

Public Notice posted in accordance  
RSMO. 610 as amended

Date/Time Posted: Friday, May 1, 2020  
5:00 p.m.

By: Kimberly Barfield  
City Clerk

**CITY OF PACIFIC  
300 HOVEN  
BOARD OF ALDERMEN AGENDA  
REGULAR MEETING**

**TUESDAY, MAY 5, 2020  
7:00 P.M.**

**THIS MEETING WILL BE HELD VIA ZOOM VIDEOCONFERENCING. THE PUBLIC MAY VIEW OR  
LISTEN TO THE MEETING AT THE FOLLOWING:**

**<https://us02web.zoom.us/j/86254383633?pwd=ZTA1NDN2WldKQUhERTJEc240QVpXUT09>**

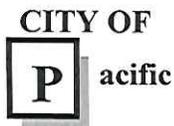
**THIS MEETING WILL ALSO BE BROADCAST LIVE ON THE CITY'S FACEBOOK PAGE:**

**<https://www.facebook.com/cityofpacificmunicipalgovernment>**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Prayer
5. Approve Agenda
6. Approve the Minutes from the Regular Meeting on April 21, 2020
7. Approve the Minutes from the Special Meeting on April 28, 2020
8. Mayor Report
  - a. Approve appointment of Jill Pigg to the Board of Adjustment.
9. New Bills
  - a. Bill No. 5006 An Ordinance revising the Policies and Procurement and Approval of purchases by the City of Pacific. *(1<sup>st</sup> reading)*
  - b. Bill No. 5007 An Ordinance amending the Fiscal Year 2019-20 Budget and Wage and Salary Schedule for appointed officials and employees of the City of Pacific. *(1<sup>st</sup> reading)*
10. Consideration of Bills Previously Introduced

11. New Business
  - a. Resolution No. 2020-25 A Resolution authorizing and directing certain actions relating to the operation of the City of Pacific Municipal Pool for the 2020 Season.
12. Unfinished Business
13. City Administrator Report
  - a. CID plans
  - b. Jensen Point Park video cameras project
  - c. Gilmore Bell engagement
  - d. Preventive Pavement Maintenance Program
  - e. Wastewater Lift 2 analysis / Brush Creek Sewer District
  - f. City Re-opening plans
14. Director of Community Development Report
15. Public Works Commissioner Report
16. City Attorney Report
17. Miscellaneous
18. Reports of City officials
  - a. Alderman Nemeth
  - b. Alderman Adams
  - c. Alderman Rahn
  - d. Alderman Gass
  - e. Alderman Johnson
  - f. Alderman Stotler
  - g. Chief Mansell
  - h. Collector Kelley
19. Adjourn

The Board of Aldermen will consider and act upon the matters listed above and such others as may be presented at the Meeting and determined to be appropriate for discussion at that time. The City of Pacific is working to comply with the Americans with Disabilities Act mandates. Individuals who require an accommodation to attend a meeting should contact City Hall (271-0500) at least twenty-four hours in advance.



April 21, 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/96623216725>**

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

Also present:

Administrator Roth  
Attorney Jones  
Chief Mansell  
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**

Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the agenda. A voice vote was taken with an affirmative result.

Board of Aldermen 4-21-2020

## Minutes

### A. Regular meeting on April 7, 2020.

Motion made by Alderman Stotler, seconded by Alderman Nemeth to approve the minutes of the regular meeting on April 7, 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 there was an update from Commissioner Brinker on Facebook. You can watch it by going to his page. He reported there have been 105 cases in Franklin County with ten deaths. Of those 105 cases 34 have fully recovered. In 12 days he predicts the County will open up certain businesses with social distancing and social seating still in place. He continued that the Police Department and the Ambulance Department were doing a great job.

## New Bills

### Consideration of Bills Previously Introduced

Bill No. 4099 An Ordinance amending the General Penalty Provisions for the City of Pacific.  
(2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4099 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Rahn to approve Bill No. 4099. 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. 4099 passed and becomes Ordinance No. 3183**

Bill No. 5000 An Ordinance providing that the Mayor may cancel regular meetings. (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5000 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Bill No. 5000. 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. 5000 passed and becomes Ordinance No. 3184.**

Bill No. 5001 An Ordinance amending the duties of the Park Board. (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5001 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. 5001. 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. 5001 passed and becomes Ordinance No. 3185.**

Bill No. 5002 An Ordinance amending the procedure to enact ordinances in the City of Pacific.  
(2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5002 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 5002. A roll call vote was taken with the following results: Ayes: Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: none. Whereupon, Mayor Myers declared **Bill No. 5002 passed and becomes Ordinance No. 3186.**

Bill No. 5003 An Ordinance amending the duties of the Tourism Commission. (*2<sup>nd</sup> reading*)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5003 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Gass, seconded by Alderman Adams to approve Bill No. 5003. A roll call vote was taken with the following results: Ayes: Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Gass. Nays: none. Whereupon, Mayor Myers declared **Bill No. 5003 passed and becomes Ordinance No. 3187.**

### New Business

#### **Resolution No. 2020-23 A Resolution to Accept Ownership and Maintenance of Public Water and Sanitary Sewer Improvements, Bend Ridge Estates Subdivision.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-23 by title only. Mayor Myers asked for any discussion. Alderman Adams asked if all the streets were completed. Public Works Commissioner Brueggemann stated they were, but this resolution was only for the water and sewer. We are not taking over the streets yet.

**Motion made by Alderman Gass, seconded by Alderman Adams to approve Resolution No. 2020-23. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

#### **Resolution No. 2020-24 A Resolution to authorize a Contract Award for Construction of Osage Street Water Main Replacement Improvements in the City of Pacific.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-24 by title only. Mayor Myers asked for any discussion. Alderman Gass thought this was a lot of money for a directional bore. Public Works Commissioner Brueggemann stated this is mainly under the sidewalk and next to the sewer. Alderman Gass stated if the City removed the sidewalks the contractor could open cut it and he suggested re-bidding the project with an open cut option. Mayor Myers stated he was worried about delaying the project. Administrator Roth stated the engineer is also on the zoom meeting, Rob with CM Archer Group, and he would like to hear from him. Rob stated the other issue of an open cut is the proximity to the retaining walls, it is very difficult to get equipment up there. Alderman Gass asked if the contractor has done this kind of job before. Rob stated that Gullet themselves have not as far as the bore, they hired Steve Kline who has done several projects with directional bore and he is their project manager. Alderman Nemeth stated he was concerned about the big swing in prices. Rob stated he spoke with the contractor and they were comfortable with their prices. Alderman Nemeth wanted to be sure his bid was accurate since there was such a significant difference. Administrator Roth stated if the Board awards the contract, once they sign and get their bonding they are contracted to do the work. Alderman Adams stated that our experience has taught us to be cautious, looking back at the chip-n-seal project and the Brush Creek Sewer District problems. He seemed to agree with Alderman Gass that it should be re-bid. Administrator Roth stated we have a timing issue. The contractor for Modot is doing the sidewalk, not

the City, and they indicated they will be waiting on us. If we re-bid it, there has to be a change in the job, otherwise his experience has shown him the bids just come in higher. Attorney Jones agreed with Administrator Roth. Rob stated this is a tough project, if we open cut it we are going to need a complete lane closure with MoDot. He does not think the prices are going to decrease because of the difficulty. **Motion made by Alderman Gass, seconded by Alderman Stotler to approve Resolution No. 2020-24. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.** Rob continued that the contractor has 120 days to complete the project. The notice of award needs completed within 15 days and then a pre-construction meeting. Alderman Nemeth stated we need to make sure the citizens are informed of what's going to happen.

