

MARCH 19, 2019 \* RECORD OF PROCEEDINGS

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

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**T**he meeting was called to order at 7:00 p.m. by Mayor Myers.

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.

Also present:

Administrator Roth  
 Attorney Jones  
 Collector Kelley  
 Public Works Commissioner Brueggemann  
 Chief Mansell  
 City Clerk Barfield

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was done.

**APPROVE AGENDA**

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

**APPROVAL OF MINUTES**

A. Regular meeting on March 5, 2019

Motion made by Alderman Adams, seconded by Alderman Rahn to approve the minutes of the regular meeting on March 5, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

B. Executive Session meeting minutes on March 5, 2019

Motion made by Alderman Nemeth, seconded by Alderman Gass to approve the minutes of Executive Session on March 5, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

**MAYOR'S REPORT**

Mayor Myers stated the City has been getting a lot of attention. He continued that he put the Resolution that was passed against Better Together on social medial. From that the St. Louis Post Dispatch picked up on it and the front page had an article about how this would affect us. He also was contacted by Channel 5 and there was a short segment on the air. We are getting a lot of voice on this.

Economic Development Course – Mayor Myers stated he started the Economic Development course that the Board approved. He is obtaining a lot of information from this and once he is ready, he will share with everyone.

**New Bills**

**Bill No. 4035 An Ordinance providing for a Boundary Adjustment between the cities of Eureka and Pacific, relating to certain property located at 18699 U.S. Highway 66 (St. Louis County Locator Number 30X430018) (*1<sup>st</sup> reading*)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4035 by title only for the first reading.

**Bill No. 4036 An Ordinance providing for a Boundary Adjustment between the cities of Eureka and Pacific, relating to certain property located at 18637 U.S. Highway 66 (St. Louis County Locator Number 30X420026) (*1<sup>st</sup> reading*)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4036 by title only for the first reading.

**Bill No. 4037 An Ordinance establishing new Stop Signs and a new No Left Turn Sign (*1<sup>st</sup> reading*)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4037 by title only for the first reading. Alderman Gass asked if painting the street yellow was considered instead of the no left turn sign. Chief Mansell asked if Husky Way was a City street. Administrator Roth will look into both of these questions.

**Bill No. 4038 An Ordinance providing for Cemetery Fees in the City of Pacific, Missouri (*1<sup>st</sup> reading*)**

As posted pursuant to the ordinance, City Clerk read Bill No. 4038 by title only for the first reading. Alderman Johnson asked what this was about, as she thought it was done. Attorney Jones stated the only thing that changed was the 3<sup>rd</sup> sentence. This was in regard to a burial on a holiday or weekend and the sexton would be unable to comply with the ordinance as it was originally written. Alderman Johnson asked if this was discussed with the Collector. Collector Kelley stated she thought she should be collecting all the fees, not the Sexton collecting the money. Mayor Myers stated that part of the ordinance

was not changed, and it has been that way for years. Collector Kelley stated she needed to answer for the funds. Mayor Myers stated the wording of the Sexton has not changed as it was previously passed. Collector Kelley stated her concern was the last two burials, they were paid for on a Monday, but they were buried over the weekend. Mayor Myers stated that is what we are correcting. This was to remove the difficulty. Alderman Stotler asked what the primary responsibility of the Sexton was. Attorney Jones read from the Code, which was to oversee the maintenance of the City Cemetery including grave openings. The City also has a contract with the Sexton. Collector Kelley stated she feels like the families should be paying her directly. Mayor Myers suggested we look at the Sexton's contract, and table this. The point of this was to streamline the process. He asked Attorney Jones to review the language of the contract and the Code and bring back a recommendation at the next meeting. Alderman Adams asked what the responsibility of the Collector was. Attorney Jones read from Section 115.190 of the Code. He added that the Term of Office Section has some language as well. Alderman Adams thought the Collector was referring to the process, and asked City Clerk Barfield who collects money. City Clerk Barfield stated in the Collectors absence or if she needs help, she does, Janet, Rae, Debbie Hayden, whoever is covering the office. Chief Mansell stated that the Police Department collects for police reports downstairs, etc. and then delivers the money to the Collector also.

