

April 7, 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. The public was able to view or listen to the meeting at the following: <https://zoom.us/j/604400774>

The 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. All Aldermen were visually seen through video conferencing and heard.

Also present:

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

All staff was visually seen through video conferencing and heard.

Pledge of Allegiance

The Pledge of Allegiance is given.

Prayer

There was no representative from Ministerial Alliance. Mayor Myers offered prayer this evening.

Approve Agenda

Mayor Myers asked for a motion to approve the agenda. Motion made by Alderman Adams, seconded by Alderman Stotler that Bill No. 5005 is read twice tonight under Emergency Legislation due to the current Board of Aldermen 4-7-2020

situation. A voice vote was taken with an affirmative result. Motion made by Alderman Adams, seconded by Alderman Gass to read Bill No. 5004 twice tonight under Emergency Legislation due to the current situation. A voice vote was taken with an affirmative result. Motion made by Alderman Adams, seconded by Alderman Gass to remove Resolution No. 2020-17 and Resolution No. 2020-22 from the agenda. A voice vote was taken with an affirmative result. Motion made by Alderman Gass, seconded by Alderman Adams to remove Resolution No. 2020-21 from the agenda. A voice vote was taken with an affirmative result.

Administrator Roth stated he sent an e-mail late this afternoon regarding the Grant Agreement that he received today from CDBG in relation to the flood buyout. The Attorney has also reviewed the agreement. He would like this added to the agenda under his report. Motion made by Alderman Gass, seconded by Alderman Nemeth to add this to the agenda under the City Administrator's report. A voice vote was taken with an affirmative result.

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

Minutes

A. Regular meeting on March 17, 2020.

Motion made by Alderman Adams, seconded by Alderman Stolter to approve the minutes of the regular meeting on March 17, 2020. A voice vote was taken with an affirmative result and Mayor Myers declared the motion carried.

Mayor's Report

COVID-19 – Mayor Myers stated he received an update from Franklin County Health Department today and Pacific has 4 cases. He read the statistics for other cities also, with a total of 57 for the county. There have been 3 deaths in the county. This is a very unfortunate thing, but it appears the social distancing is working. Chief Mansell stated he wanted to clarify; the 4 cases in Pacific are with a Pacific zip code. There are 2 in the city limits. Those statistics are all by zip code.

a. Appoint Don Graham to the Planning & Zoning Commission

Motion made by Alderman Adams, seconded by Alderman Stotler to approve Don Graham to the Planning & Zoning Commission. A voice vote was taken with an affirmative result.

e. Appoint Thomas Miles to the Planning & Zoning Commission

Motion made by Alderman Johnson, seconded by Alderman Gass to approve the appointment of Thomas Miles to the Planning & Zoning Commission. A voice vote was taken with an affirmative result.

New Bills

Bill No. 4099 An Ordinance amending the General Penalty Provisions for the City of Pacific.
(1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4099 for the first reading by title only.

Bill No. 5000 An ordinance providing that the Mayor may cancel regular meetings. *(1st reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5000 for the first reading by title only.

Bill No. 5001 An Ordinance amending the duties of the Park Board. *(1st reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5001 for the first reading by title only.

Bill No. 5002 An ordinance amending the procedure to enact ordinances in the City of Pacific. *(1st reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5002 for the first reading by title only.

Bill No. 5003 An Ordinance amending the duties of the Tourism Commission. *(1st reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5003 for the first reading by title only.

Bill No. 5004 An Ordinance establishing regulations for the prevention of the introduction and proliferation of the COVID-19 Virus in the City of Pacific. *(1st reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5004 for the first reading by title only. Board members stated they would like the Bill read for the second time at this time.