### City Administrator Report

#### a. Budget report

Administrator Roth stated he has budgeted off of an 80% revenue reduction. This means he has budgeted based off the revenues dropping 20%. We are in a good financial position at this time. The contingency has \$ 1.6 million in it with general fund at \$ 377,738 cash balance. He included in the packet the research he did on the financial trends since 2007, staffing and the audits. The new budget begins July 1 and it is difficult to predict the future. Budgeting from a 20% decrease we can still maintain the current staffing level, with a freeze on one Police Officer position and the Park Superintendent position. The current capital expenditure projects can be completed, those being Lisa Lane, Hogan Subdivision Storm Water, Bigfoot Plaza, Denton Road Bridge engineering and Hwy N Phase 4 engineering, Viaduct Street Sidewalks, and Sewer Lift 5. The bad news is there is no budget for the Preventive Pavement Maintenance Program, no budget for any other capital project or equipment expense, and budgeting for the Parks with the split in funds will require additional funding to be balanced.

The City's operation and maintenance budgets in the draft form are trimmed back to only essential items with a few exceptions. Those exceptions are the Building Department Software for \$ 10,000, Staff Professional Development Training in all departments for \$ 31,750, Bulk Trash pickup for \$ 15,000, Community Relations for \$ 4,000, Newsletter for \$ 7,500, Beautification for \$ 5,000, the Senior Center Contract for \$ 15,000, Historical Society for \$ 11,250, Pool Agreement for \$ 60,000 and Conference room chairs for \$ 2,500. The discretionary items in the budget are quite limited. The bulk of the budget is for personnel costs and fixed operation and maintenance costs. The only way to significantly reduce the budget is to cut project or cut personnel. He continued the Parks budget cannot be balanced without additional funding based off of the 60/40 split. The pool has approximately \$ 7,000 in previously authorized improvements to be ready to open, along with approximately \$ 5,000 in start-up costs. We would need a decision on the pool by the May 5<sup>th</sup> meeting. Discussion followed.

Alderman Gass suggested we postpone the Bigfoot project. Administrator Roth stated the Tourism Commission just met and voted we move forward since these funds were restricted, if the Board allowed. Alderman Gass stated we may have to borrow from it. Mayor Myers stated that the businesses that are functioning seem to be doing well, and people are buying local. He thought this was a positive reinforcement. Administrator Roth stated the contract is signed, so there will be some costs if we pull out. Alderman Nemeth stated the newsletter, historical, and beautification expenses add up to \$ 24,000, and the pool would be an additional savings. We may have to hold off on these things. Administrator Roth stated the big problem is there is no budget for the Preventative Maintenance Program or new projects. Administrator Roth stated the Parks budget is struggling with the split in funds. To build budgets for a longer term Capital Improvement Budget is going to be difficult. Mayor Myers stated he thought the newsletter was very important. Alderman Johnson agreed. Alderman Nemeth stated the challenge is cutting now and re-evaluating in three months. Alderman Adams agreed and suggests we look at the budget quarterly. If we are blessed we can always revise the budget. Alderman Rahn suggested we suspend bulky trash for now. Administrator Roth stated staff needed 6-8 weeks lead time to

be able to prepare for that and get the word out. Administrator Roth stated Midwest Pool is still preparing to open the pools. We will need to have a decision to them at the end of the meeting on May 5<sup>th</sup>. Alderman Adams stated our situation is just like the others and this is not permanent, this is just temporary. The changes we may need to make are just temporary. Chief Mansell stated the pool fees are the cheapest around, but reminded the Board if they close the pool this year, crime will go up. Mayor Myers stated the City does not make money on the pool, most pools are just a service. Alderman Adams stated our decisions need to be based on the welfare of the public and rule on safety.

**Motion made by Alderman Adams, seconded by Alderman Gass for staff to draft a resolution to postpone opening the pool until a later time. A voice vote was taken with an affirmative result. Alderman Johnson asked the Park Board be advised of this and make a recommendation to the Board. Administrator Roth stated the Park Board meets on May 4<sup>th</sup>.**

Chip and Seal – Administrator Roth stated there is no budget for this. If we do a Preventive Maintenance Plan of any type, we are going to have to hit Contingency for this. Alderman Nemeth stated they needed a priority list. Mayor Myers stated that Cochran put one together. Alderman Adams stated there is no play book for this. We need to reinvent how we do business. He suggested looking at short-term financing. Administrator Roth stated that Cochran suggested we bundle the rest of the streets into one big finance package. Alderman Gass disagreed and stated we don't have that type of money and every year we always do a little bit. Alderman Johnson reminded the Board we already loaned Tourism \$ 100,000 for Bigfoot. She agreed with Alderman Gass that we do some streets every year. Alderman Adams stated we as Alderman also have to reinvent ourselves, and remember he said "short term financing". Every department is going to have to make cuts. Administrator Roth stated that Public Works Commissioner Brueggemann put together a list of streets for chip and seal. Alderman Gass suggested the Street Department do the work and come up with a plan. Mayor Myers suggested maybe we have a chip and seal list and a layover list. Alderman Adams agreed and suggested for a short period of time we use both products. The Street Department can put together a plan, we can compare it to the exiting plan, and bring back to them what we should do. Public Works Commissioner Brueggemann stated he put a list together, but suggested we bid out the chip and seal and see what the numbers are. He does not have the manpower to do the street project if we are going to keep picking up brush like we do and grass cutting. Alderman Gass agreed that we should probably have it engineered, if Robert doesn't have the manpower. Alderman Adams supported obtaining an engineer. Administrator Roth suggested staff goes back to Cochran and include Payne Street being asphalted and the other streets chip-n-seal and bid the whole package. Alderman Gass also wanted Congress St. included and Payne Street. Alderman Nemeth suggested Administrator Roth looking into financing options. Alderman Adams stated we look into the CID funds and if there was a way to expand the district to include other streets and use the CID funds to help maintain those streets. Alderman Johnson suggested we look into the Stimulus money and the funds for infrastructures for rural towns. **Board members agreed to a Special Board Meeting on Tuesday, April 28<sup>th</sup> at 7:00 p.m. to discuss the budget further. A voice vote was taken with an affirmative result.**

City Hall re-open – Administrator Roth stated we will follow the Governors orders, and as of now would open on May 4<sup>th</sup>.

#### **Director of Community Development Report**

Director Kopp stated that Permits were down; they have received five since the last meeting. There are 17 grass violations, and he will send that list out to the Board tomorrow. The Code calls for a permit for a Fire Alarm Upgrade, which they are now doing and this was not done in the past. Also, for some permits there is a "multiplier" allowed when the permit fee is calculated, which they are now doing, and does not appear to have been done in the past.

### City Attorney Report

Attorney Jones stated regarding the CID Acts under Chapter 67.1441, there is a provision for properties to be added to the District. The process is the same; there is a petition, and public hearing and an ordinance. There is a process to be followed and everyone in the District has to be noticed.

### Public Works Commissioner Report

PW Commissioner Brueggemann stated he is asking for approval of an estimate for the blower building at the lagoon. The estimate was \$ 19,275 and would be reimbursed by the insurance. **Motion made by Alderman Nemeth, seconded by Alderman Adams to approve the estimate. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

### Miscellaneous

a. Approve the List of Bills.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the list of bills. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Alderman Nemeth asked how those were being signed and if it was required. City Clerk Barfield stated they are not being signed, the approval is the vote and to her knowledge it was not required they be signed.

### Reports of City officials

Alderman Nemeth – He thought this was a good meeting.

Alderman Adams – Stated going back to the CIDs. We have to figure out how to use our money differently. When you combine the money in the CIDS there is money available there. He thought we should consider this. When they were developed he went door to door, us Aldermen may have to be willing to do this again.

