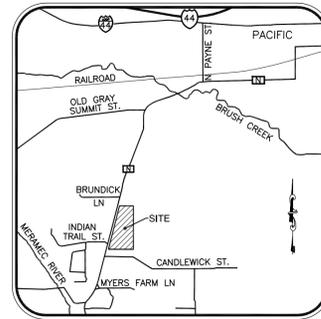
APPROVED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

ATTEST:

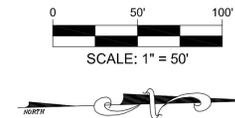
City Clerk

RIVERBEND HEIGHTS SUBDIVISION PLAT 2

A RESUBDIVISION OF LOT 2 OF RIVERBEND HEIGHTS SUBDIVISION PLAT 1,
BEING PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 14,
TOWNSHIP 43 NORTH, RANGE 2 EAST OF THE 5TH P.M.
CITY OF PACIFIC, FRANKLIN COUNTY, MISSOURI



SITE LOCATION MAP
NOT TO SCALE



NOTES:

- Bearings referenced to Grid North of the Missouri Coordinate System 1983, East Zone per GPS observations utilizing the MoDOT VRS RTK Network.
- (M) Denotes measured survey information gathered by Buescher Frankenberg and Associates, on 5/18/18
- (R) Denotes recorded outboundary information as per Surveyor's record 21/181.
- (R1) Denotes recorded outboundary information per "Riverbend Heights Subdivision Plat 1" recorded Document #2001812 on February 5, 2020 at the Franklin County, Missouri Recorder of Deeds Office.
- Iron Rods to be set at all lot corners per Missouri State Statutes.
- O = Found Iron Rods per previous surveys.
- Site is zoned R-1B as per City of Pacific.
Setbacks are:
Front Yard = 25ft.
Side Yard = 12ft.
Rear Yard = 20ft.
- Deeds of record recorded in Document 700581 of the Franklin County Recorder of Deeds Office.
- This site scales within Zone X, as per Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel No. 29071C0335D dated October 18, 2011.

CITY OF PACIFIC APPROVAL:

I, _____, City Clerk for the City of Pacific, Missouri, do hereby certify that the plat of "Riverbend Heights Subdivision Plat 2" a Resubdivision of Lot 2 of "Riverbend Heights Subdivision Plat 1" was approved by the City Council of Pacific Missouri, by Ordinance No. _____, passed and approved this ____ day of _____, 20____.

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed my official seal, of the City of Pacific, Missouri this ____ day of _____, 20____.

By: _____
City Clerk of Pacific, MO

OWNERS CERTIFICATE:

The undersigned owners of a tract of land described in the Surveyor's Certificate and as shown hereon, have caused the tract to be surveyed and subdivided in the manner shown on this plat.

The subdivision shall hereafter be known as "Riverbend Heights Subdivision Plat 2". A Resubdivision of Lot 2 of "Riverbend Heights Subdivision Plat 1".

The utility easements shown on the plat are hereby granted to the City of Pacific, Spire Gas, AT&T, Ameren Missouri, Charter Communications and their successors and assigns for installation and maintenance of public utilities.

IN WITNESS WHEREOF, said Roy Gullet and Tyler Ross have caused these presents to be signed by its Presidents on this ____ day of _____, 20____.

BOO Investments, LLC: Roy Gullet

BOO Investments, LLC: Tyler Ross

NOTARY PUBLIC CERTIFICATE:

STATE OF MISSOURI)
COUNTY OF FRANKLIN) SS

On this ____ day of _____, 20____, before me personally appeared _____,

to me known to be the person described in and _____,

who executed the foregoing instrument and acknowledged to me that he/she executed said instrument as owner.

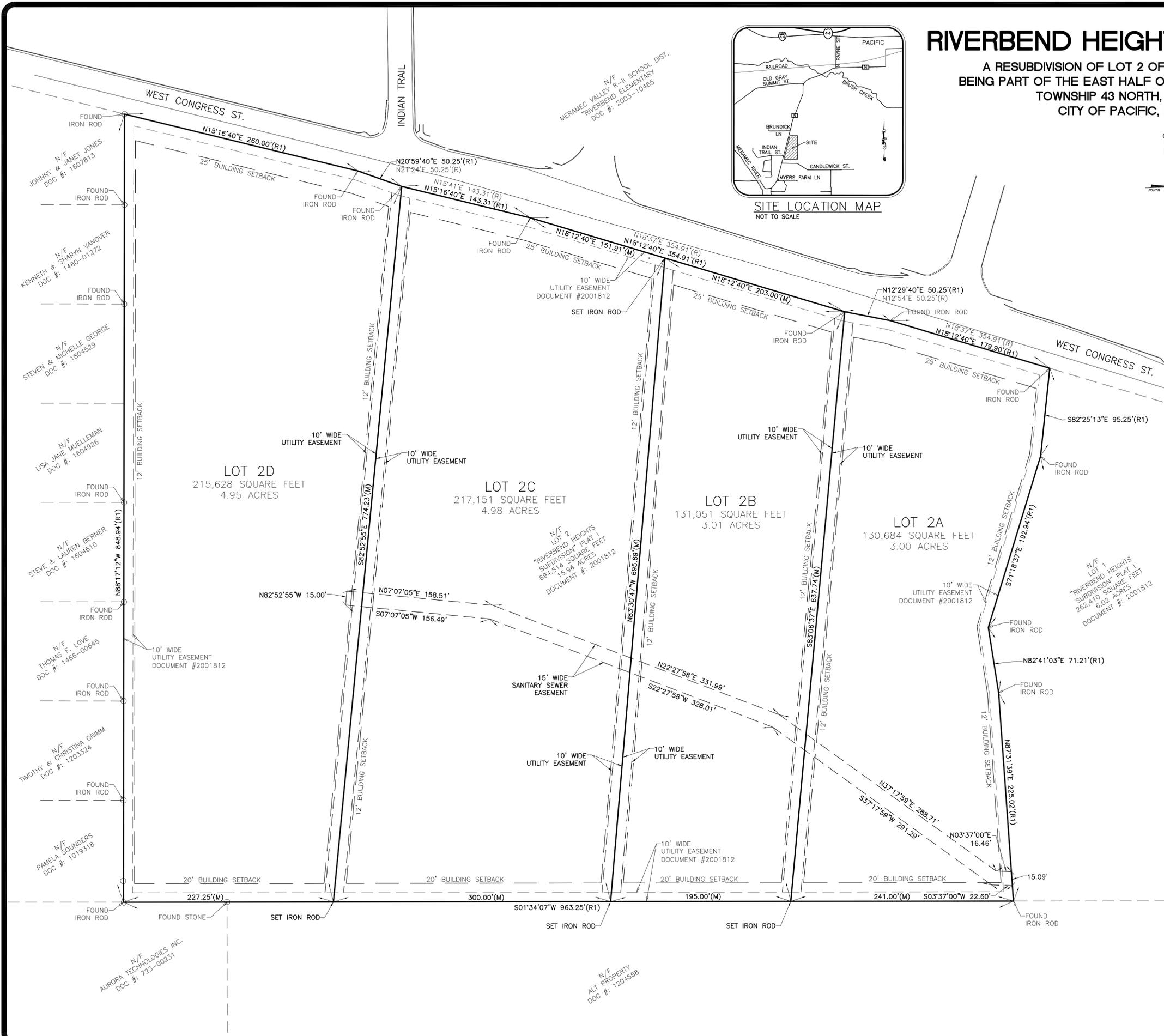
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Notary Public

STATE OF MISSOURI)
COUNTY OF FRANKLIN) SS

This is to certify to BOO Investments, LLC that during the month of May, 2020 we executed a Property Boundary Survey and Subdivision Plat on a Resubdivision of Lot 2 of "Riverbend Heights Subdivision Plat 1" also being part of the East 1/2 of the Southwest 1/4 of Section 14, Township 43 North, Range 2 East of the 5th P.M., City of Pacific, Franklin County, Missouri.

To the best of my knowledge and belief, this map or plat and the survey on which it is based were made in accordance with the current "Missouri Standards for Property Boundary Surveys" of the Missouri Department of Insurance, Financial Institutions and Professional Registration, Division of Land Survey and meets the accuracy requirement of a "Rural Property" as defined therein.



RIVERBEND HEIGHTS SUBDIVISION PLAT 2
West Congress Street
City of Pacific
Franklin County, MO 63069

PRELIMINARY DRAWING

DRAWN
A.C.W. & E.J.H.
DATE
6/5/2020
JOB No.
5049A
SHEET NAME
RIVERBEND
HEIGHTS
SUBDIVISION
PLAT 2

TELEPHONE: (636) 239-4751
BFA
Engineering-Surveying
WASHINGTON, MISSOURI 63090
103 ELM STREET

BILL NO. 5020

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE PROHIBITING THE EXTENSION OF UTILITY SERVICES OUTSIDE THE CORPORATE LIMITS OF THE CITY OF PACIFIC AND GRANDFATHERING CERTAIN EXISTING CUSTOMERS.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1: Section 700.185 of the Code of Ordinances of the City of Pacific shall be repealed and replaced with the following:

Section 700.185 Extension of Utility Service Outside Corporate Limits.

Notwithstanding any Section of Chapter 700 to the contrary, no utility services shall be extended outside the corporate limits of the City of Pacific after July 7, 2020 unless directed by the Board of Aldermen. However, those properties that are connected to utilities provided by the city of Pacific on July 7, 2020 shall be permitted to continue such service, unless or until such connection is disconnected or discontinued.

Section 2: This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2020. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE WATER & SEWER FUND TO THE LEASEHOLD REVENUE BOND FOR THE ADMINISTRATIVE FEE FOR THE MUNICIPAL ASSISTANCE BOND SERIES 2012.

