



DECEMBER 20, 2022 * RECORD OF PROCEEDINGS

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

The meeting was called to order at 7:00 p.m. by Mayor Filley. The meeting was held at City Hall. The Public was able to attend in person and was streamed live on the City of Pacific You-Tube channel. There was a problem with the audio and the sound was hard to hear.

A roll call was taken with the following results:

Present at Roll Call: Alderman Nemeth
Alderman Cleeve
Alderman Gendron
Alderman Presley
Alderman Eversmeyer
Alderman Lesh

Also present: Administrator Roth
Attorney Jones
Major Locke
Collector Kelley
Public Works Commissioner Brueggemann
Director of Community Development Myers
City Clerk Barfield

Pledge of Allegiance

The Pledge of Allegiance was done.

Prayer

Pastor Harold Harrison offered prayer this evening.

Approve Agenda

Motion made by Alderman Nemeth, seconded by Alderman Presley to approve the agenda. Mayor Filley asked for any discussion. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. **Mayor Filley declared the motion carried.**

Approval of Minutes

A. Regular meeting on December 6, 2022

Motion made by Alderman Presley, seconded by Alderman Eversmeyer to approve the minutes of the regular meeting on December 6, 2022. Mayor Filley asked for any discussion. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. **Mayor Filley declared motion carried.**

B. Executive session meeting on December 6, 2022

Motion made by Alderman Nemeth, seconded by Alderman Cleeve to approve the minutes of the executive session meeting on December 6, 2022. Mayor Filley asked for any discussion. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. **Mayor Filley declared the motion carried.**

Presentations

Mayor Filley stated she had the results of the Holiday Decorating Contest: For residential the 3rd place winner was Joseph Klatt at 147 Winter Wheat Trail, the 2nd place winner was Matt Bartel at 2227 Silver Lake Estates Drive, and the first-place winner was Andrea & Andy Vaughn at 1761 Westlake Circle. For commercial the 3rd place winner was First State Community Bank, the 2nd place winner was We Decorate Kakes, and the 1st place winner was Little Ireland.

Public Participation

Mayor Filley stated there were no speaker cards this evening.

New Bills

Mayor Filley asked for Sponsorships for the new bills. Alderman Nemeth stated he would sponsor Bill No. 5174.

- a. Bill No. 5174 An Ordinance levying an additional Sales Tax on sales of adult use marijuana and calling an election for voter approval of such tax. (1st reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5174 for the first reading by title only.

Alderman Presley stated he would sponsor Bill No. 5175.

- b. Bill No. 5175 An Ordinance authorizing conveyance of property at 1916 Rose Lane. (1st reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5175 for the first reading.

Consideration of Bills Previously Introduced

- a. **Bill No. 5165 An Ordinance amending the Fiscal year 2022-2023 Budget and Wage and Salary Schedule for appointed officials and employees of the City of Pacific. (2nd reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5165 by title only for the second reading. **Motion made by Alderman Eversmeyer, seconded by Alderman Lesh to approve Bill No. 5165.** Mayor Filley asked for any discussion. **Alderman Cleeve would like to amend the longevity to \$ 500 for every 5 years, beginning at 5 years and increase, meaning at 5 years they would receive \$ 500, at 10 years they would receive \$ 1,000, at 15 years they would receive \$ 1,500 and so forth, and he made this into a motion, seconded by Alderman Nemeth.** Mayor Filley asked for any more discussion. Alderman Eversmeyer asked how this would affect budgeting, and asked if this was a one-time payment or an increase of salary. Administrator Roth stated if this happened the Personnel Manual would need amended also. Attorney Jones stated years 5 and 15 are not acknowledged the way it is wrote, and would need to be changed. Mayor Filley stated the way it is written is 10, 20 and 25 years. Alderman Cleeve was okay with starting with year 10 and every 5 years after that. Alderman Nemeth thought this should max out at \$ 3,000. Alderman Cleeve stated he would amend his motion to start at 10 years with \$ 1,000 and then every 5 years increase it with a maximum of \$ 3,000. Mayor Filley asked for any more discussion. (Administrator Roth stepped out and they would come back to this) See page 5 of the minutes.