Brush Creek – Alderman Adams stated this is at the top of his agenda. Without going into executive session he would like a confidential memo updating the Board by the next meeting of where we are legally with them, and when the illegal dumping will stop. Administrator Roth stated there was a meeting last Thursday, and the Engineer is presenting his final report to the Board on the May 5<sup>th</sup> meeting.

Alderman Rahn –No update.

Alderman Johnson – thanked everyone for the message on the City Hall recording. She has been home since March 13 and thanked the Mayor for all his updates on his Facebook page.

Chief Mansell – asked the Board to consider an ordinance allowing mini-bikes and golf carts on the streets with restrictions. The City of Eureka has already done this. Alderman Nemeth suggested Chief contact the City of Eureka and forward their ordinance to the Board. This would give us a starting point.

Alderman Gass – asked on the List of Bills what the Brush Creek Pump invoice was. Public Works Commissioner Brueggemann stated this was a pump for our Lift Station and it was cheaper to purchase a new one than rebuild the old one.

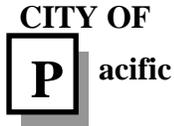
**Adjournment**

There being no further business, motion by Alderman Nemeth, seconded by Alderman Stotler to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 9:00 p.m.

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Steve Myers, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**April 28, 2020 \* RECORD OF PROCEEDINGS**

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**CITY OF PACIFIC  
SPECIAL 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/92855800238>**

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

Also present:

Administrator Roth  
Chief Mansell  
Collector Kelley  
PW Commissioner Brueggemann (came on late)  
Director Kopp  
City Clerk Barfield

**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**

Motion made by Alderman Stotler, seconded by Alderman Adams to approve the agenda. A voice vote was taken with an affirmative result.

Special  
Board of Aldermen 4-28-2020

## **Review 2020-2021 budget beginning July 1, 2020**

Mayor Myers suggested Administrator Roth go through the budget and then the Board have discussion.

Administrator Roth stated he included a Budget Summary and some charts to give a better picture of some of the revenues and expenses. There is also a Statement of Outstanding Debt. He will start with the revenues.

- The revenues are forecasted at an approximate 20 percent decrease in “core” revenues such as Sales Taxes and Gross Receipts. Property Taxes and Water and Sewer forecasted to decline approximately 10 percent.
- Total staffing is budgeted the same as this year, but with two positions frozen. General Administration: 10 FTE, Police Department 18.5 patrol officers, 6 communications officers, 2.5 support staff, one patrol officer frozen. Public Works: 12 FTE. Parks: 1.5, this is part of the PW Commissioner salary debited to this and the employee. The Parks Superintendent position is frozen. There is no increase in pay or health insurance spending.
- The Budgets for all funds are balanced, as required by law. The General Fund has an operating deficit of \$ 66,302 currently, but the total balance is \$ 133,697.
- Transportation requires transfers from General fund and Capital Improvement Sales Tax to balance but this is typical of how we have been running this fund.
- Parks & Storm requires Capital Improvement Sales Tax transfer to balance, to fund the Hogan Storm project.
- The Water Fund requires a substantial (\$500,000) transfer from Sewer to balance, but this is primarily due to the Osage St Water main project. There are no new major Capital Improvement projects or expenses.
- Red Cedar Inn and Preventive Pavement Maintenance program remain listed but are budgeted at zero.
- The Public Works Commissioner has requested \$ 20,000 for two new snowplows and a culvert cleaner, and \$ 35,000 for the SCADA Improvement to Sewer Lift 1 and Lift 2. These are the largest new capital spending request in the budget.
- The monthly transfer of \$ 10,000 from General Fund to Contingency Fund is included in this budget. There are no transfers out of Contingency budgeted, meaning we are not “dipping into” this.
- Tourism is balanced, but only due to existing revenues. These revenues are forecasted to decline by more than 70 percent. This will be the hardest hit fund.
- Parks and Storm Water Budget are struggling. With the 60/40 split enacted by the Board this gives the Parks \$ 132,000. This amount is not enough to fund existing park and pool operations. There is about \$ 125,000 in reserve to start the fiscal year, this reserve plus the allocation is enough to fund it, BUT, there is NO General Fund transfer. He brings this up because prior to voter approval of Prop P the City funding for the Parks came from General fund. In a “normal” year we would also be continuing some support from General Fund, however with the 80 percent decline General Fund does not balance if we do this. This will work for the 21 budget year, but going forward is not sustainable on its own merit.
- The law enforcement Prop P funds are expected to decline by 20 percent.
- If the forecasted 20 percent decline becomes reality, we may need to tap into Contingency fund for cash flow purposes. Our revenues “ebb and flow” through the year, the cash flow in late summer/early fall for example could become an issue if revenues drop off sharply.
- The budget does include funding for IT, but this is offset in part by an anticipated savings from

our new phone system. The need for better IT in his opinion has never been greater. He hopes to get to the point where everything can be paid online.

- The Flood Buyout budget is not drafted yet. We are 100 percent funded (75 percent from FEMA and 25 percent from CDBG) so there should be no net outlay by the City. It is possible we will need some cash flow while we wait on reimbursements. This will be completed in time for the final.
- Next is a list of discretionary items that the Board may wish to consider for possible cuts. As we have noted, the City scrutinizes its spending very thoroughly and “no unnecessary expenditures” is the general rule. We run a very tight budget. These items would include: Building Department software for \$ 10,000, Staff Professional Development Training through all departments for \$ 31,750, Bulk Trash pickup for \$ 15,000, Community Relations for \$ 4,000, Newsletter for \$ 7,500, Beautification Committee for \$ 5,000, Senior Center Contract for \$ 15,000, Historical Society for \$ 11,250, Municipal pool for \$ 60,000, City Hall furniture for \$ 2,500.
- CIPP Project – He did look into financing options. The longest term is 10 years. \$ 3 million would be a debt service payment of \$ 357,000 per year and \$ 4 million would be \$ 476,000 per year. This is for information purposes only, but he felt like \$ 3 million was the maximum the budget could handle. He was not suggesting moving forward at this point.

Board Discussion: There was discussion on the SCADA project and postponing it. They agreed they will discuss the pool at the next regular meeting because there will be a Resolution on the Agenda regarding the pool operation. There is also a Park Board meeting on May 4<sup>th</sup>, and they are requesting a recommendation from them. Chief Mansell stated there is a great amount of savings with the phone system. The phone system they were utilizing was from 1988. Board members discussed the Building Department Software for \$ 10,000. Director Kopp stated this software has many tracking features and would allow for any permit to be tracked in real time where it was in the process. Sales Tax History from 2007 was reviewed. Alderman Adams suggested the Board revisit the budget in six months. Mayor Myers stated we were already scheduled to revisit it quarterly. Alderman Nemeth suggested we remove the funds for the Newsletter, Beautification Committee, Historical Committee, City Hall Furniture, Senior Center to be cut by \$ 5,000 and any unnecessary training. This is not permanent, but temporary. Alderman Nemeth suggested the newsletter be done, but not mailed out, just sent out electronically and placed on the website. Alderman Adams stated he would like to see Professional Development training cut in half, Community Relations cut out, Beautification Committee cut out, Senior Center contract rolled back to \$ 10,000, Historical Society funds be froze, and City Hall Furniture cut. Alderman Gass would like to see Bulky Trash for this year cut out. Alderman Rahn agreed. Alderman Adams stated if the revenue comes back we can put these items back in. Alderman Johnson stated the attendance at the Senior Center was declining prior to this, but it has been closed for four weeks due to COVID. She continued that Bulky Trash is an extension of Beautification Committee and would like to see this continue.

Motion made by Alderman Adams, seconded by Alderman Gass to make the following changes to the proposed budget:

- Professional Training cut in half
- Bulky Trash – freeze
- Community Relations – freeze
- Newsletter – freeze
- Beautification – freeze
- Senior Center – cut back to \$ 10,000
- Historical Society – freeze

Special

Board of Aldermen 4-28-2020

- Pool – will address at next meeting
- City Hall furniture – freeze

A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Mayor Myers suggested the Board prioritize the items they removed or froze in order of how they wanted to add them back in if revenues allowed.