WHEREAS, the Fiscal Year 2020-2021 budget provides for the payment of debt service for the Leasehold Refunding Bonds, Series 2012 UMB # 138988.1 from the Water & Sewer Fund;

WHEREAS, Expenditures for the Administrative Fee for the Leasehold Revenue Bond Series 2012 are \$ 1,855.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, as follows:

The Board of Aldermen hereby authorizes the transfer of \$ 1,855.00 for the Administrative Fee from the Water & Sewer Fund to the Leasehold Revenue Bond Series 2012 account for the Pacific Municipal Assistance Corporation Leasehold Revenue Bond Series 2012.

Adopted by the Board of Aldermen and approved by the Mayor this ___ day of July, 2020.

Steve Myers, Mayor

ATTEST:

City Clerk



UMB Bank, N.A.
P O Box 414589
Kansas City, MO 64141-4589

Invoice 754549

Account Detail

Account Number: 138988.1

Pacific MAC Rfdg Bond Series 2012

Administrative Fees

Administration Fee	\$1,750.00
Miscellaneous Expense	105.00

Administrative Fees Total	\$1,855.00
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Account Total	\$1,855.00
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RESOLUTION NO. 2020-33

A RESOLUTION TO AUTHORIZE A TRANSFER OF FUNDS FROM THE CITY'S SUBDIVISION ESCROW ACCOUNT (LISA LANE) TO THE TRANSPORTATION FUND FOR THE PURPOSES OF PAYING CERTAIN EXPENSES RELATED TO THE LISA LANE IMPROVEMENT PROJECT

WHEREAS, the City of Pacific previously executed on performance guarantees securing construction of Lisa Lane and related improvements; and

WHEREAS, the City has contracted for said improvements and desires to use the performance guarantees funds to pay for a portion of said improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN FOR THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

SECTION 1. A transfer of funds in the amount of \$69,016.76 from the Subdivision Escrow account (Lisa Lane) to the Transportation Fund is hereby authorized and approved. Said funds shall be used exclusively for expenditures related to the Lisa Lane improvement project.

SECTION 2. The City Clerk is hereby authorized and directed to provide for the transfer and expenditure of funds as herein provided.

Adopted by the Board of Aldermen and approved by the Mayor on this 7th day of July, 2020.

Steve Myers, Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2020-34

A RESOLUTION TO AUTHORIZE A CONTRACT AWARD FOR CONSTRUCTION OF WASTEWATER COLLECTION SYSTEM LIFT STATION 5 IMPROVEMENTS IN THE CITY OF PACIFIC

WHEREAS, the City of Pacific has caused to have prepared plans and specifications for construction of Wastewater Collection System Lift Station 5 improvements; and

WHEREAS, the City has requested bids from qualified contractors to perform the work as specified, and, after canvassing the bids has determined the bid to be most advantageous to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN FOR THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

SECTION 1. The low bid from Kelpe Contracting in the Base Bid amount of \$275,260.00, is hereby accepted and approved.

SECTION 2. The Mayor is hereby authorized and directed to execute a Contract Agreement with Kelpe Contracting in the contract amounts specified in Section 1, on behalf of the City of Pacific. This authorization is conditioned upon the contractor meeting all conditions of the contract award as determined by the Project Engineer.

Adopted by the Board of Aldermen and approved by the Mayor on this 7th day of July, 2020.

Steve Myers, Mayor

ATTEST:

City Clerk

July 2, 2020

**City of Pacific
300 North Hoven Drive
Pacific, MO 63069**

ATTN: Steve Roth, City Administrator

**RE: Engineer's Review and Recommendation of Bids for:
Lift Station No. 5 Replacement Project**

Dear Mr. Roth,

On July 1, 2020 the Public Works Commissioner and I were on-hand to open and read aloud bids for the above-mentioned project. Accompanying this letter is a summary of the bids received and a detailed tabulation of the bid items.

A total of eight contractors picked up plans for consideration and we received bids from six of the contractors. Kelpo Contracting, Inc. of Wildwood, MO was low bidder and is considered responsive and responsible as defined in the bidding documents.

Based upon review of the bids with the City Staff, it is recommended that project be awarded to Kelpo Contracting, Inc. in the amount of **\$275,260.00**.

Archer-Elgin appreciates the opportunity to serve the City and looks forward to completing a successful project for the Pacific Community. We welcome any questions or comments.

Respectfully,

Archer-Elgin Engineering, Surveying and Architecture



**Travis Hernandez
Project Engineer**

Encl

**Cc: Robert Brueggemann, Public Works Commissioner
Jeff Medows, P.E., Archer-Elgin**

BID SUMMARY
Pacific Lift Station No. 5 Replacement
Pacific, Missouri
Wednesday, July 1, 2020, 2:00 P.M.

	Bid Bond	Addenda	Base Bid Total
T.S. Banze General Contracting, LLC	NO BID		
Gershenson Construction Co., Inc.	YES	YES	\$291,425.00
Rich Gullett & Sons	YES	YES	\$434,429.49
Kelpe Contracting, Inc.	YES	YES	\$275,260.00
Lamke Trenching & Excavating	YES	YES	\$509,290.00
Persons & Son, Inc.	YES	YES	\$348,750.00
KJ Unnerstall, Inc.	NO BID		
R. V. Wagner, Inc.	YES	YES	\$328,565.00

BID TABULATION
Pacific Lift Station No. 5 Replacement Project
Pacific, Missouri

Item No.	Item Description	Est. Qty.	Unit	Gershenson Construction Co., Inc. 2 Truitt Drive Eureka, MO 63025		Rich Gullett & Sons 620 Excavator Lane Pacific, MO 63069		Kelpo Contracting, Inc. 17955 Manchester Road Wildwood, MO 63038		Lamke Trenching & Excavating 16323 Concord Hill Road Marthasville, MO 63357		Persons & Sons, Inc. 98 County Road 321 Poplar Bluff, MO 63901		R. V. Wagner, Inc. 4712 Green Park Road St. Louis, MO 63123	
				Unit Price \$	Extension Figure \$	Unit Price \$	Extension Figure \$	Unit Price \$	Extension Figure \$	Unit Price \$	Extension Figure \$	Unit Price \$	Extension Figure \$	Unit Price \$	Extension Figure \$
	Base Bid														
1	12" ASTM D-3034 PVC Gravity Sewer Pipe, Per the Project Plans and Specifications Section 01270.1.02.A	18	LF	\$225.00	\$4,050.00	\$1,307.78	\$23,540.04	\$170.00	\$3,060.00	\$350.00	\$6,300.00	\$300.00	\$5,400.00	\$80.00	\$1,440.00
2	Connection to Existing Concrete Structures, Per the Project Plans and Specifications Section 01270.1.02.D	1	EA	\$3,500.00	\$3,500.00	\$11,394.00	\$11,394.00	\$3,000.00	\$3,000.00	\$12,800.00	\$12,800.00	\$65,000.00	\$65,000.00	\$4,000.00	\$4,000.00
3	6" SDR-11, HDPE, DIPS, Per the Project Plans and Specifications Section 01270.1.02.A	165	LF	\$275.00	\$45,375.00	\$201.77	\$33,292.05	\$80.00	\$13,200.00	\$87.00	\$14,355.00	\$90.00	\$14,850.00	\$125.00	\$20,625.00
4	Railroad Bore and Steel Casing, Installed Complete, Per the Project Plans and Specifications Section 01270.1.02.C	80	LF	\$700.00	\$56,000.00	\$594.73	\$47,578.40	\$475.00	\$38,000.00	\$1,190.00	\$95,200.00	\$500.00	\$40,000.00	\$800.00	\$64,000.00
5	Main to Main Connections, Per the Project Plans and Specifications Section 01270.1.02.F	1	LS	\$7,500.00	\$7,500.00	\$12,011.00	\$12,011.00	\$7,000.00	\$7,000.00	\$6,748.00	\$6,748.00	\$4,500.00	\$4,500.00	\$15,000.00	\$15,000.00
6	Lift Station, Installed Complete, Per the Project Plans and Specifications Section 01270.1.02.E	1	LS	\$170,000.00	\$170,000.00	\$296,480.00	\$296,480.00	\$208,000.00	\$208,000.00	\$362,096.00	\$362,096.00	\$217,000.00	\$217,000.00	\$221,000.00	\$221,000.00
7	6" Buried Isolation Plug Valve, Per the Project Plans and Specifications Section 01270.1.02.A B	1	EA	\$5,000.00	\$5,000.00	\$10,134.00	\$10,134.00	\$3,000.00	\$3,000.00	\$11,791.00	\$11,791.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00
					\$291,425.00		\$434,429.49		\$275,260.00		\$509,290.00		\$348,750.00		\$328,565.00

RESOLUTION NO. 2020-35

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT FOR RESURFACING OF CERTAIN STREETS AS IDENTIFIED IN THE CITY'S PREVENTIVE PAVEMENT MAINTENANCE PROGRAM

WHEREAS, the City has contracted with SC Engineering, dba Cochran, (Project Engineer) to prepare plans and specifications for certain street improvements as identified in the City's Preventive Pavement Maintenance Program (PPMP); and

WHEREAS, the Project Engineer, at the direction of the City, has published and circulated an Invitation to Bid for qualified contractors interested in performing certain street resurfacing projects as identified in the City's PPMP; and

WHEREAS, the City has, in the manner and time specified, opened and canvassed the bids and has determined the bid to be most advantageous to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN FOR THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

SECTION 1. The Mayor is hereby authorized and directed, on behalf of the City of Pacific, to execute a contract agreement with Dura Seal Paving in the base bid plus alternate amount of \$189,163.63. This authorization is conditioned upon the contractor meeting the terms and conditions of the contract documents as determined by the Project Engineer.

Adopted by the Board of Aldermen and approved by the Mayor on this 7th day of July, 2020.

Steve Myers, Mayor

ATTEST:

City Clerk

TO (OWNER): City of Pacific
300 N Hoven St.
Pacific, MO 63069

PROJECT: Lisa Lane
Lisa Lane
Pacific, MO

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unerstall Const. Co
4923 South Point Rd
Washington, MO 63090

APPLICATION NO.: 3
PERIOD TO: 6/30/2020
DISTRIBUTION TO:
OWNER
CONSTRUCTION MANAGER
ARCHITECT
CONTRACTOR

CONTRACT FOR: VIA ARCHITECT:
VIA CONSTRUCTION MANAGER:

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Type Document is attached.