Consideration of Bills Previously Introduced

Bill No. 5004 An Ordinance establishing regulations for the prevention of the introduction and proliferation of the COVID-19 Virus in the City of Pacific. *(2nd reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5004 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Nemeth, seconded by Alderman Gass to approve Bill No. 5004. 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. 5004 passed and becomes Ordinance No. 3188.**

New Bills

Bill No. 5005 An Ordinance Providing Certain Relief to Bars and Restaurants in the City of Pacific. *(1st reading)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5005 for the first reading by title only. Mayor Myers asked for any discussion. Alderman Adams asked if Administrator Roth would be contacting the businesses. Administrator Roth stated he thought the notice would be hand delivered. Chief Mansell asked for clarification that this means no cups and only package liquor. Attorney Jones stated that was correct, it could not be taken out of its original container.

Board members asked for the second reading at this time.

Consideration of Bills Previously Introduced

Bill No. 5005 An Ordinance Providing Certain Relief to Bars and Restaurants in the City of
Board of Aldermen 4-7-2020

Pacific. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5005 by title only for the second reading. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 5005. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon, Mayor Myers declared **Bill No. 5005 passed and becomes Ordinance No. 3189.**

Bill No. 5001 – Alderman Johnson stated she would like to bring up an amendment regarding this bill. Under Section 1 paragraph A she would like to see the last line deleted “the Park Board shall have the power to purchase or otherwise secure ground to be used for the City parks”. Attorney Jones stated this is based on RSMO Section 90 which is a different Park Board. We don’t have this kind of Park Board, but this section was included in the previous code. The first line of this paragraph explains when this would happen for clarity. It only applies if we had a statutory Park Board, which we don’t. This paragraph is for an “annual tax” to be levied, we have a sales tax. Alderman Adams asked if the line could be changed to read “recommend to purchase”. Alderman Johnson stated she would be okay with that. Administrator Roth stated reference to Section 140.100 Section A he agreed with Attorney Jones, the City does not have a Statutory Park Board. He would suggest removing the entire section. He believes that some thought the park tax that was just passed, would be a “use” tax and this would apply, but it does not. Alderman Johnson rescinded her motion.

Motion made by Alderman Gass, seconded by Alderman Nemeth to follow the advice of the City Administrator and remove Section A in its entirety. A voice vote was taken with an affirmative result. Mayor Myers declared the motion carried.

Consideration of Bills Previously Introduced

Bill No. 4097 An Ordinance amending Chapter 420, Floodway and Floodway Fringe Districts in the City of Pacific (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4097 for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Gass to approve Bill No. 4097. 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 **Bill No. 4097 passed and becomes Ordinance No. 3181.**

New Business

Resolution No. 2020-18 A Resolution amending the City of Pacific fiscal year 2020 budget to provide for certain reductions in staffing levels.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-18 by title only. Mayor Myers asked for any discussion. Alderman Adams stated the first few lines in Section 1 imply that we are prepared to eliminate a position of officer. He suggested if an officer leaves that we don’t replace them, but was concerned that eliminating the position had a different meaning. Alderman Adams continued he also didn’t like the word “elimination” for the Parks Superintendent. He agreed not to fill the position at this time, but not eliminating it. Mayor Myers stated it was being eliminated from the proposed new budget. Alderman Adams understood, but suggested they remain in the budget with a salary of zero. Administrator Roth understood, and stated the intent was not to fill the position. Alderman Adams was ok with keeping the positions but just not budgeting for them. Collector Kelley was concerned about the

Prop P funds, as she understood that if we didn't keep the same number of officers the revenue will be reduced. Administrator Roth stated the formula was based on the level of officers, and he was told it wasn't subject to change. He understood a hiring freeze would not affect it.

Motion made by Alderman Nemeth, seconded by Alderman Johnson to remove the resolution as it seems unnecessary and kill it. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Motion made by Alderman Adams, seconded by Alderman Nemeth to budget a salary of zero for the Parks Superintendent and the Officer position with the new budget. A voice vote was taken with an affirmative result.

Resolution No. 2020-19 A Resolution of the City of Pacific, Missouri adopting the 2020-2025 St. Louis Regional Hazard Mitigation Plan.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-19 by title only. Mayor Myers asked for any discussion. Motion made by Alderman Gass, seconded by Alderman Rahn to approve Resolution No. 2020-19. A voice vote was taken with an affirmative result. and Mayor Myers declared the motion carried.