Alderman Johnson stated we have an Ordinance allowing for the spending of \$ 10,000 for the City Administrator. She would like to see this temporarily reduced to \$ 5,000. Discussion followed. **Motion made by Alderman Johnson, seconded by Alderman Nemeth for an ordinance to be drafted reducing the amount to \$ 5,000. A voice vote was taken with an affirmative result.**

Alderman Nemeth questioned the snow plows and SCADA system. Public Works Commissioner Brueggemann stated with the winters they way they have been they can try to hold off on the snow plows, along with the culvert cleaner. This was replacing two plows. The SCADA system can also be held off for a year. **Motion made by Alderman Nemeth, seconded by Alderman Adams to hold off on the \$20,000 for snow plows and the \$ 35,000 for the SCADA System. A voice vote was taken with an affirmative result.**

**CID Districts - Motion made by Alderman Adams, seconded by Alderman Gass for all three CID's to be on the next agenda for discussion to determine what to do with those funds, and moving the boundaries.** Mayor Myers stated that when we went to the voters over Prop P & Prop S we told them we would work to dissolving these, and staff is working towards that. The Viaduct CID is already dissolved. He felt that changing the course now was harmful with the integrity of the trust with the citizens. He also felt it was wrong to ask the long time members of the CID to look at expanding the boundaries. He also thought this could open us up to potential lawsuits. Alderman Nemeth suggested we first look at a way to spend the funds in the accounts. Mayor Myers stated there were projects budgeted in the CID's with those revenues now. There is the project now on Thornton Street for Viaduct, the project on E. Osage end when we bought the house, and the project for W. Osage at Lamar Parkway. He also thought that changing the map changed the original intent. Alderman Nemeth stated he would like a “temporary reduction summary” at the May 19<sup>th</sup> meeting, based off the motion tonight. Administrator Roth stated the Public Hearing and 1<sup>st</sup> reading of the budget ordinance will be at the June 2<sup>nd</sup> meeting.

COVID- Administrator Roth stated the conduct of the May 5<sup>th</sup> meeting he suggested to be by Zoom. We have been working on amending procedures and reviewing the guidance from the Governor. The intent is to open City Hall on May 4<sup>th</sup> according to the Governor's guidelines. His plan was when we did all come back together to broadcast the meeting Facebook Live and was working towards this. Alderman Gass suggested both meetings at minimum be by Zoom. Administrator Roth stated the public would make appointments with staff.

Mayor Myers thanked Administrator Roth for his work on the budget and thought we had the right man on the job during these times. He thanked City Clerk Barfield for doing an exceptional job keeping City Hall running, and all City Staff for working together. He thanked PW Commissioner Brueggemann for all of his efforts with the departments and appreciated the patience of all the Aldermen. Alderman Gass agreed and thanked Administrator Roth. Chief Mansell thanked all his officers for their extra effort staying safe in this time. Mayor Myers agreed and thanked all the First Responders and stated they have done an exceptional job.

**Adjournment**

There being no further business, motion by Alderman Nemeth, seconded by Alderman Rahn to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:50 p.m.

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

ATTEST:

\_\_\_\_\_  
City Clerk

amend the existing procurement ordinance to reduce City Administrator purchasing authority to \$5,000

# MEMORANDUM

Steve Roth  
City Administrator

636-271-0500 ext. 213  
sroth@pacificmissouri.com

May 1, 2020

**TO: Mayor and Board of Aldermen**  
**RE: City Administrator report, 5-5-20 Board of Aldermen meeting**

Hello everyone,

Please note the following with respect to agenda items and other information for the May 5 meeting.

**1. Bill to Amend Procurement ordinance.** The City Attorney drafted this bill following direction at the April 28 meeting. The bill reduces the City Administrator purchasing authority from \$10,000 to \$5,000. The provisions requiring that expenditures be budgeted are in the existing code provision and are not changed.

**2. Bill to Amend Wage and Salary schedule.** This bill was drafted to provide a 10-year \$300 longevity increase to Public Works employee Dennis Wolff. This is per Section 141 of the Personnel Manual. The longevity award is not automatic and is subject to "availability of funds as so determined by the Mayor and Board of Aldermen." The \$300 annual increase proposed here is within our ability to pay and I would recommend approval.

**3. Resolution to Postpone Municipal Pool operation.** This Resolution postpones Municipal Pool operation until further action of the Board of Aldermen. The Resolution is drafted in such a way to give the Board an opportunity to specify a date or time period based on recommendations by Midwest Pool Management and the Park Board. Midwest Pool was reviewing operations and had agreed to provide a recommendation at least by the close of business Monday, May 4. This recommendation then would be forwarded to the Park Board for consideration May 4, and ultimately to the Board of Aldermen. The following is an excerpt from an email from Midwest Pool on this topic April 30:

*"Pool operations are definitely going to be different going into this year, but we are working on our plans for operations- specialized cleaning procedures, recommendations for signage, special PPE for staff, etc. Pools are not the only facilities that have to adjust operations due to COVID-19 and I believe that the patrons coming in will be prepared and adhere to changes just as they have to in any other environment."*

I will provide updated information to the Board at the meeting.

**4. CID plans.** This is an agenda item to discuss plans for each CID and potential use of funds. The CID budgets were included in the draft budget presented April 28. Earlier versions were also sent by email earlier in April.

## In brief review:

- **Viaduct CID.** Viaduct CID was terminated by Ord. 3146, approved August 2019. As of March 31 there is \$259,868 in the Viaduct CID account. The draft budget includes \$115,000 for the Viaduct

St sidewalks project, and \$4,000 for engineering. The design engineering is complete. We are awaiting MoDOT approval before seeking bids.

- **E. Osage CID.** This account has \$436,701 as of March 31. The draft budget has \$350K for the 1<sup>st</sup> and Osage intersection improvement, \$30K for streetlight maintenance, and \$7,100 for administrative / legal costs. The City has made repeated efforts to contact E Osage CID property owners regarding dissolution of the CID, and to date we have received petitions representing 25 of the 105 parcels in the district.
- **W. Osage CID.** This account has \$604,182 as of March 31. Please note that a portion of this (approximately \$21K according to Missouri Dept of Revenue) is due to B & H Market for reimbursement. The draft budget includes \$50K for “projects” (ie Route 66 Marketplace road connector), \$130K for B & H Market reimbursement, and \$7,100 for legal / administrative costs. We have received petitions from six property owners to remove themselves from the district, which we intend to act on soon.

### Use of funds

Funds generally must be used within the boundaries of the CID. However, once a CID is terminated, the statute specifies that funds may be used “for the benefit of the district.” The meaning of this is subject to interpretation but it is advice of our legal team that “for the benefit of...” may be construed to include projects that are near to or contributing to the district in some way. The Viaduct St sidewalks is Exhibit A for the City in this regard, in that the project boundaries are not wholly within the former Viaduct boundaries. However the project clearly is for the benefit of the former Viaduct CID area, and so in our opinion clearly is eligible.

Having said that, for E. Osage and W. Osage, our attorneys advise that spending must be within the district boundaries. If the Board wants to pursue using E. Osage CID funds for Payne Street, then termination of the district in our opinion may open the door for that. We would want further legal opinion on this point however. Alternately, the existing CID boundaries could be expanded via a petition process, similar to what was used to establish the district. There are 19 parcels along Payne between the existing CID boundary and Congress St. The CID act requires at least 50 percent per capita and per assessed valuation to expand the boundaries. So in this instance it would appear we would need 10 parcels or more, depending on the assessed valuation. We have not analyzed this in detail, but these would be the basic parameters.

