



JANUARY 21, 2020 * RECORD OF PROCEEDINGS

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

The meeting was called to order at 7:00 p.m. by Mayor Myers.

A roll call was taken with the following results:

Present at Roll Call:

Alderman Nemeth
Alderman Rahn
Alderman Gass
Alderman Stotler

A quorum was present.

Also present:

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

Pledge of Allegiance

The Pledge of Allegiance is given.

Prayer

Ministerial Alliance offered prayer this evening. They also requested use of the council room for the National Day of Prayer. Mayor Myers stated the request was on the agenda this evening.

Approve Agenda

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

Minutes

A. Regular meeting on January 7, 2020

Motion made by Alderman Stotler seconded by Alderman Gass to approve the minutes of the regular meeting on January 21, 2020. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

B. Executive session meeting on January 7, 2020

Motion made by Alderman Rahn, seconded by Alderman Stotler to approve the minutes of the executive meeting on January 7, 2020. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Hearing

The City will conduct a Public Hearing to hear comments on a verified petition for Voluntary Annexation, Vitale Farms LLC, commonly known as 5875 Lost Hill Lane, 5881 Lost Hill Lane, 5893 Lost Hill Lane, 18800 Franklin Road, Pacific, MO.

Mayor Myers read the Public Hearing into the record. He opened the Public Hearing for comments. Alderman Gass asked how this is contiguous. Mayor Myers stated this is across from the prison. Administrator Roth stated the property is immediately across from Hwy 66 and is in the City limits, then there is the railroad, the contiguous extends across the rights of way. There being no further comments the public hearing was closed.

Mayor's Report

a. Tourism Commission recommendation, Welcome to Pacific digital sign

Mayor Myers stated there is a recommendation from the Tourism Commission to increase the size of the digital sign. The quote from Sign Experts is included in the packet, and Paul is present for any questions. Paul stated the sign is almost 10 years old, with only two service calls. The proposal includes taking out all the panels under the sign. The foundation of the sign can still be used, and the new sign has a better resolution of 30%, has its own phone so it can be programmed from your cell phone and is under warranty for 5 years. The cost of the sign is \$ 78,000. The new sign will extend past the existing posts. Administrator Roth stated when the old sign was constructed there is a small piece on MoDot property. There was an agreement passed but it never reached the finish line. This will be cleaned up before we proceed. Motion made by Alderman Gass, seconded by Alderman Rahn to approve the recommendation from the Tourism Commission and move forward with a new sign from Sign Experts. A voice vote was approved with an affirmative result, and Mayor Myers declared the motion carried.

Public Participation

Debbie Kelley stated she would hold her comments until Bill No. 4082.

Matt Mansell, 708 Cypress, Pacific, MO stated he would like to speak in reference to electing/appointing a Chief of Police. He stated he started all of this, and he was trying to accomplish promoting from within. Washington and Union both did this and so does Meramec Ambulance. The way this is going, and the more he thinks about it, this was not the way to accomplish what he was trying to do. He has not heard of one person that likes this. He apologized to the Board and hoped they would take a step back. If this passes, which he hopes it don't he would ask that they promote from within. We are a small town and we have good employees and wants to keep it that way.

Greg Hurst, 605 Cypress, stated he moved here in 1966 and has owned a home for 30 years in Pacific. He knows the history, and this is a professional department with the elected chief. The system we have now serves us well. The people have chosen well in the past and we have come a long way and had very good chiefs.

New Bills

Bill No. 4085 An Ordinance amending the Fiscal Year 2019-2020 Budget and Wage and Salary Schedule for appointed officials and employees of the City of Pacific. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4085 for the first reading by title only.

Bill No. 4086 An Ordinance providing for the approval of a Final Plat of Riverbend Heights Subdivision Plat 1, a tract of land zoned "R-1B" Single-Family District located at or about 2050 Highway N (Congress Street) Franklin County Parcel ID 19-6-14.0-0-099-034.000 in the City of Pacific (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4086 for the first reading by title only. Alderman Gass stated this was originally platted for smaller lots. Mayor Myers stated this was approved at Planning & Zoning last night. This is one home on 6 acres. Alderman Gass stated this is losing rooftops. This is a good piece of ground and there is only one home on it. Mayor Myers stated the owner could not secure funding as originally intended, and he has one buyer for a large lot. Alderman Nemeth stated that Alderman Gass makes a good point, and suggested a standard be wrote, Alderman Rahn agreed.