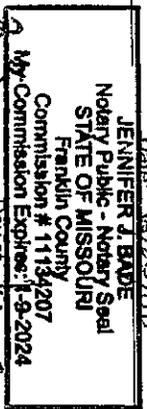
- 1. ORIGINAL CONTRACT SUM \$ 131,466.10
- 2. Net Change by Change Orders \$ 0.00
- 3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 131,466.10
- 4. TOTAL COMPLETED AND STORED TO DATE \$ 99,491.10
- 5. RETAINAGE:
 - a. 10.00% of Completed Work \$ 9,949.11
 - b. 0.00% of Stored Material \$ 0.00
 Total retainage (Line 5a + 5b) \$ 9,949.11
- 6. TOTAL EARNED LESS RETAINAGE \$ 89,541.99
(Line 4 less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 30,600.00
(Line 6 from prior Certificate)
- 8. CURRENT PAYMENT DUE \$ 58,941.99
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 41,924.11
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	0.00

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

CONTRACTOR: K.J.U. Inc dba K.J. Unerstall Const. Co
4923 South Point Rd
Washington, MO 63090

By: *[Signature]* Date: *6/30/20*
State of: MO
County of: Franklin
Subscribed and Sworn to before me this *1-9-24* Day of *June* 20 *20*



Notary Public: *[Signature]*
My Commission Expires: *1-8-2024*

CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Construction Manager and Architect certifies to owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 41,924.11

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

CONSTRUCTION MANAGER: _____ Date: _____

ARCHITECT: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA Type Document
Application and Certification for Payment

TO (OWNER): City of Pacific
300 N Hoven St.
Pacific, MO 63069

PROJECT: Lisa Lane
Lisa Lane
Pacific, MO

APPLICATION NO: 3
PERIOD TO: 6/30/2020

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

ARCHITECT'S
PROJECT NO:

DISTRIBUTION
TO:
OWNER
CONSTRUCTION
MANAGER
ARCHITECT
CONTRACTOR

VIA CONSTRUCTION MANAGER:

CONTRACT FOR:

VIA ARCHITECT:

CONTRACT DATE:

ITEM	DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREV COMP QTY%	PREVIOUS APPL	COMP QTY% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMP QTY% TO DATE	COMPLETED AND STORED	%	BALANCE			
1	Mobilization	LS		\$0.00	\$12,000.00	58.3333%	\$7,000.00	41.6667%	\$5,000.00	\$0.00	100.0000%	\$12,000.00	100.00	\$0.00			
1	Mobilization	LS		\$0.00	\$2,000.00	.0000%	\$0.00	100.0000%	\$2,000.00	\$0.00	100.0000%	\$2,000.00	100.00	\$0.00			
2	Earthwork	1,000	LSQ	\$15,860.00	\$15,860.00	.7500	\$11,895.00	.0000	\$0.00	\$0.00	.7500	\$11,895.00	75.00	\$3,965.00			
3	8in of 3in Minus Base Rock	439,000	CY	\$35.00	\$15,365.00	.0000	\$0.00	439.0000	\$15,365.00	\$0.00	439.0000	\$15,365.00	100.00	\$0.00			
4	2in of 1in Minus Base Rock	110,000	CY	\$36.00	\$3,960.00	.0000	\$0.00	110.0000	\$3,960.00	\$0.00	110.0000	\$3,960.00	100.00	\$0.00			
5	3in BP-2 Surface Milk	265,000	TON	\$88.00	\$23,320.00	.0000	\$0.00	.0000	\$0.00	\$0.00	.0000	\$0.00	.00	\$23,320.00			
6	Concrete Sidewalk -including Agg. Base	2,060,000	SF	\$6.70	\$13,802.00	.0000	\$0.00	2,060.0000	\$13,802.00	\$0.00	2,060.0000	\$13,802.00	100.00	\$0.00			
7	Curb and Gutter -36in Wide	1,040,000	LF	\$22.50	\$23,400.00	.0000	\$0.00	1,040.0000	\$23,400.00	\$0.00	1,040.0000	\$23,400.00	100.00	\$0.00			
8	Curb Inlet	2,000	EA	\$2,480.00	\$4,960.00	2.0000	\$4,960.00	.0000	\$0.00	\$0.00	2.0000	\$4,960.00	100.00	\$0.00			
9	Inlet Protection	3,000	EA	\$75.00	\$225.00	.0000	\$0.00	3.0000	\$225.00	\$0.00	3.0000	\$225.00	100.00	\$0.00			
10	30in HDPE	23,000	LF	\$140.00	\$3,220.00	23.0000	\$3,220.00	.0000	\$0.00	\$0.00	23.0000	\$3,220.00	100.00	\$0.00			
11	30in RCP	36,000	LF	\$120.00	\$4,320.00	36.0000	\$4,320.00	.0000	\$0.00	\$0.00	36.0000	\$4,320.00	100.00	\$0.00			
12	30in Flared End Section	1,000	EA	\$1,095.00	\$1,095.00	1.0000	\$1,095.00	.0000	\$0.00	\$0.00	1.0000	\$1,095.00	100.00	\$0.00			
13	Rip Rap	22,000	SY	\$60.00	\$1,320.00	22.0000	\$1,320.00	.0000	\$0.00	\$0.00	22.0000	\$1,320.00	100.00	\$0.00			
14	Silt Fence	978,000	LF	\$0.95	\$929.10	200.0000	\$190.00	778.0000	\$739.10	\$0.00	978.0000	\$929.10	100.00	\$0.00			
15	Finish Grading Seed and Straw	.520	AC	\$3,250.00	\$1,690.00	.0000	\$0.00	.0000	\$0.00	\$0.00	.0000	\$0.00	.00	\$1,690.00			
16	Material Testing -Allowance	1,000	LSQ	\$4,000.00	\$4,000.00	.0000	\$0.00	.2500	\$1,000.00	\$0.00	.2500	\$1,000.00	25.00	\$3,000.00			
REPORT TOTALS													\$131,466.10	\$34,000.00	\$65,491.10	\$99,491.10	\$31,975.00

AIA Type Document
Application and Certification for Payment

TO (OWNER): City of Pacific
300 N Hoven St.
Pacific, MO 63069

PROJECT: Bigfoot Plaza

APPLICATION NO: 2
PERIOD TO: 6/22/2020

DISTRIBUTION TO:
 OWNER
 CONSTRUCTION MANAGER
 ARCHITECT
 CONTRACTOR

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

VIA CONSTRUCTION MANAGER:

CONTRACT DATE: 4/7/2020

VIA ARCHITECT:

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	149,685.00
2. Net Change by Change Orders	-4,000.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	145,685.00
4. TOTAL COMPLETED AND STORED TO DATE	145,685.00

5. RETAINAGE:	
a. 5.00 % of Completed Work	\$ 7,284.25
b. 0.00 % of Stored Material	\$ 0.00

Total retainage (Line 5a + 5b) \$ 7,284.25

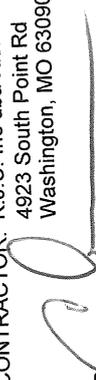
6. TOTAL EARNED LESS RETAINAGE \$ 138,400.75
(Line 4 less Line 5 Total)

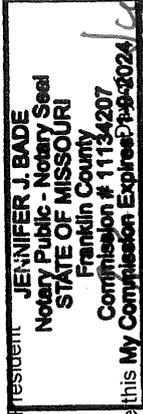
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	85,448.28
(Line 6 from prior Certificate)	
8. CURRENT PAYMENT DUE	52,952.47

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 7,284.25
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	-4,000.00
TOTALS	0.00	-4,000.00
NET CHANGES by Change Order		-4,000.00

CONTRACTOR: K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

By:  / Vice President Date: 6-22-20



Chris Locher / Vice President
State of: MO
County of: Franklin
Subscribed and Sworn to before me this June 20, 2020
Notary Public: 
My Commission Expires:

CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Construction Manager and Architect certifies to owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

CONSTRUCTION MANAGER: _____ Date: _____
By: _____

ARCHITECT: _____ Date: _____
By: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA Type Document
Application and Certification for Payment

PROJECT: Bigfoot Plaza
 APPLICATION NO: 2
 PERIOD TO: 6/22/2020
 ARCHITECT'S PROJECT NO:
 DISTRIBUTION TO:
 - OWNER
 - CONSTRUCTION MANAGER
 - ARCHITECT
 - CONTRACTOR

TO (OWNER): City of Pacific
 300 N Hoven St.
 Pacific, MO 63069

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unnerstall Const. Co
 4923 South Point Rd
 Washington, MO 63090

VIA CONSTRUCTION MANAGER:
 CONTRACT DATE: 4/7/2020

VIA ARCHITECT:

ITEM	DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREV COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMP QTY% TO DATE	COMPLETED AND STORED	%	BALANCE
1	CO-Oklahoma	3,000	EA	\$468.00	\$1,404.00	.0000	\$0.00	3.0000	\$1,404.00	\$0.00	3.0000	\$1,404.00	100.00	\$0.00
2	MB-BUTTERFLIES	3,000	EA	\$503.00	\$1,509.00	.0000	\$0.00	3.0000	\$1,509.00	\$0.00	3.0000	\$1,509.00	100.00	\$0.00
3	NG BLACK GUM	4,000	EA	\$518.00	\$2,072.00	.0000	\$0.00	4.0000	\$2,072.00	\$0.00	4.0000	\$2,072.00	100.00	\$0.00
4	CK-KF REED GRASS	50,000	EA	\$48.75	\$2,437.50	.0000	\$0.00	50.0000	\$2,437.50	\$0.00	50.0000	\$2,437.50	100.00	\$0.00
5	LAWN	1,000,000	SY	\$8.25	\$8,250.00	.0000	\$0.00	1,000,000	\$8,250.00	\$0.00	1,000,000	\$8,250.00	100.00	\$0.00
6	PLANTING SOIL	28,000	CY	\$82.21	\$2,301.88	.0000	\$0.00	28.0000	\$2,301.88	\$0.00	28.0000	\$2,301.88	100.00	\$0.00
7	MULCH	10,000	CY	\$89.00	\$890.00	.0000	\$0.00	10.0000	\$890.00	\$0.00	10.0000	\$890.00	100.00	\$0.00
8	TREE WATERING BAGS	10,000	EA	\$29.00	\$290.00	.0000	\$0.00	10.0000	\$290.00	\$0.00	10.0000	\$290.00	100.00	\$0.00
9	ANCHORS FOR BIGFOOT	1,000	EA	\$1,000.00	\$1,000.00	1.0000	\$1,000.00	.0000	\$0.00	\$0.00	1.0000	\$1,000.00	100.00	\$0.00
10	TRAP ROCK	5,000	CY	\$180.00	\$900.00	.0000	\$0.00	5.0000	\$900.00	\$0.00	5.0000	\$900.00	100.00	\$0.00
11	BOULDERS - EXISTING ONSITE	29,000	EA	\$50.00	\$1,450.00	.0000	\$0.00	29.0000	\$1,450.00	\$0.00	29.0000	\$1,450.00	100.00	\$0.00
12	BOULDER -NEW	19,000	EA	\$800.00	\$15,200.00	.0000	\$0.00	19.0000	\$15,200.00	\$0.00	19.0000	\$15,200.00	100.00	\$0.00
13	CONCRETE 5-in reinfo	4,384,000	SF	\$8.50	\$37,264.00	4.384,000	\$37,264.00	.0000	\$0.00	\$0.00	4,384,000	\$37,264.00	100.00	\$0.00
14	CONCRETE 4-in	122,000	SF	\$15.00	\$1,830.00	122,000	\$1,830.00	.0000	\$0.00	\$0.00	122,000	\$1,830.00	100.00	\$0.00
15	STAIRS - 13 RISERS X 6-ft LONG	78,000	LF	\$116.00	\$9,048.00	78,000	\$9,048.00	.0000	\$0.00	\$0.00	78,000	\$9,048.00	100.00	\$0.00
16	HANDRAIL - 23.5-ft OF EACH SIDE	47,000	LF	\$105.00	\$4,935.00	.0000	\$0.00	47.0000	\$4,935.00	\$0.00	47.0000	\$4,935.00	100.00	\$0.00
17	RET WALL - SEE PLAN FOR HT	154,000	LF	\$95.00	\$14,630.00	154,000	\$14,630.00	.0000	\$0.00	\$0.00	154,000	\$14,630.00	100.00	\$0.00
18	BOLLARDS	2,000	EA	\$850.00	\$1,700.00	2,000	\$1,700.00	.0000	\$0.00	\$0.00	2,000	\$1,700.00	100.00	\$0.00
19	BENCHES	5,000	EA	\$2,000.00	\$10,000.00	3,000	\$6,000.00	2.0000	\$4,000.00	\$0.00	5.0000	\$10,000.00	100.00	\$0.00
19	BENCHES	-2,000	EA	\$2,000.00	\$-4,000.00	.0000	\$0.00	-2.0000	\$-4,000.00	\$0.00	-2.0000	\$-4,000.00	100.00	\$0.00
20	LIGHTING AND ELEC	4,000	EA	\$850.00	\$3,400.00	.0000	\$0.00	4.0000	\$3,400.00	\$0.00	4.0000	\$3,400.00	100.00	\$0.00
21	WALKWAY EDGE	129,000	LF	\$71.50	\$9,223.50	129,000	\$9,223.50	.0000	\$0.00	\$0.00	129,000	\$9,223.50	100.00	\$0.00
22	CURB AND GUTTER	25,000	LF	\$50.00	\$1,250.00	25,000	\$1,250.00	.0000	\$0.00	\$0.00	25,000	\$1,250.00	100.00	\$0.00
23	SITE REPAIRS MODIFICATIONS	1,000	LSQ	\$5,000.12	\$5,000.12	.5000	\$2,500.06	.5000	\$2,500.06	\$0.00	1.0000	\$5,000.12	100.00	\$0.00
				\$0.00	\$5,000.00	100.0000%	\$5,000.00	.0000%	\$0.00	\$0.00	100.0000%	\$5,000.00	100.00	\$0.00

AIA Type Document
Application and Certification for Payment

TO (OWNER): City of Pacific 300 N Hoven St. Pacific, MO 63069	PROJECT: Bigfoot Plaza APPLICATION NO: 2 PERIOD TO: 6/22/2020	DISTRIBUTION TO: - OWNER - CONSTRUCTION - MANAGER - ARCHITECT - CONTRACTOR
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FROM (CONTRACTOR): K.J.U. Inc dba K.J. Ummerstall Const. Co
 4923 South Point Rd
 Washington, MO 63090

ARCHITECT'S
 PROJECT NO:

VIA CONSTRUCTION MANAGER:
 VIA ARCHITECT:

CONTRACT DATE: 4/7/2020

ITEM	DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREV COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMP QTY/% TO DATE	COMPLETED AND STORED	%	BALANCE
24	MOBILIZATION		LS	\$0.00	\$8,200.00	.0000%	\$0.00	100.00000%	\$8,200.00	\$0.00	100.00000%	\$8,200.00	100.00	\$0.00
25	PERMITS	1.000	LSQ	\$500.00	\$500.00	1.0000	\$500.00	.0000	\$0.00	\$0.00	1.0000	\$500.00	100.00	\$0.00
REPORT TOTALS							\$89,945.56		\$55,739.44			\$145,685.00		\$0.00

**AIA Type Document
Application and Certification for Payment**

TO (OWNER): City of Pacific
300 N Hoven St.
Pacific, MO 63069

PROJECT: Bigfoot Plaza

APPLICATION NO: 3 *Retainage*
PERIOD TO: 6/22/2020

DISTRIBUTION TO:
 OWNER
 CONSTRUCTION MANAGER
 ARCHITECT
 CONTRACTOR

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

ARCHITECT'S PROJECT NO:

VIA CONSTRUCTION MANAGER:

CONTRACT FOR:

VIA ARCHITECT:

CONTRACT DATE: 4/7/2020

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Type Document is attached.

1. ORIGINAL CONTRACT SUM	\$	<u>149,685.00</u>
2. Net Change by Change Orders	\$	<u>-4,000.00</u>
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	<u>145,685.00</u>
4. TOTAL COMPLETED AND STORED TO DATE	\$	<u>145,685.00</u>
5. RETAINAGE:		
a. <u>0.00</u> % of Completed Work	\$	<u>0.00</u>
b. <u>0.00</u> % of Stored Material	\$	<u>0.00</u>
Total retainage (Line 5a + 5b)	\$	<u>0.00</u>
6. TOTAL EARNED LESS RETAINAGE	\$	<u>145,685.00</u>
(Line 4 less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	<u>138,400.75</u>
8. CURRENT PAYMENT DUE	\$	<u>7,284.25</u>
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	<u>0.00</u>

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	-4,000.00
Total approved this Month	0.00	0.00
TOTALS	0.00	-4,000.00
NET CHANGES by Change Order		-4,000.00

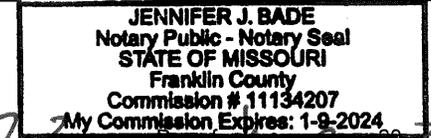
The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

CONTRACTOR: K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

By: Chris Locher / Vice President

Date: 6-22-2020

State of: MO
County of: Franklin



Subscribed and Sworn to before me this

Notary Public: Jennifer J. Bade
My Commission Expires: 1-9-24

CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Construction Manager and Architect certifies to owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

CONSTRUCTION MANAGER:

By: _____ Date: _____

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA Type Document
Application and Certification for Payment

TO (OWNER): City of Pacific
300 N Hoven St.
Pacific, MO 63069

PROJECT: Bigfoot Plaza

APPLICATION NO: 3
PERIOD TO: 6/22/2020

DISTRIBUTION
TO:
_ OWNER
_ CONSTRUCTION
MANAGER
_ ARCHITECT
_ CONTRACTOR

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

ARCHITECT'S
PROJECT NO:

VIA CONSTRUCTION MANAGER:

CONTRACT FOR:

VIA ARCHITECT:

CONTRACT DATE: 4/7/2020

ITEM	DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREV COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMP QTY/% TO DATE	COMPLETED AND STORED	%	BALANCE
1	CO-Oklahoma	3.000	EA	\$468.00	\$1,404.00	3.0000	\$1,404.00	.0000	\$0.00	\$0.00	3.0000	\$1,404.00	100.00	\$0.00
2	MB-BUTTERFLIES	3.000	EA	\$503.00	\$1,509.00	3.0000	\$1,509.00	.0000	\$0.00	\$0.00	3.0000	\$1,509.00	100.00	\$0.00
3	NG BLACK GUM	4.000	EA	\$518.00	\$2,072.00	4.0000	\$2,072.00	.0000	\$0.00	\$0.00	4.0000	\$2,072.00	100.00	\$0.00
4	CK-KF REED GRASS	50.000	EA	\$48.75	\$2,437.50	50.0000	\$2,437.50	.0000	\$0.00	\$0.00	50.0000	\$2,437.50	100.00	\$0.00
5	LAWN	1,000.000	SY	\$8.25	\$8,250.00	1,000.0000	\$8,250.00	.0000	\$0.00	\$0.00	1,000.0000	\$8,250.00	100.00	\$0.00
6	PLANTING SOIL	28.000	CY	\$82.21	\$2,301.88	28.0000	\$2,301.88	.0000	\$0.00	\$0.00	28.0000	\$2,301.88	100.00	\$0.00
7	MULCH	10.000	CY	\$89.00	\$890.00	10.0000	\$890.00	.0000	\$0.00	\$0.00	10.0000	\$890.00	100.00	\$0.00
8	TREE WATERING BAGS	10.000	EA	\$29.00	\$290.00	10.0000	\$290.00	.0000	\$0.00	\$0.00	10.0000	\$290.00	100.00	\$0.00
9	ANCHORS FOR BIGFOOT	1.000	EA	\$1,000.00	\$1,000.00	1.0000	\$1,000.00	.0000	\$0.00	\$0.00	1.0000	\$1,000.00	100.00	\$0.00
10	TRAP ROCK	5.000	CY	\$180.00	\$900.00	5.0000	\$900.00	.0000	\$0.00	\$0.00	5.0000	\$900.00	100.00	\$0.00
11	BOULDERS - EXISTING ONSITE	29.000	EA	\$50.00	\$1,450.00	29.0000	\$1,450.00	.0000	\$0.00	\$0.00	29.0000	\$1,450.00	100.00	\$0.00
12	BOULDER -NEW	19.000	EA	\$800.00	\$15,200.00	19.0000	\$15,200.00	.0000	\$0.00	\$0.00	19.0000	\$15,200.00	100.00	\$0.00
13	CONCRETE 5-in reinforc	4,384.000	SF	\$8.50	\$37,264.00	4,384.0000	\$37,264.00	.0000	\$0.00	\$0.00	4,384.0000	\$37,264.00	100.00	\$0.00
14	CONCRETE 4-in	122.000	SF	\$15.00	\$1,830.00	122.0000	\$1,830.00	.0000	\$0.00	\$0.00	122.0000	\$1,830.00	100.00	\$0.00
15	STAIRS - 13 RISERS X 6-ft LONG	78.000	LF	\$116.00	\$9,048.00	78.0000	\$9,048.00	.0000	\$0.00	\$0.00	78.0000	\$9,048.00	100.00	\$0.00
16	HANDRAIL - 23.5-ft OF EACH SIDE	47.000	LF	\$105.00	\$4,935.00	47.0000	\$4,935.00	.0000	\$0.00	\$0.00	47.0000	\$4,935.00	100.00	\$0.00
17	RET WALL - SEE PLAN FOR HT	154.000	LF	\$95.00	\$14,630.00	154.0000	\$14,630.00	.0000	\$0.00	\$0.00	154.0000	\$14,630.00	100.00	\$0.00
18	BOLLARDS	2.000	EA	\$850.00	\$1,700.00	2.0000	\$1,700.00	.0000	\$0.00	\$0.00	2.0000	\$1,700.00	100.00	\$0.00
19	BENCHES	5.000	EA	\$2,000.00	\$10,000.00	5.0000	\$10,000.00	.0000	\$0.00	\$0.00	5.0000	\$10,000.00	100.00	\$0.00
19	BENCHES	-2.000	EA	\$2,000.00	\$-4,000.00	-2.0000	\$-4,000.00	.0000	\$0.00	\$0.00	-2.0000	\$-4,000.00	100.00	\$0.00
20	LIGHTING AND ELEC	4.000	EA	\$850.00	\$3,400.00	4.0000	\$3,400.00	.0000	\$0.00	\$0.00	4.0000	\$3,400.00	100.00	\$0.00
21	WALKWAY EDGE	129.000	LF	\$71.50	\$9,223.50	129.0000	\$9,223.50	.0000	\$0.00	\$0.00	129.0000	\$9,223.50	100.00	\$0.00
22	CURB AND GUTTER	25.000	LF	\$50.00	\$1,250.00	25.0000	\$1,250.00	.0000	\$0.00	\$0.00	25.0000	\$1,250.00	100.00	\$0.00
23	SITE REPAIRS MODIFICATIONS	1.000	LSQ	\$5,000.12	\$5,000.12	1.0000	\$5,000.12	.0000	\$0.00	\$0.00	1.0000	\$5,000.12	100.00	\$0.00
24	MOBILIZATION		LS	\$0.00	\$5,000.00	100.0000%	\$5,000.00	.0000%	\$0.00	\$0.00	100.0000%	\$5,000.00	100.00	\$0.00

**AIA Type Document
Application and Certification for Payment**

TO (OWNER): City of Pacific
300 N Hoven St.
Pacific, MO 63069

PROJECT: Bigfoot Plaza

APPLICATION NO: 3
PERIOD TO: 6/22/2020

DISTRIBUTION TO:
_ OWNER
_ CONSTRUCTION
_ MANAGER
_ ARCHITECT
_ CONTRACTOR

FROM (CONTRACTOR): K.J.U. Inc dba K.J. Unnerstall Const. Co
4923 South Point Rd
Washington, MO 63090

**ARCHITECT'S
PROJECT NO:**

VIA CONSTRUCTION MANAGER:

CONTRACT FOR:

VIA ARCHITECT:

CONTRACT DATE: 4/7/2020

ITEM	DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	SCHEDULED VALUE	PREV COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMP QTY/% TO DATE	COMPLETED AND STORED	%	BALANCE
24	MOBILIZATION		LS	\$0.00	\$8,200.00	100.0000%	\$8,200.00	.0000%	\$0.00	\$0.00	100.0000%	\$8,200.00	100.00	\$0.00
25	PERMITS	1.000	LSQ	\$500.00	\$500.00	1.0000	\$500.00	.0000	\$0.00	\$0.00	1.0000	\$500.00	100.00	\$0.00
REPORT TOTALS					\$145,685.00		\$145,685.00		\$0.00			\$145,685.00		\$0.00
										\$0.00			\$0.00	

Performance Contract

This contract represents an agreement between Common Ground and the Pacific Partnership in relation to (event) Sunset on the Rails, which will take place on (date) Friday August 14th at (location) Pacific Plaza. Both parties agree to the following terms:

Performance

The performer will serve as an independent contractor and will be contracted to perform at the event, beginning at (start time) 7:00pm and ending at (end time) 10:30/11pm. The performer will start promptly at the time indicated and will not be required to perform beyond the specified end time.

Compensation

The Pacific Partnership will pay a fee of \$500.00 for a period of (hours) four (4) hours for the entire day's performance. A deposit of \$0 shall be presented to the performer no more than five (5) business days prior to the event. The remaining amount shall be paid the day of the event.

The performer will be expected to cover all travel or incidental expenses unless specifically outlined as part of an addendum to this contract.

Cancellations

Neither the Pacific Partnership nor the Performer will be held liable for any unexpected cancellation stemming from destruction of the venue via fire, verified disability, acts by public authorities, or similar unforeseen circumstances prior to the date of the event.

Cancellation on the part of the performer for any reason other than those stipulated above will leave the performer fully responsible for losses or damages on the Pacific Partnerships part. The Pacific Partnership must present a report of these damages in writing.

Cancellation on the part of the Pacific Partnership for any reason other than those stipulated above will still leave the Pacific Partnership responsible for paying the full amount of compensation owed to the Performer.

Reservation of Date

The performer agrees not to accept any other engagement for a performance for the day of the event, without providing advance notice to the Pacific Partnership.

Technical Needs

The performer will require the following technical needs:

POWER

The Pacific Partnership agrees to ensure that the venue has the means of meeting these needs and that all technical issues will be resolved within 24 hours prior to the event. Failure to provide these technical needs leaves the Pacific Partnership responsible for payment unless an alternate arrangement is agreed upon between the Pacific Partnership and the Performer.

Social Media and Marketing

This agreement allows the Pacific Partnership to use the Performers Social Media Name, Tagging of Posts, sharing of Events, and General Marketing to increase awareness of said event.

Performer Name COMMON GROUND

Performer Signature [Signature]

Performer Phone 314-605-2252

Performer email commongroundstlmusic@gmail

Pacific Partnership Representative Name Amanda Nemeth

Pacific Partnership Signature Amanda L. Nemeth

Event Name Sunset on the Rails

Date of event August 14th 2020, Friday

Deposit Amount N/A Date Paid —

Paid Amount _____ Date Paid _____

Performers Social Media Names www.commongroundstlmusic



BNY MELLON

The Bank of New York Mellon Trust Company, N. A.
Corporate Trust - Municipal
2 North LaSalle Street, Suite 700

Date: June 02, 2020
Loan#: PACIFICMO11
RE : CITY OF PACIFIC, MISSOURI, SERIES 2011

City of Pacific, Missouri
Attn: City Administrator
300 Hoven Drive
Pacific, MO 63069

Dear Sir/Madam

Please be advised that payment in the amount of \$224,318.75 is due on 08/01/2020 for \$3,765,000 CITY OF PACIFIC, MISSOURI, NEIGHBORHOOD IMPROVEMENT DIST LTD GEN OBLIGATION BONDS (CITY HALL & PUBLIC FACILITIES IMPROVEMENT PROJECT), SR 2011. The bondholder payment date is 08/01/2020. The details of the amount due are as follows:

	<i>Amount in Dollars(\$)</i>
Principal	\$170,000.00
Interest	\$54,318.75
Collection Amount	\$224,318.75
Total Cash on Hand	(\$0.00)
Total Amount Due	\$224,318.75

Refer to your governing docs for payment date rules

In order for us to ensure timely payments to Bondholders, funds must be sent in accordance with the instructions below. If paying by wire, please include your account number(s) on your wire transfer legend. If paying by check, please include your account number(s) on your check.

Payment Instructions:
The Bank of New York Mellon
ABA#: 021000018
Account Details
Type Account No.
IMMS 4872968400

Check Payment Address:
The Bank of New York Mellon Trust Company, N. A.
ATTENTION: Patrick Jacobs
Corporate Trust - Municipal
2 North LaSalle Street, Suite 700
Chicago, IL 60602

Wire Payments must be received by BNY Mellon before 11:00 E.S.T. on 08/01/2020.
Check payments must be received by BNY Mellon 5 business days prior to 08/01/2020.

If you are not in agreement with the information detailed on this bill, please contact me at (312)827-8531 or email me at patrick.jacobs@bnymellon.com.

Thank you,

Patrick Jacobs
Corporate Trust Department

WHEREFORE, the City respectfully requests that this Court grant a temporary restraining order pursuant to Rule 92.02(a) enjoining Midwest from operating a dump which is a public nuisance, and award any and all further relief that this Court deems just and proper.

Respectfully submitted,

CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.