Resolution No. 2020-20 A Resolution accepting and authorizing a proposal for the purchase and installation of certain telephone equipment and services for the City Hall and Police Departments.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-20. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Resolution No. 2020-20. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

City Administrator Report

a. COVID-19 operations update

Administrator Roth stated the City Hall lobby was closed by March 23rd if not sooner. Shut-off fees and late fees have been waived. The residential occupancy program has been suspended. Inspections are being done by appointment and meetings with the contractors are by appointment. Staff recognized the need to observe the social distancing guidelines. Initially we had staff reduction with working one day then off, but everybody at City Hall is back to full time now. Those that can work from home are doing so. The Public Works Department is operating out of the Maintenance Building and the Red Cedar. The intent is to keep crews segregated. They are also limiting themselves to one employee in the vehicle. He felt like staff was doing a good job keeping things operating. To pay any bills residents are asked to use the drop box in front of City Hall. There is a bigger one now. We have online capabilities also. He feels like the public has been very cooperative and has not heard any complaints. There is an incredible amount of information on employment practices being sent to us and we are trying to stay tuned the best we can. The Corona Virus Recovery Act is changing daily on how this relates to employees. We also filled out the Declaration request for Public Assistance. We are tracking our costs and will submit to them. The Zoom meetings seem to be working well. When this started, nobody could work from home. He gave credit to Arch Tech, as they had City Hall employees set up to work from home in a day, if the employee already had internet access. The Board approved the phone solution tonight. The new phones can literally go anywhere with the employee. The handsets can go home with them if needed. This was a much needed improvement. Chief Mansell stated he is keeping as many employees out of the station as possible. Dispatch is on lock down and the officers are rotating. This is very serious. Public Works

Commissioner Brueggemann stated the guys were separated. Brush is being picked up; they are cutting grass, and working at Jensen's Point. Director Kopp stated they are following an abbreviated staffing schedule also, including working from home. Generally they are in the office on Tuesdays and Thursdays. Plan review is still coming in. Gary is in the field working remotely. Staff is operating, just in a different way. Alderman Gass had some concerns about the occupancy inspection program and people still moving in and smoke detectors not being checked, etc. Mayor Myers stated it was under his order that we did not send employees into the homes. However, we are keeping track of the addresses so we can follow up when this is over. Attorney Jones stated this has been asked about before, the City has sovert immunity under the Declaration. He would agree keeping a list is a good practice. Alderman Johnson stated there are numerous seniors that are out of their homes. She asked that a list of properties that are in violation for grass be sent to the Aldermen. If the Aldermen know there is a circumstance, there may be ways of reaching out to get the grass cut. Director Kopp stated he would put this list together. Mayor Myers agreed and stated this was a time for neighbors helping neighbors. Alderman Nemeth agreed stating since the court date is so far out now, this allows more time for them to become compliant. Director Kopp stated once the 10 day letter is sent out, if the violation is not corrected in that time period the City contractor remedy's the tall grass.

a. 2020 Project List

Hogan Storm water is under contract. The pre-construction meeting has not been scheduled yet, but they are on target to start in May.

Bigfoot Plaza is also under contract. They are scheduled to start in May.

Osage Street waterline is out to bid and will open April 14, 2020.

Viaduct project we are waiting on MoDot still. He will follow-up with them.

Lisa Lane – Public Works Commissioner Brueggemann stated the fill is in and the storm pipe.

Red Cedar – Administrator Roth stated the architect is under contract and the first invoice came this week. The total contract is \$ 174,000 to be billed in ten increments. He has concerns about moving forward due to the budget. There is \$ 50,000 scheduled to come from Tourism. He believes Tourism will take a hit due to the COVID. Alderman Adams stated he thought we should only be spending money on essentials and if they are not under contract the project should be put on hold until a better time. Discussion followed.

