



September 1, 2020 * 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 7:05 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 Frick
Alderman Johnson

A quorum was present.

Also present: Administrator Roth
Attorney Jones
Captain Locke
PW Commissioner Brueggemann
Collector Kelley
Deputy City Clerk Hayden

Director Kopp

Pledge of Allegiance

The Pledge of Allegiance is given.

Prayer

Pastor Greg Sitton offered prayer this evening.

Approve Agenda

Motion made by Alderman Nemeth asking to add Item C Red Cedar under City Administrator Report. Seconded by Alderman Adams. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Administrator Roth stated that on the dais is a special event permit that came in today from Walsh Real Estate Team. He would like this placed under Miscellaneous as Item D. Motion made by Alderman Nemeth, seconded by Alderman Adams to place this under Miscellaneous as Item D. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

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

Minutes

- A. Regular meeting on August 18, 2020.

Motion made by Alderman Adams, seconded by Alderman Frick to approve the minutes of the regular meeting on August 18, 2020. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Participation

- a. Route 66 Association proposal – Mayor Myers stated we have asked the City Attorney to draft this proposal. Attorney Jones stated that the change he made was to provide temporary possession of the sign rather than a transfer of ownership. He feels that the City should remain owners of the sign at all times. Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the revised Route 66 Association proposal. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- b. Officer Kelly and Sergeant Backues recognition – Captain Locke stated on August 8, 2020 Officer Kelley and Sergeant Backues responded to a call for a subject at the railroad tracks walking too close to the tracks. Upon their arrival, they found a 16 year old male too close to the tracks. Due to their interaction with him, the subject moved back. They were out there a long time with this male, humanizing the situation. Later on Captain Locke received an email stating that the interaction with this teenager, who has autism and was truly terrified of police, changed this teen’s life. He now refers to them as friends. They are two of the few people that can make contact with this individual and he not be scared due to his special needs. Captain Locke choose to write a letter of appreciation for both Officer Kelly and Sergeant Backues for their great work out on the street. Also present were members of the All Abilities Athletic Family Group stating

that because of the interaction with Jeremy and the officers, the officers are now the face and the voice of the safe person for the City of Pacific.

- c. Approve the appointment of Dennis Oliver to the Meramec Valley Historical Museum and Genealogy Committee – Mayor Myers stated Mr. Oliver is on his way and will appoint him when he arrives.

Mayor Myers stated that we do have speakers tonight in the audience.

Keith Fryer (Clayton Engineering) representing Plaze Manufacturing stated he is here to present a subdivision plat to create a future expansion of this property. Mayor Myers stated we will be discussing this under new bills this evening.

Robert McBride, 14500 S. Outer 40, Town & County, MO stated he is here to answer any questions regarding Bill #5042.

Mark Davis, 119 Phelan St., Pacific, MO thanked everyone for the work on Phelan St. but has a few problems. He called Public Works Com. Brueggemann Friday morning asking how they decide where to put the manholes. Mr. Brueggemann stated they normally put them in a low spot. The problem is they put a manhole in his yard which is a high yard. Feels this will be a problem down the line. Mayor Myers stated they will definitely look into this and thanked Mr. Davis for bringing it to his attention. Mr. Brueggemann explained all the work that has been done so far. Decision was made that Mayor Myers will give him a call tomorrow and set up a time to come out and look. Alderman Adams and Alderman Johnson would also like to be present for the meeting.

Dennis Oliver arrived. Motion made by Alderman Adams, seconded by Alderman Nemeth to accept the appointment of Dennis Oliver to the Meramec Valley Historical Museum and Genealogy Committee. A voice vote was taken with an affirmation result, and Mayor Myers declared the motion carried. Mayor Myers issued the oath of office.

New Bills

- a. Bill No. 5042 An Ordinance Providing for the approval of a Final Plat of Resubdivision of Lot 1 Engelhart Industrial Park, a tract of land zoned "M-1" Light Industrial located at or about 1000 Integram Drive Franklin County Parcel ID# 19-2-10.0-0-039-019.100 in the City of Pacific (1st reading)

Alderman Adams stated he would like to sponsor Bill No. 5042. All in agreement. As posted pursuant to the ordinance, Mayor Myers read Bill No. 5042 by title only for the first reading.