**Motion made by Alderman Adams, seconded by Alderman Nemeth to table Bill No. 4038. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

#### Consideration of Bills Previously Introduced

##### **Amended Bill No. 4029 An Ordinance regulating the use of cell phones while driving by City employees (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Amended Bill No. 4029 by title only. Mayor Myers asked for any discussion. Alderman Johnson asked if the vehicles were ready. Public Works Commissioner Brueggemann stated they will be, the Bill has a 30-day grace period. Administrator Roth stated some Administrative employees don't necessarily have Blue Tooth. If their personal car is not equipped with it, then one can't use their phone to talk or text. He wanted to make this clear to everyone. Public Works Commissioner Brueggemann asked if speaker phone was considered hands free. Attorney Jones stated it was. **Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Amended Bill No. 4029. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler. Nays: None. Whereupon, Mayor Myers declared Amended Bill No. 4029 passed and became Ordinance No. 3114.**

##### **Bill No. 4031 An Ordinance amending Section 385.350 of the Code of Ordinances of the City of Pacific to make the failure to wear a seatbelt a primary violation. (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4031 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 4031. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth. Nays: None. Whereupon, Mayor Myers declared Bill No. 4031 passed and became Ordinance No. 3116.**

##### **Bill No. 4032 An Ordinance authorizing a Conditional Use Permit for the property located at 2009 W. Osage, Franklin County Parcel ID # 19-1-11.0-2-099-14.000, in the City of Pacific. (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4032 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Adams, seconded by Alderman Rahn to approve Bill No. 4032. A roll call vote was taken with the following results: Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: None. Whereupon, Mayor Myers declared Bill No. 4032 passed and became Ordinance No. 3117.**

**Bill No. 4033 An Ordinance authorizing a Conditional Use Permit for property located at 302-304 W. Osage Street, Franklin County Parcel ID# 19-1-12.0-1-002-260.000, in the City of Pacific. (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4033 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Adams, seconded by Alderman Gass to approve Bill No. 4033. A roll call vote was taken with the following results: Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: None. Whereupon, Mayor Myers declared Bill No. 4033 passed and became Ordinance No. 3118.**

**Bill No. 4034 An Ordinance establishing the position of City Engineer and providing for the qualifications and duties thereof. (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4034 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Gass to approve Bill No. 4034. A roll call vote was taken with the following results: Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Gass. Whereupon, Mayor Myers declared Bill No. 4034 passed and became Ordinance No. 3119.**

### NEW BUSINESS

**Resolution No. 2019-13 A Resolution authorizing and directing the Mayor to execute an Agreement with NB West Contracting Company relating to extension of City utilities.**

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2019-13 by title only. Motion made by Alderman Gass, seconded by Alderman Adams to approve Resolution No. 2019-13. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### Unfinished Business

- a. Bill No. 4011 An Ordinance amending the Planned Unit District Regulations of the City of Pacific, Missouri. (2<sup>nd</sup> reading needed) (10-16-18 sent to Adm. Com. After 1<sup>st</sup> reading, tabled at 11-6-18)
  - b. Bill No. 4012 An Ordinance amending the zoning regulations with regard to amendments in the City of Pacific, Missouri. (2<sup>nd</sup> reading needed) (10-16-18 sent to Adm. Com after 1<sup>st</sup> reading, tabled 11-6-18)
  - c. Bill No. 4013 An Ordinance amending the Subdivision Regulations with regard to amendments in the City of Pacific, Missouri. (1<sup>st</sup> reading needed) (10-16-18 sent to Adm. Com., tabled at 11-6-18)
  - d. Bill No. 4016 An Ordinance amending the Land Use Article of the Code of Ordinances of the City of Pacific and providing for site plan review procedure. (1<sup>st</sup> reading needed) (tabled on 11-6-18)
- These items have been tabled.

## ADMINISTRATOR REPORT

### a. FY 20 budget review

Administrator Roth stated he is working on the budget. This is a work in progress. The revenues are strong in most areas. The payroll will probably stay the same since this was just addressed. The question tonight was the process. How did the Board want to proceed? His plan was to deliver a 1<sup>st</sup> draft of a budget by April 16, then the final budget by May 16, the public hearing at June 4<sup>th</sup> and the approval by June 4<sup>th</sup> and June 18<sup>th</sup>. He asked if the Board wanted to schedule a special meeting for the budget.

Motion made by Alderman Adams, seconded by Alderman Gass to proceed as we did last year. With the City Administrator and Department Heads putting together a balanced budget and bringing to the Board at a regularly scheduled meeting. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

## CITY ATTORNEY REPORT

No Report.

## MISCELLANEOUS

### a. Approve the list of bills.

Motion made by Alderman Gass, 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 bill from American Carnival Mart in the amount of \$ 210.45 to be paid from Tourism funds for St. Patrick's Day supplies.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the invoice from Carnival Mart in the amount of \$ 210.45. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried

### c. Approve invoice from Sign Experts in the amount of \$ 605.20 for signs for St. Patrick's Day Parade.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve the invoice from Sign Experts in the amount of \$ 605.20 for St. Patrick's Day Parade. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### d. Approve invoice from Straatmann Printing in the amount of \$ 62.50 for St. Patrick's Day flyers.

Motion made by Alderman Rahn, seconded by Alderman Nemeth to approve the invoice from Straatmann Printing in the amount of \$ 62.50 for St. Patrick's Day flyers. A voice vote was taken with an affirmative result.