By: 

Robert E. Jones #35111

Andrew R. Bramman #69980

130 S. Bemiston, Suite 200

Clayton, MO 63105

(314) 725-8788

(314) 725-8789 (fax)

rejones@chgolaw.com

abramman@chgolaw.com

Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN
STATE OF MISSOURI

CITY OF PACIFIC, MISSOURI,)	
a Municipal Corporation,)	
)	
Plaintiff)	
)	Case No.:
v.)	
)	Division:
MIDWEST SHINGLE RECYCLING, LLC,)	
)	
Special Process Server Requested.)	
)	
Defendant.)	

DEFENDANT CITY OF PACIFIC'S VERIFIED PETITION

COMES NOW the Plaintiff City of Pacific ("City") and for its Petition against Defendant Midwest Shingle Recycling, LLC ("Midwest"), states as follows:

Allegations Common to all Counts

1. City is a duly incorporated City of the Fourth Class located in Franklin County and St. Louis County, Missouri.
2. Midwest is a Missouri Limited Liability Company and the owner of property commonly known as 90 Midwest Drive, Pacific, Missouri ("property"), which is located within unincorporated Franklin County.
3. At all relevant times and continuing through the present day, Midwest has operated a dumping facility for discarded roofing materials at the property ("Midwest's dump").
4. Midwest's dump accepts discarded roofing materials from trucks and trailers that travel through, over and across public streets of the City, including, but not limited to Industrial Drive and Midwest Drive.

Count I – Declaratory Judgment

5. The City incorporates the allegations set forth in paragraphs 1 through 4 of its Petition, as if more specifically stated herein.

6. The property where Midwest's dump is located contains mounds of discarded roofing materials, including shingles, roofing nails, sheathing and metal straps which are stored on the property after they are hauled over and through the City's streets, including Industrial Drive and Midwest Drive.

7. The described roofing materials include shingles. During the period between 1963 and the mid-1970s, some manufacturers used asbestos in the fiber mat of shingles which may become damaged over time and become airborne or friable. Damaged asbestos may release asbestos fibers and become a health hazard.

8. The vehicles accessing Midwest's dump drop mud, dirt, debris and roofing materials, including shingles, metal and roofing nails on the City's streets, including but not limited to Industrial Drive and Midwest Drive.

9. Midwest moves the discarded materials around the dump with a large track hoe. Because the property is unimproved and has a dirt surface, clouds of dust are constantly present and carry onto the City's streets and private properties located adjacent to the property.

10. Numerous roofing nails have been recovered by City staff and adjacent business and property owners from Midwest Drive and from the private properties. Upon information and belief, deliveries to Midwest utilize the parking lots of adjacent private properties in order to stage vehicles and to execute turning movements.

11. For example, on May 29, 2020, an employee of Winter Technologies had a flat tire and another employee picked up 15-20 roofing nails. This was after Midwest attempted to

clean the street known as Midwest Drive. On June 11, 2020, Kirkwood Stair & Millwork reported that at least 7 vehicles experienced flat tires. Similar experiences were reported by Dotson Machine Company, Enterprise Label, Industrial Spring, Trekk Equipment Group and Xertech.

12. Section 225.030 of the Pacific City Code prohibits litter spilling from a vehicle and requires clean-up as follows:

A. It shall be unlawful for any person to transport in any vehicle or by any other means or manner any loose material or articles likely to shift, fall, spill or be blown about on any public street, alley or other public way in the City.

B. In case any of the contents of such vehicle shall become blown or scattered upon any public street, alley or other public way or place in the City, the person in charge thereof shall immediately gather up or cause to be gathered up any such blown or scattered material. Failure to do so shall constitute a violation of this section.

13. The City of Pacific provided a Notice of Violation pursuant to Section 225.030 on May 11, 2020. A true copy of the Notice of Violation is attached hereto and incorporated by this reference.

14. If Midwest's dump continues to operate, the public health, safety and welfare will continue to be compromised.

15. A justifiable controversy exists between the parties in that the public nuisance is continuing day to day and, despite, the City's notices continues to operate as a dump for discarded and dangerous roofing materials.

16. The City has no adequate remedy at law.

WHEREFORE, the City respectfully requests that this Court issue its Judgment finding in its favor and declaring that Midwest operates a public nuisance, and that Midwest dump is a danger to the public health, safety and welfare, awarding fees and costs to the City, and for such further relief as this Court deems just and proper.

COUNT II – INJUNCTION
PRELIMINARY AND PERMANENT INJUNCTION

17. The City incorporates the allegations set forth in paragraphs 1 through 16 of its Petition, as if more specifically stated herein.

18. Midwest's dump is being operated as a public nuisance.

19. The City continues to experience irreparable harm as a result of the aforesaid actions of Midwest.

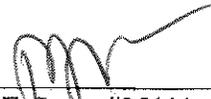
20. The City has no adequate remedy at law, to prevent the unlawful operation of Midwest's dump.

21. Immediate and irreparable injury, loss, or damage will result in the absence of the Court granting an Injunction as requested herein.

WHEREFORE, the City respectfully requests that this Court: (1) enter a temporary Restraining Order, restraining Midwest from operating a dump which is a public nuisance at the property; (2) enter its Order and Judgment preliminarily enjoining Midwest from operating a dump which is a public nuisance at the property; and (3) after hearing, enter its Order and Judgment permanently enjoining Midwest from operating a dump which is a public nuisance at the property, awarding fees and costs to the City, and for such further relief as this Court deems just and proper.

Respectfully submitted,

CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.

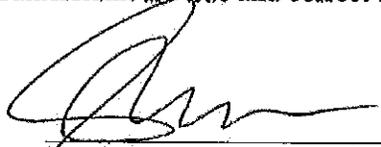
By: 

Robert E. Jones #35111
Andrew R. Bramman #69980
130 S. Bemiston, Suite 200
Clayton, MO 63105
(314) 725-8788
(314) 725-8789 (fax)
rejones@chgolaw.com
abramman@chgolaw.com
Attorneys for Plaintiff

Verification

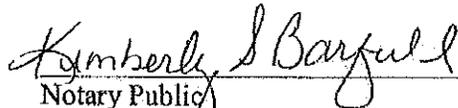
STATE OF MISSOURI)
) SS.
COUNTY OF Franklin)

I, Steve Roth, the City Administrator for the City of Pacific, being first duly sworn, state that the foregoing allegations contained in the Counterclaim are true and correct to the best of my knowledge and belief.

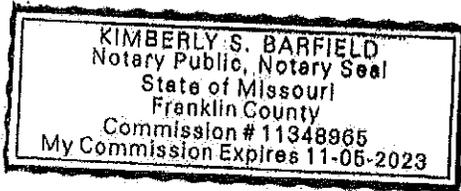


Steve Roth

Subscribed and sworn to before me this 22nd day of June, 2020.


Notary Public

My Commission expires:



May 11, 2020,

Larry Kutun
90 Midwest Drive
Pacific, MO 63069

Re: Property Address: **90 Midwest Drive**
 Pacific, MO 63069

NOTICE OF VIOLATION

To Whom It May Concern:

On May 11, 2020, the City of Pacific identified a violation of ordinance at the property addressed as 90 Midwest Drive. It was observed that trucks are carrying dirt and mud onto the city street.

Section 225.030 Litter Spilling from Vehicle Unlawful — Cleanup Required.

A.

It shall be unlawful for any person to transport in any vehicle or by any other means or manner any loose material or articles likely to sift, fall, spill or be blown about on any public street, alley, or other public way in the City.

B.

In case any of the contents of such vehicle shall become blown or scattered upon any public street, alley or other public way or place in the City, the person in charge thereof shall immediately gather up or cause to be gathered up any such blown or scattered material. Failure to so do shall constitute a violation of this Section.

The City requests that you clean all areas of the street where dirt and mud has fallen from your company trucks. Please make sure if this happens, they clean it up immediately. If the roads have not been cleaned within 10 days from the date of this notice, you will be issued a summons to Municipal Court.

Be advised, you have the right to appeal this violation. Appeal shall be made to the Building Commissioner by written application.

If you have any questions concerning this matter, please contact my office at (636) 271-0500 extension 196

Respectfully,

Gary Watson
Code Enforcement Officer

IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN
STATE OF MISSOURI

CITY OF PACIFIC, MISSOURI,
a Municipal Corporation,

Plaintiff

v.

MIDWEST SHINGLE RECYCLING, LLC,

Defendant.

)
)
)
)
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)
)
)
)
)
)

Case No.:

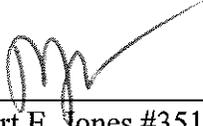
Division:

REQUEST FOR SPECIAL PROCESS SERVER

COMES NOW, Plaintiff, by and through Counsel and request that: Augustus Cotten, Jr., Antoinette Kovar and/or Anita Scott, of Cotten Investigations, 2820 Lafayette, St. Louis, MO 63104, be appointed as a special process server in the above captioned matter.

Respectfully submitted,

CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.

By: 

Robert E. Jones #35111

Andrew R. Bramman #69980

130 S. Bemiston, Suite 200

Clayton, MO 63105

(314) 725-8788

(314) 725-8789 (fax)

rejones@chgolaw.com

abramman@chgolaw.com

Attorneys for Plaintiff

- i. Poor presentation to clients that are constantly in the showrooms.
 - j. Public concern about the "what's going to happen with all those shingles when we get the spring floods."
 - k. Tearing up City streets that tax dollars pay to take care of with no participation by the Midwest Shingle Recycling since they are outside the City limits.
4. Kirkwood Stair & Millwork employees have experienced flat tires from roofing nails.

FURTHER, AFFIANT SAITH NAUGHT.

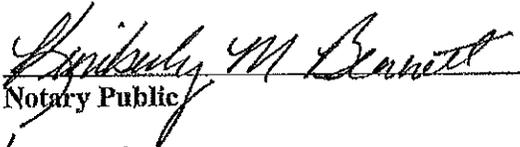
BY:


Brian Berger

Kirkwood Stair & Millwork

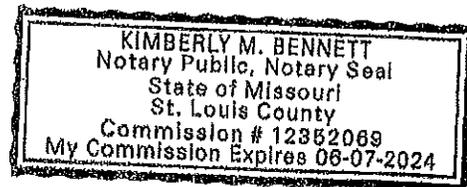
On this 22 day of June, in the year 2020, before me, Kimberly M. Bennett, a Notary Public in and for said State, personally appeared Brian Berger, known to me to be the person who executed the within Affidavit, and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.