Consideration of Bills Previously Introduced

- a. Bill No. 5036 An Ordinance revising the required qualifications for City Marshal. *(2nd reading) (Sponsor: Nemeth)*

Mayor Myers read Bill No. 5036 for the second reading by title. Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Bill No. 5036. Roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Nemeth. Nays None. Whereupon Mayor Myers declared the motion carried and **Bill No. 5036 becomes Ordinance No. 3220.**

- b. Bill No. 5037 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain Real Estate property at 506 South First Street (Franklin County Parcel ID 19-1-12-04-003-238-000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. *(2nd reading) (Sponsor: Nemeth)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5037 by title only for the second reading. Administrator Roth requested that Bill Nos. 5037, 5038 and 5039 be tabled tonight awaiting an environmental review report to be cleared by Missouri Department of Economic Development. Motion made by Alderman Adams, seconded by Alderman Nemeth to table Bill Nos. 5037, 5038 and 5039. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- c. Bill No. 5038 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain Real Estate property at 321 East Orleans Street (Franklin County Parcel ID 19-1-12-04-004-149-000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. *(2nd reading) (Sponsor: Rahn) (Tabled 9/1/20)*
- d. Bill No. 5039 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain Real Estate property at 422 South Third Street (Franklin County Parcel ID 19-1-12-04-003-228-000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. *(2nd reading) (Sponsor: Rahn) (Tabled 9/1/20)*
- e. Bill No. 5040 An Ordinance amending the Fiscal Year 2020-21 Wage & Salary Schedule for appointed officials and employees of the City of Pacific. *(2nd reading) (Sponsor: Nemeth)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5040 by title only for the second reading. Motion made by Alderman Adams, seconded by Alderman Rahn. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Nemeth. Nays: None. Whereupon Mayor Myers declared the motion carried and **Bill No. 5040 becomes Ordinance No. 3224.**

- f. Bill No 5041 An Ordinance approving a petition for voluntary annexation filed by St. Louis Skeet and Trap Club regarding certain property contiguous and compact to the City of Pacific, Missouri and generally located at 18854 Franklin Road; annexing said property to the City; authorizing other actions in connection with such annexation, and repealing conflicting ordinances. *(2nd reading) (Sponsor: Rahn)*

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5041 by title only for the second reading. Alderman Nemeth asked if this would conflict with any ordinances we have regarding firearm usage. Attorney Jones stated that when the City annex's unincorporated property, the City inherits the zoning and regulations in which the property is located. Motion made by Alderman Adams, seconded by Alderman Nemeth to have the case law be attached to this Bill for future reference. Motion made by Alderman Nemeth, seconded by Alderman Adams to approved Bill No. 5041. A roll vote was taken with the following results: Ayes: Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Nemeth, Alderman Adams. Nays: None. Whereupon Mayor Myers declared the motion carried and **Bill No. 5041 becomes Ordinance No. 3225.**

New Business

- a. **Resolution No. 2020-40 A Resolution accepting the ownership and maintenance of Public Road and Street Improvements constructed by the Developer of Bend Ridge Estates Subdivision. (Tabled from 8-18-20)**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-40 by title only. Mayor Myers asked for any discussion. Discussion followed. Mayor Myers suggested leaving this on the table until all the information in question is provided. Motion made by Alderman Adams, seconded by Alderman Nemeth to have discussion items on existing subdivisions and new code provisions for future on next City Attorney Report. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- b. **Resolution No. 2020-44 A resolution to authorize the Transfer of Funds from the City's Capital Improvements Sales Tax Fund to the City's Parks & Storm Water Fund to pay expenses related to certain Capital Improvements projects in the City of Pacific.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-44 by title only. **Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

City Administrator Report

a. Voluntary Flood Buyout Program update

Administrator Roth stated we were making great progress on the buyout program, but have hit a snag. There are two sets of funding. One comes from FEMA and the other Missouri Department of Economic Development. CBG was awarded after the initial FEMA award and has its own set of requirements which would be an environmental review. The environmental review is not complete and CBG has required us to stop or pause until we get the environmental done. This will be published in the Missourian tomorrow and is going to be a public hearing. This will cause about a 2 week delay.