### Planning

The CIDs were initially established to provide funding for certain road and development projects. Viaduct financed costs related to the Pilot Development and associated Thornton and Viaduct improvements. The Osage CIDs financed the Osage St improvements through most of Pacific. The CIDs also mention “Other Improvements” as future uses, and this is what the CID Boards have discussed and budgeted for, with Board of Aldermen approval, in recent years.

In my opinion, some CID funds in all three districts should be reserved for street light maintenance and replacement costs. We have used E. Osage CID funds for this purpose recently, and would suggest this practice continue.

When it comes to larger projects, I would suggest W. Osage CID funds be reserved for a future traffic light at the Osage and Hoven intersection. The B & H Marketplace road connection in my opinion is an

ideal CID project, which benefits businesses within the district as well as traffic flow in the community as a whole.

The 1<sup>st</sup> and Osage intersection improvement is a worthwhile project and previously has been suggested for the MoDOT Cost-Share program. This project has been on the backburner however following the departure of former MoDOT engineer Judy Wagner. If we want to pay for this project wholly out of CID funds then no other project would really fit. However, in a budget crunch, we would suggest that E. Osage CID funds be considered for a portion of the recently approved Osage St. water main project, or a portion of the E. Union street overlay performed last fall. We don't have a firm recommendation on the amount of funding we could potentially redirect toward this project, but will have a figure ready at the meeting.

**5. Jensen Point Video Security project.** The City now has electric and water to the Jensen Point overlook, and would like to move forward with placement of video cameras at the Park gazebo, parking lot and other areas. Mayor Myers and Chief Mansell recently met with Chris Bay, Bay's ET, to discuss the project. The total cost is estimated at \$13,500 and includes a flagpole at the park overlook, which also would serve a camera mount location. The Mayor has been requesting donations for the flagpole and can address this in more detail at the meeting. The project was scheduled to be reviewed by the Park Board May 4, with a recommendation to the Board of Aldermen May 5.

**6. Gilmore Bell engagement.** This is an agenda item to accept an engagement letter from Gilmore Bell PC to provide post-issuance disclosure compliance services relating to two City bond issues. The fee is \$1,500 annually for a five-year term. The engagement may be terminated at any time with 30 days written notice. The City has used Gilmore-Bell in the past and we would respectfully request a motion to approve this engagement.

**7. Preventive Pavement Maintenance Plan.** This is an agenda item to further discuss the plan for 2020. At this point, given budget uncertainty, we would propose moving forward with a bid package to only overlay two main arterial roads: Payne Street and Lamar Parkway. We have considered chip and seal applications for various streets, but ultimately feel the best approach is to knock out these two main arteries first and then work on the local neighborhood streets in another package. Cochran has proposed a contract for design and bidding services (\$4,500) and construction inspection (\$9,000) for the 2020 project. The engineer cost estimate is \$152K for Payne and \$72K for Lamar, or \$224K together. A portion of funding for each road could be available through the CIDs, and we would strongly recommend this be thoroughly considered. We also do think the work may qualify for a Franklin County Transportation grant. Dave Christensen from Cochran will be available at the meeting to discuss the project in more detail. While the budget for this remains in some question, I do plan to have a budget recommendation to present to the Board at this meeting.

**8. Wastewater Lift 2 / Brush Creek Sewer District.** CM Archer Group will present an overview of the engineering report for this project at the meeting. The report has not been finalized as of this writing (May 1,) but will be prior to the Board meeting. The report evaluates the City's Lift Station 2 "sewershed" as well as the Brush Creek Sewer District contribution and makes certain recommendations for improvements. This is a highly technical project, which likely will result in a revised agreement with BCSD and a finance package to construct the needed improvements. We suggest the Board take the

report under advisement at the May 5 meeting, and then schedule a more thorough review at a later date.

**9. City re-opening plans.** We previously sent a notice to the Board regarding the City's "re-opening" plans, to become effective May 4. The basic provisions are re-copied here for reference. I can address further questions at the meeting.

- City Hall will be open to the public, with some restrictions. Visitors must maintain social distancing while inside the building. Meetings with City staff will be by appointment only.
- The City will resume the residential occupancy program, but on a limited basis. Please contact the Building Department (636-271-0500 ext 215) for details.
- The City will resume limited utility shut-offs for non-payment on a case-by-case basis. Late fees and penalties will continue to be waived through May.
- Municipal Court dates have been postponed until May 28. Please contact the Court Administrator (636-257-4553) for more information.
- Park playgrounds will remain closed, per the Governor's guidance. Rentals of park pavilions may be allowed, but with certain limitations. Please contact City Hall (636-271-0500 ext 211) for more information.
- A decision on Municipal Pool operation for summer 2020 is expected to be made at the Board of Aldermen meeting May 5.
- Businesses must operate according to the Governor's orders and guidance.\* The City does not have any restrictions in place that are in addition to the Governor's orders. Please contact City staff (636-271-0500 ext 213 or 216) with any questions or concerns. (\*Those businesses located in St. Louis County remain subject to St. Louis County orders.)

#### **10. Information items.**

- **Planning and Zoning Commission meeting May 12.** This meeting has been scheduled and will be held in the meeting room, with social distancing in effect. There are multiple public hearings scheduled and we were more comfortable holding the hearings "in person" than through on-line formats. This meeting is rescheduled from March 24. The original hearing notices are on the City website: <http://www.pacificmissouri.com/269/Public-Hearing-notices>.
- **Weed abatement financials.** A copy of this is included in the packet. We currently show \$5,040 in weed abatement expenses in FY 20, and \$1,260 in revenues.

Respectfully submitted,



Steve Roth  
City Administrator

**BILL NO. 5006**

**ORDINANCE NO. \_\_\_\_\_**

**SPONSOR: \_\_\_\_\_**

AN ORDINANCE REVISING THE POLICIES FOR PROCUREMENT AND APPROVAL OF PURCHASES BY THE CITY OF PACIFIC.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:**

Section 1: Section 105.040.A.6 of the Code of Ordinances of the City of Pacific shall be repealed and replaced with the following:

6. *City Administrator's authority to contract.* In addition to any other authority that may be granted by the Board of Aldermen or specific ordinance, the City Administrator is authorized to enter into contracts for and make purchases of goods or services on behalf of the City in an amount of liability to the City not exceeding five thousand dollars (\$5,000.00), provided such goods or services are within the scope and remaining amount available from an authorized budget line item within the City Budget ordinance.

Section 2: This ordinance shall take effect and be in full force from and after its passage and approval.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_  
*Steve Myers, MAYOR*

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020. \_\_\_\_\_  
*Steve Myers, MAYOR*

ATTEST:

\_\_\_\_\_  
City Clerk

**BILL NO. 5007**  
**SPONSOR: \_\_\_\_\_**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2019-20 BUDGET AND WAGE AND SALARY SCHEDULE FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF PACIFIC**

WHEREAS, the Board of Aldermen has determined that it is appropriate to amend the Wage and Salary Schedule in the Fiscal Year 2019-20 budget;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

**SECTION ONE.**

The Board of Aldermen hereby amends the Wage and Salary Schedule in the Fiscal Year 2019-20 budget, as adopted and amended, a copy of which said Wage and Salary Schedule is marked as "Exhibit A" and attached hereto, and made part of hereof by reference. The Wage and Salary amendments as adopted herein shall become effective with the pay period beginning May 11, 2020

**SECTION TWO.**

This Ordinance shall be in full force and effect both from and after its date of passage by the Board of Aldermen and approval by the Mayor. Any ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020. \_\_\_\_\_  
*Steve Myers, MAYOR*

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020. \_\_\_\_\_  
*Steve Myers, MAYOR*

**ATTEST:**

\_\_\_\_\_  
City Clerk

EXHIBIT A

<b>Public Works</b>				
Maint. Laborer	Woolf	18.15	18.29	\$ 38,043

**RESOLUTION NO. 2020-25**

**A RESOLUTION AUTHORIZING AND DIRECTING CERTAIN ACTIONS RELATING TO OPERATION OF THE CITY OF PACIFIC MUNICIPAL POOL FOR THE 2020 SEASON**

**WHEREAS,** the City of Pacific previously has engaged Midwest Pool Management of America LTD for operation and management services for the City's Municipal Pool; and

**WHEREAS,** in light of the COVID-19 pandemic, Midwest Pool has made certain recommendations for Municipal Pool operation, and said recommendations have been considered by the Pacific Park Board and Board of Aldermen; and

**WHEREAS,** in recognition of the need to operate the pool in strict accordance with health and safety directives and guidelines, and further in recognition of the costs associated with operating the pool during a period of extreme economic uncertainty;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN FOR THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The operation of the Municipal Pool for the 2020 season is hereby postponed, effective immediately. This postponement shall be in effect until further action of the Board of Aldermen.