Notary Public

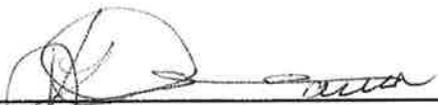
My Commission Expires:

06/07/2024



FURTHER, AFFIANT SAITH NAUGHT.

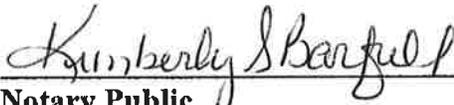
BY:



Vicky Carra

On this 23 day of June, in the year 2020, before me, Kimberly S Barfield
a Notary Public in and for said State, personally appeared Vicky Carra, known to me to be the
person who executed the within Affidavit, and acknowledged to me that she executed the same
for the purposes therein stated.

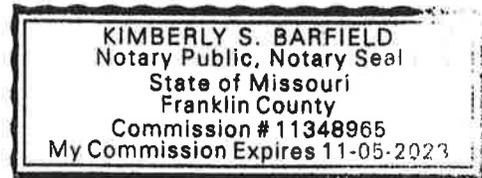
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in
the County and State aforesaid, the day and year first above written.



Notary Public

My Commission Expires:

11-5-2023





IN THE CIRCUIT COURT OF THE COUNTY OF FRANKLIN
STATE OF MISSOURI

CITY OF PACIFIC, MISSOURI,)	
a Municipal Corporation,)	
)	
Plaintiff,)	
)	Cause No. 20AB-CC00138
vs.)	
)	Division No. V
MIDWEST SHINGLE RECYCLING, LLC,)	
)	
Defendants.)	

MOTION TO DISMISS

COMES NOW Defendant, and hereby moves the Court to dismiss Plaintiff City of Pacific's Verified Petition on the grounds that said Petition fails to state a claim upon which relief may be granted against this Defendant.

For grounds of this motion, Defendant states as follows:

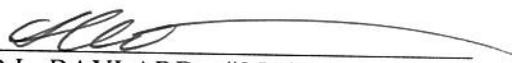
1. Plaintiff has alleged in paragraph 2 of its Petition that the property of Defendant involved in this litigation "is located within unincorporated Franklin County." As a result, Plaintiff has no authority to regulate a business located outside of its city limits.

2. Plaintiff has an adequate remedy at law against the parties who are allegedly dropping nails and other debris on Plaintiff's city streets and that is through their anti-littering ordinances.

3. Plaintiff has no standing to assert causes of action or claims of third parties.

Based on the foregoing, Plaintiff has failed to state a claim upon which relief may be granted against Defendant and this case must be dismissed at Plaintiff's costs.

BAYLARD, BILLINGTON, DEMPSEY
& JENSEN, P.C.

By: 

DAVID L. BAYLARD - #25595

30 South McKinley

Union, Mo 63084

636-583-5103

Fax Line: 636-583-1877

St Louis Line: 636-938-6500

E-mail: dbaylard@bbd-law.com

ATTORNEY FOR DEFENDANT

THIS IS TO CERTIFY that a copy of the above and foregoing was provided via the Court's electronic noticing system on this 26th day of June, 2020, to Mr. Robert E. Jones, Attorney for Plaintiff.


DAVID L. BAYLARD

FINDINGS OF FACT, CONCLUSIONS OF LAW AND
RESOLUTION OF DECISION OF THE BOARD OF ADJUSTMENT

Applicant: SJ Contracting LLC
Address of Property: 115 Winter Wheat Trail
Zoning Classification of Property: R1-C
Building or Land Use: Single Family Residence
Hearing Date: 6/24/2020
File No: BOA 2020-01

WHEREAS, the Board of Adjustment finds and determines that the property at 115 Winter Wheat Trail, Pacific, Missouri, is within the corporate limits of the City of Pacific and is located within the R1-C zoning district, pursuant to Pacific's Zoning Ordinance; and

WHEREAS, Applicant desires to vary the requirement that a sidewalk be installed 6 feet behind the curb to allow a sidewalk installed 10 feet behind the curb for the purpose of constructing a new residence

WHEREAS, this Board determines that Applicant has demonstrated that:

there are are not unusual practical difficulties or an unnecessary hardship placed on this property owner due to the strict application of the terms of the requirement that sidewalk be installed 6' behind the curb; and

there are are not practical difficulties or an unnecessary hardship on the development of this lot due to the character of the use that makes unnecessary the full provision for the requirement that sidewalks be installed 6' behind the curb; and

there are are not practical difficulties or an unnecessary hardship in the way of carrying out the strict letter of such ordinances on the development of this lot due to other conditions such as (Describe practical difficulties or unnecessary hardship or lack thereof)

The sidewalks were placed on private property by error of the contractor.

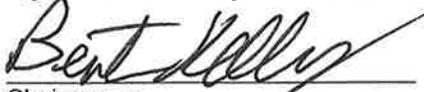
Furthermore, it is determined that the granting of the variance would / would not seriously affect any adjoining property or the general welfare; and

The granting of the variance would / would not serve merely as a convenience to the applicant; and

The granting of the variance would / would not alleviate some demonstrable and unusual hardship or difficulty.

WHEREAS, the Board does further find and determine that the applicant has / has not demonstrated sufficient practical difficulties, unnecessary hardship or other conditions to support a variance from such strict application of the Zoning Ordinance, and a variation from such strict application of the Zoning Ordinance is / is not deemed to be in order so as to relieve such difficulty or hardship.

NOW, THEREFORE, BE IT RESOLVED, that the variance requested by S J Contracting LLC from the strict application of requirement that sidewalk be installed 6' behind curb to 10' behind curb for the property at 115 Winter wheat Trail is hereby granted / denied and City staff is hereby directed to allow / not allow the petition to go forward, in accordance with the decision of this Board, and provided that all other ordinances and regulations of the City of Pacific are met.



Chairperson
Pacific Board of Adjustment

June 4, 2020

NOTICE OF PUBLIC HEARING
CITY OF PACIFIC
PLANNING & ZONING COMMISSION

Map Amendment (Rezoning)
Lot 1 Eastridge Place
Hogan Road east of Eastridge Place
City of Pacific, MO

The City of Pacific Planning and Zoning Commission will conduct a Public Hearing on **Tuesday, June 23, 2020** at 7:00 P.M., in the Board of Aldermen Chambers of the Pacific Government Center located at 300 Hoven Drive, Pacific MO, to hear comments on the following proposals:

Iron Bear Customs is seeking a map amendment (rezoning) for an approximate 7.917 acre tract of land generally located at Lot 1 Eastridge Place (Hogan Road east of Eastridge Drive, Franklin County Parcel ID: 19-2-10.0-0-036-015.000). The applicant is seeking M-1 (Light Industrial) zoning for this parcel. The property is generally bounded by commercial property to the west, residential property to the west and east, and Interstate 44 to the south.

Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. Copies are also available online at www.pacificmissouri.com. If you should need additional information, please contact Steve Roth, City Administrator, by telephone at 636-271-0500 ext 213 or by email at sroth@pacificmissouri.com

Receipt #: PZ2020-8

Tax I.D. #: _____

CITY OF PACIFIC APPLICATION FOR ZONING CHANGE

ADDRESS FOR WHICH ZONING CHANGE IS BEING SOUGHT: Lot 1 Eastridge Place, Pacific MO 63019

APPLICATION FEE OF \$ ^{275⁰⁰} ~~275~~ PAID. yes no

NAME OF APPLICANT: David + Angela Wiedn, Barb Wiedn Culp

ADDRESS: 2922 Shirley Close Road, Washington MO 63090

ADDRESS: _____

PHONE - HOME: 314-616-6228 PHONE - WORK: 636-432-4627
639-900-1880

APPLICANT'S INTEREST IN THE PROPERTY: we would like to do light industrial manufacturing + Retail along with Automotive installs.

NAME OF LEGAL OWNER: (See attached Letter) Legacy Investments LLC
George + Lisa Copeland

ADDRESS: 19035 Model Realty Wildwood MO 63069

ADDRESS: _____

PHONE - HOME: 314-724-2420 PHONE - WORK: _____

TOTAL ACREAGE: 7.917

PRESENT ZONING DISTRICT: C2

REQUESTED ZONING DISTRICT: M1

PRESENT USE: VACANT LAND PROPOSED USE: Light industrial/Retail



NAMES AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN A 300 FOOT RADIUS OF THE PROPERTY FOR WHICH THE ZONING CHANGE IS BEING SOUGHT: _____

THE FOLLOWING FACTORS JUSTIFY THIS REQUEST: _____

We would like to put a 10,000 sq ft steel building on this location to build and sell custom Jeep/truck bumpers, ATV roll cages. We will also be installing these accessories. There will be a show room & office in the front of building

THIS APPLICATION SHALL NOT BE CONSIDERED COMPLETE UNLESS IT IS ACCOMPANIED BY THE FOLLOWING ITEMS:

1. THE REQUIRED FILING FEE OF \$150.00
2. A LEGAL DESCRIPTION OF THE AFFECTED REAL ESTATE SEALED BY A LAND SURVEYOR PER SECTION 400.260(B) OF THE ZONING ORDINANCE
3. FIFTEEN (15) COPIES OF A SEALED PLAT OR SURVEY OF THE PROPERTY PER SECTION 400.260(B) OF THE ZONING ORDINANCE

SIGNATURE OF APPLICANT(S):

[Handwritten signatures: Patricia Dada Lopez, David W. Wada, Angela Wada]

SIGNATURE OF LEGAL OWNER(S):

[Handwritten signature: Patricia Dada Lopez]

From: Lisa Copeland <rcrealtyconnect@gmail.com>

Sent: Monday, June 8, 2020 8:47:24 PM

To: Eric Davis <eric.davis@cbphomes.com>

Subject: Rezoning Request for Property on Eastridge

To the City of Pacific Planning & Zoning,

We have a parcel of land located on Hogan Road & Eastridge, approx. 8 acres, Lot 1, currently zoned C2. The buyer, Barbara L. Wieda Culp, has made an offer to purchase this property and is requesting a zoning change, with the city, on Lot 1 from C2 to M1.