Bill No. 4087 An Ordinance approving a petition for Voluntary Annexation filed by Kathleen G. Vitale, Joseph C. Vitale and Vitale Farms, LLC, regarding certain property contiguous and compact to the City of Pacific, Missouri and generally located at 5875, 5893, 5881 Lost Hill Lane and 18800 Franklin Road; annexing said property to the City; authorizing other actions in connection with such annexation, and repealing conflicting ordinances. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4087 for the first reading by title only.

Consideration of Bills Previously Introduced

Bill No. 4082 An Ordinance providing for the appointment of Chief of Police (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4082 by title only for the second reading. Mayor Myers asked for any discussion. Collector Kelley stated she believes this started as a misunderstanding and feels like this pertains to her office as well. What we have done in the past works. She does not like taking the rights of the citizens away. Her vote is no, and this should continue to be elected. Alderman Gass stated after talking to the Chief and he had phone calls about this, he is going to vote "no" tonight if this goes to a vote. Mayor Myers asked for comments from Attorney Karr. Attorney Karr stated there are four Aldermen present tonight, for the ordinance to pass it will require 4 out of 6 to vote "aye". Chapter 79 states it will take the majority of the entire board. There was discussion to have the 2nd reading at the next regular meeting. City Clerk Barfield stated ballot certification is due on Tuesday, which is before the next board meeting. Mayor Myers stated that this ordinance goes to the voters asking if the change should occur. Staff saw it as a good thing because all cities in the St. Louis area with the exception of 4 don't elect their chief. All this does is give a larger candidate pool. Anyone downstairs could still apply; it only opens the selection process. At "Coffee with the Mayor" there were

24 people present who were undecided, but now seem to agree this is a good thing. For him its what is best for the City, not best for an individual. He believes the department does a great job, and we always want to do better. Mayor Myers stated there was also discussion about what it takes now to remove a Chief. With the appointment of a Chief it is very difficult to remove one. Chief Mansell stated that is why he is changing his mind. We have good people downstairs. We have to look in our own home first and promote from within. He doesn't want a stranger running his department or this town. Alderman Stotler stated he saw both sides, but this just puts it on the ballot. It does not stop anybody from applying. He thought with all the positions, we look at what we have first. Alderman Nemeth stated the promote from within mentality is what you want at any job. If we don't have candidates that we can promote, then we have failed. The challenge becomes sometimes those people are gone, for whatever reason. The point is not to take it out of Pacific, we put stuff out to find the right talent. Sometimes we are talent pool challenged. Everybody has the right to say no to this when they vote. It's concerning, we are not taking anyone's right away to vote. We are just exploring all the talent, and this is a good thing. Chief Mansell stated if this passes, please look at the people downstairs. Collector Kelley stated we are having our say now, I think you are wrong to put it on the ballot, and I am coming to you as a voter. Mayor Myers stated we are not taking the voters right to vote away; we are giving them a choice. **Motion made by Alderman Gass, seconded by Alderman Rahn to table this for a special meeting on Monday, January 27, 2020 at 7:30 pm. A voice vote was taken with an affirmative result. Attorney Karr stated Sunshine Law allows for video conference of a board member, but a quorum has to be physically present.**

Bill No. 4083 An Ordinance establishing the position of City Engineer and providing for the qualifications and duties thereof (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4083 by title only for the second reading. Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Bill No. 4083. Mayor Myers asked for any discussion. There being none, a roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Gass, Alderman Stotler, Alderman Nemeth. Nays: none. Whereupon, Mayor Myers declared **Bill No. 4083 passed and becomes Ordinance No. 3167.**

Bill No. 4084 An Ordinance providing for a Boundary Adjustment between the Cities of Eureka and Pacific. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4084 by title only for the second reading. Motion made by Alderman Nemeth, seconded by Alderman Gass to approve Bill No. 4084. Mayor Myers asked for any discussion. There being none, a roll call vote was taken with the following results: Alderman Gass, Alderman Stotler, Alderman Nemeth, Alderman Rahn. Nays: none. Whereupon, Mayor Myers declared **Bill No. 4084 passed and becomes Ordinance No. 3168.**