**Adopted by the Board of Aldermen and approved by the Mayor on this 5th day of May, 2020.**

---

**Steve Myers, Mayor**

**ATTEST:**

---

**City Clerk**



One Metropolitan Square  
211 N. Broadway, Suite 2000  
St. Louis, Missouri 63102-2746

(314) 436-1000 / (314) 436-1166 FAX / gilmorebell.com

January 15, 2020

Mr. Steve Roth  
City Administrator  
City of Pacific, Missouri  
300 Hoven Drive  
Pacific, Missouri 63069

Re: Disclosure Compliance Services Proposal

Dear Steve:

We appreciate the opportunity to have provided post-issuance disclosure compliance services to the City of Pacific, Missouri (the “City”). Our existing engagement with the City to provide those services recently expired on December 31, 2019 by its terms. The purpose of this Engagement is to extend the term for providing disclosure compliance services by Gilmore & Bell to assist the City in meeting its continuing disclosure obligations in accordance with federal securities laws. If the City accepts this Engagement, Gilmore & Bell will perform such services in consideration of the mutual covenants and terms of this Engagement.

#### SCOPE OF ENGAGEMENT

It is our understanding that the municipal securities listed on **Exhibit A** are the outstanding municipal securities of the City subject to a continuing disclosure undertaking. Gilmore & Bell will assist the City in meeting its continuing disclosure obligations with respect to the municipal securities identified on **Exhibit A** and any municipal securities issued during the term of this Engagement with respect to which the City is an obligated person under a continuing disclosure undertaking (together, the “**Bonds**”) by providing the following services, beginning with the City’s fiscal year ending June 30, 2020:

- Review the continuing disclosure agreements/undertakings for the Bonds (the “Disclosure Agreements”) and determine the operating data and financial information required to be disclosed by the City on an annual basis;
- Provide the City with an annual reminder of the upcoming annual report filing date;
- Provide the City annually with a memorandum listing material events requiring additional disclosure;
- Draft the City’s annual report and assist the City in updating, as of the end of each fiscal year, the appropriate operating data and summary financial information;

- Submit the City's annual report to the MSRB, via EMMA. If the City's annual report is not available as of the report filing date, file the appropriate notice required under the Disclosure Agreements; and
- Provide the City confirmation that the annual report has been submitted to the MSRB.

By acceptance of the terms of this Engagement, the City is confirming Gilmore & Bell's appointment as a designated agent for the sole purpose of submitting to the MSRB, via EMMA, annual reports, event notices, and other materials furnished by the City.

The content of the financial information and operating data to be included in each annual report is solely the responsibility of the City. Gilmore & Bell is not responsible for the accuracy or completeness of the information contained in any annual report. Gilmore & Bell will not undertake a "due diligence" review of the City, its operations or its financial condition in connection with the performance of these services. Such a review is outside the scope of our limited Engagement described in this Engagement.

This Engagement does not include a review of the City's past continuing disclosure compliance or preparation or submission of any filings which may have been due prior to this Engagement.

In addition, this Engagement only relates to the City's annual reporting obligations pursuant to contractual obligations of the City. As such, it does not include analysis or advice related to whether an event notice is required to be filed pursuant to the Disclosure Agreements, including materiality analyses.

#### **POINT OF CONTACT**

Gilmore & Bell will provide the necessary attorneys, disclosure analysts, legal assistants and administrative support to perform the services under this Engagement. A Gilmore & Bell disclosure analyst will contact the City in advance of the annual filing deadline to begin the process of completing the annual report. Initially, Gilmore & Bell's primary point of contact at the City for this Engagement will be as follows:

Steve Roth  
Telephone: (636) 271-0500 ext 213  
Email: [sroth@pacificmissouri.com](mailto:sroth@pacificmissouri.com)

The City will notify Gilmore & Bell if it wishes to change the primary point of contact for this Engagement.

#### **FURNISHING OF INFORMATION**

Gilmore & Bell will request the information required by the Disclosure Agreement from the City within a reasonable time prior to the filing date and will work closely with the City to gather such information. The City hereby agrees to timely provide all information requested by Gilmore & Bell. In addition, the City acknowledges that if all information required to be included in the annual report is not provided to Gilmore & Bell at least three (3) business days before the filing date set in the Disclosure Agreement, we cannot guarantee that the annual report will be timely filed.

## **FEES**

Gilmore & Bell's fee for providing the services pursuant to this Engagement is \$1,500 per year (for an aggregate amount of \$7,500 for the five-year contract term). The City may pay the fee annually or may make an advance payment of the full or any remaining aggregate amount upon execution or at any time during the term of this agreement. If paid annually, the annual fee will be payable upon confirmation that the City's annual filing, or other appropriate notice, has been submitted to the MSRB. If the City pays the aggregate amount upon execution of the proposal, or any remaining aggregate amount at a later date during the contract term, the aggregate fee will be deposited to a special trust account maintained by Gilmore & Bell for client fees held as a retainer. The portion of the aggregate fee held as retainer will be earned and disbursed to Gilmore & Bell's general operating account upon confirmation that the City's annual filing, or other appropriate notice, has been submitted to the MSRB at a rate of \$1,500 per year, unless this Agreement is otherwise terminated by either party as described above. No interest will be paid on funds held in this special trust account. All earnings attributable to the investment of amounts within this account are disbursed to a charitable foundation as required by the State bar association. In addition, Gilmore & Bell expects to be reimbursed for all out-of-pocket third-party expenses made on the City's behalf.

## **TERM OF ENGAGEMENT; TERMINATION**

The initial term of this Engagement shall be from the date below through December 31, 2024. This agreement may be terminated at any time by either party with 30 days written notice to the other party. Upon termination of this agreement, the City will pay all unpaid fees and expenses for services performed prior to the time of termination.

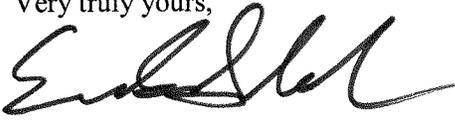
## **ATTORNEY-CLIENT RELATIONSHIP; CONFLICTS**

Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist between us with respect to this Engagement. Our services pursuant to this Engagement are limited to those contracted for in this letter; the City's execution of this engagement letter will constitute an acknowledgment of those limitations. Gilmore & Bell does not provide investment advice, advice relating to any municipal financial products or financial advice relating to the issuance of municipal securities, and nothing contained in this Engagement or any services provided by Gilmore & Bell under this Engagement shall constitute advice to the City with respect to municipal financial products or the issuance of municipal securities (other than legal advice), all within the meaning of Section 15B(e) of the Securities Exchange Act of 1934, as amended.