As owners of the property we grant permission for Barbara L. Wieda Culp to seek the desired zoning change of M1 on Lot 1. We hope to see the City of Pacific benefit from the proposed business and offer employment opportunities to Pacific residents.

In the unlikely event their pursuit does not successfully pass through all the necessary channels and the sale is not completed we would expect the zoning to revert back to C2 on Lot 1.

Please let us know if you have any questions.

Sincerely,

George & Lisa Copeland
Legacy Investments, LLC
314-724-2420

CONCEPTUAL SITE PLAN 1.0

SITE NOTES:

1. THE PROPOSED ZONING OF THIS SITE IS M-1, LIGHT INDUSTRIAL DISTRICT.
2. BOUNDARY INFORMATION IS GRAPHICALLY SCALED FROM EASTRIDGE PLACE PLAT, RECORDED JUNE 22, 2011 AS REFERENCE NO. 1109057, AND SHALL BE CONSIDERED APPROXIMATE ONLY.
3. BUILDING SETBACKS AS PER THE CITY OF PACIFIC, MO ZONING CODE FOR M-1 DISTRICT:
 FRONT YARD: 25'
 SIDE YARD: NONE UNLESS ABUTTING RESIDENTIAL, THEN 25'
 REAR YARD: NON UNLESS ABUTTING RESIDENTIAL, THEN 25'



PARKING DATA

PROPOSED BUILDING	9,000 S.F.
CITY REQUIRED PARKING:	
RETAIL:	
4 SPACES PER 1,000 SF OF BUILDING	
TOTAL REQUIRED:	12 SPACES
MANUFACTURING:	
1 SPACE PER EMPLOYEE (ASSUME 10)	
TOTAL REQUIRED:	10 SPACES
PROVIDED STANDARD SPACES	34 SPACES
PROVIDED H.C. ACCESSIBLE SPACES	2 SPACES
PROVIDED TOTAL PARKING	36 SPACES
PROVIDED OVERALL PARKING RATIO: 4.00/1,000 S.F.	

SITE PLAN LEGEND		
DESCRIPTION	PROPOSED	EXISTING
AERIAL ELECTRIC	— AE —	— AE —
UTILITY POLE	•	•
GUARD POST	GP	GP
SANITARY MANHOLE	●	○
CATCH BASIN	■	□
JUNCTION BOX	●	○
FLARED END SECTION	▩	▩
CLEANOUT	•	•
GRATED INLET	■	■
GUARD RAIL	—	—
CHAINLINK FENCE	— X —	— X —
BARBWARE FENCE	— X — X —	— X — X —
WATER VALVE	•	•
FIRE HYDRANT	•	•
EASEMENT	---	---
PROPERTY LINE	---	---

Three working days prior to the start of any excavation on this site the Contractor shall contact 1-800-892-0123 for utility location information.

The contractor shall verify and implement all the required Federal Occupational Safety and Health Administration (OSHA) and/or OSHA approved state-plan regulations established for the type of construction required by these plans.

**PACIFIC, MISSOURI
IRON BEAR CUSTOMS**

REVISIONS

NO.	DESCRIPTION	DATE
1		
2		
3		
4		

PRELIMINARY DRAWING

FOR REVIEW PURPOSES ONLY
NOT TO BE USED FOR CONSTRUCTION

E-Mail: mail@bfaeng.com TELEPHONE: (636) 239-4751

BFA

CONSULTANTS-ENGINEERS-SURVEYORS
www.bfaeng.com

103 ELM STREET WASHINGTON, MISSOURI 63090

DRAWN
G.W.C.
CHECKED
J.B.S.
DATE
06/16/20
SCALE
1"=40'
JOB No.
6105
SHEET NAME
CONCEPTUAL SITE
PLAN 1.0

CP-1.0



Planning & Zoning Commission Department of Planning Staff Report

Meeting Date: June 23, 2020

Project Type: Map Amendment
Lot 1 Eastridge Place / Hogan Road east of Eastridge Place

From: Steve Roth
City Administrator

Applicant: David and Angela Wieda, Barb Wieda Culp dba Iron Bear Customs LLC

Description: **PZ 2020-08:** The applicant is seeking a map amendment (rezoning) for an approximate 7.917 acre tract of land generally located at Lot 1 Eastridge Place (Hogan Road east of Eastridge Drive, Franklin County Parcel ID: 19-2-10.0-0-036-015.000). The applicant is seeking M-1 (Light Industrial) zoning for this parcel. The property is generally bounded by commercial property to the west, residential property to the west and east, and Interstate 44 to the south.

Summary

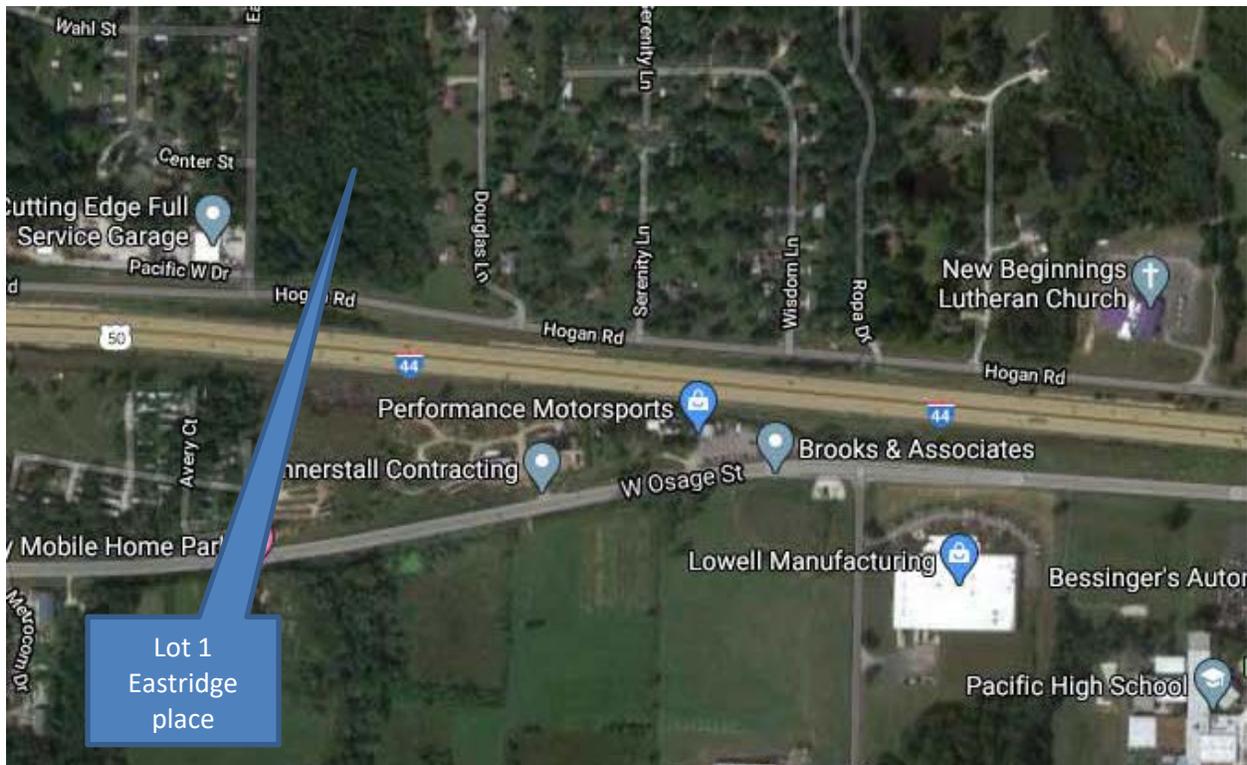
This property was annexed into the City in 2011 and was proposed then for a commercial strip-mall type of development. The property is located off Hogan Road north of I-44; see exhibit below. The property to the immediate east, north and west is all in unincorporated Franklin County.

The property was zoned C-2 arterial commercial following annexation in 2011 and remains C-2 today. A separate parcel to the immediate north was also annexed and is zoned R-2 and is not subject to this rezoning request.

The applicant is seeking a rezoning to M-1 Light Industrial. The applicant manufactures automotive parts, primarily Jeep bumpers, cages, lift kits and other parts. The applicant is proposing to construct a 9,000 sf facility, part of which will be used for office and the remaining for metal fabrication. More information is available online at ironbearcustoms.com.

The property is currently all wooded. At the City's request the applicant submitted a conceptual site plan which is included in the packet. This is preliminary in nature and is presented to give the Commission an idea of how the site would be developed. Though the site is nearly 8 acres in size, the applicant is only proposing to develop the Hogan Road frontage at this time. If the project proceeds

the applicant would be required to file a complete engineered site plan, which may be approved administratively if it meets City zoning requirements. We have not identified any particular development issues in our preliminary conversations with the owner and engineer.



Recommendation

The City’s Future Land Use map (adopted in 2017 with the Comprehensive Plan) did not take this parcel into consideration. The property is directly adjacent to T. Hill Construction, an excavation contractor that occupies an approximate 8,000 sf facility. Residential uses are to the immediate east. Other non-residential uses along Hogan Road include two churches to the east and a pet care service to the west.

The M-1 zoning proposed here in our judgment is complementary to adjacent and nearby uses along the Hogan Road frontage. The existing R-2 zoning of the 4-acre parcel to the north provides a buffer to the existing developed residential neighborhoods near to the site. The City’s development regulations further require buffers to the adjacent residential property to the east.

Staff finds the M-1 use is in harmony with existing uses along Hogan Road and we would respectfully request **APPROVAL**.

Attachments: Exhibit, Concept Plan
 Public Hearing notice