### e. Approve invoice from Engineering Surveys & Services in the amount of \$ 1,149.50 to be paid from W. Osage CID for Lamar Parkway Sidewalk project.

Motion made by alderman Gass, seconded by Alderman Nemeth to approve the invoice from Engineering Surveys & Services in the amount of \$ 1,149.50 to be paid from W. Osage CID for Lamar Parkway Sidewalk project. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- f. Approve invoice from Bill Hampton Enterprises, LLC in the amount of \$ 650.00

Motion made by Alderman Stotler, seconded by Alderman Rahn to approve the invoice from Bill Hampton LLC in the amount of \$ 650.00. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- g. Approve Pacific Eagles, Jerry Eversmeyer, 707 W. Congress for a Temporary Permit intoxicating liquor for sale the drink for the 4<sup>th</sup> annual charity BBQ Wing Challenge on Saturday, April 13, 2019.

Motion made by Alderman Stotler, seconded by Alderman Rahn to approve the Temporary Permit intoxicating liquor for sale the by the drink for the 4<sup>th</sup> annual charity BBQ on Saturday, April 13, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- h. Approve Pay Application # 4 from RV Wagner for the Waste Water Treatment Facility Repairs in the amount of \$ 340,352.10.

Motion made by Alderman Nemeth, seconded by Alderman Gass to approve Pay Application # 4 from RV Wagner for the Waste Water Treatment Facility Repairs in the amount of \$ 340,352.10. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- i. Approve Bonnie Post to the Beautification Committee.

Motion made by Alderman Gass, seconded by Alderman Rahn to approve Bonnie Post to the Beautification Committee. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### REPORTS OF CITY OFFICIALS

Alderman Nemeth – No report.

Alderman Adams – Asked Public Works Commissioner Brueggemann about the status of the curb at Dawn Metzger's. Public Works Commissioner Brueggemann stated they would be starting it next week. He next asked about the progress at Hogan Subdivision. Public Works Commissioner Brueggemann stated they haven't started yet.

Alderman Rahn – No report.

Alderman Gass – **Alderman Gass stated he would like to make a motion for the City Attorney to draw up an ordinance on Red Cedar, if the Board agreed, stating it will be used only for the Welcome Center and the Historical Museum and Genealogical Society purposes. Motion was seconded by Alderman Adams.** Mayor Myers asked for any discussion. Mayor Myers stated the Board has an Architectural Firm researching the use of Red Cedar. Alderman Johnson stated this is because of the newspaper article and the report from Channel 5. I have received a lot of calls about this. Somewhere we got into the best use and forgot about the intent of the building. She continued she would like to recommend we amend the contract. She continued that our town knows and needs the intent clarified. Mayor Myers stated in his conversations with the media he stated it was going to be a Museum and Welcome Center. He continued that he also said an ice cream shop, micro-brewery etc. Out of that the

reporter only picked up on micro-brewery. He continued he wanted to send a clear message to the County Executive. That was that we still own the building and have an intent for it, he believes St. Louis is going to come to the table and give us a voice.

**Motion made by Alderman Johnson to amend the contract to focus on the Historical Museum and Genealogical Society and Welcome Center.**

Mayor Myers stated he thought this was a huge mistake. He thinks we will end up with the same thing as we had with the Wolf House. Alderman Johnson stated after this part of the project is done, we can change it. Mayor Myers stated this was sending a message to the architect and was very short sided. Alderman Nemeth stated when we bought the building there was an original intent. We need to stand firm on that purpose. Once it is up and running then we can figure out an alternative use. We have to finish the job we promised. There has been a lot of confusion and he does not believe it was intentional. This clarifies and holds us accountable to finish the job and do what we said we would do. Administrator Roth stated Pattern Ives was hired for the planning and programming of Red Cedar, this included the Welcome Center and Genealogical Society as the priority. They were always looking into the big picture. At the end of the process we will have a plan and it is all subject to the Board of Aldermen approval and is at your control, we are just not there yet. Alderman Adams stated the Board has the say now on the direction and we don't want to wait. He thought Carol and Ed wanted to give direction now and limit the scope now to the Welcome Center and Historical & Genealogical Society, but Ed just wants it done by ordinance. Alderman Adams stated he was in agreement if that was what the Board wanted. City Clerk Barfield stated there were two motions on the floor. The first motion needed to be handled. Mayor Myers asked if they understood what they were doing. They were saying no to anything else, no gift shops, no ice cream, no trailhead, no bike shop. Alderman Adams stated every welcome center has a gift shop and thought that would be included in the scope. Administrator Roth stated the final draft is due in May or June to the Board. Alderman Stotler stated if the museum doesn't make a bunch of revenue it would take another ordinance to open the use back up. Administrator Roth stated the end result is a concept plan. Then the next step is a design plan. The other intent was how do we pay for it. This is another reason we hired them because they were strong in grant funding. There will be grants available for this. This is all part of the initial plan.

