



March 6, 2012 * 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 Adams. Meeting is held at Tri-County Senior Center at 800 W. Union St., Pacific, MO.

A roll call was taken with the following results:

Present at Roll Call: Mayor Adams
Alderman Arnette
Alderman Eversmeyer
Alderman Bates
Alderman Gass
Alderman Reed
Alderman Pigg

A quorum was present:

Also present: City Administrator Selby
Attorney Vogel
Asst. Chief Cook
Collector Kelley
Engineer Rahn
Public Works Commissioner Boedges
Planning & Zoning Secretary Cowsert

The Pledge of Allegiance was given.

Mayor Adams stated City Clerk Barfield was attending a conference for City business, and Chief Mansell was ill. Both will be back in attendance next month.

Mayor Adams thanked the Senior Center for the continued use of the building for all city meetings.

APPROVAL OF MINUTES

A. Regular Meeting- February 7, 2012

Motion by Alderman Reed, seconded by Alderman Gass to approve the minutes of the regular meeting held February 7, 2012. A voice vote was taken with an affirmative result and Mayor Adams declared the minutes approved 6-0.

PUBLIC HEARING

- A. A public hearing to consider an increase in sewer service rates and charges applicable to service provided by the City of Pacific.

Mayor Adams opened the public hearing for comment. There being no comments from the audience, he asked for comments from the board. Alderman Bates stated that he was not in support of this change, this was an increase of 65%, and residents are already struggling. He asked the board to consider phasing in the increase a little at a time, if this could not be done in phases he could not support this proposal. There being no further comments, Mayor Adams closed the public hearing.

PUBLIC PARTICIPATION-SPEAKER CARDS

Mayor Adams reminded everyone if they wanted to address the Board of Aldermen, for them to fill out a Speaker's Card, and they would be called upon. At the bottom of the card, it states speakers comments will be limited to five (5) minutes each.

Reverend Wilkens, Lighthouse Church, Ministerial Alliance, stated he would like to offer prayer this evening. Prayer was given.

Colton Harvey, Boy Scout Troup 462, Pacific, stated that he was looking for funding for a project that he is working on at the Pacific Youth Association Ballpark. His project consists of erecting a flag pole in the ballpark, but is in need of funding. The Eagles have donated the funds for the stone. The flag pole would be centered between fields 1 and 3. Attorney Vogel stated the City cannot donate funds, because this is on private property, City Administrator Selby suggested possibly providing the old flag pole that used to be at city hall. Attorney Vogel stated the city would need to post it for bid, and then if there are no bids, the city could donate it to the project. Attorney Vogel stated this should be posted for a week, but did not need to be advertised. Motion made by Alderman Gass, seconded by Alderman Pigg, that if there were no bids on the flag pole to authorize Administrator Selby to turn the flag pole over to Mr. Harvey for the project. Alderman Eversmeyer asked that other organizations also help with this project. A voice vote was taken with an affirmative response, and Mayor Adams declared the motion approved 6-0.

Al Heinermann, IESI Waste Services, 196 Northwest Industrial Court, Bridgeton, stated that he was present tonight to discuss the Recycling Revenue Program. By sharing the revenue 50/50, the City has brought in a total of \$ 11,044.95 in 2011. The City donates their portion to the Senior Center. There is a good working partnership between the City and the Company. He

presented a check for \$ 3,391.50 for the last 4 months of last year to Mayor Adams. He also presented the city with a Certificate of Recognition for going above and beyond supporting the Recycling Program. Mayor Adams then presented a check to IESI along with a check for \$ 250 from donations on the water bills. The city's portion of recycling this far in 2012 is \$ 1,259.34. Mr. Heinermann stated that the volume has not changed much, but the commodities have changed. He introduced Gary Gilliam of Resource Management. He stated the City of Pacific has been the fore front of the recycling and shared revenue program.