Gilmore & Bell represents many political subdivisions, underwriters and others in public finance transactions. It is possible that during the time that we are representing the City under this Engagement, one or more of our present or future clients will have transactions with the City. We do not believe any such representation will adversely affect our ability to represent you as provided in this letter, either because such matters will be sufficiently different from the scope of this Engagement so as to make such representations not adverse or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of this Engagement. Execution of this letter will signify the City's consent to our representation of others consistent with the circumstances described in this paragraph.

**CONCLUSION**

If the foregoing terms are acceptable to the City, please return a signed copy of this engagement letter to me and retain a copy for your files. The offer to perform the services described in this Engagement expires 60 days from the date first shown above and no Engagement will commence unless and until we receive a copy signed by the City within such timeframe. Thank you again for your interest in our disclosure compliance services and we look forward to working with you.

Very truly yours,  
  
Erick S. Creach

ESC:emw  
cc: Bill Burns  
Alice Wasson

Acknowledged and Agreed as of \_\_\_\_\_, 20\_\_\_\_.

**CITY OF PACIFIC, MISSOURI**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT A**

**LIST OF MUNICIPAL SECURITIES**

- \$3,765,000 City of Pacific, Missouri Neighborhood Improvement District Limited General Obligation Bonds (City Hall and Public Facilities Improvements Project), Series 2011
- \$1,670,000 Pacific Municipal Assistance Corporation Leasehold Revenue Refunding Bonds (City of Pacific, Missouri, Lessee), Series 2012



Architecture  
Civil Engineering  
Land Surveying  
Site Development

737 Rudder Road  
St. Louis, Missouri 63026  
Telephone: 314-842-4033  
Fax: 314-842-5957  
E-Mail: david@cochraneng.com

April 30, 2020

Mr. Steve Roth  
City Administrator  
City of Pacific  
300 Hoven Drive  
Pacific, MO 63069

RE: Bid Package and Administration - 2020 Pavement Resurfacing Project

Dear Mr. Roth:

Thank you for giving Cochran the opportunity to submit this proposal to provide engineering services for the above referenced project. In accordance with our discussion earlier today, we offer the following professional services:

SCOPE OF SERVICES:

**1. Design and Bidding Phase Services - 2020 Resurfacing Project**

- a) Prepare project manual, specifications, job special provisions, detail sheets, and full set of bidding documents to improve the roads scheduled for pavement maintenance in 2020. These roads include: Payne Street and Lamar Parkway.
- b) Attend meetings as necessary.
- c) Bidding Phase Services –
  - Make copies and distribute bid packages to contractors.
  - Answer contractor's questions during bidding and issue addenda (if required)
  - Conduct the bid opening and review submitted contractor bids, investigate low bidder(s) as required to evaluate their competency, and consult with the Owner on award of bid.

**2. Construction Phase Services - 2020 Resurfacing Project**

- a. Serve as Owner's representative for administering the terms of the construction contract for the City's 2020 Summer Paving Program.
- b. Provide on-site inspection services to inspect the Contractor's progress and quality of work and to determine if the work conforms to the contract documents.
- c. Reject work not conforming to the project documents.

- d. Perform on-site nuclear density testing, and laboratory testing of loose mix samples.
- e. Prepare change orders for issuance by the City as necessary and assure that proper approvals are made prior to work being performed.
- f. Measure and document quantities, and review estimates for payments due the Contractor
- g. Inspect materials and review material certifications furnished by the Contractor.

FEE:

1. The total amount of fee to be paid for the Scope of Services, Item 2 – “Design and Bidding Phase Services” as outlined in this proposal shall be a lump sum fee of \$4,500.00.
2. The total amount of fee to be paid for the Scope of Services, Item 2 – “Construction Phase Services” as outlined in this proposal shall be a lump sum fee of \$9,000.00.

PAYMENT:

1. An invoice for progress payments will be submitted monthly during the performance period of this contract for professional services rendered. It is agreed that monthly progress payments for fees earned under this agreement are due and payable within thirty (30) days of submission of invoices. Any invoices remaining unpaid beyond thirty (30) days will accrue interest at the rate of one and one-half (1½%) per month on the unpaid balance.
2. It is further understood that if the project is abandoned, or if any work being performed is suspended in whole or in part prior to the completion of any phase, payment will be due in direct proportion to the amount of work accomplished.
3. In addition, payment will be due for all reimbursable expenses incurred prior to receipt of written notice or such abandonment or suspension.

TIME OF PERFORMANCE:

We will make every effort to complete the project within the Owner’s time frame and according to schedule. Cochran will not, however, be responsible for delays caused by events beyond our control.

TERMS AND CONDITIONS:

Attached to this proposal is a copy of the Cochran Standard Terms and Conditions. These terms and conditions shall apply to this proposal for professional services, which can also serve as a letter agreement. This document is enclosed for your review and reference.

GENERAL:

Cochran's reputation is based on understanding and meeting all the project objectives of our clients. We look forward to having an opportunity to demonstrate that responsiveness by providing timely and cost effective professional services. If you would like to authorize Cochran to perform the professional services outlined in this proposal, please indicate your acceptance of the terms of this letter agreement by signing in the space provided below and returning one (1) copy for our contract files.

If you have any questions or changes regarding this proposal, please contact me at 314-220-7016. Thank you.

THIS CONTRACT CONTAINS A BINDING ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES.

Sincerely,

Acceptance:  
City of Pacific

Dave Christensen, P.E.  
Vice President

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Attachments – Cochran Standard Terms & Conditions

EXPENSE DETAIL TRANSACTION REPORT - THIS YEAR-TO-DATE

04-30-2020

ACCOUNT NO ACCOUNT DESCRIPTION

DATE	PAYEE	DESCRIPTION	CHECK/INV	DEBITS	CREDITS			
11-42-298-00 Weed Abatement								
08-06-2019	C & C LAWN & LANDSCAPING LLC	GRASS CUTTING	2019-07	750.00				
08-19-2019	C & C LAWN & LANDSCAPING LLC	ABATEMENT - 404 S FIRST	5133	125.00				
08-19-2019	C & C LAWN & LANDSCAPING LLC	ABATEMENT - 411 FIRST ST	5264	125.00				
08-19-2019	C & C LAWN & LANDSCAPING LLC	ABATEMENT - 412 S THIRD ST	5130	125.00				
08-19-2019	C & C LAWN & LANDSCAPING LLC	ABATEMENT - 422 S THIRD ST	5131	125.00				
08-19-2019	C & C LAWN & LANDSCAPING LLC	ABATEMENT - 502 S THIRD ST	5132	125.00				
08-19-2019	C & C LAWN & LANDSCAPING LLC	ABATEMENT - 54 CEDAR DR	5265	125.00				
09-20-2019	ROBERT GARY WATSON JR	404 S FIRST	A01007	125.00				
09-20-2019	ROBERT GARY WATSON JR	114 E CONGRESS	A01006	125.00				
09-20-2019	ROBERT GARY WATSON JR	302 S ELM	A01005	125.00				
09-20-2019	ROBERT GARY WATSON JR	412 S THIRD	A01004	125.00				
09-20-2019	ROBERT GARY WATSON JR	502 S THIRD	A01003	125.00				
09-20-2019	ROBERT GARY WATSON JR	LOT ON MERAMEC ST	A01000	125.00				
09-20-2019	ROBERT GARY WATSON JR	225 WATSON	A01001	125.00				
09-20-2019	ROBERT GARY WATSON JR	LOT AT PACIFIC/SECOND ST	A01002	215.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 307 FLIER RD	A01015	125.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - HOGAN AND THORNTON	A01011	305.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 1916 ROSE LANE	A01012	125.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 225 E ST LOUIS ST	A01008	215.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 1508 THORNTON	A01014	305.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 54 CEDAR DRIVE	A01010	125.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 1419 THORNTON	A01013	125.00				
10-22-2019	ROBERT GARY WATSON JR	WEED ABATEMENT - 50 CEDAR DRIVE	A01009	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 210 S ELM	A01022	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 220 CENTRAL	A01023	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 404 S FIRST ST	A01018	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT PACIFIC & SECOND ST	A01021	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 114 E CONGRESS	A01019	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 412 S THIRD ST	A01025	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 422 S THIRD ST	A01024	125.00				
11-19-2019	ROBERT GARY WATSON JR	WEED ABATEMENT 312 ORLEANS	A01026	125.00				
BEGINNING BAL .....			0.00	ENDING BAL .....	5,040.00	TOTAL ENTRIES	5,040.00	0.00
				FUND TOTALS	5,040.00		0.00	
				GRAND TOTALS	5,040.00		0.00	