New Business

Resolution No. 2020-02 A Resolution authorizing and directing the Mayor to execute a Contract Agreement with HR Green Inc. for Professional services for Storm Water Planning and Preliminary Design Work.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-02 by title only. **Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Resolution No. 2020-02 A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Resolution No. 2020-03 A Resolution authorizing the transfer of funds from the Water &

Sewer Fund to the Leasehold Revenue Bond for the Interest Payment and Administrative Fees of the Municipal Assistance Bond Series 2012 in the amount of \$ 148,689.50.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-03 by title only. **Motion made by Alderman Stotler, seconded by Alderman Gass to approve Resolution No. 2020-03. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

City Administrator Report

- a. Denton Road bridge, Engineering Services Contract negotiation

Administrator Roth referred to the memo on the dais. The purpose of the memo was to request authority to cease negotiations with the top-ranked firm for this project, Juneau Associates, and to negotiate with the second-ranked firm Cochran. A copy of the memo is made part of the minutes. Motion made by Alderman Gass, seconded by Alderman Stotler to direct staff to cease negotiations with Juneau Associates and begin negotiations with Cochran Engineering. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Administrator Roth stated he would try to have a contract by the next meeting.

- b. Engagement letter, Gilmore Bell in the amount of \$ 1,500.00.

Administrator Roth stated the Engagement letter was for audit work for both bond issues. Motion made by Alderman Stotler, seconded by Alderman Gass to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- c. Meramec Regional Planning Commission – Administrator Roth stated there was a meeting this morning with them regarding the 27 buyout properties. We are still waiting for the CDBG portion of the grant. MRPC is going to manage the project for us. He will be putting the notice out soon that this project is back on.

City Attorney Report

Heck vs City of Pacific – This was a case on if they were entitled to a non-conforming issue. Attorney Karr stated the court ruled against the City, the judgement has not been entered yet. The City can appeal if they want to.

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.

- b. Approve the payment of \$ 15,000 to the Tri County Community Center.

Motion made by Alderman Rahn, seconded by Alderman Gass to approve the payment of \$ 15,000 to the Tri County Senior Center. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Abstain: Alderman Stotler. Attorney Karr stated this still passes.

- c. Approve Candlewick Lane Pay App 3 in the amount of \$ 46,660.46 and Change Order 1.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Candlewick Lane Pay App 3 in the amount of \$ 46,660.46 and Change Order 1. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

d. Approve MVCCA request to use City Hall, May 7, 2020.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve MVCCA request to use City Hall, May 7, 2020. A voice vote was taken with an affirmative result, a Mayor Myers declared the motion carried.

REPORTS OF CITY OFFICIALS

Alderman Nemeth – No report

Alderman Rahn – No report.

Alderman Gass – Asked for an update on the St. Louis St./Phelan project. Administrator Roth stated he meets with Dan Rahn on Thursday, they still need an easement. Lift station 2 – Administrator Roth stated the report should be coming soon. Reservoir @ Blackburn – the structural engineer evaluated it last week and is putting together some ideas.

Alderman Stotler – stated HGTV Applications are due February 7, 2020. Mayor Myers stated HGTV has a contest for cities to apply if they have an old structure that needs a face lift. He was working on putting something together to send in, but if other organizations do this, he thinks it would help.

Glass at Viaduct and Thornton – Has been there for many weeks and asked we clean it up.

Alderman Stotler – asked Administrator Roth what the Aldermen could do to help support the Economic Development portion of his notes. Administrator Roth stated he just needed time to focus on it. He stated he would like to have more time to work with the non-profits.

Chief Mansell – asked for updated City maps. He also stated he is not getting any communication from MoDot about when they are shutting down streets. Mayor Myers stated he would contact them ask for better communication.

Collector Kelley – asked for an update on Hogan Subdivision. Administrator Roth stated the report should be back soon.

ADJOURNMENT

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

The meeting adjourned at 8:10 p.m.

ATTEST:

Kimberly Barfull
City Clerk

Board of Aldermen 1-21-20

Steve Myers

Steve Myers, Mayor

Acting President of
Board

Herbert Adams