Gary Gilliam, Resource Management, 4375 Ryder Trail, Earth City, MO, stated the volume in 2009 for recycling was 9.41 tons, in 2011 the volume was 42.45 tons. He complimented the city for the great work of encouraging recycling and for the great job of sharing it with the Senior Center. He continued he was impressed with the Senior Center and this facility. He continued that commodity prices are constantly changing, and invited the city of Pacific to visit and tour their facility. Discussion regarding education programs for the schools was discussed, but that the kids need to be led by example. Alderman Reed asked if they have larger recycle containers available, and they do. Mayor Adams stated how important the partnership between the City, Residents, Senior Center and IESI is. He encouraged everyone to recycle and to add the extra dollar to the water bill when you pay it. He said there is more work to be done; he would like to have 100% participation in recycling and adding the dollar to the water bill.

Jim Tucker, 201 Candlewick, Pacific, stated there is still a big problem with trucks trying to use Candlewick. He said that Harlan Bruns and he for years tried to deter big trucks from using their street by placing the big rocks on the north corner. It has not worked as the rocks are now crushed and the road is broke up from the big trucks. Mayor Adams said they are still trying to come up with a solution to this problem. They thought about installing an island on Payne Street, this would divert traffic down Union, but now there are concerns about the strength of the bridge. The problem streets are Payne, Congress and Candlewick. The people on Payne Street have given up on truck traffic. Mr. Tucker stated that the truck that always comes through at 4:00 a.m. is an IESI truck.

MAYOR'S REPORT

A. IESI-Recycling Check

This was done earlier in the meeting.

B. Items in the Packet

Mayor Adams stated there was a story in the packets regarding the City of Wentzville. If Wentzville would have a state audit they would be given low marks. The difference between them and Pacific is understanding how government is supposed to work. Each branch of government does what it is supposed to do. Listen and take advice from the professional full-time people, the city administrator and city clerk.

Mayor Adams stated it has been brought to his attention that too many calls are begin made to the City Attorney and not everyone calling has the authority to do so. Mayor Adams has

instructed Attorney Vogel the only people authorized to call him are the City Administrator, City Clerk, Chief of Police & City Engineer. Anyone else will have to talk to Administrator Selby and he will make the determination if the city attorney needs to be contacted. Alderman Pigg asked if the City Collector could be added to the list. Mayor Adams agreed.

MISCELLANEOUS

A. Approve list of bills.

Motion made by Alderman Pigg, seconded by Alderman Eversmeyer to approve the list of bills. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

B. Approve petty cash.

Motion made by Alderman Reed, seconded by Alderman Bates to approve petty cash. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

C. Approve Saturday, April 14, May 12, June 9, September 8, 2012 from 10:00 a.m. – 1:00 p.m. for the Vaccination Clinic by Pacific Animal Hospital.

Motion made by Alderman Pigg, seconded by Alderman Gass to Saturday, April 14, May 12, June 9, September 8, 2012 from 10:00 a.m.-1:00 p.m. for the Vaccination Clinic by Pacific Animal Hospital. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. Alderman Pigg asked if this could be included with the mayor's letter.

D. Approve Application for Liquor License from D'Angelos Inc. Kristina Krauss, 101 E. Union Street, for sale by the drink & Sunday sales by the drink.

Motion made by Alderman Eversmeyer, seconded by Alderman Bates to approve application for Liquor License from D'Angelos Inc. Kristina Krauss, 101 E. Union St., for sale by the drink & Sunday sales by the drink. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-0. Abstain: Alderman Reed.

E. Schedule Bulky Trash Pick-up for the week of May 7, & May 14, 2012.

Motion made by Alderman Bates, seconded by Alderman Pigg to approve Bulky Trash Pick-up for the week of May 7 and May 14, 2012. City Administrator Selby stated there will also be Electronic Recycling at the Commuter Parking Lot on May 19, 2012. They will also be collecting canned goods for the Agape House. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

F. Approve Pay Application # 8 from J.E. Foster in the amount of \$ 577,304.19 to be paid from the Project Fund per Ordinance 2804.

Motion made by Alderman Eversmeyer, seconded by Alderman Arnette to approve Pay

Application # 8 from J. E. Foster in the amount of \$ 577,304.19 to be paid from the Project Fund per Ordinance 2804. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 5-1. Nays: Alderman Reed. Administrator Selby stated by the end of the month they hope to have the new dispatch area opened. The lighting on the outside of the parking area has been installed also.