b. Budget Report

Administrator Roth stated he did not have a detailed budget report for them today. The City Clerk has been out of the office for the past several days. We did get a very good gross receipts payment recently that was a good sign. In general, we really feel like our budget is kind of silicified if you will. We were very concerned with the May/June timeframe in particular. The numbers are actually looking pretty good. We feel a little bit more confident. It is still a period of great uncertainty, but is looking like we are in a pretty decent spot. We would not want to lift any type of hiring freeze and we are not spending any money that is not budgeted of course.

c. Red Cedar

We did enter into a contract with Patterhn Ives. They started on the design. The total contract cost is \$174,000. It was divided in 10 equal installments which is how we are going to be billed. We were billed for one month and that is when COVID hit and we put that project on hold. So we are under contract and the contract is still there. From a budget stand point, even though we feel better about the budget, putting \$17,000 in the General Fund with the budget right now would be tough. Alderman Nemeth stated that what we want to do first to help out is set an Administrative Committee meeting that Alderman Adams, Alderman Stotler, himself, City Clerk Barfield, Administrator Roth along with Patterhn Ives. How can we figure out how to get this done. To discuss the options at how to come up with the funds. Wants to set up this meeting on September 9 or 10. Administrator Roth to get back to them. Alderman Adams wanted to stress that the Administrative Committee is a recommending committee giving recommendations to the Mayor and the full Board. We will be looking at options. A working relationship between the committee, the Mayor and the Mayor's staff. Mayor Myers stated they had a great interaction about the City moving forward. He has been in talks with Bill Hart, President of Missouri Historical Preservation Society which is on a state wide level. When something historical becomes threatened, they step in and try and save it through grants, corporate sponsorships, etc. They have had a huge success record. Bill Hart is very experienced in grant writing. If we are looking for a new grant writer, this would be his recommendation.

Alderman Johnson suggested that Bryan Kopp also be at the Administration meeting. Discussion followed on different ideas. Motion made by Alderman Adams, seconded by Alderman Nemeth to find funding for Red Cedar and to conclude with the operations of Red Cedar that this be forwarded to the Administrative Committee. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Director of Community Development Report

Director Kopp stated since the last meeting they have had 27 permit applications, 17 residential occupancy, 1 commercial occupancy. Have had 65 inspections and 15 planned reviews conducted. Code Enforcement issued 27 citations. Inspector Waggoner responded to a house fire on August 25. No people injured and that structure has been tagged appropriately. Director Kopp and Officer Watson attended a free training seminar. Inspector Waggoner will attend the same tomorrow. It covers fire locking and commercial buildings. We are continuing to train up Officer Watson. We have been able to train him on occupancy inspections, which has expanded our operating capabilities. This was a great free opportunity for him to get some exposure to commercial buildings and fire blocking aspects and just some terminology about commercial construction.

Staff met with four different contractors to get bids for social media broadcasting cameras in the Council Chambers. Currently waiting on bids.

The HVAC contractor SMCI spent several days diagnosing why two occupied offices would not receive cooled air. It was determined that there were no leaks, the system was recharged, a few diffusers were removed and this has helped. Also discovered that one fan coil unit has an inoperable motor. The bid to replace is \$909. The RTU 2 has not been working and was turned off. This unit supplies fresh air into city hall. RTU 2 has a bad compressor, one bad condenser fan motor, the coil needs to be cleaned and it needs new filters. We have received a bid from SMCI for an HVAC Annual Maintenance Plan that is included in the packets. Director Kopp recommends the 12 month plan at \$7,900 to see how things go. The Board questioned why this was never maintained properly. Administrator Roth explained. We have used a different vendor in the past that was non-responsive. With staff turnover from years ago, there was really no one in the building who had the proper knowledge of how the system worked and how it should be maintained. He has had conversations with a couple of firms trying to get maintenance agreements. Sheet Metal Contractors out of DeSoto is the one who answered the call and was very responsive. Several months ago he had asked them for a maintenance agreement, and Sheet Metal Contractors said they are not there yet because there is more work to be done with the existing equipment we have. Question was asked about having this done locally. Administrator Roth does not know if the local vendors are certified for the system we have. **Motion made by Alderman Adams, seconded by Alderman Nemeth to move forward with this with the Board authorizing an agreement after doing the research to see if this can be done locally and if it can't, will enter into this agreement. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Director Kopp stated there are 4 missing screen windows at City Hall and are scheduled to be replaced September 9. New key blanks have been ordered and received. Will determine what keys to have cut for City Hall and PD doors.