REVENUE DETAIL TRANSACTION REPORT - THIS YEAR-TO-DATE

04-30-2020

ACCOUNT NO ACCOUNT DESCRIPTION

DATE	PAYEE	DESCRIPTION	CHECK/INV	DEBITS	CREDITS		
ACCOUNT	11-08-980-05	Weed Abatement					
07-01-2019	CASH RECEIVED	WALLISOIL	070119		125.00		
08-23-2019	CASH RECEIVED	mccullough	082319		125.00		
10-25-2019	CASH RECEIVED	TITANS/HEARTLAND	102519		125.00		
12-02-2019	CASH RECEIVED	2019-02SWETZ	120219		135.00		
12-02-2019	CASH RECEIVED	2019-17SWETZ	120219		125.00		
12-26-2019	CASH RECEIVED	2019-32/18/31bright	122619		375.00		
01-02-2020	CASH RECEIVED	HUSEREAU2019-30	0102202		125.00		
01-27-2020	CASH RECEIVED	BIENK/BROWN2019-35	012720		125.00		
BEGINNING BALANCE .....		0.00	ENDING BALANCE .....	1,260.00	TOTAL ENTRIES	0.00	1,260.00
				FUND TOTALS	0.00	1,260.00	
				GRAND TOTALS	0.00	1,260.00	

REVENUE DETAIL TRANSACTION REPORT - LAST YEAR DETAIL

04-30-2020

ACCOUNT NO ACCOUNT DESCRIPTION

DATE	PAYEE	DESCRIPTION	CHECK/INV	DEBITS	CREDITS		
ACCOUNT	11-08-980-05	Weed Abatement					
06-07-2019	CASH RECEIVED	HUSERAU	060619		125.00		
06-13-2019	CASH RECEIVED	2019-11BRIGHT	061319		125.00		
06-13-2019	CASH RECEIVED	2019-09BRIGHT	061319		125.00		
06-13-2019	CASH RECEIVED	2019-07PIERCE	061319		250.00		
BEGINNING BALANCE .....		0.00	ENDING BALANCE .....	625.00	TOTAL ENTRIES	0.00	625.00
				FUND TOTALS	0.00	625.00	
				GRAND TOTALS	0.00	625.00	

- (j) The provisions of this section shall not apply to:
  - (1) The operator of a vehicle that is lawfully parked or stopped;
  - (2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;
  - (3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;
  - (4) The use of voice-operated technology;
  - (5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service.

**Section 13-73.11. Operation of Golf Carts.** [Ord. No. 2344 §1, 8-18-2015]

- (a) Any individual operating a golf cart within the City shall possess a valid driver's license. An exception to this provision is when a golf cart is being operated on a golf course while the operator of such is engaged in playing golf.
- (b) Golf carts are prohibited on all public streets and on any City of Eureka owned property, including, but not limited to, City parks and trails.
- (c) Any golf cart operated within the City is required to have fully functional brake lights, and if operated after dusk must also have fully functional headlights which must remain in operation between dusk and dawn. An exception to this provision is when a golf cart is being operated on a golf course while the operator of such is engaged in playing golf.
- (d) The maximum number of individuals which may be transported in a golf cart is limited to the manufacturer's design rated seating capacity.

ARTICLE X  
**Pedestrians' Rights and Duties**

**Section 13-74. Pedestrians Subject to Traffic Control Devices.** [Ord. No. 252, §1]

Pedestrians shall be subject to traffic control signals as heretofore declared in sections 13-27 and 13-28, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this article.

**Section 13-75. Pedestrians' Right-of-Way in Crosswalks.** [Ord. No. 252, §1]

- (a) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the

# City of Pacific Re-opening Policies and Procedures



In accordance with Gov. Mike Parson’s “Show-Me Strong Recovery Plan,” the City intends to put the following policies into place, effective Monday, May 4.

- City Hall will be open to the public, with some restrictions. Visitors must maintain social distancing while inside the building. Meetings with City staff will be by appointment only.
- The City will resume the residential occupancy program, but on a limited basis. Please contact the Building Department (636-271-0500 ext 215) for details.
- The City will resume limited utility shut-offs for non-payment on a *case-by-case basis*. Late fees and penalties will continued to be waived through May.
- Municipal Court dates have been postponed until May 28. Please contact the Court Administrator (636-257-4553) for more information.
- Park playgrounds will remain closed, per the Governor’s guidance. Rentals of park pavilions *may* be allowed, but with certain limitations. Please contact City Hall (636-271-0500 ext 211) for more information.
- A decision on Municipal Pool operation for summer 2020 is expected to be made at the Board of Aldermen meeting May 5.
- Businesses must operate according to the Governor’s orders and guidance.\* The City does not have any restrictions in place that are *in addition to* the Governor’s orders. Please contact City staff (636-271-0500 ext 213 or 216) with any questions or concerns.  
(\*Those businesses located in St. Louis County remain subject to St. Louis County orders.)

Citizens should note that City employees will continue to follow best practices for social distancing in an effort to protect employee health and the health of the general public as best as possible. When in doubt, employees are instructed to err on the side of caution and avoid interactions with at-risk individuals and / or high-risk situations.

**The public’s cooperation with all of these efforts is greatly appreciated!**

**Be safe everyone! *Pacific strong!***

# MEMORANDUM

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Steve Roth  
City Administrator

636-271-0500 ext. 213  
sroth@pacificmissouri.com

April 30, 2020

**TO: City employees**  
**RE: "Re-opening" employee policies**

Hello everyone,

As you no doubt are aware, Governor Mike Parson this week issued his "Show-Me Strong Recovery Plan" for the State of Missouri. A copy of the order has been posted on the City website: <http://www.pacificmissouri.com/271/Coronavirus-Information>. Franklin County has also eased certain restrictions and is essentially following the Governor's order and guidelines. We intend to do the same in Pacific as well.

Effective May 4, the following policies are put into place:

- If you are sick, stay home! We do not want anyone who feels sick to report to work.
- City Hall will be open to the public during regular business hours (with certain exceptions; notices will be posted). The Board meeting room will be closed. Visitors to City Hall will be required to follow social distancing guidelines. Meetings with staff will be by appointment only.
- The same basic policy will be followed for the Police Department and Public Works buildings. The buildings will be open to the public, but access to these buildings are restricted to only essential functions, as determined by the Department Heads.
- Work-from-home will be allowed and encouraged where practicable. Supervisors will be responsible for determining work schedules and arrangements for individual employees.
- We will continue to operate the Red Cedar facility in an effort to maximize social distancing within the Public Works operation. The "one employee per truck" rule will remain in place.

The City greatly appreciates employee cooperation with these efforts. I feel we have managed this situation very well and we want to continue to operate as safely as possible. At the same time we recognize the need to "re-open" and make our programs and services as accessible to the public as possible.

Thank you again for your cooperation!



Steve Roth  
City Administrator