G. Submission of Proposed Budgets for Viaduct & Osage CID's.

Mayor Adams stated there was no vote required for this.

CITY ADMINISTRATOR/CITY ATTORNEY RECORD

Administrator Selby, stated that Steve Null, Turf Services has informed him that he is going out of business. An ad will be placed in the paper for grass cutting bids. A determination will be made at that time whether to hire someone or to use city employees to cut the grass. Alderman Gass suggested talking to the prison about using them; we would have to pay them \$ 7.00 a day. Alderman Bates said that we need to make sure we include everything that we want cut and how often it will be cut.

City Engineer Rahn, requested approval for **Pay Application # 3 from Marschuetz Construction for the Highway N Improvements in the amount of \$ 59,624.45**. He stated their application was submitted late. Motion made by Alderman Gass, seconded by Alderman Pigg, to approve Pay Application # 3 from Marschuetz Construction in the amount of \$ 59,624.45. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

City Engineer Rahn, suggested a zoning change be sent to the Planning & Zoning Committee. In the C-1 zoning there are several R-1 uses in those areas. He would like to make it a mixed use area. Attorney Vogel stated that single-family is not allowed in C-1 areas. If this zoning change is made, existing areas would then conform to the zoning. Motion made by Alderman Gass, seconded by Alderman Eversmeyer to approve the zoning change to be sent to the Planning & Zoning Committee. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

Alderman Pigg, suggested that a different lighting company be used in the future when it comes to the street lights. He is constantly getting calls about the globes hanging and about to fall.

Alderman Reed, is concerned about the playground at the City Park as it is still holding water. Public Works Commissioner Boedges stated that they started working on it today. Alderman Reed asked him to let the Park Board President know when the work was completed. He also felt something needed to be done with the basketball courts. He suggested if they could not be repaired soon, that they be closed off. President Flannery stated there is \$ 25,000 allocated for capital improvements and since this court is used by several people every day, could this money be used. Alderman Gass suggested that Engineer Rahn develop specifications and proposals to the next meeting. Mayor Adams asked if there was lighting on the courts. Administrator Selby stated there has been a lot of red tape regarding the lighting at City Hall, but it might be possible

to use some of that money from the grant to install lights at the park. Motion made by Alderman Gass, seconded by Alderman Pigg to develop specifications and collect bids by the next meeting for the repair of the basketball court. A voice vote was taken and Mayor Adams declared the motion approved 6-0.

Alderman Gass, asked about the status of the sidewalk on East Congress.

Alderman Eversmeyer, stated that people still do not know about the ward changes that have been made. He is concerned about how to get the word out to the voters. Alderman Reed suggested the phone system, but Mayor Adams stated this was only to notify residents of emergencies.

Alderman Arnette, stated there is a Tourism Committee meeting on Monday at 1:00 p.m.

Stephen Flannery, Park Board President, stated that they have moved their meetings to the first Monday of the month until construction is complete. The Fishing Derby will be held on the 12th, the Easter Egg Hunt sponsored by the church will be April 7, 2012. A Sunrise Service will be held at Blackburn Park on April 8, 2012. President Flannery continued that he has been contacted by a Girl Scout Troop about planting some daffodil and tulip bulbs in the city park. They have approximately 1,400 bulbs to plant, and they will come back every year. There are some flower beds in the park, but they would not hold them all. He asked for any suggestions on where to plant them. Alderman Eversmeyer suggested some in Adam's Garden, and the entrance to the city park, Alderman Reed suggested the wedge, and the Senior Center. Mayor Adams suggested the entrance and exit ramps of the highway.