Motion made by Alderman Gass, seconded by Alderman Adams to suspend the Red Cedar Project and any other project that is not under contract. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Trail Bridge – Mayor Myers stated that tonight the Board took this off the agenda, but the City could be losing the bridge over Brush Creek potentially. Alderman Nemeth stated he had concerns about this project, there are no written commitments for the in-kind work, and he didn't think the engineering amount of \$ 22,000 was very much. Mayor Myers stated we needed the engineering authorized to see what the bridge comes in at. The number of \$ 150,000 came from Great Rivers Greenway. Alderman Adams stated in 2008 when he sat in the Mayor's seat there was a recession, and it took our nation 10 years to climb out of it. We immediately cut where we could at that time. His experience tells him to be nervous about this. He is going to ask administration for the second time where those cuts are coming from. Income is going to be less and he suggested staff look at three years before the 2008 recession and

3 years afterwards. He believes this will be a greater recession than before. Alderman Johnson stated we also had the flood then. She also agreed that Red Cedar needed to be put on hold. She questioned if we should continue with Bigfoot. Mayor Myers stated there is a \$ 150,000 from the State for this bridge that could be lost if this is not done by December. It doesn't seem like a lot to pay for the engineering to get this done, and the City then received the bridge. Alderman Adams stated in 2008 there was not one employee laid off. He suggested an Administration meeting be scheduled to look at budget items. Administrator Roth stated he has been doing budget work, as it is time to plan for the new budget.

Motion made by Alderman Adams, seconded by Alderman Nemeth to disburse any new projects and no new spending without Board approval. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Alderman Adams stated it was important to keep personnel. The next budget is going to be difficult to pin down the impact with the numbers. Alderman Adams stated it was important for the Aldermen to meet with the Administrator to be a part of this cutting. Alderman Johnson suggested another Zoom meeting to do this. **Alderman Adams suggested instead of an Administration Meeting a Special Board of Aldermen meeting. Board members agreed that was a better form.**

Electronic sign – Alderman Adams asked that the improvements of the larger sign be suspended. Mayor Myers stated that has been stopped. There was discussion if the Bigfoot project could be suspended. Mayor Myers was unsure, but would speak with them. They are under contract already, and knew they were still preparing the truck.

b. Industrial Drive storm water study

Administrator Roth stated this is at Candlewick and Industrial Drive. They are cleaning the north ditch along Industrial Drive; the entire drainage is under sized. He reminded the Board HR Green was under contract for the storm water planning and would be folding that into the Master Plan.

c. Red Cedar grant writing report

The consultant for this is not available. There are a lot of opportunities out there, but it is beyond our own capability. He thought a Neighborhood Assistance Tax Credit Program would be an excellent tool for this area. It does require a non-profit become involved.

Dan Rahn – Administrator Roth stated Dan has taken a position with the City of Wildwood. The City uses his services for a Certified Floodplain Manager. He was also working on Hogan Storm Water and Lisa Lane, but someone else from his firm has taken over those projects. Mayor Myers recommended we reach out to Bill Hart; he has done extensive grant writing.

CDBG Award – The funding agreement was received today. This provides for up to \$ 558,000 to be used as matching funds in the City's Phase 2 flood buyout program. FEMA is paying 75% of the project costs with CDBG picking up the remaining 25%. **Motion made by Alderman Gass, seconded by Alderman Stotler to approve the CDBG Award. A voice vote was taken with an affirmative result. Mayor Myers declared the motion carried.**

Director of Community Development Report

Director Kopp stated the numbers he will be reviewing are from March 3rd. There have been 25 new building applications, 13 occupancy permits and 65 inspections done. Code Enforcement has sent out 34

violation letters and 23 of them were for derelict vehicles.

611 E. Osage – this was the log splitting business, they met with the property owner and it is being cleaned up.

303 E. Union – was the yard with the large hole, this was filled in.

There was a visit from the Associated Press Conference and they were taken on a tour of the town. This was a very positive meeting.

Highland house – is in court and the owner has representation

620 W. Union – was cited for dumpsters

City Attorney Report

Attorney Jones stated there was nothing to report.