Public Works Commissioner Report

Commissioner Brueggemann stated there is a concern that came into him regarding the October 3 ceremony at Adams's Garden. They are wanting an additional porta potty and a hand washing station. Motion made by Alderman Adams, seconded by Alderman Rahn to rent an additional handicapped porta potty and a hand washing station for the October 3, 2020 event at Adam's Garden. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

All the pipes and inlets are installed Hogan subdivision Phase I. The surveyor will be out next Wednesday and start surveying for the curbs. Payne Street and Lamar repairs will be starting tomorrow. They are about 2-3 weeks out for the overlays. Lamar and Payne should be done about the same time. Administrator Roth stated he just issued a notice to proceed with the contractor who is Echelon Paving which they pave the entire street at one time. The plan is to start early in the morning on Lamar starting at the southern end of the street at Rose Lane and will be shut down for 2-4 hours. Same thing with Payne. All the residents will be notified. He will inform the Board of what the exact plan is and the actual dates. The work that needs to be done on Congress will have to be done one lane at a time.

City Attorney Report

No report.

Police Department

Captain Locke stated that last month the Police Department conducted 162 traffic stops, arrested 52 individuals and made 280 new police reports. He wanted everyone to know that some of the helmet laws in Missouri have changed and that is why you may have seen some riding without helmets. Captain Locke wants to invite each of the Board members to the MIRMA specialized training for law enforcement on 9/22 and 9/23. You will be in and out most of the day. We will take calls from MIRMA simulating different scenarios.

Miscellaneous

- a. Approve Pay Application # 1 in the amount of \$75,411.00 for WWTF Blower installation, TGB Inc.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve. A voice vote was

taken with an affirmative result, and Mayor Myers declared the motion carried.

- b. Approve Change Order #2 in the amount of \$11,463.30 for Wastewater CIPP project Cedars and Hawthorne Subdivisions, Insituform Technologies.

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.

- c. Approve Pay Application #2 (FINAL) in the amount of \$67,196.82 for Wastewater CIPP project Cedars and Hawthorne Subdivisions, Insituform Technologies.

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.

- d. Approve Special Events Permit Application for Walsh Real Estate Team Corn Hole Tournament. A benefit for Truman Elementary on September 26, 2020 at 2 p.m.

Motion made by Alderman Nemeth, second by Alderman Frick to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Administrator Roth asked the Board to waive the application fee for this event. Motion made by Alderman Adams, seconded by Alderman Rahn to waive the fee. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Reports of City officials

Alderman Nemeth – the amount of UTV's and golf carts around down is starting to pick up which is very exciting. He thanked the Board for getting this passed for the citizens.

Alderman Adams – stated he had a complaint on South 5th Street by the PYA ball park that the new sign is not being enforced. Mayor Myers assured him it is being worked on and will get back to that person. Captain Locke will get some recommendations before the next Board meeting.

Alderman Rahn – No Report.

Alderman Frick – stated he has a letter of complaint about the lack of no parking signs on the upper section of W. Bellevue. Captain Locke will look into the past traffic study conducted to determine what the next step will be.

Alderman Johnson – No report but wanted to know the status of the swimming pool. Mayor Myers stated it will be closed after Labor Day.

Alderman Stotler – absent this evening but asked Mayor Myers to speak for him. A citizen from

the Cedars is wanting to know if there could be archery, to some extent, approved for the practicing of deer hunting in the subdivision. There was discussion. Do not feel it is safe for the subdivision but would consider possibly putting an archery range somewhere through in the parks master plan down the road.

Collector Kelley – Asked Commissioner Brueggemann if there was going to be work done on Phelan Street. He stated yes, curb and gutter.

Asked Attorney Jones what we have worked out with Public Water District #3 for she still shows that bill outstanding. Attorney Jones stated he has never received the final.

On the subject of weed abatements, Collector Kelley feels this needs to be talked about at a committee level to possibly put these back into the court system. She stated there are 32 of them, with 20 of the 32 being repeat offenders. This way it could be taken out of the special tax. Motion made by Alderman Adams, seconded by Alderman Nemeth to send this matter to the Administrative Committee to take out of special tax and put back into court system for collection to be set by the Chairperson for a later discussion. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Adjournment

There being no further business, motion by Alderman Nemeth, seconded by Alderman Frick to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 9:25 p.m.



Steve Myers, Mayor

ATTEST:


City Clerk