City Administrator Selby, Road & Bridge Committee, stated the recommendation from the Road & Bridge Committee is Alternative # 3. He continued that Claire McCaskill's office sent a representative to view the bridge. The county would apply for a Tiger Grant to cover the costs of the project at 100%, and her office is in support of the project. The county is requesting a letter from the Board of Aldermen in support of the project in order to apply for the grant. There was discussion regarding the different alternatives. Administrator Selby stated the Fire Department and School District would like to make sure the majority of it is out of the Floodplain. Alderman Gass, Alderman Reed, and Alderman Pigg prefer Alternative # 1. Mayor Adams asked them if they supported the county in their efforts with this project. Motion made by Alderman Gass, seconded by Alderman Reed to support the county in their effort, but not the route. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

INTRODUCTION OF NEW BILLS

BILL NO. 2841

AN ORDINANCE CREATING AND ESTABLISHING THE GENEALOGY COMMITTEE AND THEIR DUTIES FOR THE CITY OF PACIFIC, COUNTIES OF FRANKLIN AND ST. LOUIS, STATE OF MISSOURI. (1st reading)

Motion made by Alderman Pigg, seconded by Alderman Eversmeyer to approve the first reading

of Bill No. 2841. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

CONSIDERATION OF BILLS PREVIOUSLY INTRODUCED

BILL NO. 2840

AN ORDINANCE AMENDING CHAPTER 700 OF THE MUNICIPAL CODE TO INCREASE DEPOSITS AND USER CHARGE RATES (2nd reading)

Motion made by Alderman Eversmeyer, seconded by Alderman Gass for the second reading of Bill No. 2840. As posted pursuant to the ordinance, Attorney Vogel read Bill No. 2840 by title only for the second reading. Alderman Bates stated he would like to see the board phase the increase in. Alderman Reed asked if it could be postponed for 30 days to discuss further. Administrator Selby stated the surrounding cities are charging a higher cost; this does not affect non users, and Brush Creek fee's increase with the cost of living. Discussion followed. Mayor Adams stated this has been well advertised, there was a public hearing, it was in the Missouriian and the current, and included with the letter that was sent to each resident. A decision needs to be made tonight. Alderman Bates stated there has never been any discussion on how we might be able to cut costs or any alternative measure on how to save money. Alderman Reed agreed with Alderman Bates and said that the out of district rates should be raised. Mayor Adams stated that Brush Creek users have been paying more than city residents all along, and we needed to deal with the hand that was dealt us. We are not fooling the people when their bills keep increasing gradually over time. The audit wants us to be in line with our expenses. Administrator Selby stated the water and sewer study that was completed by Missouri Rural Water showed an increase of \$ 4.98. Mayor Adams stated we know our rates are low, and finances would have eventually caught up to us. A roll call vote was taken with the following results: Ayes: Alderman Eversmeyer, Alderman Gass, Alderman Pigg, Alderman Arnette. Nays: Alderman Bates, Alderman Reed. Whereupon, Mayor Adams declared Bill No. 2840 approved 4-2, and it became **Ordinance # 2820**.

BILL NO. 2841

AN ORDINANCE CREATING AND ESTABLISHING THE GENEALOGY COMMITTEE AND THEIR DUTIES FOR THE CITY OF PACIFIC, COUNTIES OF FRANKLIN AND ST. LOUIS, STATE OF MISSOURI. (2nd reading)

Motion made by Alderman Pigg, seconded by Alderman Arnette for the second reading of Bill No. 2841. As posted pursuant to the ordinance, Attorney Vogel read Bill No. 2841 by title only for the second reading. A roll call vote was taken with the following results: Ayes: Alderman Arnette, Alderman Eversmeyer, Alderman Bates, Alderman Gass, Alderman Reed, Alderman Pigg. Nays: none. Whereupon, Mayor Adams declared Bill No. 2841 approved 6-0 and it became **Ordinance No. 2821**.

UNFINISHED BUSINESS

BILL NO. 2817

AN ORDINANCE EXTENDING THE CORPORATE

**LIMITS OF THE CITY OF PACIFIC, FRANKLIN
ANNEXING SPECIFIED UNINCORPORATED
TERRITORY CONTIGUOUS AND ADJACENT TO THE
EXISTING CORPORATE LIMITS OF THE CITY. (1st
reading)**

Mayor Adams stated this would be continued.

NEW BUSINESS

**RESOLUTION NO. 2012-10 A RESOLUTION AUTHORIZING THE
EXECUTION OF THE MISSOURI
HIGHWAYS TRANSPORTATION ROAD
RELINQUISHMENT AGREEMENT AND THE
CITY OF PACIFIC.**

Mayor Adams stated this would be continued.