- c. **Bill No. 5166 An Ordinance adopting the 2018 Edition of the International Building Code in the City of Pacific. (2nd reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5166 by title only for the second reading. **Motion made by Alderman Presley, seconded by Alderman Eversmeyer to approve Bill No. 5166.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Cleeve, Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5166 becomes Ordinance No. 3348.**

- d. **Bill No. 5167 An Ordinance adopting the 2018 Edition of the International Residential Code of the City of Pacific. (2nd reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5167 by title only for the second reading. **Motion made by Alderman Nemeth, seconded by Alderman Cleeve to approve Bill No. 5167.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth, Alderman Cleeve. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5167 becomes Ordinance No. 3349.**

e. Bill No. 5168 An Ordinance adopting the 2018 Edition of the International Property Maintenance Code in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5168 by title only for the second reading. **Motion made by Alderman Cleeve, seconded by Alderman Nemeth to approve Bill No. 5168.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth, Alderman Cleeve, Alderman Gendron. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5168 becomes Ordinance No. 3350.**

f. Bill No. 5169 An Ordinance adopting the 2018 Edition of the International Plumbing Code in the City of Pacific.

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5169 by title only for the second reading. **Motion made by Alderman Eversmeyer, seconded by Alderman Cleeve to approve Bill No. 5169.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Cleeve, Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5169 becomes Ordinance No. 3351.**

g. Bill No. 5170 An Ordinance adopting the 2018 Edition of the International Mechanical Code in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5170 by title only for the second reading. **Motion made by Alderman Nemeth, seconded by Alderman Presley to approve Bill No. 5170.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Cleeve, Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5170 becomes Ordinance No. 3352.**

h. Bill No. 5171 An Ordinance adopting the 2018 Edition of the International Fire Code in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5171 by title only for the second reading. **Motion made by Alderman Cleeve, seconded by Alderman Gendron to approve Bill No. 5171.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth, Alderman Cleeve. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5171 becomes Ordinance No. 3353.**

i. Bill No. 5172 An Ordinance adopting the 2018 Edition of the International Fuel Gas Code in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5172 by title only for the second reading. **Motion made by Alderman Presley, seconded by Alderman Cleeve to approve Bill No. 5172.** Mayor Filley asked for any discussion. **There being none, a roll call vote was taken with the following results: Ayes: Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth, Alderman Cleeve, Alderman Gendron. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5172 becomes Ordinance No. 3354.**

Bill No. 5173 An Ordinance adopting the 2017 Edition of the International Code in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5173 by title only for the second reading. **Motion made by Alderman Presley, seconded by Alderman Eversmeyer to approve Bill No. 5173.** Mayor Filley asked for any discussion. **A roll call vote was taken with the following results: Ayes: Alderman Lesh, Alderman Nemeth, Alderman Cleeve, Alderman Gendron, Alderman Presley, Alderman Eversmeyer. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5173 becomes Ordinance No. 3355.**

Bill No. 5165 – Mayor Filley stated we needed to circle back to Bill No. 5165 with Administrator Roth. Administrator Roth stated the longevity increases have always been a salary increase in the past. Alderman Cleeve thought it was a one-time payout and that was what he was referring to when he made his motion. At this time, he will withdraw his amended motion, Alderman Nemeth withdrew second. Mayor Filley stated we are back to the original form of Bill No. 5165 with a **motion made by Alderman Eversmeyer, seconded by Alderman Lesh to approve Bill No. 5165. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Cleeve, Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh. Nays: none. Abstain: none. Whereupon, Mayor Filley stated with a vote of 6-0 Bill No. 5165 becomes Ordinance No. 3347.**

Unfinished Business

Bill No. 5156 An Ordinance prohibiting the occupancy of structures deemed unfit for human habitation. (2nd reading) Sponsor: Nemeth Tabled 9/6/22 and sent to Operations.

Mayor Filley stated Bill No. 5156 is still being worked on with the Operations Committee. Alderman Eversmeyer stated there will be a meeting on January 6, 2023 at 1:00 p.m. This will be on the agenda, along with a draft brush policy to discuss.