Public Works Commissioner Report

PW Commissioner Brueggemann stated the CIPP sewer cleaning project was completed. This was a good job and much needed. Long View Subdivision sewers were started today. Alderman Nemeth asked about the fire hydrant at Viaduct & Thornton. PW Commissioner Brueggemann stated we were waiting on parts for it and they just came in.

Miscellaneous

a. Approve Pay Application No. 2 in the amount of \$ 10,705.50 for the Lisa Lane project to K.J. Unnerstall.

Motion made by Alderman Nemeth, seconded by Alderman Gass to approve the invoice from K.J. Unnerstall for the Lisa Lane Project in the amount of \$ 10,705.50. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Approve the Land & Lot delinquent list and the Personal Delinquent List as per Statute 94.320.

Motion made by Alderman Rahn, seconded by Alderman Nemeth to approve the Land and Lot Delinquent List and the Personal Delinquent List as per Statute 94.320. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Reports of City officials

Alderman Nemeth – Thanked the residents for watching on Facebook.

Alderman Adams – Nothing to report.

Alderman Rahn – Asked that once this is all over the City recognize former Alderman Mike Pigg. Mayor Myers and Board members agreed.

Alderman Gass – asked that prices be obtained for chipping & sealing and patching for Payne Street, Summit Park, and there are a number of other streets that need patched and oiled. He thought a plan should be put together. Administrator Roth stated Cochran put together a recommendation of streets but the Board removed it from the agenda tonight. Mayor Myers stated the Board also removed all projects. Alderman Gass stated the City crews can do this work, and staff can put together the streets and a bid document. Alderman Johnson stated she didn't want chip and seal. Alderman Gass stated Jefferson

County redid some streets with chip and seal and they did a good job. Alderman Adams stated in this time we all need to have an open mind. He suggested Alderman Gass take some of the Aldermen around and show them what a good job of chip and seal looks like.

Water pump station – Alderman Gass asked if City crews were checking on the android. PW Commissioner Breuggemann stated he will look into it.

Alderman Gass stated the bridge over the railroad tracks needs cleaned and sealed also.

Alderman Johnson – asked for a Moment of Silence for former Alderman Mike Pigg. She served with him for 10 years. She thought he gave the profile of a bully but he had the heart of a teddy bear. He was always concerned about the residents, and very caring. At the end of the meeting she would like a Moment of Silence.

Alderman Johnson stated we are living history now, and the Genealogy & Historical Museum are collecting information about the COVID-19 and working towards documenting this event.

Alderman Stotler – stated the Zoom meeting worked well. He wanted to add that in the past, the average recession lasts about 22 months. This problem is health, not financial. He thought everyone was doing a good job.

Chief Mansell – stated this COVID-19 is very serious and warned people to be prepared and do what they can to stop it from spreading.

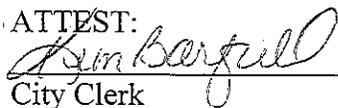
Collector Kelley – thanked the Chief and the Police Department for supporting her family recently.

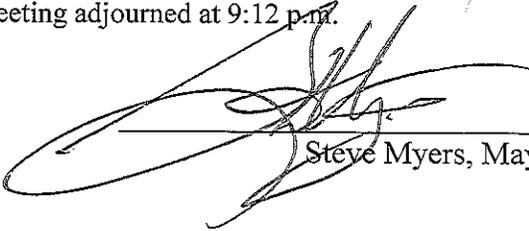
Mayor Myers asked for a Moment of Silence in honor of the former Alderman Mike Pigg. He continued that Mike & Jill are members of a jeep club and those folks got together and did a procession over the weekend. There were more than 80 jeeps in the line and probably another 80 vehicles after that. Once COVID is over we will do something deserving for Mike and his family. A Moment of Silence was taken.

Adjournment

There being no further business, motion by Alderman Adams, seconded by Alderman Nemeth to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 9:12 p.m.

ATTEST:


City Clerk


Steve Myers, Mayor