Mayor Myers stated for the record to repeat the first motion. **Motion made by Alderman Gass for the City Attorney to draw up an ordinance on Red Cedar, if the Board agreed, stating it will be used only for the Welcome Center and the Historical Museum and Genealogical Society purposes.** **Motion was seconded by Alderman Adams. A voice vote was taken with an affirmative result.**

**Motion made by Alderman Johnson, seconded by Alderman Adams to amend the contract with Pattern Ives for the scope of work to focus on the Historical Museum and Genealogical and Welcome Center purpose and nothing else. A voice vote was taken with an affirmative result.**

Administrator Roth stated he needed clarity. This will require a written amendment to the Board at the next meeting. Alderman Adams agreed. Alderman Stotler asked about everything else they have already done. Mayor Myers stated they held the public opinion meetings, but public opinion doesn't matter, because that was just taken away. There is no other use than Museum and Genealogy and Welcome Center.

Alderman Johnson – thanked everyone who participated in the parade. Next year she will discuss more about the safety. She had a request to lower the speed limit on Candlewick. There is also a sign for “kids at play”. The request was to lower it to 15 mph, and add another “caution, kids at play” sign. Alderman Gass stated 15 mph was too slow, and those caution signs are not legal signs. Attorney Jones agreed. Chief Mansell stated we have wrote tickets here, this is not the answer. The road should have never been connected to the Industrial Park. Alderman Johnson asked if a “bus stop ahead” sign could be installed. Alderman Gass thought that would be better. Alderman Johnson asked if anyone had a suggestion. Chief

Mansell stated he thought the only answer was to barricade Candlewick off, and this had been discussed. Attorney Jones stated it has to be opened up occasionally or it could lose its status. Chief Mansell asked if it could be considered an Emergency egress and a gate put up. Mayor Myers stated it is considered a collector street, so it cannot be closed without replacing it with an alternate route. Alderman Gass suggested a stop sign coming out of Industrial Court with a solar light on top. Chief Mansell thought the homeowners should be talked with first. Alderman Gass also suggested looking into the cost of yellow flashing lights at the school. Alderman Gass suggested a stop sign with a red light by ATI and two flashing yellow lights by the school. Public Works Commissioner Brueggemann will get prices.

Historic Baptist Church – Alderman Johnson stated on Thursday, March 21<sup>st</sup> D’Angelo’s is having a fund raiser for the church and a percentage of the sales will go to this.

Historical Museum & Genealogical Meeting – will be meeting Thursday, March 21<sup>st</sup> at 6:30 p.m.

St. Patrick’s Day Parade - Alderman Johnson thanked the American Legion, Sign Experts, Chief Mansell and everyone who helped pay tribute to two soldiers who lost their lives last week. She would also ask the Mayor for a Proclamation. Alderman Johnson will e-mail those names to the City Clerk. Motion made by Alderman Johnson, seconded by Alderman Nemeth for the Proclamation. Alderman Rahn stated he had neighbors that thought the parade was great but requested the bathrooms by the Brew Haus be open. Public Works Commissioner Brueggemann stated those are Partnership’s bathrooms. Chief Mansell stated this was one of the largest turn outs he has seen.

Tourism Budget – Alderman Johnson stated she knows we don’t have an active Tourism Committee, but she wanted to put a call out to the Mayor since budgeting was coming up. Mayor Myers stated he had one coming in and talking to another prospect.

Mayor Myers thanked Alderman Johnson for her work on the St. Patrick’s Day Parade. It was well done. Alderman Johnson stated she hoped to have the school more involved next year.

Feral Cats – Alderman Johnson stated she had a complaint that we are not picking up feral cats. She asked how those were being handled. The complaint she had was from someone who was told our Code Enforcement Officer wasn’t certified for this. Administrator Roth stated he was not aware of any requirement. He will look into this.

Alderman Stotler – No report.

Collector Kelley – stated she will have her report ready for the first meeting in April. She reminded everyone there is a ceremony at ADAMS Garden on April 13<sup>th</sup>.

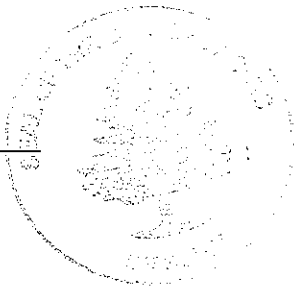
**ADJOURNMENT**

Motion made by Alderman Nemeth, seconded by Alderman Rahn to adjourn. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

The meeting adjourned at 8:23 p.m.

ATTEST:

*Kimberly Burzful*  
\_\_\_\_\_  
City Clerk



*Steve Myers*  
\_\_\_\_\_  
Steve Myers, Mayor

Board of Aldermen 3-19-19