**RESOLUTION NO. 2012-14 A RESOLUTION AUTHORIZING THE
TRANSFER OF FUNDS FROM THE
CAPITAL IMPROVEMENTS SALES TAX
FUND TO THE LEASEHOLD REVENUE
BOND FOR THE BOND PAYMENT.**

As posted pursuant to the ordinance, Attorney Vogel read Resolution No. 2012-14 by title only. Motion made by Alderman Bates, seconded by Alderman Eversmeyer to approve Resolution No. 2012-14. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

**RESOLUTION NO. 2012-15 A RESOLUTION OF THE CITY OF PACIFIC,
MISSOURI, STATING INTENT TO SEEK
FUNDING FOR IMPROVEMENTS TO HWY
N PHASE 3 STREET IMPROVEMENTS
PROJECT.**

As posted pursuant to the ordinance, Attorney Vogel read Resolution No. 2012-15 by title only. Motion made by Alderman Pigg, seconded by Alderman Arnette to approve Resolution No. 2012-15. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0. Administrator Selby stated that the city will be applying for a grant from Franklin County to cover the city portion. Alderman Gass stated he would like to see the improvements, but is concerned if the city can afford it. Mayor Adams stated this is just to apply for the grant.

**RESOLUTION NO. 2012-16 A RESOLUTION AUTHORIZING
EXECUTION OF A PROFESSIONAL
SERVICES CONTRACT WITH STREILER**

**PLANNING, LLC FOR PROFESSIONAL
CONSULTING SERVICES FOR THE CITY.**

As posted pursuant to the ordinance, Attorney Vogel read Resolution No. 2012-16 by title only. Administrator Selby stated that Todd Streiler has previously worked for the city doing this type of work. He would be preparing the Master Plan as well as Planning & Zoning. He would be paid from the deposit that is collected from the applicant for Planning & Zoning areas, and the Master Plan would be paid from the city. He continued Engineer Rahn does not have enough time to devote the time needed to Planned Unit Developments along with his other responsibilities. Alderman Bates thought that Mr. Streiler was an excellent choice. Alderman Reed suggested monitoring the amount of money paid to him over the next year to make a determination if we need someone full time. Administrator Selby reiterated that he would only be paid from the deposits by the applicants or when he is working on the Master Plan. Motion made by Alderman Gass, seconded by Alderman Reed to approve Resolution No. 2012-016. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

RESOLUTION NO. 2012-17

**A RESOLUTION OF THE CITY OF PACIFIC,
MISSOURI, STATING INTENT TO SEEK
FUNDING FOR IMPROVEMENTS TO OLD
GRAY SUMMIT ROAD PHASE 2 STREET
IMPROVEMENT PROJECT.**

As posted pursuant to the ordinance, Attorney Vogel read Resolution No. 2012-17 by title only. Motion made by Alderman Arnette, seconded by Alderman Pigg to approve Resolution No. 2012-17. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

MISCELLANEOUS BUSINESS

TOURISM EXPENSES

- A. Approve invoice from U.S. Grant Trail in the amount of \$ 1,500 to be paid from the tourism funds.

Motion made by Alderman Reed, seconded by Alderman Pigg to approve the invoice from U. S Grant Trail in the amount of \$ 1,500 to be paid from the tourism funds. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion approved 6-0.

- B. Approve invoice from CBS Outdoor in the amount of \$ 550.00 to be paid from the tourism funds.

Motion made by Alderman Pigg, seconded by Alderman Arnette to approve the invoice from CBS Outdoor in the amount of \$ 550.00 to be paid from the tourism funds. Alderman Reed asked if it was worth the money we are paying and requested the tourism committee look into this. A voice vote was taken with an affirmative result, and Mayor Adams declared the motion

approved 4-2. Nays: Alderman Bates, Alderman Gass.

RECEIVED AND FILED

ADJOURNMENT

There being no further business, motion made by Alderman Pigg, seconded by Alderman Reed to adjourn. A voice vote was taken with an affirmative result and Mayor Adams declared the motion approved 6-0

The meeting adjourned at 9:05 p.m.

Herbert C. Adams, Mayor

ATTEST:

City Clerk