Approve pay App 3 from Jokerst for the Street Resurfacing Project in the amount of \$ 26,128.90. (Tabled 12-6-22)

Motion made by Alderman Eversmeyer, seconded by Alderman Presley to remove Pay App 3 from the table. Mayor Filley asked for any discussion. There being none, a voice vote was taken with an affirmative result. **Motion made by Alderman Nemeth, seconded by Alderman Presley to approve Pay App 3 from Jokerst in the amount of \$ 26,128.90.** Mayor Filley

asked for any discussion. Administrator Roth stated this was cleared up with the engineer and approved for payment. **A voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried. Nays: none. Abstain: none.**

New Business

Resolution No. 2022-90 A Resolution authorizing and directing the Mayor to execute an Agreement with CM Archer Group P.C. dba Archer-Elgin for professional services relating to GIS Mapping of the city of Pacific Sanitary Sewer Collection System.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-90 by title only. **Motion made by Alderman Presley, seconded by Alderman Eversmeyer to approve Resolution No. 2022-90.** Mayor Filley asked for any discussion. **A voice vote was taken with an affirmative result. Nays: none. Abstain: none. Mayor Filley declared the motion carried.**

Mayor Report

Mayor Filley stated there is forecasted inclement weather coming in, so if you don't have to go out, please stay home. This is also a perfect time to sign up for the Emergency Management System to get updates. She wished everyone a happy holiday season and reminded everyone that City Hall is closed on Friday and Monday and then on January 2nd.

City Administrator Report

a. Franklin County 911 agreement

Administrator Roth stated that he spoke to this in his board report. We run a dispatch center with Sullivan and Washington and Franklin County has supported these centers. The phone tax does not support the 911 center. We received an invoice for equipment, at that time we thought we would need to pay Franklin County. There are agreements with Washington and Sullivan dating back to 1992, but we never had an agreement because there was no land line tax in 1992. Last week he received hard numbers from Franklin County which is a proposed five-year cost. We also asked for costs from AT & T over a five-year period. The County cost is \$ 231,767, AT&T provided a cost of \$ 253,893. Franklin County's costs are based on all three cities taking the offer. Originally there was a deadline of December 31st, but we have an extension until April 1, 2023 to make a decision. Major Locke stated if we make a move, we will receive the call initially and response time will be faster. Communications Supervisor Amy Brand stated that now sometimes calls are 3 to 7 minutes out there before we are notified. That time delay would change if calls came directly to us. Administrator Roth stated at this time there are two options: Contract with the county or get our own equipment and we control it from AT&T. If that happens Franklin County would only provide services outside of the city through a Mutual Aid Agreement. He continued that Dispatch is critical. We value the center for our own needs. His goal is to obtain a draft contract with Franklin County by the next meeting and a contract with AT&T to be able to compare. He would like to have this decided by February. Communications Supervisor Brand stated it will take 60-90 days to go live. Alderman Eversmeyer asked if we

planned on passing the 3% tax on marijuana, if that could be used to fund the dispatch center.

b. Viaduct – Thornton traffic study

Administrator Roth stated the report is attached. There does not need to be a decision made this evening. The study analyzed traffic volumes and considered two options: traffic signals and a roundabout. Traffic signals would alleviate peak hour congestion from the WB off-ramp, but the queuing that would block the Hogan Road intersection would be a problem. The round-a-bout is the better approach to deal with Hogan Road. They also suggest a dedicated westbound turn lane for traffic turning right (north) off the WB off-ramp; this would give vehicles a lane to bypass the round-a-about traffic and then move north toward the Viaduct-Thornton intersection. Discussion followed. Alderman Eversmeyer thought that roundabouts worked; looking at 109 they use them more than once. Administrator Roth stated the SEMAC Grant deadline is February 9th, and he will continue to pursue this, but by the January 3rd meeting if we want to do this we need to decide. The project estimated cost is \$ 3 million. The city portion is \$ 600,000, which we cannot afford. There was a meeting with MoDot to obtain their feedback on the report and see if there was an interest with a cost share for a federal-aid CMAQ Application. MoDot appeared to be in agreement with the report, if they would approve the city could split the cost, \$ 300,000 each, but packaging this up before February 9th will be a challenge. He intends to pursue this unless he hears differently from the Board.

c. Farm lease, Pacific Riverfront Park (former Great Rivers Greenway property)

Administrator Roth stated Paul Alt has proposed leasing a portion of the newly acquired Riverfront Park for farming purposes. He has previously farmed the ground through a lease with GRG, which is 13.5 acres, there is an exhibit in his report, which appears to be more like 12 acres. The proposed lease rate is \$ 500 a year. Attorney Jones has not seen this yet, but it appears to be standard. We are unlikely to use the property this year as we still need to get dedicated public access. This property has not been established as a city park yet. The term is 1 year with two renewals possible. **Motion made by Alderman Nemeth, seconded by Alderman Gendron to approve the lease subject to review by the City Attorney.** Alderman Lesh asked if the city had any long-term use planned for this property. Administrator Roth stated it is still in the idea stage, but we need dedicated public access first. We just took title to this property in early fall. **A voice vote was taken with an affirmative result. Opposed: none. Abstain: none.**

Chief of Police Report

No report.

Public Works Commissioner

Public Works Commissioner Brueggemann stated the Thornton Road guardrail is done.

Director of Community Development

Director Myers stated his report will be in the packets next month. His department has received the site review plans for Mobil on the Run.

City Attorney Report

Attorney Jones stated he has reviewed Chapter 660, and there are provisions that are not enforceable. There are some areas that need repealed or revised. He will review more and prepare a red lined version of the chapter. There is also a part in the C1 downtown zoning that if the Board desires to change it this will need to go to Planning & Zoning.

Medical marijuana zoning ordinance – Administrator Roth asked if there were any changes in this ordinance that would require Planning & Zoning approval. Discussion followed. Attorney Jones stated any existing establishment that wishes to change to a comprehensive license which is cultivating and testing as permitted in the M2 is the same as M1. What needs decided is if you want the same for recreational and for comprehensive licenses. He recommended this discussion happen at Planning & Zoning. Administrator Roth stated a public hearing would be required at Planning & Zoning, so we will need to target a date.

City Collector

Uncollectable Debt - Collector Kelley stated her report was included in the packet. There was a list of what her office feels is deemed uncollectable. According to the State Statute she is to give a report to the Board in April, which is of taxes and she has done that. This report is per ordinance and is a list of other debt. The Public Works Commissioner has also seen this list, if the Board deems them uncollectable, they can be removed from the books. **Motion made by Alderman Cleeve, seconded by Alderman Nemeth to wipe \$ 1,144.60 per the list included in the board report as uncollectable and take off the books. A voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried. Opposed: none. Abstain: none.** Collector Kelley stated this does not include Public Water District 3. She continued that a verification sheet comes through her office from the building department and if any debt is owed it is disclosed on this sheet. This is an attempt to hold tight to the ordinances as any debt waived only comes from the Board of Aldermen.

Operations Committee Report

Alderman Eversmeyer stated this was already discussed. We will be meeting January 6, 2023 at 1:00 p.m.

Park Board report

Alderman Cleeve stated there was no meeting.

Miscellaneous

- a. Approve the list of bills.

Motion made by Alderman Eversmeyer, seconded by Alderman Nemeth to approve the list of bills. Mayor Filley asked for any discussion. A voice vote was taken with an affirmative result. Nays: none. Abstain: Alderman Presley. Mayor Filley stated the motion carried.

Reports of City Officials

Alderman Nemeth – stated he appreciated the votes for the Christmas Contest with Little Ireland. He had nothing to do with it and staff did all of it. He wished everyone Happy Holidays. He stated he would not be here for the staff holiday lunch as he was going out of town.

Alderman Cleeve – stated he was not giving up on the public comment item he brought up before. He asked the board to think through it, and what could be done to change their votes. This continues to trouble him and he would like to discuss it again.

Alderman Cleeve – asked that every alderman drive down Lamar Parkway and look at the subdivision that shouldn't be here. The front yards are concrete, and we as a board shouldn't make a decision like that. Alderman Nemeth questioned that stating he was judging people as to why they wanted that for a front yard, if someone wants that as a front yard and I don't agree, you're saying I should vote no. If that is what a person wants to buy why should we stop that. Alderman Cleeve stated he has a problem with 45 houses on 11 acres and Lamar Parkway is an emergency road. Alderman Nemeth asked where that was wrote at, because he was not aware of it.

Alderman Gendron – no report.

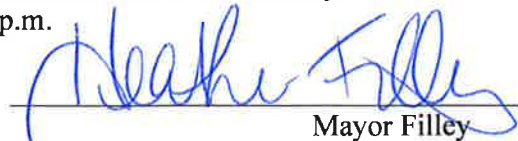
Alderman Presley – no report.

Alderman Eversmeyer – no report.

Alderman Lesh – Merry Christmas, and as always, attend, participate and volunteer. Mayor Filley stated there was an open spot on the Park Board still.

Adjournment

There being no further business, motion made by Alderman Lesh, seconded by Alderman Nemeth to adjourn. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. The meeting adjourned at 8:41 p.m.


Mayor Filley

ATTEST:


City Clerk

Board of Aldermen 12-20-2022



